

11980

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 City of Peekskill for a Depew Park Playground Improvement Project in the City of Peekskill.

The attached resolution authorizes the County of Westchester to enter into an agreement with the City of Peekskill to provide a grant from the Community Development Block Grant Program (CDBG). The grant will be used for a Depew Park Playground Improvement Project in the City of Peekskill. The term of the agreement is from July 1, 2010, to December 31, 2011, and the amount of the grant is \$200,000.00.

The City of Peekskill plans to rehabilitate Depew Park in the City of Peekskill. The project will include, but is not limited to, removal of all existing play equipment, benches, curbing and wall, renovation of rubber wear mats, repointing of existing stone wall and pavement, replacement of existing fence with 6' chain link fence, installation of benches, picnic tables, path lighting, pavilion lighting, concrete curb, and trash receptacles.

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 City of Peekskill. The park rehabilitation 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.

It is noted 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

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 City of Peekskill, through the Community Development Block Grant Program, in the amount of \$200,000.00, pursuant to an approved budget, for a period beginning July 1, 2010, and ending December 31, 2011, for a Depew Park Playground Improvement Project in the City of Peekskill. The project will include, but is not limited to, removal of all existing play equipment, benches, curbing and wall, renovation of rubber wear mats, repointing of existing stone wall and pavement, replacement of existing fence with 6' chain link fence, installation of benches, picnic tables, path lighting, pavilion lighting, concrete curb, and trash receptacles, 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	\$200,000.00

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

Funding Source Tax Dollars _____
 State Aid _____

\$200,000.00 Federal Aid \$200,000.00 – U.S. Department of Housing and Urban Development
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION CONTRACT-6-17-2010 - JOMAR VILERA, SECRETARY