

**41767**

DATE August 12, 2014

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 Ossining for a Community Center Patio Project

The attached resolution authorizes the County of Westchester to enter into an agreement with the Village of Ossining to provide a grant from the Community Development Block Grant (CDBG) Program to be used for a Community Center Patio Project in the Village of Ossining. The term of the agreement will be September 1, 2014 to August 31, 2015 and the amount of the grant is \$72,000.00, pursuant to an approved budget.

The Village of Ossining plans to construct an outdoor patio at the community center located at 95 Broadway in the Village. The outdoor patio will provide a venue for outdoor recreation that will benefit the low and moderate income residents of the Village. The project will include, but is not limited to, stormwater improvements, construction of a retaining wall and installation of new fencing, curbing, patio and planting.

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 & CONTRACTS 03/11/2014 - COUNTY CLERK SECRETARY

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 Ossining, through the Community Development Block Grant Program, in the amount of \$72,000.00, pursuant to an approved budget, for a term beginning September 1, 2014 and ending August 31, 2015, for a Community Center Patio project in the Village of Ossining. The project will include, but is not limited to, storm water improvements, construction of a retaining wall and installation of new fencing, curbing, patio and planting; 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	\$72,000.00

Budget Funding Year(s)  
(must match resolution)

FY 2010 Start Date September 1, 2014 End Date August 31, 2015

Funding Source

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

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

**\$72,000.00**  
(must match resolution)

Federal Aid \$72,000.00 – U.S. Department of Housing and Urban Development

Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/11/2014 - JONATHAN VERA, SECRETARY