

35045

July 18, 2013

TO: Honorable Board of Acquisition and Contract

FROM: Kathleen M. O'Connor
Commissioner, Department of Parks, Recreation and conservation

RE: Authority to enter into a license agreement with the Village of Ossining pursuant to which the Village will, at its sole cost, install a "Welcome to Ossining" sign and provide general maintenance on a parcel adjacent to Route 9A in the Village for a term of five years

Authority is hereby requested for the County of Westchester, acting by and through the Department of Parks, Recreation and Conservation, to enter into a license agreement with the Village of Ossining pursuant to which the Village will, at its sole cost, install a "Welcome to Ossining" sign and provide general maintenance on a parcel adjacent to Route 9A in the Village for a term of five years.

The Village will maintain the parcel so as to keep it presentable and aesthetically pleasing for public view. The Village will assume all risks associated with the maintenance of the property and will defend and indemnify the County for any and all claims, demands or causes of action directly or indirectly arising out of the license.

The subject property is part of land acquired by the Westchester County Park Commission in 1927 for the Briarcliff-Peekskill Parkway. The parkway was never constructed by the Park Commission, but in later years the State Department of Transportation "took" the land to construct NY Route 9A. The land not used for the highway was returned to the County.

The ultimate benefit of this agreement will be for the public good by the beautification of County property by the Village, providing a visual interest to motorists and pedestrians that enter and leave the Village from Route 9A. This license will be monitored by the Parks Department to ensure compliance with all the terms of the license.

This license agreement is exempt from the County Procurement Policy and Procedures pursuant to Section 3(b) thereof.

Accordingly, approval of the attached resolution by your Honorable Board is most respectfully requested.

RESOLUTION

Upon a communication from the Commissioner of Parks, Recreation and Conservation, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to enter into a license agreement with the Village of Ossining pursuant to which the Village will, at its sole cost, install a “Welcome to Ossining” sign and provide general maintenance on a parcel adjacent to Route 9A in the Village for a term of five years; and be it further

RESOLVED, that the Village shall assume all risks associated with the maintenance of the property and will defend and indemnify the County for any and all claims, demands or causes of action directly or indirectly arising out of the license; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments necessary to implement this Resolution.

Account to be Charged/Credited

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

Budget Funding Year(s) _____ Start Date upon execution End Date five years from execution
 (must match resolution)

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