

47707

July 14, 2015

To: Honorable Board of Acquisition and Contract

From: Thomas J. Lauro, P.E.  
Commissioner of Environmental Facilities

Re: **Resolution to authorize the County of Westchester, on behalf of the Blind Brook Sanitary Sewer District, to enter into an agreement to consent to the assignment of its Discharge Permit Agreement with Greenwich Woods Limited Partnership, to Greenwich Woods Realty, LLC and Greenwich Retirement Housing LLC.**

By resolution approved on December 23, 1999, your Honorable Board authorized the County of Westchester (the "County"), acting on behalf of the Blind Brook Sanitary Sewer District (the "District") to enter into a Discharge Permit Agreement (the "Agreement") with Greenwich Woods Health Care Center Corporation ("GWHCCC") to permit the discharge of sanitary wastewater from GWHCCC's facilities located on King Street in the Village of Rye Brook into the County trunk sewer serviced by the District. The Agreement with GWHCCC was subsequently executed.

Thereafter, by resolution approved on September 20, 2000, your Honorable Board authorized the County, on behalf of the District, to enter into an agreement to consent to the assignment of the Agreement with GWHCCC, to Greenwich Woods Limited Partnership ("GWLP"), as GWLP took ownership of the facilities (the "Assignment Agreement"). The Assignment Agreement was subsequently executed.

GWLP recently advised the County that the facilities were sold on February 1, 2015 to Greenwich Woods Realty LLC. GWLP further advised the County that Greenwich Retirement Housing LLC, an affiliate of GWLP, owns the adjoining assisted living facility, which also discharges sewage under the Agreement. Accordingly, authority is requested for the County to enter into an agreement to consent to the assignment of the Agreement from GWLP (as Assignor) to Greenwich Woods Realty LLC and Greenwich Retirement Housing LLC (collectively as Assignees), effective as of February 1, 2015.

On July 13, 2015, the Westchester County Board of Legislators by Act No. 117-2015, authorized the County, on behalf of the District, to consent to the assignment of the Agreement dated January 24, 2000, with GWLP to Greenwich Woods Realty LLC and Greenwich Retirement Housing LLC, effective as of February 1, 2015.

I strongly recommend your Honorable Board's approval of the annexed Resolution.

TJL/jpg

## R E S O L U T I O N

Upon a communication from the Commissioner of Environmental Facilities, be it hereby:

**RESOLVED**, that the County of Westchester (the "County"), on behalf of the Blind Brook Sanitary Sewer District, is authorized to enter into an agreement to consent to the assignment of a Discharge Permit Agreement dated January 24, 2000 (the "Agreement"), with Greenwich Woods Limited Partnership (as Assignor), to Greenwich Woods Realty LLC and Greenwich Retirement Housing LLC (collectively as Assignees), effective February 1, 2015; and be it further

**RESOLVED**, that all other terms and provisions of the Agreement shall remain unchanged and in full force and effect, and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purpose hereof.

Account to be  
Charged/Credited

| Fund | Dept | Major Program,<br>Program & Phase<br>Or Unit | Object/<br>Sub-Object | Trust<br>Account | Dollars |
|------|------|--|-----------------------|------------------|---------|
| N/A  |      |  |                       |                  |         |
|      |      |  |                       |                  |         |
|      |      |  |                       |                  |         |

Budget Funding Year(s) N/A    Start Date: 2/1/15    End Date: End of contract  
(must match resolution)

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