

Department of Parks, Recreation  
& Conservation

12171

June 11, 2010

To: Honorable Members of the  
Board of Acquisition and Contract

From: Joseph A. Stout  
Commissioner of Parks, Recreation and Conservation

Re: Authority to enter into a license agreement with Philip and Patricia Pessoni, or current owner ("Licensee") of real property located at 352 South Salem Road, Pound Ridge, New York 10576 to utilize an access entry drive across lands of the Ward Pound Ridge Reservation from July 1, 2010 through June 30, 2015, for a license fee of \$100 per year.

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In 1929, the State acquired lands from various property owners in the Pound Ridge area to construct Route 124. The home located at 352 South Salem Road, Pound Ridge, New York was built in the 1800s and the driveway providing access to the home was included in the sale in 1929. When the State completed construction of Route 124, the State gave to the County excess lands not needed for the construction of Route 124. The excess lands, which included the home's driveway consisting of approximately 200 square feet, became a part of the Pound Ridge Reservation. Since 1929 until the early 1970s, the home's driveway was continuously utilized by the then current homeowner for access to the home. At one point in the 1970s, the County Parks Dept. issued annual revocable permits for use of the driveway, but the last permit expired in 1991. The current homeowners (Philip and Patricia Pessoni) have advised the County that they are unable to sell their home due to the fact that the home has no legal access to Route 124. So, the Pessonis have requested that the County issue a five year license. The five year term, with an annual fee of \$100, will provide the County with sufficient time to resolve the title access issue with a more permanent solution.

The public purpose, as well as the goal and objective of this revocable license, is to provide the current homeowners with legal access to their property. This license will be monitored by the Parks Dept. to ensure compliance with all the terms of the license.

A resolution authorizing the above is attached for your consideration.

This license is exempt from the County Procurement Policy under Section 3(b).

**RESOLUTION**

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

**RESOLVED**, that the County of Westchester is hereby authorized to enter into a license agreement with Philip and Patricia Pessoni, or current owner (“Licensee”) of real property located at 352 South Salem Road, Pound Ridge, New York 10576 to utilize an access entry drive across lands of the Ward Pound Ridge Reservation (approximately 200 square feet) from July 1, 2010 through June 30, 2015, for a license fee of \$100 per year; and be it further

**RESOLVED**, that the County Executive or his duly 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    \$500  
 First Amendment     \$  
**This Amendment**    \$ \_\_\_\_\_  
 TOTAL                    \$500

Agreement #

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars	
165	42	1100	9542		\$100	2010
165	42	1100	9542		\$100	2011
165	42	1100	9542		\$100	2012
165	42	1100	9542		\$100	2013
165	42	1100	9542		\$100	2014

Budget Funding Year(s) 2010-2014    Start Date 7/1/10    End Date 6/30/15  
 (must match resolution)

Funding Source            Tax Dollars \_\_\_\_\_  
                                          State Aid            \_\_\_\_\_  
**\$500**                            Federal Aid        \_\_\_\_\_  
 (must match resolution) Other    PRC Revenue \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-24-2010 - JOMARY VEIRY, SECRETARY