

14667

DATE: October 15, 2010

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Acting Commissioner of Planning

SUBJECT: Resolution authorizing an Agreement between the County of Westchester and the Village of Sleepy Hollow for a Kendall Avenue Sidewalk Improvement Project in the Village of Sleepy Hollow

The attached resolution authorizes the County of Westchester to enter into an agreement with the Village of Sleepy Hollow to provide a grant from the Community Development Block Grant Program (CDBG). The grant will be used for a Kendall Avenue Sidewalk Improvement Project in the Village of Sleepy Hollow. The term of the agreement is from October 25, 2010 to June 5, 2012 and the amount of the grant is \$100,000.00, to be paid pursuant to an approved budget.

The Village of Sleepy Hollow plans to implement a sidewalk improvement project on Kendall Avenue in the Village of Sleepy Hollow. The project will include, but is not limited to, installation of an asphalt driveway, removal and installation of concrete curb, removal and installation of concrete pavement both 5" and 7".

The agreement will serve the public purpose of public safety and promoting fiscal responsibility.

The goal and objective of the agreement is to ensure the public's safety by installing sidewalks to allow pedestrians a safe walkway in the Village of Sleepy Hollow. 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 # 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 2010.

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 - 10-28-2010 - 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 Sleepy Hollow, through the Community Development Block Grant Program, in the amount of \$100,000.00, pursuant to an approved budget, for a term beginning October 25, 2010 and ending June 5, 2012, for the Kendall Avenue sidewalk improvement project in the Village of Sleepy Hollow. The project will include, but is not limited to, installation of an asphalt driveway, removal and installation of concrete curb, removal and installation of concrete pavement both 5" and 7", 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	\$100,000.00

Budget Funding Year(s)
(must match resolution)

FY 2010 Start Date October 25, 2010 End Date June 5, 2012

Funding Source

Tax Dollars _____

State Aid _____

\$100,000.00
(must match resolution)

Federal Aid \$100,000.00 – U.S. Department of Housing and Urban Development

Other _____

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APPROVED BOARD OF ACQUISITION & CONTRACT - 10-28-2010 CLERK OF SUPERIOR COURT SECRETARY