

11971

DATE: June 3, 2010

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Acting Commissioner

SUBJECT: Resolution Authorizing the Agreement Between the County of Westchester and the Village of Elmsford for a Perkins Avenue Drainage Project in the Village of Elmsford.

The attached resolution authorizes the County of Westchester to enter into an agreement with the Village of Elmsford to provide a grant from the Community Development Block Grant Program (CDBG). The grant will be used for a Perkins Avenue Drainage Project in the Village of Elmsford. The term of the agreement is from July 1, 2010, to December 31, 2011, and the amount of the grant is \$50,000.00.

The Village of Elmsford plans to install new drainage on Perkins Avenue in the Village of Elmsford in order to eliminate the flooding and ponding on this dead end street. The project will include, but is not limited to, installation of three catch basins/manholes, installation of 700 feet of 15" drainage pipe, and installation of asphalt.

The agreement will serve the public purpose of protecting the 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 Village of Elmsford. The drainage improvement project will provide a flood free area for 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 in this low/moderate income area will continue 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 # 11-2010, adopted March 15, 2010, 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 2010 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 April 29, 2010, 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-fifth year grant totaling \$8,473,589.00 from HUD. The allocation for the Community Development Block Grant Program is \$6,378,239.00. This project will be funded from the thirty-fifth year CDBG allocation.

Pursuant to Act No. 11-2010, prior to disbursement of any grant funds received by the County in connection herewith, any recipient must commit in writing to affirmatively further fair housing ("AFFH") within its borders. Pursuant thereto, such recipient shall agree to certify in writing to the County that it is in compliance with the following terms and conditions, as appropriate, in connection with its commitment to AFFH, in that it will actively further implementation of the Settlement Agreement and Order in *United States of America ex.rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, NY* through recipient's land use regulations and other affirmative measures to assist development of affordable housing, under such terms and conditions as approved by the County Attorney.

I recommend approval of this agreement.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-17-2010 - 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 Village of Elmsford, through the Community Development Block Grant Program, in the amount of \$50,000.00, pursuant to an approved budget, for a period beginning July 1, 2010, and ending December 31, 2011, for a Perkins Avenue Drainage Project in the Village of Elmsford. The project will include, but is not limited to, installation of three catch basins/manholes, installation of 700 feet of 15” drainage pipe, and installation of asphalt, 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

		Major Program, Program & Phase	Object/	Trust	
Fund	Dept	Or Unit	Sub Object	Account	Dollars
263	19	067K	4380	T067	\$50,000.00

Budget Funding Year(s) FY 2010 Start Date July 1, 2010 End Date December 31, 2011
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____

\$50,000.00 Federal Aid \$50,000.00 – U.S. Department of Housing and Urban Development
 (must match resolution) Other _____

S:\ADMINISTRATION\CONTRACTS\Completed Contracts\CDBG\C6710S99\Resolution.doc

APPROVED BOARD OF ACQUISITION & CONTRACTS 6-17-2010 JOMARY VEIRI, SECRETARY