

Office of the County Executive
Robert P. Astorino

Department of Environmental Facilities

Thomas J. Lauro, P.E.
Commissioner

October 23, 2012

30015

TO: Board of Acquisition and Contract

**FROM: Thomas J. Lauro, P.E.
Commissioner of Environmental Facilities**

**RE: Authorization to enter Into a Grant Agreement with the State of New York ("State")
as part of the Household Chemical Waste Collection Program for the State DEC 2011
Fiscal Grant Year, Pursuant to Chapter 610 of the Laws of 1993**

The State, pursuant to Chapter 610 of the Laws of 1993, provides for State assistance toward programs and the construction of facilities related to the collection and proper disposal of household hazardous wastes. The State grants funds up to 50% of the actual and eligible expenses incurred by local governments. While the approval of your Honorable Board is not required by the County Charter to apply for such grants, the State's application procedure requires it.

The public purpose is to receive revenue from the State that will reimburse the County for 50% of eligible costs associated with constructing a permanent HHW collection facility, called the Household Material Recovery Facility (H-MRF), thus reducing the burden to the taxpayer. The goal and objective for entering into this contract is to take advantage of an existing state funding program that reimburses local solid waste managers for household hazardous waste (HHW) related facility construction costs. The County finished construction and opened the H-MRF in April, 2011, and authority is requested whereby the County would enter into a grant agreement with the State for reimbursement of up to 50% of the actual and eligible expenses incurred by the County for this facility. All expenses related to these programs have been appropriated in the Capital budget for the Department of Environmental Facilities.

All expenses sent to the State for reimbursement must include proof of payment, whether by check number or copy of paid receipt. The application must be received by the State DEC by or before December 31, 2012, and the term of the proposed grant will be for expenses incurred from May 12, 2009 through June 28, 2012.

I certify that my department, (a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instruction received from the agency making the grant (the "Grant Terms"); (b) has reviewed the Grant Terms; (c) is aware of and understands all of the Grant Terms; and (d) can and will comply with all the Grant Terms.

A proposed resolution is hereby attached.
attachment

Division of Solid Waste
Wastewater Treatment
Water Agency



RESOLUTION

Based upon a communication from the Commissioner of Environmental Facilities,

WHEREAS, chapter 610 of the Laws of 1993 provides New York State ("State") assistance for local government household hazardous waste collection programs; and

WHEREAS, Westchester County conducts programs related to the collection and proper disposal of household hazardous wastes, and has examined and duly considered Chapter 610 of the Laws of 1993 of the State of New York and deems it to be in the public's best interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a grant agreement by and between the State of New York, acting through the Department of Environmental Conservation ("D.E.C."), and Westchester County, be executed for such State assistance;

NOW, THEREFORE, BE IT RESOLVED by the Westchester County Board of Acquisition and Contract as follows:

RESOLVED, that the County is hereby authorized to enter into a grant agreement with the State whereby the County will be reimbursed of up to 50% of actual and eligible expenses incurred by the County for its Household Hazardous Waste (HHW) Collection Program following submission of an application in the form required by the State of New York and in conformity with Chapter 610 of the Laws of 1993 and rules and regulations promulgated there under, including all understandings and assurances contained in said application; and be it further

RESOLVED, that the County has fully funded all costs associated with the construction of a permanent HHW facility in Valhalla, NY; and be it further

RESOLVED, that the term of the grant will be from May 12, 2009 through June 28, 2012, to cover the State's 2012 fiscal grant year program; and be it further

RESOLVED, that the County Executive or his duly authorized designee, namely the Commissioner of Environmental Facilities, is hereby authorized to execute all instruments necessary to implement this Resolution.

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2012	251	60	7700	9734		\$1,598,126

Budget Funding Year(s): 2012-2013 Start Date: 5/12/09 End Date: 6/28/12
(must match resolution)

Funding Source Tax Dollars _____

State Aid \$ 1,598,126 (estimated @ 50% of total expense)

\$ 1,598,126 Federal Aid _____

Other (Revenue)

APPROVED BOARD OF ACQUISITION CONTRACT - 11/21/2012 - JOSEPH VEIRA, SECRETARY