

George Latimer  
County Executive

Department of Emergency Services

John M. Cullen  
Commissioner

**68428**

**TO:** Board of Acquisition and Contract

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

**DATE:** March 1, 2019

**SUBJECT:** Resolution authorizing the County of Westchester to enter into an agreement with the Ardsley Union Free School District to use the Ardsley Middle School on April 22, 2019, during certain designated hours, for training and practice exercises in connection with Indian Point Emergency Planning.

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The County of Westchester ("County"), acting by and through its Department of Emergency Services, is requesting authority to enter into an agreement with the Ardsley Union Free 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 Ardsley Middle School on Monday, April 22, 2019, during certain designated 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 agree to 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 any way connected with the actual or proposed use of the School District's property, facilities and/or services, including but not limited to, bodily injury to any employee, invitee, guest, contractor or subcontractor of the County.

The proposed Agreement will serve a public purpose by providing the County with a facility to conduct the training and emergency exercises for Indian Point. The School District is one of four pre-designated General Population Reception Centers. These sites provide radiological monitoring, decontamination and social services to evacuees.

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 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/lhl/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/04/2019 - LISAMRIJAJ, 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 Ardsley Union Free 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 Ardsley Middle School on Monday, April 22, 2019, during certain designated 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 (the “Agreement”); and be it further

**RESOLVED**, that under the proposed Agreement, the County agrees to defend, indemnify and hold harmless the School District from and against any and all liability, loss, damages, claims, or actions (including costs and attorney’s fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in any way connected with the actual or proposed use of School District’s property, facilities and/or services, including but not limited to bodily injury to any employee, invitee, guest, contractor or subcontractor of the County; 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
							0

Budget Funding Year(s) \_\_\_\_\_ Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
 (must match resolution)

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