

48978

DATE October 14, 2015

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing an amendment to the agreement between the County of Westchester and Allied Community Enterprises, Inc. (ACE) to fund a portion of costs related to the rehabilitation of a house located at 602 Route 22 in the Town of North Salem in order to change the term of the agreement from a two year term commencing upon execution, to begin April 17, 2015 and terminate on April 16, 2017

On May 29, 2014, your Honorable Board approved a resolution to enter into an agreement with Allied Community Enterprises, Inc. its designee or assigns, to provide grant funds from the New York State Affordable Housing Corporation's Affordable Homeownership Development Program with the two year term upon execution. The May 29, 2014 Resolution was in the amount of \$80,000 to be used for a portion of the costs related to the rehabilitation of an existing single-family residence at 602 Route 22 in the Town of North Salem to create one affordable ownership unit and one affordable rental unit that would both affirmatively further fair housing (AFFH) as set forth in 42 U.S.C. Section 5304(b)(2) and as required pursuant to the Settlement Agreement.

On November 20, 2014, your Honorable Board approved a resolution amending the May 29, 2014 in order to reduce the amount of funding from \$80,000 to \$40,000. The agreement was executed on August 27, 2015.

Allied Community Enterprises, Inc. did not return the agreement in a timely fashion. Therefore ACE has requested the term of this agreement be changed to begin April 17, 2015 to reflect the time period when the construction was begun. All other terms and conditions of the agreement will remain the same.

The goal and objective of the original agreement was to carry out the County's obligations under the Settlement Agreement by ensuring the development of affordable AFFH Units in accordance with the terms of said Settlement Agreement. In addition, the development will create a home ownership opportunity for lower and moderate income individuals and families who may not otherwise be able to afford to purchase a home in Westchester County. The unit will be safe,

secure and energy efficient and will also enhance the neighborhood by rehabilitating a vacant and distressed residence. Department of Planning staff will make site visits to ensure that the renovations are being conducted according to contract specifications and will monitor compliance with the ongoing affordability requirements.

I recommend approval of this Amendment.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/12/2015 - JOAN COCCIARDI, SECRETARY

RESOLUTION

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

RESOLVED: that the County of Westchester is authorized to approve an amendment to the agreement with Allied Community Enterprises, Inc., to fund a portion of the development cost of two affordable affirmatively further fair housing units located at 602 Route 22 in the Town of North Salem in order to change the term of the agreement from a two year term commencing upon execution, to a commencement date of April 17, 2015 and terminating April 16, 2017; and it is further

RESOLVED: that all other terms and conditions of the agreement 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.

Original Agreement \$ 80,000.00
 First Amendment \$-40,000.00
 This Amendment \$ 0.00

 TOTAL \$ 40,000.00

AGREEMENT NUMBER C-AHC-14-17

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Capital Project/ Bond Act #	Object/ Sub Object	Trust Account	Dollars
263	19	085K	N/A	4380	T085	\$0.00

Budget Funding Year(s) FY 2014 Start Date: April 17, 2015 End Date: April 16, 2017
 (must match resolution)

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