

11976

DATE: June 3, 2010

TO: Board of Acquisition and Contract

FROM: Edward Burroughs
Acting Commissioner

SUBJECT: Resolution Authorizing the Agreement Between the County of Westchester and Village of Tarrytown for a Playground Improvement Project at Patriots Park in the Village of Tarrytown

The attached resolution authorizes the County of Westchester to enter into an agreement with the Village of Tarrytown to provide a grant from the Community Development Block Grant Program (CDBG). The grant will be used for a playground improvement project at Patriots Park in the Village of Tarrytown. The term of the agreement is from July 1, 2010, to December 31, 2011, and the amount of the grant is \$33,300.00.

The Village of Tarrytown plans to renovate the Patriots Park playground equipment in the Village of Tarrytown. The project will include, but is not limited to, installing new fibar safety surfacing, new asphalt path, new cobblestone curb, installing site furnishings, installing play structure for younger children, and new lawn/top soil.

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 playground in the Village of Tarrytown. The playground improvement project will provide life enriching recreational opportunities to 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 playground in this low/moderate income neighborhood 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 # 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 WEBER 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 Tarrytown, through the Community Development Block Grant Program, in the amount of \$33,300.00, pursuant to an approved budget, for a period beginning July 1, 2010, and ending December 31, 2011, for a playground improvement project at Patriots Park in the Village of Tarrytown. The project will include, but is not limited to, installing new fibar safety surfacing, new asphalt path, new cobble stone curb, installing site furnishings, installing play structure for younger children, and new lawn/top soil, 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.

Recommended for Approval:

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	067K	4380	T067	\$33,300.00

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

Funding Source Tax Dollars _____
 State Aid _____

\$33,300.00
 (must match resolution) Federal Aid \$33,300.00 – U.S. Department of Housing and Urban Development
 Other _____