

DATE April 6, 2010

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Acting Commissioner

SUBJECT: Resolution Authorizing the County of Westchester to Enter Into an Agreement to Purchase and Subsequently Convey Approximately 5.8064 Acres of Real Property Located at Mahopac Avenue and Route 6 in the Town of Somers, Known as The Mews at Baldwin Place, for the Purpose of Providing New Fair and Affordable Rental Housing for Senior Citizen Households, which will Remain Affordable For a Minimum of (50) Fifty Years

The attached resolution authorizes the County of Westchester to enter into an agreement to purchase and subsequently convey approximately 5.8064 acres of real property located at The Mews at Baldwin Place, Mahopac Avenue and Route 6 in the Town of Somers and therefore enter into any agreement necessary to purchase the property from Somers Realty Corporation, or current owner of record and convey to Somers Housing Development Fund Company, Inc. as nominee for Somers Senior LP or their successor or assigns for \$1.00, for the purpose of providing 72 fair and affordable rental apartments (the "Units").

On April 5, 2010, the Westchester County Board of Legislators authorized, by Act 25-2010, the County to purchase the property and subsequently convey approximately 5.8064 acres of real property in the Town of Somers for the purpose of providing seventy two (72) fair and affordable rental units for senior citizen households age 62 and older, which will remain affordable for a minimum of Fifty (50) Years, plus one (1) Unit for a superintendent. In addition, on April 5, 2010 the County was authorized by the Westchester County Board of Legislators through Act 26-2010 to issue up to \$2,250,000 in bonds to finance the purchase in an amount not to exceed \$2,000,000 and which includes \$250,000 in funds for County soft costs relating to this acquisition and conveyance.

The amount to be paid for the purchase of the property shall not exceed Two Million (\$2,000,000) Dollars as approved by the Westchester County Board of Legislators on April 5, 2010.

The Units will be rentals in accordance with the County's New Homes Land Acquisition Program and the Westchester County Affordable Housing Plan Statement of Need adopted by Resolution Number 107-1992 in that seventy two (72) Units will be allocated for senior citizen households, age 62 and older with a range of incomes not to exceed 60% of the Area Median Income (AMI) for Westchester County.

The agreement will serve the public purpose of providing fair and affordable housing units in Westchester County for senior citizen households.

The goal and objective of this agreement is to create fair and affordable housing that is safe, secure and energy efficient. The proposed development will create seventy two (72) fair and affordable rental units of housing for those senior citizen households, 62 years of age and older, plus one (1) unit for the superintendent and will relieve the future residents from the burden of the high cost of rental housing in Westchester County. In addition, this agreement will assist in meeting the 2004 Housing Needs Assessment which states that 10,768 affordable housing units must be created between the years 2000 –

2015. The Westchester County Department of Planning Staff will monitor and track this construction during monthly site visits and monitor continued compliance with affordable housing requirements.

Should this agreement not be authorized, the financial viability of the development may be jeopardize, the creation of seventy two (72) fair and affordable rental units for senior citizen households and one (1) unit for the superintendent will not be achieved and the residents will not be relieved from the burden of high costs of rental housing in Westchester County.

EB/sm
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-22-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to execute any agreements necessary to purchase approximately 5.8064 acres of real property located at The Mews at Baldwin Place, Mahopac Avenue and Route 6 in the Town of Somers from Somers Realty Corporation or current owner of record for the purpose of providing seventy two (72) fair and affordable rental apartments for senior citizens age 62 and older, that will remain affordable for a minimum period of fifty (50) years, plus one (1) unit for the superintendent. The purchase amount will not exceed \$2,000,000 and the term of the agreement will begin April 5, 2010 and end on April 30, 2013, and be it further

RESOLVED, that the County is hereby authorized to execute any agreements necessary to convey the property to Somers Housing Development Fund Company, Inc. as nominee for Somers Senior LP, its designee, successor or assigns for Two Million Dollars, and be it further

RESOLVED, that the 72 Units will be rented and subsequently re-rented in accordance with the New Homes Land Acquisition Program and the Westchester County Affordable Housing Statement of Need adopted by Resolution No. 107-1992 in that seventy two (72) Units will be rented to senior citizen households, age 62 and older with a range of incomes not to exceed 60% of the Area Median Income (AMI) for Westchester County and one (1) Unit for a superintendent. These Units will remain affordable for a minimum period of (50) years, noting that they are subject to change based on the median income levels at the time of initial occupancy, and subsequent occupancies, by the U.S. Department of Housing Development, and be it further

RESOLVED, that the purchase and conveyance of the Property will take place within the period beginning April 5, 2010, and ending April 30, 2013, 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
318	19	BPL10-27-S	6050	N/A	\$2,000,000.00

Budget Funding Year(s) (must match resolution)

FY 2010

Start Date

April 5, 2010

End Date April 30, 2013

Funding Source

Tax Dollars \$2,000,000.00

State Aid _____

\$2,000,000.00
(must match resolution)

Federal Aid _____

Other _____

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