

December 2, 2010

To: The Honorable Board of Acquisition and Contract

From: Thomas J. Lauro  
Commissioner of Environmental Facilities

Re: Authority to enter into an intermunicipal agreement with the City of Yonkers whereby the County will convey to the City, title to property comprising approximately 1.62 acres, located adjacent to the County's Material Recovery Facility in the City of Yonkers for construction and operation of an animal shelter

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Authority is requested for the County of Westchester to enter into an intermunicipal agreement ("IMA") with the City of Yonkers ("City") whereby the County will convey to the City, title to property comprising approximately 1.62 acres, located adjacent to the County's Material Recovery Facility ("MRF") in the City of Yonkers (hereinafter referred to as the "Property") for construction and operation of an animal shelter.

The Property is located on Stew Leonard Drive and is a portion of Tax Lot 1, Block 9125, Section 4 as shown on the official tax map of the City of Yonkers. Under the proposed IMA, the County will transfer the Property to the City in order to facilitate the City's construction of an animal shelter. As consideration for the Property, the City will pay the County \$1.00 and reconstruct the MRF's truck turnaround area at its own expense. The City will hold the Property solely for the construction, operation and maintenance of an animal shelter. In the event the City attempts to use the Property for any other purpose, title to the Property will immediately revert to the County. This provision will survive the closing or termination of the IMA. The term of the IMA will be five (5) years. The goal of this contract is to work cooperatively with municipalities to make the best and most efficient use of our lands and facilities.

The Board of Legislators adopted Act No. 139-2010 on October 18, 2010 authorizing the County to enter into this IMA and convey the Property to the City.

I recommend adoption of the attached proposed Resolution.

TJL/DLV/dv  
Attachment

## RESOLUTION

Upon a communication from the Commissioner of Environmental Facilities, it is hereby

RESOLVED, that the County of Westchester is authorized to enter into an intermunicipal agreement (“IMA”) with the City of Yonkers (“City”) whereby the County will convey to the City, title to property comprising approximately 1.62 acres located on Stew Leonard Drive and adjacent to the County’s Material Recovery Facility (“MRF”) in the City of Yonkers, being a portion of Tax Lot 1, Block 9125, Section 4 as shown on the official tax map of the City of Yonkers (the “Property”) for construction and operation of an animal shelter; and be it further

RESOLVED, that pursuant to the IMA, the County shall transfer the Property to the City in order to facilitate the City’s construction and operation of an animal shelter. As consideration for the Property, the City shall pay the County \$1.00 and reconstruct the MRF’s truck turnaround area at its own expense. The City shall hold the Property solely for the construction, operation and maintenance of an animal shelter. In the event the City attempts to use the Property for any other purpose, title to the Property shall immediately revert to the County. This provision shall survive the closing or termination of the IMA; and be it further

RESOLVED, that the term of the IMA shall be five (5) years; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized and empowered to execute all instruments and take all actions necessary and appropriate to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	251	60	7100	9670		\$1.00

Budget Funding Year(s) 2010 Start Date: upon execution End Date: 5 Years after execution  
 (must match resolution)

Funding Source                      Tax Dollars \_\_\_\_\_  
    State Aid \_\_\_\_\_  
 \$ 1.00                                      Federal Aid \_\_\_\_\_  
 (must match resolution)              Other \$1.00 (revenue)