

**13529**

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 Village of Ossining to Access the Real Property Owned by the Village of Ossining designated for the RiverWalk Trailway on the Crawbuckie Preserve, in order for the County to perform further activities relating to the survey and design of the RiverWalk Trailway on the Village's Property

Authority is requested for the County of Westchester to enter into a license agreement with the Village of Ossining to access the real property owned by the Village of Ossining designated for the RiverWalk Trailway on the Crawbuckie Preserve in order for the County to perform further activities relating to the survey and design of the RiverWalk Trailway on the Village's 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 in the Village of Ossining in order to conduct further survey and design of the Trailway. This segment of RiverWalk is being designed in conjunction with a segment on the adjacent property know as Mariandale. A previous license agreement expired in December 2009. The property owners of the Mariandale property were unable to provide the County staff with an acceptable route for 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. The final route on the Crawbuckie Preserve property is dependent upon the route on the Mariandale property. Therefore, County staff can now finalize the Crawbuckie Preserve route and the new license agreement is needed to complete 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 railway 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 Village of Ossining to access the real property owned by the Village of Ossining designated for the RiverWalk Trailway on the Crawbuckie Preserve, in order for the County to perform further activities relating to the survey and design of the RiverWalk Trailway on the Village's 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

Fax Dollars \_\_\_\_\_

\$ 0.00 State Aid \_\_\_\_\_  
 (must match resolution)

Federal Aid \_\_\_\_\_

Other N/A

APPROVED BOARD OF ACQUISITION & CONTRACT - 9-2-2010 - JOMARY VIEIRA, SECRETARY