



Department of Emergency Services

Memorandum

50085

DATE: December 17, 2015

TO: Board of Acquisition and Contract

FROM: John M. Cullen, Commissioner of Emergency Services

Re: **Resolution Authorizing the County of Westchester (“County”) to exercise an option to renew an agreement with the Pound Ridge Fire District (“District”) pursuant to which the District will provide fire protection services to County facilities located in the northern portion of the Ward Pound Ridge Reservation which lies in the Town of Lewisboro but outside the coverage area of the District.**

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On February 23, 2015, the Westchester County Board of Legislators adopted Act No. 2015-23 and thereafter on March 26, 2015 your Honorable Board authorized the County to enter into an agreement (the “Agreement”) pursuant to which the District will provide fire protection services to County facilities located in the northern portion of the Ward Pound Ridge Reservation which lies in the Town of Lewisboro but outside the coverage area of the District for a term commencing January 1, 2015 and expiring December 31, 2015 in an amount not-to-exceed Ten Thousand (\$10,000.00) Dollars. The resolution also provided the County with the sole option to renew the Agreement for one (1) additional year on the same terms and conditions. An agreement was duly executed on or about May 18, 2015.

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 for a term commencing January 1, 2016 and expiring December 31, 2016, in an amount not-to-exceed Ten Thousand (\$10,000.00) Dollars, which will increase the total contract amount not-to-exceed to Twenty Thousand (\$20,000.00) 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 Ward Pound Ridge Reservation, including not only park visitors, but also employees working 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 Reservation. Department of Emergency Services staff will monitor contract compliance and performance.

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

JMC/TSA/nn  
Attachment

## 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 Pound Ridge Fire District ("District") whereby the District shall provide fire protection services to County facilities located in the northern portion of the Ward Pound Ridge Reservation which lies in the Town of Lewisboro but outside the coverage area of the District for a term commencing on January 1, 2016 and expiring December 31, 2016, for an amount not to exceed Ten Thousand (\$10,000.00) Dollars, increasing the total contract amount not-to-exceed to Twenty Thousand (\$20,000.00) Dollars; and be it further

**RESOLVED**, that all other terms and conditions shall remain in full force and effect; 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	\$	10,000.00
First Amendment	\$	10,000.00
TOTAL	\$	20,000.00

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	20	1000	4420		\$10,000.00

Budget Funding Year(s) 2016 Start Date 1/1/16 End Date 12/31/16  
(must match resolution)

Funding Source	Tax Dollars <u>10,000.00</u>
	State Aid _____
<u>\$10,000.00</u>	Federal Aid _____
(must match resolution)	Other _____