

**41650**

August 4, 2014

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor  
Commissioner, Parks, Recreation and Conservation

Mary Mahon  
Director of Real Estate

RE: Authority to exercise five-year option to extend a license agreement with New York State Electric and Gas ("NYSEG") pursuant to which NYSEG will, at its sole cost, maintain, operate, inspect, repair and replace a pad mounted transformer near the Grey Barn at Muscoot Farm located in the Town of Somers for the period March 17, 2014 through March 16, 2019.

The County entered into a license agreement with New York State Electric and Gas ("NYSEG") on April 28, 2010 to construct, install, inspect, maintain, operate, repair and replace at its sole cost a pad mounted transformer near the Grey Barn at Muscoot Farm located in the Town of Somers for the period March 17, 2009 through March 16, 2014 (the "License") with a renewal provision, at the option of either party, for an additional five (5) year period.

Authority is currently being requested to authorize the five-year renewal due to the continued need for electric power provided by the transformer. Both the County and NYSEG wish to exercise the option to extend the term of the license agreement for the period March 17, 2014 through March 16, 2019. NYSEG will continue, at its sole cost, to maintain and operate the transformer in good and safe condition and make all repairs and replacements as necessary. All other terms and conditions of the License shall remain in full force and effect.

The goal of this agreement is to provide a safe electrical energy source for Muscoot Farm that will illuminate the buildings and grounds, heat certain spaces, run animal watering systems, power the well pumps that provide water to the farm, and to operate the myriad of electrical devices in use on a daily basis. This License will be monitored by the Parks Department to ensure compliance with all the terms of the license.

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 and the Director of Real Estate, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to exercise an option to extend a license agreement with New York State Electric and Gas (“NYSEG”), dated April 28, 2010, to construct, install, inspect, maintain, operate, repair and replace at its sole cost a pad mounted transformer near the Grey Barn at Muscott Farm located in the Town of Somers for the period March 17, 2009 through March 16, 2014 (the “License”), for the period March 17, 2014 through March 16, 2019 in order for NYSEG to continue, at its sole cost, to maintain and operate the transformer in a good and safe condition and make all repairs and replacements necessary; and be it further

RESOLVED, that all other terms and conditions of the License shall remain in full force and effect; and be it further

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

Original Agreement       \$  
 First Amendment       \$  
**This Amendment**       \$ \_\_\_\_\_  
 TOTAL                     \$ n/a

Agreement #

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) n/a Start Date 3/17/2014 End Date 3/16/2019  
 (must match resolution)

Funding Source       Tax Dollars \_\_\_\_\_  
                               State Aid \_\_\_\_\_  
 \$ n/a                   Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_