

82429

DATE: February 3, 2021

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an Intermunicipal Developer Agreement with the Town of Greenburgh and Manhattan Avenue Senior LLC, its successors and/or assigns, to fund the construction of certain infrastructure improvements in support of 70 affordable rental units to be constructed on +/-2.61 acres of real property at 48 Manhattan Avenue in the Town of Greenburgh.

By Act No. 200 - 2020 adopted on November 9, 2020, the Westchester County Board of Legislators authorized the County of Westchester (the "County"), by and through its Department of Planning (the "Department") to enter into an Intermunicipal Developer Agreement (the "IMDA") with the Town of Greenburgh (the "Town") and Manhattan Avenue Senior LLC; its successors or assigns, (collectively the "Developer") for the construction of certain infrastructure improvements in support of the affordable housing development to be constructed at 48 Manhattan Avenue, Greenburgh, New York (the "Development") in an amount not to exceed \$2,500,000.00 for a term not to exceed fifteen years, and to grant and accept all necessary property rights in connection therewith.

The attached resolution authorizes the County to enter into an IMDA with the Town and the Developer, their successors or assigns, for the construction of certain infrastructure improvements, including, but not limited to, construction of asphalt pavement, concrete curbing, storm water system, sanitary sewer system, sidewalks, fencing, water lines, hydrants, lighting and landscaping (the "Infrastructure Improvements") in an amount not to exceed \$2,500,000, for construction and related expenses, for a term not to exceed fifteen years (commensurate with the period of probable usefulness of the County bonds issued in connection with this project). The Property is currently owned by the Greenburgh Housing Authority ("GHA"). GHA will lease the land for the buildings and the park to the Developer for 99 years for \$1 per year.

The authorizations requested herein are in support of the Development which will consist of seventy (70) affordable rental units that will affirmatively further fair housing ("AFFH") which will be affordable to eligible senior households aged 62 and over with incomes at or below

30% and up to 60% of the Westchester County Area Median Income (“AMI”) as defined by the US Department of Housing and Urban Development and adjusted for household size (the “Affordable AFFH Units”). The Affordable AFFH Units are expected to include 70 one-bedroom apartments, which will be affordable for a period of not less than fifty (50) years. The Development will also include 44 on-grade parking spaces.

The IMDA will require the Developers, as a condition of the County’s financing of the Infrastructure Improvements, to record a declaration of restrictive covenants approved by, and enforceable by, the County which will run with the land and bind the property and any successor(s) in interest and will require that the Affordable AFFH Units be maintained and marketed and rented in accordance thereto for a period of not less than fifty years.

The goal and objective of the IMDA is to support the construction of housing which will be safe, secure and energy efficient, and will provide rental opportunities for lower and moderate income senior households aged 62 and over which may not otherwise be able to afford to live in Westchester County.

Department staff will monitor and track the IMDA, the construction of the Development and compliance with the affordability requirements.

Based upon the foregoing, I respectfully recommend that your Honorable Board approve the annexed resolution.

NVD/cp/lg/di
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS - 02/11/2024 - NDA # 191-14J, SECRET

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to enter into an Intermunicipal Developer Agreement (the “IMDA”) with the Town of Greenburgh (the “Town”) and Manhattan Avenue Senior LLC; its successors and/or assigns, (the “Developer”) for the construction of certain infrastructure improvements, including but not limited to, asphalt pavement, concrete curbing, storm water system, sanitary sewer system, sidewalks, fencing, water lines, hydrants, lighting and landscaping, in support of the affordable development that affirmatively furthers fair housing (“AFFH”) to be constructed at 48 Manhattan Avenue in the Town of Greenburgh in an amount not to exceed \$2,500,000.00 for construction and related expenses for a term not to exceed fifteen years and to grant and accept all necessary property rights in connection therewith; and be it further

RESOLVED, that in accordance with the IMDA, the Developer will construct and provide 70 one bedroom Affordable AFFH Units (the “Affordable AFFH Units”) and will also include 44 on-grade parking spaces and the Affordable AFFH Units will be rental units for senior households aged 62 and over with incomes at or below 30% and up to 60% of the Westchester County Area Median Income and will be affordable for a period of not less than Fifty (50) years; 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 the purposes hereof.

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
318	19	Bond Act 201-2020 BPL1A-14 S	6050	N/A	\$2,500,000.00

Budget Funding Year(s) FY 2020 Start Date: Upon Execution End Date: 15 Years after Execution

Funding Source Tax Dollars \$2,500,000.00
 State Aid _____
\$2,500,000.00 Federal Aid _____
 (must match resolution) Other _____