



NEW YORK STATE SENATOR

James L. Seward

## Seward Joins Flood Summit In Windham

JAMES L. SEWARD November 28, 2011

| ISSUE: **LOCAL GOVERNMENT, GOVERNMENT OPERATIONS**



ONEONTA, 11/28/11 – State Senator James L. Seward (R/C/I – Oneonta) today joined members of Governor Cuomo’s Upstate Storm and Recovery Task Force at a summit to assess the state's ongoing recovery efforts in response to the damage caused by Hurricane Irene and Tropical Storm Lee. The meeting was held in the Town of Windham and included state agency commissioners, local elected officials, community representatives, and was chaired by Lieutenant Governor Robert Duffy.

**“Today’s meeting is part of the ongoing effort to assist local communities rebuild from the destruction of Irene and Lee,”** said Senator Seward. **“Strides are being made but the task is great and local families, business owners and elected officials need to know they have long-term support from the state. I appreciate the continued assistance from the governor’s office.”**

At the Upstate Storm and Recovery Task Force meeting in Windham, the following updates were discussed regarding the state's ongoing recovery efforts:

### **Main Street Fund**

Up to \$3 million has been made available through the New York State Agricultural and Community Recovery Fund to provide money to Main Street businesses in some of the hardest hit areas. This funding is available to be requested by counties on behalf of businesses and building owners to help revitalize local economies. Eligible entities will be able to apply for assistance to, among other things; rehabilitate buildings for commercial and main street residential use, repair and replace permanent fixtures and equipment, as well as for inventory and working capital.

The first round of these awards has been determined with Greene, Schoharie, and Delaware counties each receiving \$500,000. The initial funds will go to businesses and building owners in the following municipalities: Greene County: Prattsville, Hunter, Windham, and Catskill; Schoharie County: Middleburgh and Schoharie; Delaware County: Margaretville, Fleischmanns and Sidney. Applications are still being accepted for subsequent rounds of grants in all affected counties, including the three with awards announced today, and awards are expected to be distributed in the near future.

### **Highway Repairs**

As a result of Hurricane Irene and Tropical Storm Lee, more than 400 road segments and bridges were closed on the state highway system. Within ten days of each event, the State

Department of Transportation had re-opened more than 80 percent of those closed roads and bridges and continued work on the infrastructure that suffered the most extensive damage and required significant reconstruction. As of November 28, only 3 highways and 3 bridges remain closed.

### **Assistance for New York Farms**

The State Department of Agriculture and Markets has issued contracts to 25 Conservation Districts for over 353 awarded farms (\$4,519,817) using the \$15 million Agricultural Community Recovery Fund. Construction and farmland restoration is underway on many if not all of the most devastated farms. The program also has a farm operations component to aid farmers who lost feed in the flood and farmers who have continued operation of their farm stands, farmers' markets efforts and CSAs. For this program, 196 applications have been submitted, and grants will be distributed in the near future.

### **HELP Funds**

The State Environmental Facilities Corporation (EFC) has been inspecting drinking water and wastewater systems and helping municipalities prepare a comprehensive list of damages. Funds are still available for municipalities that suffered damage to their water systems during Hurricane Irene and Tropical Storm Lee through EFC's Hurricane Emergency Loan Program (HELP). Expenses that are eligible for EFC assistance include repairs to pump stations, electrical equipment, treatment facilities and other critical equipment, temporary emergency services such as vacuum truck hauling, bypass pumping and disinfection and related engineering and other professional service.

As of now, 15 municipalities will receive a total of \$14,072,000 in five-year, no-interest loans:

- Town of Bethlehem- \$1,000,000
- City of Binghamton- \$1,000,000

- Town of Black Brook- \$1,000,000
- Town of Cornwall- \$1,000,000
- Village of Ellenville- \$1,000,000
- Village of Endicott- \$1,000,000
- Village of Granville- \$1,000,000
- Town of Jay- \$1,000,000
- Village of Johnson City- \$1,000,000
- Town of Lloyd- \$1,000,000
- Village of Monticello- \$690,000
- Town of Owego \$1,000,000
- Village of Owego- \$500,000
- Village of Schoharie- \$1,000,000
- Town of Windham- \$882,000

### **Insurance Claims**

Following Irene and Lee, Governor Cuomo, Department of Financial Services Superintendent Benjamin Lawsky and other state officials traveled to the hardest hit areas of the state and heard many complaints from citizens and business owners that insurers were slow to respond in handling their claims, which they desperately needed to rebuild and recover. In response, DFS today sent a letter to New York property insurance companies informing them that they are required to follow New York rules for fairness and promptness when servicing customers with federal flood insurance.

For most homeowners and businesses, insurance policies bought from the National Flood Insurance Program are the only protection against flood damage. The Superintendent's letter affirms that when New York insurers are handling claims under federal flood insurance, the insurers are still subject to state regulation requiring prompt and fair claims

handling.

New York Insurance Regulation 64 sets reasonable standards for insurers to respond to policyholders of any type of insurance sold in the state. For example, it sets time frames that require insurers to:

- Respond to communications from policy holders within 15 business days.
- Commence an investigation within 15 business days of receiving a notice of claim from an insured.
- Notify the insured in writing of the insurer's acceptance or rejection of a claim within 15 business days, or notify the insured that more time is needed and the reason for the additional time.
- Notify the insured in writing of the specific reason for any denial of any part of a claim.

In addition, Regulation 64 has fairness rules, such as prohibiting an insurer from not attempting in good faith to reach prompt, fair and equitable settlements of claims or from forcing policyholders to sue by offering very low settlements.

### **Funds for Repairing or Replacing Furnaces**

On November 16, Governor Cuomo announced that \$5 million in funding has been made available to help repair and replace furnaces damaged as a result of Hurricane Irene and Tropical Storm Lee. Funding is still available for this program, and to apply, homeowners should directly contact the Weatherization Assistance provider that serves their area. A list of providers can be found at: [http://nysdhcr.gov/Apps/profiles/profile\\_WAPcnty.asp](http://nysdhcr.gov/Apps/profiles/profile_WAPcnty.asp)

Households cannot have liquid resources exceeding \$5,000 and must meet certain income eligibility guidelines, which can be found at

<http://nysdhcr.gov/Programs/WeatherizationAssistance/>.

For more information about furnace repairs or replacement call 1-866-ASK-DHCR.

### **Department of State's Long-Term Community Recovery Program**

The Long Term Community Recovery Program will help towns and villages with technical expertise as they develop recovery strategies and design rebuilding projects to reestablish vibrant communities that are less vulnerable to future flooding. The program will provide financial assistance, up to \$50,000 per grant, on a competitive basis. The grants will provide money to hire technical experts, consultants, and fund comprehensive strategic planning for the rebuilding of housing, economic, infrastructure and environmental projects. Applications may be submitted by affected municipalities or by counties or not-for-profits on their behalf. The total amount of grant funds presently available for this program is \$789,896. The round 1 application deadline is January 12, 2012 at 4:00 p.m., and the round 2 deadline is March 1, 2012 at 4:00 p.m.

### **FEMA Assistance**

Approximately 59,331 people have registered for Individual Assistance and more than \$145 million has been disbursed through the Individual and Households Program / Other Needs Assistance. The Individual Assistance registration deadline is December 15, 2011.

The Small Business Administration has approved 1,567 applications totaling \$69.5 million for damages from Hurricane Irene and 686 applications for \$32.8 million for damages from Tropical Storm Lee.

Public Assistance projects 4,315 Sub-Grant Applications (SGAs) for Hurricane Irene and 1,278 SGAs for Tropical Storm Lee. Of these, 95 SGAs, estimated at \$3,135,850, are have been filed for Hurricane Irene; and 24 SGAs, estimated at \$583,578, have been filed for Tropical Storm Lee.

State agencies, including the Department of State's Codes Division, State Office of Emergency Management (SOEM), and the Department of Environmental Conservation, have been working with FEMA to ensure that any codes related issues, including placement of temporary housing units in floodplains, can be addressed promptly and safely. FEMA requires that 200 AMP utility service be available for temporary housing units and SOEM has been working with the State Public Service Commission to ensure that utility companies are responsive to FEMA's needs to get service upgraded where it is needed. SOEM and DOT have worked to expedite the permits for companies hauling the temporary housing units on state roads and to grant blanket waivers to enable companies to work without having to request permits repeatedly.