

57377

May 31, 2017

To: Honorable Board of Acquisition and Contract

From: George N. Longworth
Commissioner-Sheriff

Adam Rodriguez
Director of Real Estate

Re: Authority to enter into a Lease Agreement with the Village of Mount Kisco for a period of five (5) years commencing upon execution, with three additional five (5) year options to extend the term on prior written notice to the Village, for a portion of real property owned by the Village and located at Mountain Avenue for the purpose of installing, maintaining, and operating radio communications equipment.

Authority is requested for the County of Westchester (the "County") to enter into a lease agreement with the Village of Mount Kisco ("Village") pursuant to which the County will lease a portion of real property owned by the Village and located at Mountain Avenue (the "Property"), for the purpose of installing, maintaining, and operating radio communications equipment ("Lease Agreement").

As your Honorable Board is aware, the County operates various radio towers throughout the County to support police, fire, EMS, and Emergency Management, dispatch and coordination services. As your Honorable Board will recall, in 2015 the County and the Village entered into a police services agreement. Pursuant to that agreement the County has been using the Village's radio communications equipment at the Property. The County now seeks to install its own radio communication and related equipment at the Property in order to make public safety radio communication in the Village and the surrounding area more seamless. The proposed Lease Agreement will benefit the public as it will improve the reliability of radio systems used by first responders and government officials during both routine and emergency situations.

On May 22, 2017, the Westchester County Board of Legislators adopted Local Law Intro No. 10102-2017 authorizing the County to enter into this Lease Agreement.

The term of the proposed Lease Agreement will commence upon execution thereof by both parties and will continue for a term of five (5) years thereafter. The County will have three additional five (5) year options to extend the term of the Lease Agreement on prior written notice to the Village.

The County, at its sole cost and expense, will undertake the following improvements: (i) build two concrete pads to support a County equipment enclosure and a County backup power generator; (ii) remove the Village's existing antenna and provide and install on the Village

owned water tank at the Property a new Village antenna on a shared mast with a County antenna; (iii) install an outdoor equipment enclosure (“Enclosure”) to be situated on a concrete pad; (iv) install radio equipment in the Enclosure with appurtenant radio transmission line and supporting hardware to connect the equipment to the County antenna, and (v) install a backup power generator to be situated on a concrete pad (collectively the “Equipment”). The County, at its sole cost and expense, shall be responsible for the duration of the Lease Agreement to maintain, repair and replace the Equipment, as such becomes necessary.

In addition to and not in limitation of the insurance requirements contained in the proposed Lease Agreement, the proposed Lease Agreement further requires each party to indemnify, defend and hold harmless the non-indemnifying party.

This Lease Agreement is exempt from the Westchester County Procurement Policy pursuant to section 3(b) thereof.

Your approval of the attached resolution is respectfully requested.

GNL/AR/TSA
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/28/2017 - US/MRIJAS/SECRETARY

RESOLUTION

Upon a communication from the Commissioner/Sheriff of the Department of Public Safety and the Director of Real Estate, be it hereby

RESOLVED, that the County of Westchester (the "County") is authorized to enter into a lease agreement with the Village of Mount Kisco for a period of five (5) years commencing upon execution, with three additional five (5) year options to extend the term on prior written notice to the Village, for a portion of real property owned by the Village and located at Mountain Avenue for the purpose of installing, maintaining, and operating radio communications equipment; and be it further

RESOLVED, that the County, at its sole cost and expense, will undertake the following improvements: (i) build two concrete pads to support a County equipment enclosure and a County backup power generator; (ii) remove the Village's existing antenna and provide and install on the Village owned water tank at the Property a new Village antenna on a shared mast with a County antenna; (iii) install an outdoor equipment enclosure ("Enclosure") to be situated on a concrete pad; (iv) install radio equipment in the Enclosure with appurtenant radio transmission line and supporting hardware to connect the equipment to the County antenna, and (v) install a backup power generator to be situated on a concrete pad (collectively the "Equipment"). The County, at its sole cost and expense, shall be responsible for the duration of the Lease Agreement to maintain, repair and replace the Equipment, as such becomes necessary; and be it further

RESOLVED, in addition to and not in limitation of the insurance requirements contained in the proposed Lease Agreement, the proposed Lease Agreement further requires each party to indemnify, defend and hold harmless the non-indemnifying party; 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	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
					N/A

Budget Funding Year(s) 2017-2022 Start Date upon execution End Date: 5 years

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