

13528

DATE August 17, 2010

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Acting Commissioner of Planning

SUBJECT: Resolution Authorizing a License Agreement between the County of Westchester and the Dominican Sisters of Hope to Access the Real Property designated for the RiverWalk Trailway in the Village of Ossining, in order for the County to perform further activities relating to the survey and design of the RiverWalk Trailway on the Property

Authority is requested for the County of Westchester to enter into a license agreement with The Dominican Sisters of Hope to access the real property owned by the Dominican Sisters of Hope in the Village of Ossining designated for the RiverWalk Trailway, in order for the County to perform further activities relating to the survey and design of the RiverWalk Trailway on the Property. The term of this agreement is October 1, 2010 through September 30, 2011. No funds will be exchanged between the parties during the term of this agreement.

The County of Westchester will need access to the real property associated with the RiverWalk Trailway on the property owned by the Dominican Sisters of Hope in order to conduct further survey and design of the Trailway. A previous license agreement expired in December 2009. The property owners were unable to provide County staff with an acceptable route for the RiverWalk on their property within the time of the previous license agreement. The owners finally reached an agreement among themselves on an acceptable route in July 2010. Therefore, this new license agreement is needed to provide the opportunity for the County staff to do the survey and design work for the construction of the RiverWalk Trailway. The RiverWalk Trailway will provide additional recreational opportunities by providing County residents with a trailway for walking, biking and rollerblading. Trailways were identified in the 2007 Park User's Survey as the type of recreation facility in County parks most desired by county residents.

This agreement will serve the public purpose by fulfilling the County's RiverWalk project initiative.

The goal and objective of this License agreement is to provide an additional component to the County's RiverWalk Trailway project. RiverWalk is the County's proposed continuous trailway along the entire Hudson River shoreline in Westchester County, spanning over 50 miles from the Town of Cortlandt border with Putnam County to the City of Yonkers border with the City of New York. The Trailway will be open to the general public for recreational purposes such as walking, running, biking, rollerblading, and other similar activities.

This License Agreement is exempt from the County of Westchester Procurement Policy and Procedures pursuant to Section 3(b), which states that this policy shall not apply to real property, leases, licenses and concessions.

I recommend the approval of the attached proposed Resolution.

EEB/cp
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to enter into a license agreement with The Dominican Sisters of Hope to access the real property in the Village of Ossining designated for the RiverWalk Trailway on real property owned by the Dominican Sisters of Hope, in order for the County to perform further activities relating to the survey and design of the RiverWalk Trailway on the Property. The license agreement shall begin on October 1, 2010 and end on September 30, 2011. No funds for services will be exchanged; 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 the purposes hereof.

Recommended for Approval:

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
N/A	N/A	N/A	N/A	N/A	\$ 0.00

Budget Funding Year(s) FY 2010 Start Date October 1, 2010 End Date September 30, 2011
 (Must Match Resolution)

Funding Source Tax Dollars _____
\$ 0.00 State Aid _____
 (must match resolution) Federal Aid _____
 Other N/A

APPROVED BOARD OF ACQUISITION & CONTRACTS 2010 - JOMARY VIEIRA SECRETARY