

113681

DATE: May 11, 2026

TO: Board of Acquisition and Contract

FROM: Blanca P. Lopez, M.S.
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an Inter-Municipal Developer Agreement with the Village of Tarrytown, Tarrytown Municipal Housing Authority and WBP Development LLC, its successors and/or assigns, to fund the construction of certain infrastructure improvements located at 50 White Street in the Village of Tarrytown through the Housing Implementation Fund II Program to create 90 affordable rental housing units that will affirmatively further fair housing.

On April 20, 2026, the Westchester County Board of Legislators approved Act No. 66-2026 authorizing the County of Westchester (the "County") by and through its Department of Planning (the "Department") to enter into an Inter-Municipal Developer Agreement (the "IMDA") with the Village of Tarrytown (the "Village"), Tarrytown Municipal Housing Authority ("TMHA") and WBP Development 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 50 White Street (the "Development") in the Village for a term commencing upon execution and continuing for fifteen (15) years, or until the County has retired the bonds, whichever comes later, and to grant and accept all necessary property rights in connection therewith. Pursuant to the IMDA, the County will contribute an amount not to exceed \$5,000,000 toward the construction of certain infrastructure improvements, including, but not limited to on-site and off-site street paving, grading, curbing, sidewalks, retaining walls, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management, and other related work in support of the Development and connection with Capital Project BPL1A-Housing Implementation Fund II.

The Development site is owned by the TMHA and is part of the Franklin Towers/Courts housing complex which is in the midst of a multiphase multiyear redevelopment. The original Franklin Towers/Courts Development contained 151 public housing rental apartments in one high-rise structure (the "Towers") with 81 units and fourteen one and two-story structures containing 70 units originally constructed in 1952. Today, the Towers are undergoing a renovation funded by New York State Homes and Community Renewal through the award of 9% low income housing tax credits and subsidy funds. All of the 70 units contained in fourteen one and two-story buildings

comprising of the Franklin Courts will be demolished and a total of 90 units will be constructed on the site in a total of four buildings. There will be two garden-style buildings with 12 units each spread over two floors and two four-story buildings containing 33 units each. Fifty-two of the on-site parking spaces will be covered, located under the four-story buildings. All of the 70 units that are currently on-site and are occupied by public housing tenants who will be relocated as the new units are completed. Twenty units will be new affordable units.

Pursuant to the IMDA, a Declaration of Restrictive Covenants will be recorded against the Development, requiring that all ninety (90) of the Affordable AFFH Units will be affordable to households with incomes at or below 50% and up to 60% of the County Area Median Income ("AMI") as defined by the U.S. Department of Housing and Urban Development. Seventy (70) of the affordable AFFH units will be affordable to households with incomes at or below 50% of the County AMI. Twenty (20) of the Affordable AFFH Units will be available to eligible households with incomes at or below 60% of the AMI. Seventy (70) of the units will be set aside for residents currently residing in the existing public housing units at the same location and will convert from public housing units to Housing Assistance Payment units under the HUD Rental Achievement Demonstration Program. The public housing residents will be relocated during construction and will return upon completion of their new units. All of the Affordable AFFH Units will remain affordable for a period of not less than fifty (50) years ("Period of Affordability").

The Developer will grant to the County an Infrastructure Easement to enable the County to finance the infrastructure improvements. This easement will be filed with the Office of the Westchester County Clerk as well.

The attached resolution authorizes the County to enter into the above-described IMDA. The resolution further authorizes the County to grant and accept all necessary property rights in connection therewith.

The goal and objective of the IMDA is to provide affordable housing rental units to low- and moderate-income households in the County. Department staff will monitor and track the IMDA, the construction of the Development and compliance with the ongoing affordable housing requirements.

Your Honorable Board's approval of the attached Resolution is respectfully requested.

BPL/lg/mg
Attachment

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 Inter-municipal Developer Agreement (the "IMDA") with the Village of Tarrytown (the "Village"), the Tarrytown Municipal Housing Authority and WBP Development LLC, its successors or assigns, (the "Developer") for the construction of certain infrastructure improvements in support of the affordable housing development to be constructed at 50 White Street in the Village (the "Development") to fund the construction of certain infrastructure improvements, including but not limited to, on-site and off-site street paving, grading, curbing, sidewalks, retaining walls, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping and construction management in support of the Development, and be it further

RESOLVED, that pursuant to the IMDA the County will contribute an amount not to exceed \$5,000,000.00 toward the Development; and be it further

RESOLVED, that the IMDA shall be for a term commencing upon execution and continuing for fifteen (15) years, or until the County has retired the Bonds, whichever comes later, and to grant and accept all necessary property rights in connection therewith; and be it further

RESOLVED, that the County is authorized to grant and accept all necessary property rights in connection therewith for the purpose of creating 90 rental housing units that affirmatively further fair housing (the "Affordable AFFH Units"); and be it further

RESOLVED, that the funding for the infrastructure work will be governed by the IMDA and the acceptance of all necessary property rights as shall be approved by the County Attorney; and be it further

RESOLVED, that upon execution of the IMDA, a Declaration of Restrictive Covenants will be recorded against the Development, requiring that all ninety (90) Affordable AFFH Units will be affordable to households with incomes at or below 50% and up to 60% of the County Area Median Income ("AMI") as defined by the U.S. Department of Housing and Urban Development and adjusted for family size. Seventy (70) of the affordable AFFH units will be affordable to households with incomes at or below 50% of the Westchester County AMI. Twenty (20) of the Affordable AFFH Units will be available to eligible households with incomes at or below 60% of the AMI for a period of not less than fifty (50) years ("Period of Affordability"), and that the Affordable AFFH Units will be marketed and leased pursuant to an approved affirmative fair housing marketing plan; and be if further

RESOLVED, that the County is authorized to accept from the Developer an Infrastructure Easement to enable the County to finance the infrastructure improvements; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any and all documents and to take any actions necessary to effectuate the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act	Dollars
318	19	BPL1A-22-S	6050	65-2026	\$5,000,000

Budget Funding Year(s) FY 2026 Start Date: Upon Execution End Date: Fifteen years from execution

Funding Source Tax Dollars \$5,000,000
 State Aid _____
\$5,000,000 Federal Aid _____
 (must match resolution) Other _____

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APPROVED BOARD OF ACQUISITION & CONTRACT - 05/21/2026 - RAYMOND SCULKY, SECRETARY