

69231

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Thomas A. Gleason
Acting Commissioner-Sheriff
Department of Public Safety

DATE: April 16, 2019

SUBJECT: Resolution authorizing the County of Westchester (the "County") to enter into an agreement with Jill and Joseph Cosentino ("Owners") pursuant to which the Owners will grant the County a license to conduct tactical training exercises at the Owner's residence in Eastchester on April 25, 2019, in exchange for which the County will agree to indemnify and hold the Owners harmless.

The County, acting by and through its Department of Public Safety (the "Department"), is requesting authority to enter into an agreement with the Owners (the "Agreement"), pursuant to which the Owners will grant the County a temporary license (the "License") to allow the County Police Special Response Team ("County SRT") to conduct tactical training exercises (the "Training") at the Owners' residence located at 14 Interlaken Drive in Eastchester NY 10709 (the "Residence"). The Training, which will take place on April 25, 2019, will be conducted in coordination with a multi-agency SWAT team comprised of the Eastchester PD, Tuckahoe PD, Pelham PD and Bronxville PD (the "SWAT team").

There shall be no license fee charged to the County. Instead, as full consideration for the grant of License, the County will agree to "indemnify and hold the Owners, their successors, assigns, agents and employees, and their mutual heirs, distributors, executors or administrators, harmless from any judgements, awards, debts, reckonings, promises, damages, executors claims and demands arising directly out of the negligent acts of the County, its representatives and employees, in connection with the Training to be conducted at the Residence on April 25, 2019."

The Agreement is in the County's best interest because the Training at the Residence will prepare the County SRT to respond to critical incidents involving a threat to public safety which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units.

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.

MJM/KMV/jpg

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/18/2019 - LISA MRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Acting Commissioner-Sheriff of the Department of Public Safety, be it hereby

RESOLVED, that the County of Westchester (“County”), acting by and through its Department of Public Safety (the “Department”), is hereby authorized to enter into an agreement with Jill and Joseph Cosentino (“Owners”), pursuant to which the Owners’ will grant the County a license (the “License”) to allow the County Police Special Response Team, in coordination with other local law enforcement agencies, to conduct tactical training exercises (the “Training”) at the Owners’ residence located at 14 Interlaken Drive, Eastchester, N.Y. on April 25, 2019 (the “Agreement”); and be it further

RESOLVED, that there shall be no license fee charged to the County for the grant of License. Instead, as full consideration for the grant of License, the County will agree to “indemnify and hold the Owners, their successors, assigns, agents and employees, and their mutual heirs, distributors, executors or administrators, harmless from any judgements, awards, debts, reckonings, promises, damages, executors claims and demands arising directly out of the negligent acts of the County, its representatives and employees, in connection with the Training to be conducted at the Residence on April 25, 2019; 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
N/A							

Budget Funding Year(s) 2019 Start Date 04/25/2019 End Date 04/25/2019
 (must match resolution)

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