U.S. Department of Housing and Urban Development
Buffalo Office
465 Main Street
Buffalo, New York 14203-1780
(716) 551-5755

JAN 1 0 2014

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ECDMH

Mr. Byron McKinney
Coordinator of Housing Services
Erie County Department of Mental Health
95 Franklin Street
Buffalo, NY 14202

Dear Mr. McKinney:

Congratulations on the final selection for funding under the United States Department of Housing and Urban Development's (HUD) fiscal year 2012 Continuum of Care (CoC) competition. Addressing homelessness is one of the Department's top priorities and the following conditionally-selected project will make a significant contribution toward developing a stronger continuum of care system in your community.

CoC Number and Name:	**NY-508 Buffalo/Erie County CoC**
Program:	**Continuum of Care (CoC) Program - Renewal**
Project Name:	**Shelter Plus Car II - III**
Project Number:	**NY0120L2C081205**

Submitted for your processing are four copies of the Continuum of Care (CoC) Grant Agreement which constitutes the agreement between your organization and HUD. Please sign, date and return all copies of the grant agreement to the Buffalo Field Office within 15 days from the date of this letter. A fully executed grant agreement will be returned to you for your records.

Financial Instructions are enclosed. Updated forms are required if your organization has made staffing or banking changes:

a) the LOCCS/VRS Access Authorization Form (HUD-27054)
b) the Direct Deposit Form (SF-1199A)
c) the SHP Request Voucher for Grant Payment (HUD-27053A).

Please complete these forms, as necessary, and submit them to the Buffalo Office for processing.

If you have any questions regarding this matter, please contact Vicki Vigorito, CPD Representative at (716) 551-5755 extension 5812.

We look forward to working with you on this project.

Sincerely,

William T. O'Connell
Director
Community Planning and
Development Division

Enclosures

U.S. Department of Housing and Urban Development
Office of Community Planning and Development
465 Main Street
2nd Floor
Buffalo, NY 14203

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Tax ID No.: 16-6002558
Project Location: 369029 (Erie County)
Grant Number: NY0120L2C081205
Effective Date:
DUNS No.: 128847212

2012 CONTINUUM OF CARE PROGRAM GRANT AGREEMENT

This Grant Agreement ("this Agreement") is made by and between the United States Department of Housing and Urban Development ("HUD") and Erie County Department of Mental Health (the "Recipient").

This Agreement is governed by title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq. (the "Act") and the Continuum of Care Program regulation (the "Regulation").

The terms "Grant " or "Grant Funds" mean the funds that are provided under this Agreement. The term "Application" means the application submissions on the basis of which the Grant was approved by HUD, including the certifications, assurances, and any information or documentation required to meet any grant award condition. All other terms shall have the meanings given in the Regulation.

The Application is incorporated herein as part of this Agreement, except that only the project listed, and only in the amount listed on the Scope of Work, is funded by this Agreement. In the event of any conflict between any application provision and any provision contained in this Agreement, this Agreement shall control.

Exhibit 1, the FY2012 Scope of Work, is attached hereto and made a part hereof. If appropriations are available for Continuum of Care grants; and if Recipient applies under a Notice of Funds Availability published by HUD; and, if pursuant to the selection criteria in the Notice of Funds Availability, HUD selects Recipient and the project for renewal, then additional exhibits may be attached to this Agreement. Those additional exhibits, when attached, will also become a part hereof.

The effective date of the Agreement shall be the date of execution by HUD and it is the date use of funds under this Agreement may begin. If the project funded by this Agreement is a new project, Recipient and HUD will set an operating start date in LOCCS for the project, which will be used to track expenditures and to determine when the project is eligible for renewal. If this Agreement renews funding for a project, the term of this Agreement shall begin at the end of the Recipient's final operating year for the grant being renewed, and eligible costs incurred for the project between the end of Recipient's final operating year under the grant being renewed and the execution of this Agreement may be paid with funds from the first operating year of this Agreement.

This Agreement shall remain in effect until termination either 1) by agreement of the parties; 2) by HUD alone, acting under the authority of 24 CFR 578.107; or 3) upon expiration of the final operating year of the project funded under this Agreement.

Recipient agrees:

1. To ensure the operation of the project listed on the Scope of Work in accordance with the provisions of the Act and all requirements of the Regulation;
2. To monitor and report the progress of the project to the Continuum of Care and HUD;
3. To ensure, to the maximum extent practicable, that individuals and families experiencing homelessness are involved, through employment, provision of volunteer services, or otherwise, in constructing, rehabilitating, maintaining, and operating facilities for the project and in providing supportive services for the project;
4. To require certification from any subrecipient that:
   a. Subrecipient will maintain the confidentiality of records pertaining to any individual or family that was provided family violence prevention or treatment services through the project;
   b. The address or location of any family violence project assisted with grant funds will not be made public, except with written authorization of the person responsible for the operation of such project;
   c. Subrecipient will establish policies and practices that are consistent with, and do not restrict, the exercise of rights provided by subtitle B of title VII of the Act and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness;
   d. In the case of a project that provides housing or services to families, that subrecipient will designate a staff person to be responsible for ensuring that children being served in the program are enrolled in school and connected to appropriate services in the community, including early childhood programs such as Head Start, part C of the Individuals with Disabilities Education Act, and programs authorized under subtitle B of title VII of the Act;
   e. The subrecipient, it officers, and employees are not debarred or suspended from doing business with the Federal Government; and
   f. Subrecipient will provide information, such as data and reports, as required by HUD; and
5. To establish such fiscal control and accounting procedures as may be necessary to assure the proper disbursal of, and accounting for grant funds in order to ensure that all financial transactions are conducted, and records maintained in accordance with generally accepted accounting principles, if the Recipient is a Unified Funding Agency;
6. To monitor subrecipient match and report on match to HUD;
7. To take the educational needs of children into account when families are placed in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education;
8. To monitor subrecipient at least annually;
9. To use the centralized or coordinated assessment system established by the Continuum of Care as required by §578.7(a)(8). A victim service provider may choose not to use the Continuum of Care's centralized or coordinated assessment system, provided that victim service providers in the area use a centralized or coordinated assessment system that meets HUD's minimum requirements and the victim service provider uses that system instead;
10. To follow the written standards for providing Continuum of Care assistance developed by the Continuum of Care, including the minimum requirements set forth in §578.7(a)(9);

11. Enter into a subrecipient agreement requiring subrecipient to operate the project in accordance with the provisions of this Act and all requirements under 24 CFR 578; and

12. To comply with such other terms and conditions as HUD may have established in the applicable Notice of Funds Availability.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Application, unless HUD is otherwise advised in writing. Recipient notifications to HUD shall be to the HUD Field Office executing the Agreement. No right, benefit, or advantage of the Recipient hereunder may be assigned without prior written approval of HUD.

The Agreement constitutes the entire agreement between the parties hereto, and may be amended only in writing executed by HUD and the Recipient.

By signing below, Recipients that are states and units of local government certify that they are following a current HUD approved CHAS (Consolidated Plan).

This agreement is hereby executed on behalf of the parties as follows:

UNITED STATES OF AMERICA,
Secretary of Housing and Urban Development

By:

_____
(Signature)

William O'Connell, Director
(Typed Name and Title)

_____
(Date)

RECIPIENT

Erie County Department of Mental Health
(Name of Organization)

By:

_____
(Signature of Authorized Official)

Ellery Reaves, Commissioner of Mental Health
~~Alex McDougall, Director of Fiscal Administration~~
(Typed Name and Title of Authorized Official)

_____
(Date)

Tax ID Number: 16-6002558
Project Location: 369029 (Erie County)
Grant Number: NY0120L2C081205
Effective Date:
DUNS Number: 128847212

EXHIBIT 1
SCOPE OF WORK for FY2012 COMPETITION

1. This Agreement is governed by the Continuum of Care program Interim Rule attached hereto and made a part hereof as Exhibit 1a. Upon publication for effect of a Final Rule for the Continuum of Care program, the Final Rule will govern this Agreement instead of the Interim Rule. The project listed on this Exhibit at 3., below, is also subject to the terms of the FY2012 Notice of Funds Availability.

2. The Continuum that designated Recipient to apply for grant funds is not a high-performing community.

3. Recipient is not a Unified Funding Agency and was not the only Applicant the Continuum of Care designated to apply for and receive grant funds and is not the only Recipient for the Continuum of Care that designated it. HUD's total funding obligation for this grant is $770,843 for project number NY0120L2C081205. In accordance with 24 CFR 578.105(b), Recipient is prohibited from moving more than 10% from one budget line item in a project's approved budget to another without a written amendment to this Agreement. The obligation for this project shall be allocated as follows:

a. CoC Planning cost	$ 0
b. Acquisition	$ 0
c. New construction	$ 0
d. Rehabilitation	$ 0
e. Leasing	$ 0
f. Rental assistance	$ 721,752
g. Supportive services	$ 0
h. Operating costs	$ 0
i. HMIS	$ 0
j. Administration	$ 49,091

4. No funds for new projects may be drawn down by Recipient until HUD has approved site control pursuant to §578.21 and §578.25 and no funds for renewal projects may be drawn down by Recipient before the end date of the project's final operating year under the grant that has been renewed.

COUNTY OF ERIE

By: _____ Date: _____
MARK POLONCARZ / RICHARD TOBE
County Executive/Deputy County Executive

Approved as to content:

By: (Electronically Signed)_____ Date: _____
ELLERY REAVES, MPA
Commissioner
Erie County Dept. of Mental Health

Approved as to form:

By: (Electronically Signed)_____ Date: _____
ERICKA N. BENNETT
Assistant County Attorney

2014 ERIE COUNTY DEPARTMENT OF MENTAL HEALTH

Contract #: _____

COUNTY OF ERIE

UNIFORM CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of _____, in the year 2014, before me, the undersigned, personally appeared Mark C. Poloncarz; Erie County Executive / Richard Tobe; Deputy County Executive, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the entity or individual upon behalf of which the individual acted, executed the instrument

_____
_____
_____
Notary Public

RECEIVED
SEP 29 1998
ERIE COUNTY DEPARTMENT OF MENTAL HEALTH

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

CENTRAL FILE

BUFFALO, N.Y., SEPTEMBER 24, 1998

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *That at the 18th Session of the Legislature of Erie County, held in the County Hall, in the City of Buffalo, on the* ***Twenty-fourth*** *day of* ***September*** *A.D., 1998, a Resolution was adopted, of which the following is a true copy:*

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, on April 30, 1998, the Erie County Legislature authorized the County Executive to contract with the U.S. Department of Housing and Urban Development (HUD) in the amount of $926,280 over a five year period to provide rental assistance for homeless persons disabled by serious mental illness, and

WHEREAS, the Legislature established a grant and project budget of $186,000 from HUD for year one of the five year period, and

WHEREAS, additional New York State Office of Mental Health (OMH) Reinvestment funds are available to serve as the required matching funds, and

WHEREAS, the Legislature requested that the Erie County Department of Mental Health (ECDMH) recommend the transfer of said funds in order to execute contracts with specific provider agencies, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for persons receiving mental health treatment from Lake Shore Behavioral Health, Buffalo Federation of Neighborhood Centers, and Living Opportunities of DePaul, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Lake Shore Behavioral Health for mental health services in the amount not to exceed $1,142,196, and Buffalo Federation of Neighborhood Centers in the amount not to exceed $1,217,909.

NOW, THEREFORE, BE IT

RESOLVED, that a 1998 appropriation for Lake Shore Behavioral Health be established in Project 880 in the amount of $132,893, with the source of these funds being $77,416 in U.S. Department of Housing and Urban Development (HUD) funds and $55,477 in matching New York State Office of Mental Health (OMH) Reinvestment funds, and be it further

RESOLVED, that a 1998 appropriation for Buffalo Federation of Neighborhood Centers be established in Project 880 in the amount of $59,545, with the source of these funds being $34,688 in HUD funds and $24,857 in matching OMH Reinvestment funds, and be it further

ATTEST

Proj 880 #2

Laurie A. Manzella

LAURIE A. MANZELLA
Clerk of the Legislature of Erie County

RECEIVED
SEP 29 1998
ERIE COUNTY DEPARTMENT OF MENTAL HEALTH

STATE OF NEW YORK

CENTRAL FILE

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., SEPTEMBER 24, 1998

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *That at the 18th Session of the Legislature of Erie County, held in the County Hall, in the City of Buffalo, on the* ***Twenty-fourth*** *day of* ***September*** *A.D., **1998**, a Resolution was adopted, of which the following is a true copy:*

RESOLVED, that a 1998 appropriation be established in Project 880 for Living Opportunities of DePaul in the amount of $125,572, with the source of these funds being $73,152 in HUD funds and $52,420 in OMH Reinvestment funds, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1998 contract with Lake Shore Behavioral Health for the period January 1, 1998 through December 31, 1998, by an amount not to exceed $132,893, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1998 contract with Buffalo Federation of Neighborhood Centers for the period January 1, 1998 through December 31, 1998, by an amount not to exceed $59,545, and be it further

RESOLVED, that the County Executive be authorized to contract with Living Opportunities of DePaul for the period January 1, 1998 through December 31, 1998, in an amount not to exceed $125,572, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health and the Division of Budget, Management and Finance.

REF: Comm. 16E-9

ATTEST

CENTRAL FILE

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., September 23, 1999

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *That at the 17th Session of the Legislature of Erie County, held in the County Hall, in the City of Buffalo, on the Twenty-third day of September A.D., 1999, a Resolution was adopted, of which the following is a true copy:*

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, on June 3, 1999 the Erie County Legislature authorized the County Executive to contract with the U.S. Department of Housing and Urban Development (HUD) in the amount of $894,420 over a five year period to provide rental assistance for homeless persons disabled by serious mental illness, and

WHEREAS, the Legislature established a grant and project budget of $186,000 from HUD for year one of the five year period, and

WHEREAS, additional New York State Office of Mental Health (OMH) Reinvestment funds are available to serve as the required matching funds, and

WHEREAS, the Legislature requested that the Erie County Department of Mental Health (ECDMH) recommend the transfer of said funds in order to execute contracts with specific provider agencies, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for persons receiving mental health treatment from Lake Shore Behavioral Health, Living Opportunities of DePaul, and Southern Tier Environments for Living, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Lake Shore Behavioral Health for mental health services in the amount not to exceed $1,466,154 and Living Opportunities of DePaul in the amount not to exceed $639,145.

NOW, THEREFORE, BE IT

RESOLVED, that a 1999 appropriation for Lake Shore Behavioral Health be established in Project 177 in the amount of $190,850, with the source of these funds being $109,550 in U.S. Department of Housing and Urban Development (HUD) funds and $81,300 in matching New York State Office of Mental Health (OMH) Reinvestment funds, and be it further

RESOLVED, that a 1999 appropriation for Living Opportunities of DePaul be established in Project 177 in the amount of $81,833, with the source of these funds being $46,973 in HUD funds and $34,860 in matching Office of Mental Health Reinvestment funds, and be it further

RESOLVED, that a 1999 appropriation be established in Project 177 for Southern Tier Environments for Living in the amount of $38,955, with the source of these funds being $22,360 in HUD funds and $16,595 in Office of Mental Health Reinvestment funds, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1999 contract with Lake Shore Behavioral Health for the period January 1, 1999 through December 31, 1999 by an amount not to exceed $190,850, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1999 contract with Living Opportunities of DePaul for the period January 1, 1999 through December 31, 1999 by an amount not to exceed $81,833, and be it further

ATTEST

Laurie A. Manzella

LAURIE A. MANZELLA
Clerk of the Legislature of Erie County

Dist.
CF
EGB
PG
OH
TG
RG
GK
NW
DG
FZ
MF

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., September 23, 1999

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, *That at the 17th Session of the Legislature of Erie County, held in the County Hall, in the City of Buffalo, on the* **Twenty-third** *day of* **September** *A.D., 1999, a Resolution was adopted, of which the following is a true copy:*

RESOLVED, that the County Executive be authorized to contract with Southern Tier Environments for Living for the period June 1, 1999 through December 31, 1999 in an amount not to exceed $38,955, and be it further

RESOLVED, that the Erie County Department of Mental Health will use these funds to provide rental services to homeless individuals in apartments scattered throughout Erie County, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health, the Office of the Comptroller, and the Division of Budget, Management and Finance.

Reference: Comm. 16E-23

52. WHEREAS, the Erie County Department of Mental Health contracts for mental disability services, substance abuse, and developmental disability services and Children's System of Care programs after projections for the County budget are established; and

WHEREAS, actual negotiated contract amounts and project totals as approved by the grantor may differ from the specific amounts projected by account and in total.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, subject to prior legislative approval, is hereby authorized to enter into agreements or contracts with funders, New York State and the United States Department of Health and Human Services, sub-contract agencies, the United States Department of Housing and Urban Development, and all interdepartmental transfers supporting contracts for behavioral health and Children's System of Care, which are included in the 2014 County budget.

53. WHEREAS, the Erie County Department of Mental Health contracts for mental disability services, substance abuse, developmental disability services, Children's System of Care programs, and U.S. Department of Housing and Urban Development programs after projections for the County budget are established; and

WHEREAS, actual negotiated contract amounts for not-for-profit contract agencies as approved by the State, Federal, and/or interdepartmental funding sources may differ from the specific amounts projected for these same contractual services accounts.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby granted to transfer appropriations among or between not-for-profit contract agencies and accounts within the operating budget to reflect the outcomes of negotiations with funding sources and not-for-profit contract agencies regarding the allocation of State, Federal, or interdepartmental government reimbursements; and be it further

RESOLVED, that authorization is hereby granted for further revisions, including changes to the appropriated total amounts and/or establishing appropriated amounts for not-for-profit contract agencies or other contractual accounts, in accordance with State, Federal or interdepartmental government approval of changes to their reimbursements.

54. RESOLVED, that the County Executive be, and hereby is, authorized to enter into contracts on behalf of the County of Erie for the continuation of grants administered by the New York State Office for the Aging as listed below:

For the period January 1, 2014 through December 31, 2014:
Area Agency on Aging Grant, Title III-B
Congregate Dining Nutrition Program Grant, Title III-C1
Home-Delivered Nutrition Program Grant, Title III-C2
Disease Prevention and Health Promotion Grant, Title III-D
Elder Caregiver Support Program Grant, Title III-E