

16704

DATE January 7, 2011

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner, Department of Planning

SUBJECT: Resolution authorizing a Second Amendment to a prior resolution between the County of Westchester, Greenburgh Housing Development Corporation and the Town of Greenburgh to provide infrastructure improvements associated with the Warren Avenue Homes Affordable Housing Development in the Town of Greenburgh

The attached resolution authorizes the County of Westchester to do a Second Amendment to a prior resolution authorizing an agreement between the County of Westchester (the "County"), Greenburgh Housing Development Corporation (the "Developer") and the Town of Greenburgh (the "Town") to provide infrastructure improvements associated with the Warren Avenue Homes Affordable Housing Development in the Town of Greenburgh (the "Development") to change the expiration date from December 31, 2010 to December 31, 2011.

The Town and Developer are requesting an extension of the expiration date as there were numerous obstacles such as delays in receiving permits from the Town's building department and assembling the funding to finance the construction. The construction is currently 95% complete and is expected to be completed by year's end.

On October 19, 2006, your Honorable Board approved a resolution authorizing an agreement between the County and the Town in the amount of \$180,000, commencing as of November 1, 2006, and terminating as of October 31, 2008. The Agreement was never executed.

On March 12, 2009, your Honorable Board approved a resolution authorizing an amendment to the prior resolution authorizing an agreement between the County of Westchester and the Town of Greenburgh to provide infrastructure improvements associated with the Warren Avenue Homes Affordable Housing Development in the Town of Greenburgh to add Greenburgh Housing Development Corporation as an additional party to the agreement and to change the expiration date from October 31, 2008, to December 31, 2010. Funding will be from the Housing Implementation Fund ("HIF"). The total not to exceed amount is \$198,000, to be used as follows: \$180,000.00 for the cost of the Infrastructure Improvements related to the Development and \$18,000.00 to fund related County soft costs. The Agreement was never executed.

The Agreement will serve the public purpose of providing affordable housing and exhibit fiscal responsibility through the increase in tax revenue for the County. The goal and objective of this Agreement is to provide affordable housing. The provision of affordable housing will assist residents, local employees and other low income households in the County. It will aid both local government and the County with fiscal responsibility through the increased tax revenue received from these properties that would otherwise not provide a similar tax payment if not put toward productive use. This project will also increase mortgage tax revenue as homes are sold and resold to new families.

I recommend approval of this amendment.

EB/cp
Attachment

RESOLUTION

SECOND AMENDMENT

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED: that the County is authorized to do a Second Amendment to a prior resolution approved on March 12, 2009, authorizing an agreement between the County of Westchester (the "County"), Greenburgh Housing Development Corporation (the "Developer") and the Town of Greenburgh (the "Town") in order to change the expiration date from December 31, 2010 to December 31, 2011; and it is further

RESOLVED: that all the other terms and conditions of the prior resolutions will remain the same, and it is 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.

Original Agreement	\$198,000.00
First Amendment	\$ - 0 -
This Amendment	\$ - 0 -
TOTAL	\$198,000.00
AGREEMENT NUMBER	C-HIF-06-37

Account to be Charged/Credited

		Major Program, Program & Phase	Object/	Trust	
Fund	Dept	Or Unit	Sub Object	Account	Dollars
318	19	BPL0116S	6050	N/A	\$0.00

Budget Funding Year(s) FY 2006 Start Date November 1, 2006 End Date December 31, 2011
 (must match resolution)

Funding Source Tax Dollars \$0.00
 State Aid _____
\$0.00 Federal Aid _____
 (must match resolution) Other _____