



Robert P. Astorino  
County Executive

Anthony W. Sutton  
Commissioner

John M. Cullen  
Deputy Commissioner

The Westchester County  
Department of Emergency Services

DATE: January 26, 2010

TO: Board of Acquisition and Contract

FROM: Anthony W. Sutton, Commissioner of Emergency Services

Re: **Resolution Authorizing the County of Westchester ("County") to exercise an option to renew an agreement with the Valhalla Fire District ("District") wherein the District will participate in specialized training and activities with the Grasslands Fire Brigade and fire suppression services for a term commencing January 1, 2010 and expiring December 31, 2010, in an amount not-to-exceed Forty Five Thousand (\$45,000.00) Dollars.**

On April 6, 2009 your Honorable Board authorized the County, acting by and through its Department of Emergency Services ("DES"), to enter into an agreement (the "Agreement") wherein the District would participate in specialized training and activities with the Grasslands Fire Brigade and fire suppression services for a term commencing January 1, 2009 and expiring December 31, 2009 in an amount not-to-exceed Forty Five Thousand (\$45,000.00) Dollars. The resolution also provided the County with the sole option to renew the Agreement for one (1) additional year with the same terms and conditions. An agreement was duly executed on or about April 10, 2009.

The County desires to exercise its option to renew the Agreement. Accordingly, the attached Resolution, if approved by your Honorable Board, will authorize the County to exercise its renewal option with the District with the same terms and conditions, for a term commencing January 1, 2010 and expiring December 31, 2010, in an amount not-to-exceed Forty Five Thousand (\$45,000.00) Dollars, which will increase the total contract amount not-to-exceed to Ninety Thousand (\$90,000.00) Dollars.

The public purpose of the proposed agreement is to enhance fire protection in order to assure the safety and general welfare of the public on the Grasslands Reservation, including but not limited to residents, employees and members of the public who visit or obtain services on the Reservation. The goal of this program is to assure that the District is aware of and prepared to handle the unique circumstances, challenges and operating procedures associated with providing fire suppression to the Grasslands Campus. It is the objective of DES to provide the latest information, training and situational awareness to the District to minimize their risk and to reduce the potential loss of life and property on the Grasslands Campus. In addition, this program will play a vital role in bolstering the preparedness levels of both the County and the District.

The DES Commissioner shall monitor contract compliance and performance through the review of quarterly response reports as well as the review of attendance at periodic training sessions, inspection and drill activities.



Commissioner Sutton monitored the performance of the Valhalla Fire District for compliance with the terms and conditions of the 2009 contract between the District and the County. The District submitted the required documentation in a timely fashion, participated in the training, the walk throughs and training sessions as prescribed. Commissioner Sutton has confirmed that the contract has successfully enhanced the protection of the population and infrastructure on the Grasslands Campus and strongly supports its renewal.

The proposed agreement is fiscally responsive in that it results in a cost effective alternative to the County creating a 24 hour a day, 365 days a year group of first responders who would need to be trained and prepared to handle the unique circumstances, challenges and operating procedures associated with Grasslands campus.

The proposed agreement increases security of private and public assets on the Grasslands Reservation by increasing the responders' familiarity with the unique circumstances, challenges and operating procedures associated with the campus.

If the proposed Resolution were not approved, there would be negative consequences to taxpayers in the form of increased exposure to potential increased injury and/or loss of life to residents, workers and visitors to the Grasslands Reservation.

Accordingly, your favorable action on the annexed proposed Resolution is respectfully requested.

AWS/TSA/nn  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 11-11-2010  
ROMARY VIERA, SECRETARY

**RESOLUTION**

Upon a communication from the Commissioner of Emergency Services, be it hereby

**RESOLVED**, that the County of Westchester (“County”) is authorized to exercise its option to renew its agreement with the Valhalla Fire District (“District”) whereby the District shall participate in specialized training and activities with the Grasslands Fire Brigade and fire suppression services for a term commencing on January 1, 2010 and expiring December 31, 2010 for an amount not to exceed Forty Five Thousand (\$45,000.00) Dollars, increasing the total not-to-exceed contract amount to Ninety Thousand (\$90,000.00) Dollars; and be it further

**RESOLVED**, that all other terms and conditions of the agreement shall remain the same: and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; 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.

Original Agreement \$ 45,000.00  
 First Amendment \$ 45,000.00  
 TOTAL \$ 90,000.00

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	20	1000	4420		\$45,000

Budget Funding Year(s) 2010 Start Date 1/1/10 End Date: 12/31/10

(must match resolution)

Funding Source Tax Dollars \$45,000

State Aid \_\_\_\_\_

\$ 45,000 Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_