

68869

April 2, 2019

To: The Honorable Board of Acquisition and Contract

From: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

Re: Authority to amend a license agreement between the County of Westchester and the Friends of Hilltop Hanover Farm and Environmental Center, Inc. for the use of space at Hilltop Hanover Farm and for the provision of cultural, educational, farming, environmental programming, fundraising activities and other programs and special events on behalf of the County, in order to convert the County's five-year renewal option to a one-year option and to retroactively exercise that option for the period from January 1, 2019 through December 31, 2019. (License Agreement No. 13-907)

On April 4, 2013, your Honorable Board approved a Resolution authorizing the County of Westchester (the "County") to enter into a license agreement with the Friends of Hilltop Hanover Farm and Environmental Center, Inc. ("Friends of Hilltop"), a not-for-profit organization, to utilize space at Hilltop Hanover Farm located on Hanover Street, Yorktown, New York and to provide various cultural, educational, farming, environmental programming, fundraising activities and other programs and special events on behalf of the County (the "Agreement"). The term of the Agreement is from January 1, 2014 through December 31, 2018. At the sole option of the County, the term of the license may be renewed upon the same terms and conditions for a five-year period from January 1, 2019 through December 31, 2023. Friends of Hilltop will pay a license fee of \$1.00 annually. The Agreement is subject to termination upon 60 days' notice.

The County and the Friends of Hilltop are in discussions as to a new license agreement. In order to facilitate those negotiations, authority is now requested to retroactively amend the Agreement to convert the five-year renewal option to a one-year option and to exercise that option for the period from January 1, 2019 through December 31, 2019. All other terms and conditions of the Agreement will remain unchanged.

This agreement will serve a public purpose by providing various cultural, educational, farming, environmental programming, fundraising activities and other programs and special events for the residents of Westchester County. The monitoring of the programs will be provided by the on-site Westchester County staff. The Friends of Hilltop will submit quarterly reports and an annual report to the County.

The Agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to Sections 3(a) xiii and 3(b) thereof.

A Resolution is attached for your favorable consideration.

HJG/DLV/dv
Attachment

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby

RESOLVED, that the County of Westchester is authorized to amend a license agreement with the Friends of Hilltop Hanover Farm and Environmental Center, Inc. ("Friends of Hilltop"), a not-for-profit organization, to utilize space at Hilltop Hanover Farm located on Hanover Street, Yorktown, New York and to provide various cultural, educational, farming, environmental programming, fundraising activities and other programs and special events on behalf of the County for a term from January 1, 2014 through December 31, 2018, subject to renewal at the County's option for a five-year term, in order to convert the five-year renewal option to a one-year option and to exercise that option for the period from January 1, 2019 through December 31, 2019; and be it further

RESOLVED, that all other terms and conditions of the agreement shall remain unchanged; and be it further

RESOLVED, that the County Executive or his duly appointed designee be, and hereby is, authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

License Agreement No. 13-907

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300	9274		\$1.00

Budget Funding Year(s): 2019 **Start Date:** 01/01/2019 **End Date:** 12/31/2019
 (must match resolution)

Funding Source:

Tax Dollars	
State Aid	
Federal Aid	
Other	Revenue

\$1.00
 (must match resolution)