

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
MARCH 22, 2019
AGENDA**

**Call to Order
Pledge of Allegiance
Roll Call**

1. **MOTION** to schedule a Public Hearing for Monday, April 1, 2019 to discuss projects considered for funding under the Orange County Community Development Program.

**Executive Session, if applicable
Adjournment**



OFFICE OF COMMUNITY DEVELOPMENT

Nicole Andersen, Director
18 Seward Avenue – 1st Floor
Middletown, New York 10940

Tel: (845) 615-3820 • Fax: (845) 344-1629

Email: CommDev@orangecountygov.com

Steven M. Neuhaus

County Executive

February 22, 2019

Dear Urban County Consortium Member:

We are pleased to announce the start of the FY-2020 Community Development Block Grant (CDBG) Municipal Grant Application process. The application will only be transmitted via email and is also available on the Community Development website at <https://www.orangecountygov.com/192/Community-Development>. Please feel free to share the information with any other interested party.

Enclosed with this letter is the FY-2020 CDBG Program Year Calendar. Please take a few moments to review all important deadline dates as several key dates have been changed. Any municipality that submits an application for funding must hold a public hearing to inform citizens of the opportunity to apply for federal funding, review its community development needs, and obtain citizen input, particularly from low to moderate income persons, on which activities should be included in funding proposal and application, and authorize the Municipal Official to submit an application. All municipal applications are to be submitted to the Office of Community Development (OCD) no later than 4:00 PM, Friday, April 26, 2019.

At least one representative from the Applicant/Municipality must attend a **MANDATORY Application Workshop on Thursday, March 21, 2019 from 9:30 a.m. to 12 noon at the Orange County Emergency Services Center**, Classroom 2, 22 Wells Farm Road, Goshen, NY. There can be no exceptions to the application deadline or attendance at the meeting. As ***there are many changes to the application process this year***, we suggest that the Municipal Official, Primary Contact, Project Manager and Engineer (if applicable) attend. To register, e-mail a list of Attendees with their Contact Information to jsatenberg@orangecountygov.com, by **March 1, 2019**.

Substantial Amendment to 2018 Action Plan

OCD is preparing a Substantial Amendment to the 2018 Action Plan for the purposes of reprogramming and expending unused CDBG funds from prior years. We are reviewing all 2018 and 2019 applications (including those that were not funded) as well as a few applications from municipalities wishing to reprogram their awarded but unused grants from 2017. If you have a project that is capable of being bid by May 2019 (if applicable) and substantially completed by September 2019, please reach out to Nicole Andersen, Director of Community Development at (845) 615-3819 to discuss the project.

Thank you for your continued interest in this important program and we look forward to assisting you with your FY-2020 municipal application. If you have any questions, please do not hesitate to contact me at (845) 615-3819 or nandersen@orangecountygov.com.

Sincerely,

Nicole Andersen

Nicole Andersen
Director of Community Development



ORANGE COUNTY OFFICE OF COMMUNITY DEVELOPMENT FY-2020 PROGRAM YEAR CALENDAR

February 22, 2019	FY-2020 CDBG Application E-Mailed to Supervisors/Mayors and posted on web FY-2020 HOME Application E-Mailed to Contact List and posted on web
Mid-March 2019	Receive Notice from HUD of final 2019 CDBG, HOME and ESG Entitlement
March 21, 2019 (Thursday) 9:30a.m. to 12 noon – CDBG 1 p.m. to 2 p.m. – HOME	Application Workshops at the Orange County Emergency Services Center, 22 Wells Farm Road, Goshen, NY **MANDATORY for Applicants**
March 25, 2019	Publish Legal Notice – Public Hearing #1
March 29, 2019 (Friday)	Deadline for Applicants to submit CDBG and HOME FY-2020 Project Eligibility Determination Request for review by OCD (optional)
April 3, 4, and 5, 2019 April 3, 2019 at 3:30 and 5 p.m. April 5, 2019 at 12 noon	Five-Year Housing and Community Development Consolidated Plan Focus Groups Public Hearing #1 for the Five-Year Consolidated Plan and FY-2020 Action Plan Mayors and Supervisors Luncheon/presentation regarding Con Plan Orange County Emergency Services Center, 22 Wells Farm Road, Goshen, NY
April 26, 2019 (Friday)	CDBG and HOME Applications Due to OCD Office by 4:00 p.m.
April 29 – May 10, 2019	OCD Staff Review and Ranking of CDBG and HOME Projects
May 16 and 23, 2019	CDBG Advisory Committee Site Visits (Tentative)
Early June 2019	CDBG Advisory Committee Ranking Meeting (9:30 AM)
July or August 2019	County Executive Review of CDBG and HOME Advisory Committee Recommendations
August 30, 2019 (Friday)	Request Resolution from Legislature to Submit FY-2020 Action Plan and Five-Year Housing and Community Development Consolidated Plan to HUD
September 18, 2019 (Wed.) September 23, 2019 October 1-31, 2019	Send ad to newspaper(s) Publish Notice – Public Notice of Display Period and Public Hearing #2 Start 30-Day Public Comment Period
October 25, 2019 (Friday)	Education & Economic Development/Legislative Committee
October 24, 2019	Public Hearing #2 at the Orange County Emergency Services Center, 22 Wells Farm Road, Goshen, NY at 5:00 p.m. Public Comment on all Proposed Activities in FY-2020 Action Plan
November 7, 2019	Legislative Approval to Submit FY-2020 Action Plan to HUD
November 13, 2019	Submit FY-2020 Action Plan to HUD
November 2019	FY-2020 CDBG Anticipated Award letters mailed to Municipalities FY-2020 HOME Anticipated Award letters mailed to Awardees
January 1, 2020	Begin FY-2020 Program Year - HUD Approves FY-2020 Action Plan

*These dates are tentative and are subject to change. Notice of actual hearing dates, proposed and final plan adoption, and related public comment periods will be published in the Times Herald Record and on the OCD website:
<https://www.orangecountygov.com/192/Community-Development>*

**Program Fiscal Year 2020
Orange County Urban County Consortium
Community Development Block Grant (CDBG) Application**

*****CDBG Applications must be submitted to the Orange County Office of Community Development no later than 4:00 p.m. on Friday, April 26, 2019*****

This program is funded and regulated at the federal level by the U.S. Department of Housing and Urban Development (HUD) and administered locally by the Orange County Office of Community Development. The CDBG Program provides annual grants on a formula basis to Entitlement Communities to support viable communities by providing decent housing, suitable living environments and expanded economic opportunities to benefit people with low to moderate incomes. No more than 15% of CDBG funds for any fiscal year may be used for public service activities. The Orange County Urban County Consortium anticipates receiving approximately **\$1.6 million** from the US Department of Housing and Urban Development (HUD) for the Fiscal Year 2020 (January 1, 2020 – December 31, 2020) Community Development Block Grant (CDBG) Program of which, approximately \$1,000,000.00 dollars are to be distributed to member municipalities. CFDA # 14.218, 24 CFR Part 570. The Community Development Program is now beginning its 36th year of operation in Orange County. To date, **\$71,681,472** has been made available to the County and participating communities.

Projects must serve Orange County residents with low to moderate incomes. Census data and Municipal maps depicting the low-moderate income areas in each of the participating municipalities is provided on the Orange County Office of Community Development website: (<https://www.orangecountygov.com/192/Community-Development>).

Substantial Amendment to 2018 Action Plan

OCD is preparing a Substantial Amendment to the 2018 Action Plan for the purposes of reprogramming and expending unused CDBG funds from prior years. We are reviewing all 2018 and 2019 applications (including those that were not funded) as well as a few applications from municipalities wishing to reprogram their awarded, but unused grants from 2017. If you have a project that is capable of being bid by May 2019 (if applicable) and substantially completed by September 2019, please reach out to Nicole Andersen, Director of Community Development at (845) 615-3819 to discuss the project.

CDBG Application and Process for FY 2020:
Technical Assistance

At least one representative from the Applicant/Municipality's must attend a **MANDATORY Application Workshop on Thursday, March 21, 2019 from 9:30 a.m. to 11:30 a.m. at the Orange County Emergency Services Center**, Classroom 1, 22 Wells Farm Road, Goshen, NY. OCD will give an overview of the program, provide application assistance and answer any questions. There can be no exceptions to the application deadline or attendance at the meeting. As **there are many changes to the application process this year**, we suggest that the Municipal Official, Primary Contact, Project Manager and Engineer (if applicable) attend. To register, e-mail a list of Attendees with their Contact Information to jsatenberg@orangecountygov.com, by **March 1, 2019**.

Conceptual Project Applications for FY-2020 will be reviewed up until March 29, 2019. Contact Nicole Andersen, Director of Community Development at (845) 615-3819 or nandersen@orangecountygov.com to have your application reviewed or to discuss potential projects for eligibility. Staff is available to provide technical assistance during the application process and implementation.

All applicants must be available to provide a tour/overview of their project on May 16 or May 23, 2019 and are welcome to present their project at a public hearing on April 3, 2019 at the Orange County Emergency Services Center, 22 Wells Farm Road, Goshen, NY. Applicants will be notified of the date and time for their tour. A second public hearing will be held October 24, 2019 at 5 p.m. at the Office of Community Development.

Project Award

Only one (1) application per applicant is allowed per year, except that a second eligible application may be submitted for an eligible housing activity. Housing activities require a separate application.

There is a minimum application amount of \$25,000 and a maximum of \$125,000 for projects that are to be completed within one (1) year. If you have a project requiring more than \$125,000 that will be a multi-phase, multi-year project, you may apply for up to \$375,000. If an applicant is awarded more than \$125,000 for a project, that applicant will be ineligible to apply again for three years. Should project costs increase post-award, the grant award will not be adjusted upward. Matching funds are not required but recommended.

Project Term Completion Date

Once all conditions of award are met (see Successful Applicant Requirements below) and a contract is executed with the County, **project must be completed within 12 months from the Notice to Proceed date**. OCD will monitor the progress of project work and will recapture awarded funds if significant progress is not made.

Eligible Applicants and Project Benefit Area

CDBG funds are available through the Orange County Urban County Consortium for all municipalities in Orange County which have elected to be a member of the consortium. The following municipalities have elected not to participate in the County's program and therefore projects that primarily serve these communities generally are not eligible: City of Newburgh, City of Middletown, City of Port Jervis, Town of Palm Tree, and Village of Kiryas Joel. Eligible Municipalities may also apply on behalf of a Non-Profit Subrecipient.

Application Requirements

- The CDBG application requires an approval by the governing body (municipal or non-profit) and must be signed by the Supervisor, Mayor, Village Manager, or an authorized representative of the non-profit applicant. Applications **must be discussed at a public hearing. Submit notice of hearing and minutes showing the action and provide a copy of the resolution. A sample is included for use.**
- Renovation or construction of buildings used for the general conduct of government (Town or Village Halls or Office buildings or garages) is **NOT** an eligible activity, **except for handicap accessibility** in compliance with ADA requirements.
- **Current Cost Estimate** prepared by an individual knowledgeable in the preparation of such estimates, using federal construction requirements, including, but not limited to, Federal wage rates **MUST** be included with application.
- **Incomplete applications will NOT be considered for funding.** Be sure to complete all sections of the application and provide all requested documentation.
- **DUNS Number:** § 200.32 Data Universal Numbering System (DUNS) number. DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify entities. A non-Federal entity is required to have a DUNS number in order to apply for, receive, and report on a Federal award. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
- **Registration on www.sam.gov** is required by HUD for all entities in order to receive CDBG funding. Proof of registration along with CAGE code is required at the time application. ***Register as soon as possible.
- **Fair Housing Resolution** - Orange County takes fair housing responsibilities very seriously. All participating municipalities must adopt the attached draft municipal resolution that reinforces the municipality's commitment to federal and state fair housing regulations and post the Fair Housing Notice (note attached) on the website.

Project Selection Process and Scoring of Applications

The County's CDBG Program is funded by the Federal government. Federal laws, regulations and guidance supersede County policies and procedures in any case where they conflict.

Applications are reviewed for completion. Applications that lack required items or contain technical errors will be notified by email and given ten (10) calendar days to correct the error. Failure to submit the missing items by the deadline will result in ineligibility.

Members of the CDBG Advisory Committee are appointed by County Executive to review applications and make project and funding allocation recommendations. Applicants might be asked to give a tour of the project or a presentation to the Committee as part of the process. Committee recommendations are published in draft form and public comment is invited prior to a public hearing. The County Executive makes the final project award selections for submission in the form of a One-Year Action Plan, which HUD must approve before final award Agreements are executed. Projected timelines for these activities are in the Community Development Annual Calendar; however, the exact dates are subject to change. CDBG funding payments to grant recipients will be negotiated and detailed in the final award Agreements and the new program year begins January 1, 2020.

In selecting projects for funding this year, Orange County will consider the following factors:

- Attendance of applicant representative at CDBG Application Workshop
- Submission of application by due date
- Completeness of application and inclusion of all required attachments
- Detailed project description
- Project eligibility
- Demonstration of the project's ability to meet a national objective in assisting individuals with low and moderate incomes
- How does the project support viable communities by providing decent housing, suitable living environments and expanded economic opportunities to benefit people with low to moderate incomes?
- Project can be completed within a reasonable time frame of one year
- Amount of Community Development dollars per low to moderate income beneficiary
- Reasonableness of Costs and a budget that reflects fiscal prudence and a readiness to proceed - Is there a logical justification for all expenses in the budget? Is there an explanation for each budget line that clearly supports the applicant's need for financial resources to achieve project outcomes? Does the proposal describe how the grant recipient will monitor expenditures during the life of the project to ensure that the project stays on schedule and within budget?
- Sound administrative infrastructure and capacity, including demonstration of project planning, administrative structures, turnover in staff, weaknesses identified in prior onsite or offsite reviews, and audit or financial statement findings in management letters
- Past performance on prior CDBG funded projects - Consideration may be given to how timely an applicant completed previous projects, including its reporting requirements; how successful it was in outreach, especially to minority- and woman-owned businesses; the ongoing upkeep and maintenance of the funded project; and its cooperation in inspections, monitoring, and other activities.

Successful Applicant Requirements

Successful applicants are advised NOT to begin work until a project contract with the County of Orange has been fully executed and written notice to proceed from the Office of Community Development has been issued. Proceeding without advance OCD approval will jeopardize grant reimbursement. Certain conditions of award must be met to the satisfaction of OCD before a contract can be executed with the applicant/grantee including environmental and historic preservation reviews (including archeological review) and documentation of all necessary approvals to undertake the project.

Project costs are eligible for CDBG funds only if the specified work meets HUD and Orange County Office of Community Development standards and the expenditures are made in compliance with federal, state and county requirements. Failure to comply with these requirements could jeopardize full eligibility for payment of project costs. Requirements include:

- Pursuant to Article 15A of the Executive Law, Minority and Women-owned Business Enterprises/Equal Employment Opportunity, grant recipients will be required to solicit MWBEs before commencing work and to document efforts involving MWBEs during the project term.
- Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money.
- All projects on property eligible or listed on the National or State Registers of Historic Places must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards.
- For any project involving ground disturbance (trenching, grading, demolition, new construction, etc.), prior ground disturbance documentation or an archeological investigation will be required.
- Any permits required from agencies such as the NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (COE) must be filed with the State before construction begins.
- The Office of Community Development must accept/approve plans and specifications, bid documents, competitive bidding procedures, and Forced Labor Utilization Plans.
- Federal wage rates (Davis-Bacon Act) apply to all CDBG funded construction or renovation projects.
- Office of Community Development staff will conduct periodic inspections, including a final inspection of the project, and may conduct post completion inspections as warranted to ensure the public benefit is maintained.

Thank you for considering the submission of an application to the Orange County Community Development Block Grant Program. We look forward to working with you to ensure a successful year of grant applications. Please do not hesitate to contact our office with any questions concerning the enclosed grant application:

Orange County Office of Community Development
40 Matthews Street, 3rd Floor, Goshen, NY 10924
Telephone: 845-615-3820 - e-mail: CommDev@orangecountygov.com
<https://www.orangecountygov.com/192/Community-Development>

FY-2020 Orange County CDBG Application Required Checklist

The following documentation is required. Applications lacking these attachments (or an acceptable explanation) are considered incomplete, and may cause the application to be deemed ineligible, or adversely affect the rating points. To check a box, Double click on each box and click "checked"

<input type="checkbox"/>	Incomplete applications will not be accepted. Prepare the FY 2020 CDBG application in a clear, comprehensive and concise manner. Answer ALL questions.
<input type="checkbox"/>	Submit One (1) single sided application with original signatures via mail or in person to the Office of Community Development, 40 Matthews Street, 3 rd Floor, Goshen, NY 10924 by April 26, 2019 @ 4 p.m. Please, no staples, binders, hole punches, or presentation folders.
<input type="checkbox"/>	E-mail One (1) PDF electronic copy of the original complete Application to jsatenberg@orangecountygov.com . In addition, submit the narrative as a Word Document.
<input type="checkbox"/>	Provide an <u>area map</u> noting the project location and boundaries of the service area that will directly benefit from the project. Use census maps and/or info from the Office of Community Development website: (https://www.orangecountygov.com/192/Community-Development) Note street names/ landmarks for ease of identification. Applicants should submit a color printout of the site/service area map and email the map as a PDF or JPG.
<input type="checkbox"/>	Letters of Commitment and/or written agreements from funding sources and with partners
<input type="checkbox"/>	Provide current Architect and/or Engineer's cost estimates , as applicable. All applications proposing construction activities MUST include a current cost estimate prepared by an individual knowledgeable in the preparation of such estimates, using federal construction requirements, including Federal Davis-Bacon wage rates.
<input type="checkbox"/>	Photographs as JPGs of project site and surrounding area documenting current conditions. Include photos of any structures more than 50 years old within or immediately adjacent to the project area. Provide views to these features from the project site, as well as views of the project site from them.
<input type="checkbox"/>	Public Participation: Resolutions of governing body authorizing Application and Fair Housing Resolution (must contain the language referenced in Exhibits "E" and "F") and evidence of presentation at public hearing (Public hearing notice with date of publication, minutes, and resolution approving submission of the application).
<input type="checkbox"/>	Environmental Assessments, SHPO Review, Flood Plain Map and Topographic Map, if readily available. These can be submitted after project approval.
<input type="checkbox"/>	For Slum & Blight Projects only- Slum and Blight Study less than 10 years old with Building Conditions Survey and Resolution adopted by governing body.
	IF MUNICIPALITY IS APPLYING ON BEHALF OF A NON-PROFIT ORGANIZATION:
<input type="checkbox"/>	Resolution from Non-Profit Board of Directors authorizing grant application
<input type="checkbox"/>	Most recent 990 and Audit with Financial Statements
<input type="checkbox"/>	Copy of Non-Profit 501(c)(3) Certificate from IRS and Executed W-9 Form
<input type="checkbox"/>	List of Board of Directors with address and professional and volunteer affiliations
<input type="checkbox"/>	Organizational Budget, Program/Project Budget and Matching Funds Documentation
<input type="checkbox"/>	Articles of Incorporation/Bylaws
<input type="checkbox"/>	Organizational Chart with resumes of Project Manager and Key Staff assigned