

**11697**

DATE: May 21, 2010

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Acting Commissioner

SUBJECT: Resolution Authorizing the Agreement Between the County of Westchester and the Town of Pelham for a Brick Park Improvement Project in the Town of Pelham.

The attached resolution authorizes the County of Westchester to enter into an agreement with the Town of Pelham to provide a grant from the Community Development Block Grant Program (CDBG). The grant will be used for a Brick Park Improvement Project in the Town of Pelham. The term of the agreement is from June 1, 2010, to May 31, 2011, and the amount of the grant is \$40,000.00.

The Town of Pelham plans to renovate Brick Park in the Town of Pelham. The project will include, but is not limited to, removal of trees, brick pavers, benches, table and planter boxes and existing curb; installation of new concrete curb, concrete band, decorative benches, plaza tables, trash receptacles, decorative lights and landscape improvements.

The agreement will serve the public purpose of protecting health and safety of the public and promoting fiscal responsibility.

The goal and objective of the agreement is to ensure the public safety of this low/moderate income neighborhood in the Town of Pelham. The park improvement project will provide life enriching recreational opportunities to the residents of this low income neighborhood. The project also exhibits fiscal responsibility by securing non-County taxpayer resources. The project will be monitored by the Department of Planning staff during their bi-monthly site visits.

Should this agreement not be authorized, the hazardous conditions of this park in this low/moderate income area will continue to deteriorate, causing unsafe conditions to the public.

This procurement is in compliance with the County of Westchester Procurement Policy Procedures, pursuant to Section 3(a)xvi, which states that contracts with recipients for disbursement of grants or loans under the Community Development Block Grant Program are exempt.

Act # 34-2009, adopted March 5, 2009, by the Westchester County Board of Legislators, authorized the County to file an FY 2009-2013 Consolidated Plan application consisting of an Action Plan for Fiscal Year 2009 as an Urban County to the United States Department of Housing and Urban Development (HUD). Act # 152-2005 authorized the County to enter into cooperation agreements with forty (40) municipalities participating in the program as the first step in qualifying these municipalities to receive these funds during Fiscal Year 2009.

On May 28, 2009, the Board of Acquisition and Contract approved a resolution authorizing the County of Westchester to enter into an agreement with the United States Department of Housing and Urban Development for the thirty-fourth year grant totaling \$8,117,872.00 from HUD. The allocation for the Community Development Block Grant Program is \$5,960,971.00. This project will be funded from the thirty-fourth year CDBG allocation.

I recommend approval of this agreement.

EB/cp  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-10-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE ACTING COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with the Town of Pelham, through the Community Development Block Grant Program, in the amount of \$40,000.00, pursuant to an approved budget, for a period beginning June 1, 2010, and ending May 31, 2011, for a Brick Park Improvement Project in the Town of Pelham. The project will include, but is not limited to, removal of trees, brick pavers, benches, table and planter boxes and existing curb; installation of new concrete curb, concrete band, decorative benches, plaza tables, trash receptacles, decorative lights and landscape improvements, and be it further

RESOLVED, that the municipality is reminded of their obligations to comply with the provisions of Title VI of the Civil Rights Act of 1964, the Fair Housing Act of 1968 and the Americans with Disabilities Act of 1990 as stated in the Urban County Cooperation Agreement in that the municipality agrees to do what is necessary, as determined by the County, to comply with each of the above referenced Acts, the rules and regulations thereunder, and the undertakings and assurances in the application form insofar as they relate to the activities and programs conducted by the municipality pursuant to this grant, including to affirmatively further fair housing within its own jurisdiction and not impede the County's action to comply with its fair housing certifications, and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	067J	4380	T067	\$40,000.00

Budget Funding Year(s) (must match resolution)      FY 2009    Start Date      June 1, 2010      End Date      May 31, 2011

Funding Source      Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

**\$40,000.00**      Federal Aid \$40,000.00 – U.S. Department of Housing and Urban Development

(must match resolution)

Other \_\_\_\_\_