

13456

DATE August 17, 2010

TO: Board of Acquisition and Contract

FROM: Edward Burroughs
Acting Commissioner of Planning

SUBJECT: Resolution Authorizing the Agreement between the County of Westchester and the Village of Rye Brook for Facility Improvements at the AJP Community Center in the Village of Rye Brook

The attached resolution authorizes the County of Westchester to enter into an agreement with the Village of Rye Brook to provide a grant from the Community Development Block Grant Program (CDBG). The grant will be used for facility improvements at the AJP Community Center in the Village of Rye Brook. The term of the agreement is from September 6, 2010 to December 31, 2011 and the amount of the grant is \$98,350.00, to be paid pursuant to an approved budget.

The Village of Rye Brook plans to complete a facility improvement project at the AJP Community Center in the Village of Rye Brook. The project will include, but is not limited to, repair/replacement of the roof, replacement of the cooling system and upgrading the bathroom facilities.

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 the residents visiting the community center. The project 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 during construction to ensure all contractual requirements are met.

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.

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 9/27/10 SANDRA 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 Rye Brook, through the Community Development Block Grant Program, in the amount of \$98,350.00, to be paid pursuant to an approved budget, for a term beginning September 6, 2010 and ending December 31, 2011, for facility improvements at the AJP Community Center in the Village of Rye Brook. The project will include, but is not limited to, repair/replacement of the roof, replacement of the cooling system and upgrading the bathroom facilities, 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	\$70,000.00
263	19	067J	4380	T067	\$28,350.00

Budget Funding Year(s) FY 2009 & 2010 Start Date September 6, 2010 End Date December 31, 2011
 (must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$98,350.00 Federal Aid \$98,350.00 – U.S. Department of Housing and Urban Development
 (must match resolution)

Other _____

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APPROVED BOARD OF ACQUISITION & CONTRACTS 9-2-2010 - JOMARY VIEIRA, SECRETARY