

15186

DATE November 10, 2010

TO: Board of Acquisition and Contract

FROM: Edward Buroughs Mary Mahon
Acting Commissioner of Planning Director of Real Estate

SUBJECT: Resolution authorizing the County of Westchester to enter into an Intermunicipal Agreement with the City of Rye in order to purchase a Conservation Easement over the 0.93 acre City-owned Bird Homestead Property

The attached resolution authorizes the County of Westchester to enter into an Intermunicipal Agreement (IMA) with the City of Rye. The proposed IMA will authorize the County to acquire from the City, for Two Hundred Thousand (\$200,000.00) Dollars, a conservation easement across 0.93 acres of City-owned waterfront property located at 600 Milton Road in the City of Rye known as the Bird Homestead, plus closing costs of Fifteen Thousand (\$15,000.00) Dollars. The agreement will be in a not-to-exceed amount of \$215,000.00 and the term of the agreement will be upon execution to thirty (30) years after execution.

The proposed IMA was approved by the Board of Legislators pursuant to Act No. 141-2010, adopted on October 18, 2010.

The agreement will serve the public purposes of preserving the health of the Blind Brook estuary, preserving wetland habitat, allowing for public recreational access, maintaining the historical importance of the site as a 19th century farmstead and continuing the educational potential of the site. The project will be monitored by Westchester County Department of Planning staff who will be involved in the purchase of the property and monitor compliance with the terms of the conservation easement.

We recommend approval of this agreement.

EB/cp
Attachment

RESOLUTION

UPON A COMMUNICATION FROM THE ACTING COMMISSIONER OF PLANNING AND THE DIRECTOR OF REAL ESTATE, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to enter into an Intermunicipal Agreement (IMA) with the City of Rye to purchase a conservation easement over the Bird Homestead property in the City of Rye, and be it further

RESOLVED, that the County will purchase the conservation easement for \$200,000.00 and contribute \$15,000.00 toward the closing costs; and be it further

RESOLVED, that the IMA shall be for the period beginning upon execution to thirty (30) years after execution; and be it further

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

Recommended for Approval

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
318	19	BLA01-50-S	6050	N/A	\$215,000.00

Budget Funding Year(s) FY 2010 Start Date Upon Execution End Date Thirty (30) Years After Execution
 (must match resolution)

Funding Source Tax Dollars \$215,000.00

State Aid _____

\$215,000.00 Federal Aid _____

(must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS - 12/09/2010 - JOMARY PERA, SECRETARY