



Department of Emergency Services

Memorandum

34328

**TO: Board of Acquisition and Contract**

**FROM: John M. Cullen  
Commissioner of Emergency Services**

**DATE: June 4, 2013**

**SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with Harrison Central School District to use the Harrison High School on August 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> for training and practice exercises in connection with Indian Point Emergency Planning**

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The County of Westchester, acting by and through its Department of Emergency Services, is requesting authority to enter into an agreement with the Harrison Central School District (the "School District") pursuant to which the School District will grant to the County, and the County will accept, a permit to use the School District's premises and facilities located at the Harrison High School Athletic Wing on August 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup>, 2013 for up to 21 hours in order to conduct training and emergency exercises to demonstrate the operation of a General Population Reception Center as outlined in the Radiological Emergency Plan for Indian Point Nuclear Power Plant.

Under the proposed Agreement, the School District is waiving the permit fee and requesting only that the County defend, indemnify and hold harmless the School District from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of School District's property, facilities and/or services by the County, and/or the activities, functions, events, affairs or proceeding of the emergency exercise.

The proposed Agreement will serve a public purpose by providing the County with a facility to conduct the training and emergency exercises in cooperation with New York State and the Federal Emergency Management Agency ("FEMA"). The School District is one of six pre-designated General Population Reception Centers. These sites provide radiological monitoring, decontamination and social services to evacuees. The exercise would involve staff from the County Departments of Emergency Services, Health and Social Services setting up and staffing a community Reception Center for residents evacuating from the Indian Point Emergency Planning Zone. Evacuees would be simulated. There would be approximately 35 participants, including evaluators from FEMA.

The goals and objectives of the proposed Agreement are in the best interests of the County in terms of public safety and emergency preparedness and play a vital role in bolstering the preparedness levels of the County, the State and FEMA. The public purpose of the proposed agreement is to enhance public safety and general welfare in times of an emergency and will therefore benefit the public good.

The goals and objectives of the proposed Agreement will be tracked and monitored by the staff of the Department of Emergency Services.

This agreement is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

JMC/TSA/mn  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT 06/27/2013 - JONARY VIERA, SECRETARY

**RESOLUTION**

Upon a communication from the Commissioner of Emergency Services, be it hereby

**RESOLVED**, that the County of Westchester (“County”), acting by and through its Department of Emergency Services, is hereby authorized to enter into an agreement with the Harrison Central School District (the “School District”) pursuant to which the School District will grant to the County, and the County will accept, a permit to use the School District’s premises and facilities located at the Harrison High School Athletic Wing on August 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup>, 2013 for up to 21 hours in order to conduct training and emergency exercises to demonstrate the operation of a General Population Reception Center as outlined in the Radiological Emergency Plan for Indian Point Nuclear Power Plant; and be it further

**RESOLVED**. that the School District is waiving the permit fee and requesting only that the County defend, indemnify and hold harmless the School District from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of School District's property, facilities and/or services by the County, and/or the activities, functions, events, affairs or proceeding of the emergency exercise; and be it further

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

Account to be Charged/credited

Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars

Budget Funding Year(s) 2013 Start Date upon execution End Date 8/8/13  
 (must match resolution)

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