

ID70591

Date: July 9, 2019

To: Honorable Members of the
Board of Acquisition and Contract

From: Kathleen M. O'Connor
Commissioner, Department of Parks, Recreation and Conservation

Re: Authority to (i) rescind a resolution approved on June 9, 2016 and (ii) enter into a license agreement with Friends of Muscoot, Inc., for the purpose of providing support, cultural programs, activities and projects at Muscoot Farm Park, for the period from August 1, 2019 through July 31, 2024, with the County's sole option to renew the term of the license agreement for an additional term of five (5) years.

By resolution approved on June 9, 2016 ("2016 Resolution"), your Honorable Board authorized the County of Westchester ("County"), acting by and through its Department of Parks, Recreation and Conservation ("Department"), to enter into a license agreement with Friends of Muscoot, Inc. ("Friends of Muscoot"), for the purpose of providing certain support, programs, activities and projects at Muscoot Farm Park, for an initial term of five (5) years, from January 1, 2016 through December 31, 2020, with the County's sole option to renew the term of the license agreement for an additional five (5) year term. The license agreement was never executed. Since the approval of the 2016 Resolution, the board of directors of Friends of Muscoot underwent a reorganization. It was not until recently that the new board of directors of Friends of Muscoot entered into discussions with the Department regarding a license agreement with the County.

In connection with the foregoing, authority is hereby requested from your Honorable Board for the County to rescind the 2016 Resolution in its entirety and authorize a new license agreement ("License") with Friends of Muscoot, pursuant to which Friends of Muscoot shall provide support, programs, activities and projects at Muscoot Farm Park, for a period commencing on August 1, 2019 and terminating on July 31, 2024, with the County's sole option to renew the term of the License for an additional five (5) year term, upon the same terms and conditions.

The Friends of Muscoot is a not-for-profit corporation formed exclusively for charitable purposes and solely for the benefit of Muscoot Farm Park.

In consideration for the License, Friends of Muscoot shall pay the County an annual fee of \$1.00, collect donations, administer an office and farm museum, provide the services of

guides for the purpose of giving guided tours to the public, sponsor programs and seminars and perform certain improvements at Muscoot Farm Park, at its sole cost and expense.

The Westchester County Procurement Policy does not apply to licenses pursuant to Section 3(b).

The goal and objective of the License is for Friends of Muscoot to assist the County in promoting its mission to keep Muscoot Farm Park as farmland by providing support, programs, activities and projects that provide cultural, recreational and educational opportunities for the public. The Department's personnel will track and monitor the organization of the various programs, activities and projects.

Accordingly, I recommend and urge your Honorable Board's approval of the annexed Resolution.

KMO/CMC

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/01/2019 - LIC. M. J. SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Parks, Recreation and Conservation, be it hereby

RESOLVED, that the resolution approved on June 9, 2016, for the County of Westchester (“County”) to enter into a license agreement (“License”) with Friends of Muscoot, Inc. (“Friends of Muscoot”), for a period commencing on January 1, 2016 and terminating on December 31, 2020, is hereby rescinded; and be it further

RESOLVED, that the County is hereby authorized to enter into a new license agreement (“License”) with Friends of Muscoot, Inc. for the purpose of providing support, programs, activities and projects at Muscoot Farm Park, for a term commencing on August 1, 2019 and terminating on July 31, 2024; and be it further

RESOLVED, in consideration for the License, Friends of Muscoot shall pay the County an annual fee of \$1.00, collect donations, administer an office and farm museum, provide the services of guides for the purpose of giving guided tours to the public, sponsor programs and seminars and perform certain improvements at Muscoot Farm Park, at its sole cost and expense; and be it further

RESOLVED, that the County, at its sole option, may extend the term of the License for an additional period of five (5) years, upon the same terms and conditions; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Agreement TOTAL \$5

Agreement #
Account to be
Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars	
165	42	4750	9289		\$1	2019
165	42	4750	9289		\$1	2020
165	42	4750	9289		\$1	2021
165	42	4750	9289		\$1	2022
165	42	4750	9289		\$1	2023

Budget Funding Year(s) 2019-2023 Start Date 08/01/19 Date 07/31/24

(must match resolution)

Funding Source

Tax Dollars _____

State Aid _____

Federal Aid _____

\$ 5.00
(must match resolution)

Other _____ revenue _____