

95181

DATE: August 3, 2022

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Commissioner of Planning

SUBJECT: Resolution Authorizing the County of Westchester to enter into a grant agreement with the New York State Environmental Facilities Corporation to accept funds in an amount not to exceed \$85,000.00 as part of the State Septic System Replacement Fund to be utilized to enter into Award Agreements to reimburse property owners a portion of the cost of replacing cesspools and septic systems that impair or threaten priority waterbodies in Westchester County

The attached resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into a grant agreement with the New York State Environmental Facilities Corporation to accept a grant in an amount not to exceed \$85,000.00 as part of the State Septic System Replacement Fund (the "Grant Agreement"). The funds will be utilized to reimburse property owners a portion of the cost of replacing cesspools and septic systems that impair or threaten priority waterbodies in Westchester County. The Grant Agreement shall be for the term retroactive to April 20, 2021 and continuing through December 31, 2026. In addition, authority is requested to enter into award letter agreements with homeowners to reimburse eligible homeowners a portion of the cost of septic system replacement up to a maximum of \$10,000 each ("Award Agreements").

The State Septic System Replacement Fund Program was established by the America's Water Infrastructure Act of 2018 (33 USC 2201 et seq.) and authorizes counties to reimburse property owners for a portion of the cost of replacing cesspools and septic systems that impair or threaten priority water bodies. Working with the County Department of Health, the Grant Agreement authorizes the County to reimburse property owners through Award Agreements, up to 50% of eligible costs, to a maximum of \$10,000, for septic projects which are within 250 feet of a priority waterbody. The goal of the program is to reduce the environmental impact of inadequate septic systems and cesspools in close proximity to priority waterbodies. This will improve the public health and welfare of Westchester County residents as the priority water bodies are threatened or impaired and are in the local water supply.

As the Grant Agreement does not constitute a procurement of goods or services, the provisions of the Westchester County Procurement Policy are not applicable. The

Award Agreements to be entered into with individual homeowners is pursuant to the State Septic System Replacement Fund Program which was established by the America's Water Infrastructure Act of 2018, so the provisions of the Westchester County Procurement Policy are not applicable.

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 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.

The Grant Agreement and the Award Agreements will be monitored by the Department of Planning staff, through quarterly progress reports provided to the New York Department of Environmental Facilities.

I recommend approval of the Grant Agreement and the Award Agreements.

NVD/di
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/25/2022 - RAYMOND SCULKY, SUPERVISOR

RESOLUTION

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

RESOLVED: that the County of Westchester is authorized to enter into a grant agreement with the New York State Environmental Facilities Corporation as part of the State Septic System Replacement Fund in an amount not to exceed \$85,000.00 for the term retroactive to April 20, 2021 and continuing through December 31, 2026 and to enter into Award Agreements to reimburse property owners up to 50% of the cost of replacing cesspools and septic systems that impair or threaten priority waterbodies in the County up to a maximum of \$10,000 each; and be it further

RESOLVED: that the County Executive or his authorized designee be and hereby is authorized to execute any and all documents necessary and appropriate to effectuate purposes hereof.

Account to be Charged/Credited

		Major Program, Program & Phase	Object/	Trust	
Fund	Dept	Or Unit	Sub Object	Account	Dollars
263	19	085V	9854	T085	\$85,000.00

Budget Funding Year(s) FY 2021-26 Start Date 4/20/21 End Date 12/31/26
 (must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$85,000.00 Federal Aid \$85,000
 (must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 03/25/2022 - RAMOND S. BUCKLEY, SECRETARY