

**28950**

DATE August 27, 2012

TO: Board of Acquisition and Contract

FROM: Edward Buroughs  
Commissioner of Planning

SUBJECT: Resolution authorizing an amendment to the Local Consultation Agreement between the County of Westchester and the City of New York acting by and through the New York City Department of Environmental Protection so as to extend the term of the Agreement for Five Years as provided for in the Agreement

On December 5, 1996, your Honorable Board approved a resolution to enter into agreements with the City of New York by and through the New York City Department of Environmental Protection (DEP) for: Septic System Delegation, Watershed Planning in the Croton System, Sewage Diversion Feasibility Study, East of Hudson Water Quality Investment Program, Payment of Costs and Expenses Associated with Review of the City's Watershed Protection Program, Good Neighbor Payments and Local Consultation of Land Acquisition Programs.

On December 12, 1996, your Honorable Board approved a resolution to amend the above agreement to add additional parties which include the State of New York, the City of New York, the US Environmental Protection Agency, Putnam County, the Coalition of Watershed Towns, the Catskill Watershed Corp., the environmental organizations identified in the agreement, the municipalities located within the Croton and Kensico Watersheds, State and City agencies, State public benefit corporations and any other entity which may sign the agreement.

On January 21, 1997, the County entered into an Agreement with DEP for Local Consultation, Attachment GG-3 to New York City Watershed Memorandum of Agreement, as part of the Land Acquisition Program. The Local Consultation Agreement allows municipalities in the New York City water supply watershed to request funds from New York City to assist in the local review of proposed land acquisitions by NYC DEP. The agreement sets the funding at up to \$10,000 per municipality in the Croton watershed and up to \$20,000 per municipality in the Kensico watershed to pay for the actual costs and expenses of consultants or costs and expenses of in-house municipal staff engaged in reviewing information provided by DEP and providing comments to DEP. The Agreement identifies the County as a pass-through agency that will disburse the funds from the City of New York to eligible municipalities. The County is not eligible to receive funds for its own use under the terms of the Agreement

The term of the agreement is January 21, 1997 to April 7, 2012, with a provision allowing the parties to extend the term, by mutual agreement, for an additional period of five (5) years. The City of New York has proposed that the term be extended for the additional five years.

The attached resolution authorizes the County of Westchester to approve an amendment of the above Agreement, consistent with its terms, to change the expiration date from April 7, 2012 to April 7, 2017. All other terms and conditions of the Agreement will remain the same.

The goal and objective of the original agreement is to improve the health and environment of the public water supply and to provide for consideration of the interests of municipalities located within the Croton and Kensico watersheds. The Agreement will be monitored by Department of Planning staff who will ensure all contractual requirements are met.

I recommend approval of this amendment.

EB/cp  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/20/2012 - JOMARY VIEIRA, SECRETARY

## RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED: that the County of Westchester is hereby authorized to amend the Land Consultation Agreement between the County and the City of New York acting by and through the New York City Department of Environmental Protection which provides opportunity for municipalities in the Croton and Kensico Watersheds to be reimbursed by the City of New York for expenses incurred in relation to the local review of land acquisitions proposed by the City of New York under the NYC Watershed Memorandum of Agreement in order to change the expiration date from April 7, 2012 to April 7, 2017, and be it further

RESOLVED, that all other terms and conditions to the Agreement shall remain the same; and be it further

RESOLVED: that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Original Agreement	\$0.00
This Amendment	\$0.00
 TOTAL	 \$0.00
 AGREEMENT NUMBER	 C-PL-97-08

Account to be Charged/Credited

		Major Program, Program & Phase	Revenue	Trust	
Fund	Dept	Or Unit	Sources	Account	Dollars
N/A	19	N/A		N/A	\$N/A

Budget Funding Year(s) (must match resolution)	<u>FY 1997</u>	Start Date	<u>January 1997</u>	End Date	<u>April 7, 2017</u>
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Funding Source	Tax Dollars _____
	State Aid _____
<b>\$0.00</b> (must match resolution)	Federal Aid _____
	Other _____