

# EXECUTIVE ORDERS

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**Executive Order No. 109: Continuing the Declaration of a Disaster in the Counties of Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster and Westchester.**

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, on April 24, 2013, I issued Executive Order Number 98 continuing the declaration of a disaster in the counties of Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster and Westchester for ninety days; and

WHEREAS, beginning on October 29, 2012 and for a period continuing thereafter, Superstorm Sandy brought damaging winds and torrential rainfall causing record flooding and severe storm surge throughout the State of New York, damage from which certain areas of the State are still working to recover; and

WHEREAS, the facilities of the Metropolitan Transportation Authority and its subsidiaries or affiliates (collectively, the "MTA") sustained significant damage as a result of, or during, Superstorm Sandy; and

WHEREAS, on May 17, 2013, I issued Executive Order Number 99 to suspend provisions of the Public Authorities Law to allow the MTA to expedite the award of contracts in order to promptly perform necessary critical repairs, reconstruction, rehabilitation and mitigation work and to maximize the use of federal assistance money; and

WHEREAS, on June 18, 2013, I issued Executive Order Number 101 to continue the suspension of provisions of the Public Authorities Law as ordered by Executive Order Number 99; and

WHEREAS, Section 29-a of the Executive Law provides that no suspension of laws shall be made for a period in excess of thirty days, provided, however, that upon reconsideration of all of the relevant facts and circumstances, the suspension may be extended for additional thirty-day periods;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law, and after having reconsidered all of the relevant facts and circumstances, do hereby order the following:

1. The declaration of a disaster as ordered by Executive Order Number 47 and continued by Executive Order Number 98 shall be continued for the counties of Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster and Westchester for ninety days; and

2. The suspension of laws ordered by Executive Order Number 99 and continued by Executive Order Number 101 shall be continued through August 15, 2013.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this fifteenth day of July in the year two thousand thirteen.

BY THE GOVERNOR  
/S/ Andrew M. Cuomo  
/s/ Lawrence Schwartz

*Secretary to the Governor*

**Executive Order No. 110: Creation of the Mohawk Valley and 2013 Upstate Flood Recovery Program.**

WHEREAS, on June 27, 2013 and continuing for a period thereafter, severe storms and flooding disrupted public transportation and utility service, threatened public health and safety systems, damaged public and private property including homes, apartments and businesses, damaged and downed trees and washed out roadways within the Counties of Broome, Chenango, Clinton, Delaware, Essex, Franklin, Herkimer, Madison, Montgomery, Niagara, Oneida, Otsego, Tioga, Schoharie, St. Lawrence and Warren; and

WHEREAS, on June 28, 2013, I issued Executive Order Number 103 declaring a disaster emergency in the Counties of Broome, Chenango, Clinton, Delaware, Essex, Franklin, Herkimer, Madison, Montgomery, Oneida, Otsego, Tioga, Schoharie, St. Lawrence and Warren; and

WHEREAS, on July 5, 2013, I issued Executive Order Number 108, amending Executive Order Number 103 to declare a disaster emergency in the County of Niagara; and

WHEREAS, the flooding and damage caused by these storms resulted in personal hardships, displacing families, including farm families; and

WHEREAS, on July 10, 2013, I submitted a formal request for a Federal Disaster Declaration to provide Federal Emergency Management Agency ("FEMA") Public and Individual Assistance to New York State; and

WHEREAS, on July 12, 2013, FEMA approved the Public Assistance request for twelve counties: Allegany, Chenango, Cortland, Delaware, Franklin, Herkimer, Madison, Montgomery, Niagara, Oneida, Otsego, and Warren; and

WHEREAS, additional designations may be made if requested by the State and are warranted based on the results of further damage assessments; and

WHEREAS, on July 15, 2013, FEMA formally denied the State's request for Individual Assistance; and

WHEREAS, affected individuals, families, business owners, and farmers are in need of assistance with the repair, replacement, and reconstruction of damaged homes, businesses and commercial properties, the repair or replacement of lost equipment and inventory of small businesses, and the rehabilitation of farm buildings and replacement of permanent fixtures and equipment, among other immediate capital needs of farmers; and

WHEREAS, on March 29, 2013, an appropriation of State funds for emergency purposes became law;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and laws of the State of New York, do hereby order as follows:

A. There is hereby established the Mohawk Valley and 2013 Upstate Flood Recovery Program ("Recovery Program"), to be administered by the New York State Division of Housing and Community Renewal in conjunction with the New York State Department of Homeland Security and Emergency Services and the New York State Department of Agriculture and Markets.

B. The Recovery Program shall provide recovery assistance to victims of the storms and flooding and to address uninsured damage to property of affected homeowners, business owners and farmers in the hardest-hit counties: Herkimer, Madison, Montgomery, Niagara and Oneida (“the Designated Counties”).

C. Each of the Designated Counties shall be designated a Community Reconstruction Zone (“CRZ”), and allocation of CRZ funds shall be by county, based on the current damage assessment.

D. Funding shall be available for grants to homeowners, small business owners, and farmers or farm operations in the Designated Counties.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this seventeenth day of July in the year two thousand thirteen.

*BY THE GOVERNOR*

*/S/ Andrew M. Cuomo*

*/s/ Lawrence Schwartz*

*Secretary to the Governor*