

**23933**

DATE: December 22, 2011

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Commissioner of Planning

SUBJECT: Resolution authorizing an Agreement between the County of Westchester and the Village of Elmsford for a Downtown Elmsford Streetscape Project

The attached resolution authorizes the County of Westchester to enter into an agreement with the Village of Elmsford to provide a grant from the Community Development Block Grant (CDBG) Program to be used for a downtown Elmsford streetscape project. The term of the agreement will be January 1, 2012 to December 31, 2012 and the amount of the grant is \$200,000.00, pursuant to an approved budget.

The Village of Elmsford plans to rehabilitate the existing sidewalks along Route 119 (Main Street) in the Village. The project will include, but is not limited to, installation of new curbing, sidewalks, decorative band, lighting, planting and drainage.

The objective of the agreement is to ensure the public safety of the residents of this low income neighborhood. The project exhibits fiscal responsibility by securing non-County resources. The project will be monitored by the Department of Planning staff through 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 CDBG Program are exempt.

Act # 11-2010, adopted March 15, 2010, by the Westchester County Board of Legislators, authorized the County to file a 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 HUD for the thirty-fifth year grant totaling \$8,473,589.00. The allocation for the CDBG 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 Stipulation and Order of Settlement and Dismissal 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 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 instructions 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 of the Grant Terms.

I recommend approval of this agreement.

EB/cp  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/26/2017 - CLERK OF SUPERIOR COURT

R E S O L U T I O N

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

RESOLVED, that the County of Westchester is hereby authorized to enter into an Agreement with the Village of Elmsford, through the Community Development Block Grant Program, in the amount of \$200,000.00, pursuant to an approved budget, for a term beginning January 1, 2012 and ending December 31, 2012, for a downtown Elmsford streetscape project in the Village of Elmsford. The project will include, but is not limited to, installation of new curbing, sidewalks, decorative band, lighting, planting and drainage; 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	067K	4380	T067	\$200,000.00

Budget Funding Year(s)  
(must match resolution)

FY 2010 Start Date January 1, 2012 End Date December 31, 2012

Funding Source

Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

**\$200,000.00**  
(must match resolution)

Federal Aid \$200,000.00 – U.S. Department of Housing and Urban Development

Other \_\_\_\_\_