



# TOWN OF DEERPARK

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**KARL A. BRABENEC, SUPERVISOR**  
**GARY SPEARS, COUNCILMAN**  
**ARTHUR T. TROVEI, COUNCILMAN**  
**DAVID M. DEAN, COUNCILMAN**

Resolution 17-2014  
CDBG Program Participation Renewal

BE IT RESOLVED, that the Town Board of the TOWN OF DEERPARK is hereby authorizing town Supervisor, Karl Brabenec of the Town of Deerpark to enter an amendment to the existing cooperation agreement with the County of Orange.

Dated: June 2, 2014

Motion by Ken Smith 2nd by David Dean

Roll Call: 3 Ayes:

Councilman: David Dean  
Supervisor: Karl Brabenec

Councilman: Ken Smith

Absent: Gary Spears Art Trovei

MOTION CARRIED

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Deerpark this 2th day of June 2014.

  
\_\_\_\_\_  
Florence T. Santini, Town Clerk

Town Seal

Resolution 17---2014  
**MUNICIPAL RESOLUTION - URBAN COUNTY  
TOWN OF DEERPARK**

RESOLUTION AUTHORIZING THE TOWN OF DEERPARK ENTER INTO AN AMENDMENT TO THE EXISTING COOPERATION AGREEMENT DATED JULY 8, 1993, AS AMENDED, WITH THE COUNTY OF ORANGE FOR THE PURPOSE OF UNDERTAKING COMMUNITY DEVELOPMENT AND HOME PROGRAMS FOR THE PROGRAM YEAR COMMENCING FEDERAL FISCAL YEARS 2015, 2016, 2017 (AND FOR SUCCESSIVE THREE YEAR QUALIFICATION PERIODS AS PROVIDED FOR IN THE AUTOMATIC RENEWAL PROVISION) PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED AND TITLE II OF THE NATIONAL AFFORDABLE HOUSING ACT OF 1990, AS AMENDED.

WHEREAS, the Secretary of the U.S. Department of Housing and Urban Development ("HUD") authorized, under Title 1 of the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended to make grants to states and other units of general local government to help finance Community Development and Affordable Housing Programs; and

WHEREAS, it is desirable and in the public interest that the **Town of Deerpark** participate in aforesaid Community Development and HOME Programs for the program year commencing **Federal Fiscal Years 2015, 2016, 2017**, (and successive three year qualification period); and

WHEREAS, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more other municipal corporations, to apply for, accept and expend funds made available by the Federal government either directly or through the state, pursuant to the provisions of any Federal Law which is not inconsistent with the statutes or constitution of this state, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

WHEREAS, applications for grants to finance Community Development and Affordable Housing Programs under the Housing and Community Development Act of 1974, as amended and the National Affordable Housing Act of 1990, as amended and any "eligible Activities" thereunder are not inconsistent with the statutes or constitution of this state; and

WHEREAS, **TOWN** shall take all actions necessary to assure compliance with the COUNTY'S certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The COUNTY and the **TOWN** shall also comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. Furthermore, the COUNTY and the **TOWN** shall comply with all other applicable New York State and Federal laws and regulations.

In addition, CDBG funding of activities in, or in support of, **TOWN** is prohibited if the **TOWN** does not affirmatively further fair housing within its own jurisdiction or the **TOWN** impedes COUNTY'S actions to comply with the COUNTY'S fair housing certification. **TOWN** shall indemnify, defend and hold harmless COUNTY from any non-compliance with affirmatively furthering fair housing by **TOWN** that results in funding sanctions or other remedial actions by the United States Department of Housing and Urban Development and/or the federal government against COUNTY.

WHEREAS, The **Town** as a cooperating unit of local government has adopted and is enforcing:

- a) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- b) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions.

WHEREAS, participation by the County of Orange, as an urban county in the Community Development and HOME programs require that the **Town of Deerpark** and the County of Orange cooperate in undertaking or assisting in undertaking, community renewal and lower income housing assistance activities. Specifically urban renewal and publicly assisted housing, pursuant to said Act specifically those activities authorized by statutes and pursuant to Articles 9 and 17 of the New York State Constitution; and



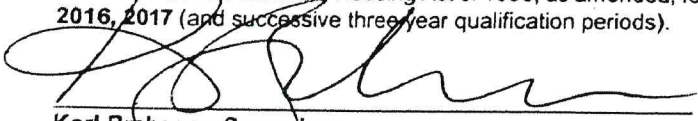
WHEREAS, the County and **Town of Deerpark** will cooperate in developing Community Development and Affordable Housing Programs and applications for the Community Development Block Grant Entitlement Program and the HOME Investment Partnership ("HOME Program") which will be designed primarily for the purpose of meeting the priority needs and objectives of the participating localities based upon an inventory of the community development and housing needs developed mutually by local and County officials;

WHEREAS, **TOWN** may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the [Housing and Community Development] Act [of 1974]. This requirement is contained in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.

WHEREAS, this **Town Board** deems it to be in the public interest for the **Town of Deerpark** to enter into an Amendment to the existing Cooperation Agreement dated July 8, 1993, as amended, with the County of Orange for the aforesaid purpose;

NOW, THEREFORE, BE IT

RESOLVED, that the **Supervisor** be and **he** hereby is authorized and directed to execute a Cooperation Agreement Amendment between the **Town of Deerpark** and the County of Orange for the purpose of undertaking Community Development and HOME Programs pursuant to the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended, for the program year commencing Federal **Fiscal Years 2015, 2016, 2017** (and successive three-year qualification periods).

  
\_\_\_\_\_  
Karl Brabenec, Supervisor


6/3/2014  
Date

STATE OF NEW YORK )  
COUNTY OF ORANGE )  
OFFICE OF THE CLERK OF  
THE TOWN OF DEERPARK)

THIS IS TO CERTIFY THAT I, Florence T. Santini Clerk of the Town of Deerpark,  
(Clerk's Name) (Town)  
have compared the foregoing copy of resolution with the original resolution now on file in my office and which was  
passed by the **Town Board** of Deerpark on the 2nd day of June, **2014**,  
and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of said **Town Board** this  
2nd day of June, **2014**.

SEAL

  
\_\_\_\_\_  
Florence T. Santini  
Clerk of the Town of Deerpark



**TOWN OF DEERPARK**  
 OFFICE OF THE TOWN CLERK  
 420 Route 209 PO Box 621  
 Huguenot, New York 12746



*Florence T. Santini*  
 TOWN CLERK

Telephone: (845) 856-2210 Ext. 2

e-mail [fsantini@townofdeerpark.org](mailto:fsantini@townofdeerpark.org)

FAX: (845) 856-0396

Certification of Minutes Dated June 2, 2014

I, Florence T. Santini, Town Clerk of the Town of Deer park, Orange County New York, hereby certify that the Town of Deer park took the following action:

On Monday, June 2, 2014, at a Regular Town Board Meeting held at 420 Route 209 Huguenot, New York the following motion was brought before the Town Board:

Motion to Approve Resolution 17-2014- Municipal Resolution Urban County

DATED: June 2, 2014

Motion by Ken Smith 2<sup>nd</sup> by David Dean

Roll Call 3 Ayes:

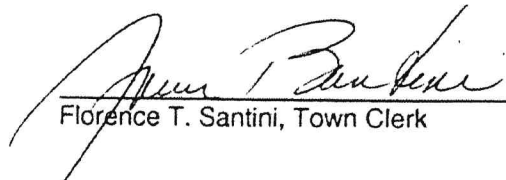
Councilman: David Dean  
 Supervisor: Karl Brabenec

Councilman: Kenneth Smith

Absent: Councilman: Art Trovei and Gary Spears

MOTION CARRIED

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Deer park this 2<sup>nd</sup> day of June 2014.

  
 \_\_\_\_\_  
 Florence T. Santini, Town Clerk

\_\_\_\_\_  
 Town Seal

## AMENDMENT TO COOPERATION AGREEMENT

It is hereby agreed effective as of \_\_\_\_\_, 2014, by and between the County of Orange, a municipal corporation of the State of New York, having its principal offices at 255-275 Main Street, Goshen, New York 10924 ("COUNTY"), and "**Town of Deerpark**" a municipal corporation of the State of New York, having principal offices at **420 Route 209, P.O. Box 621, Huguenot, New York 12746** ("**TOWN**") to amend the Cooperation Agreement dated, July 8, 1993, between the parties ("Cooperation Agreement") as follows:

1. Strike and replace Paragraph 3 as follows:

3. Pursuant to New York State General Municipal Law §99-h, the COUNTY and the TOWN agree to undertake, or assist in undertaking, community renewal and lower income housing assistance activities.

2. Strike and replace Paragraph 6 as follows:

6. The COUNTY and the TOWN shall take all actions necessary to assure compliance with the COUNTY'S certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The COUNTY and the TOWN shall also comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. Furthermore, the COUNTY and the TOWN shall comply with all other applicable New York State and Federal laws and regulations.

In addition, CDBG funding of activities in, or in support of, TOWN is prohibited if the TOWN does not affirmatively further fair housing within its own jurisdiction or the TOWN impedes COUNTY'S actions to comply with the COUNTY'S fair housing certification. TOWN shall indemnify, defend and hold harmless COUNTY from any non-compliance with affirmatively furthering fair housing by TOWN that result in funding sanctions or other remedial actions by the United States Department of Housing and Urban Development and/or the federal government against COUNTY.

3. Add the following Paragraph 18:

18. TOWN may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the [Housing and Community Development] Act [of 1974]. This requirement is contained in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.



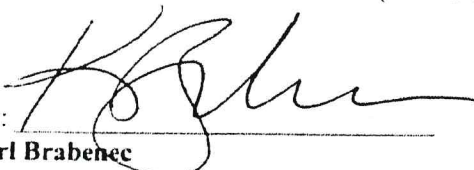
In all other respects, the provisions of the Cooperation Agreement, shall remain in full force and effect and shall be binding upon the parties referred to above.


**TOWN OF DEERPARK**

(PLACE SEAL)

**COUNTY OF ORANGE**

(PLACE SEAL)

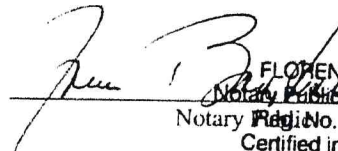
BY:   
**Karl Brabenec**  
Supervisor

BY:   
For: **Stefan (Steven) M. Neuhaus**  
County Executive

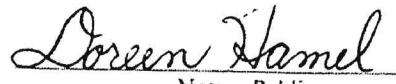
STATE OF NEW YORK )  
COUNTY OF ORANGE ) ss:

On this 3rd day of June 2014, before me personally appeared Karl Brabenec, to me known, who being by me duly sworn did dispose and say that he/she resides at New York and that **he** is the **SUPERVISOR** of the **TOWN OF DEERPARK** of the corporation described in and which executed the above instrument; that **he** knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, that it was so affixed by order to the **TOWN** Board of said corporation, and that **he** signed **his** name thereto by like order.

STATE OF NEW YORK )  
COUNTY OF ORANGE ) ss:

  
**FLORENCE T. SANTINI**  
Notary Public, State of New York  
Notary Reg. No. O1SA6074418  
Certified in Orange County  
Commission Expires 5/13/2017

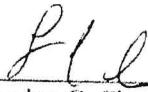
On this 17<sup>TH</sup> day of July 2014, before me personally appeared Stefan (Steven) M. Neuhaus, Deputy County Executive of the County of Orange, the corporation described in and who executed the foregoing instrument, to me known and known to be such Deputy County Executive, and he being by me duly sworn, did dispose and say that he is the Deputy County Executive of Orange County; that he knows the corporate seal of said County of Orange that the seal affixed pursuant to resolution of the County Legislature.

  
Notary Public

**DOREEN HAMEL**  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HA6175975  
Qualified in Orange County  
My Commission Expires October 22, 2015

**OPINION OF COUNTY COUNSEL**

The undersigned County Attorney for the County of Orange, New York, certifies that the terms and provisions of the foregoing Agreement are fully authorized under existing State and local law and that the Agreement provides full legal authority for the County to undertake, or assist in undertaking, essential community renewal and lower income housing assistance activities in cooperation with local units of government.

  
\_\_\_\_\_  
Langdon C. Chapman, County Attorney

Date: 2/14/01