

52422

DATE July 20, 2016

TO: Board of Acquisition and Contract

FROM: Edward Buroughs, Commissioner of Planning
Adam Rodriguez, Director of Real Estate

SUBJECT: Resolution authorizing the County of Westchester to enter into a 25-year lease agreement with the NYS Department of Transportation so as to enable the construction of a section of the last half mile of the South County Trailway between Warehouse Lane in the Town of Greenburgh and Main Street (Route 119) in the Village of Elmsford

On June 6, 2016, the Westchester County Board of Legislators, through Bond Act No. 160-2016, authorized the issuance of Two Million Seven Hundred Fifty Thousand (\$2,750,000) Dollars in bonds in order to finance Capital Project B0045-Putnam Right-of-Way/South County Trailway. Also on June 6, 2016, the Westchester County Board of Legislators approved Local Law No. 4-2016 which authorized the County to enter into a lease agreement with the New York State Department of Transportation (NYS DOT) to construct and maintain a section of the South County Trailway on state property in the Village of Elmsford, Town of Greenburgh.

The attached resolution authorizes the County of Westchester to enter into a 25-year lease agreement with NYS DOT for construction of a section of the last half mile of the South County Trailway extending between Warehouse Lane in the Town of Greenburgh and Main Street (Route 119) in the Village of Elmsford. This phase of the Trailway Project is to construct a pedestrian and bicycle pathway over property of NYS DOT, the Village of Elmsford and the RMC, LLC Company. The lease agreement with NYS DOT is needed in order to construct, operate and maintain the section of the proposed Trailway between Main Street (Route 119) and the south side of I-287, an area approximately 1,124 feet long and approximately 20 feet wide. The Lease Agreement will commence upon execution and terminate twenty-five (25) years thereafter.

The County will also enter into separate license agreements with the Village of Elmsford and the RMC, LLC Company to cross over and to construct certain improvements on their property as part of the Trailway Project. Work will include approximately 3,300 linear feet of eight-foot wide asphalt pavement. Other improvements will include, but not be limited to, concrete sidewalk, concrete curbing, retaining walls, corrugated beam guide rail, bicycle railings, chain link fencing, stream stabilization measures, culvert pipe, swales, drainage structures, signage,

pavement markings, landscaping and other associated work. This project will complete the South County Trailway by linking existing segments north and south of the site.

The goal and objective of this agreement is to permit the construction of the last section of the South County Trailway in order to create a 36-mile continuous trailway through Westchester County. The Trailway will be open to the general public for recreational purposes such as walking, running, biking, rollerblading and other similar activities. Construction of the project will be monitored by the Department of Planning staff during bi-monthly site visits to confirm that the work is done in accordance with approved plans.

We recommend approval of this agreement.

EB/cp/pn/dv
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/28/2016 - LISA MRISAJ, SECRETARY

R E S O L U T I O N

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

RESOLVED, that the County of Westchester is hereby authorized to enter into a Lease Agreement with the NYS Department of Transportation (NYS DOT) for the construction of a section of the last half mile of the South County Trailway between Warehouse Lane in the Town of Greenburgh and Main Street (Route 119) in the Village of Elmsford. The Agreement will commence upon execution and terminate twenty-five (25) years thereafter; and be it further

RESOLVED, that the lease shall be subject to cancellation by NYS DOT upon thirty (30) days written notice, except for cause in which event cancellation may be effected on five (5) days written notice. Rental under the lease shall be \$1.00; and be it further

RESOLVED, that the construction will include, but not be limited to, construction of a pedestrian and bicycle pathway between Warehouse Lane and Main Street (Route 119) over property of the NYS DOT, the Village of Elmsford and the RMC, LLC Company; and be it further

RESOLVED, that the County will also enter into separate license agreements with the Village of Elmsford and the RMC, LLC Company to cross over and to construct certain improvements on their property as part of the Trailway Project; 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.

Account to be Charged/Credited

		Major Program, Program & Phase	Object/	Trust	
Fund	Dept	Or Unit	Sub Object	Account	Dollars
					\$ 0.0

Budget Funding Year(s) FY 2016 Start Date Upon Execution End Date 25 Years form Execution
 (must match resolution)

Funding Source Tax Dollars \$0.00
 State Aid _____
\$0.00 Federal Aid _____
 (must match resolution) Other _____