

ID73241

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor
Commissioner of Parks, Recreation and Conservation

DATE: December 10, 2019

SUBJECT: Authorization to amend two grant agreements by and among the State of New York, acting by and through the Commissioner of Parks, Recreation and Historic Preservation, Jay Heritage Center and the County of Westchester, as follows: (i) an Environmental Protection Fund – HP grant in an amount of \$500,000, for the restoration of the Historic Jay Gardens, to extend the term through December 31, 2020 and (ii) a Hurricane Sandy Disaster Relief grant for Historic Properties in the amount of \$391,056 for the rehabilitation of the Palmer Tennis House, to extend the term through December 31, 2019.

On July 6, 2017, your Honorable Board approved a resolution authorizing the County of Westchester (“County”), acting by and through its Department of Parks, Recreation and Conservation (“Department”), to enter into two (2) grant agreements with the State of New York, acting by and through the Commissioner of Parks, Recreation and Historic Preservation (“NYS Parks”) and the Jay Heritage Center, a not-for-profit educational corporation located in Rye, New York (“JHC”), as follows: (i) a \$500,000.00 Environmental Protection Fund – HP Grant agreement for the restoration of the Historic Jay Gardens, and (ii) a \$391,056.00 Hurricane Sandy Disaster Relief Grant for Historic Properties agreement for the rehabilitation of the Palmer Tennis House. The grant agreements were subsequently executed.

As your Honorable Board may recall, by Deed dated July 7, 1997, the County granted NYS Parks an undivided 90% interest as tenant in common in and to approximately 21.5 acres in the City of Rye known as the “Jay Property” (“Jay Property”). The County and NYS Parks simultaneously entered into a Cooperative Agreement that governs the respective rights, privileges, liabilities and responsibilities of each party with respect to such tenancy. Thereafter, on November 26, 2012, by Act No. 173-2012, the Westchester County Board of Legislators authorized the County to enter into a three-party Cooperative Operation and Maintenance Agreement with NYS Parks and the JHC, pursuant to which the County and NYS Parks granted the JHC a license to develop, manage, operate, maintain, secure and administer the Jay Property

for park and recreational uses for a ten (10) year term (“2012 Cooperative Agreement”). The 2012 Cooperative Agreement was subsequently executed. One of the basic tenets of the 2012 Cooperative Agreement was the recognition by the County and NYS Parks that creative solutions should be considered to continue the public’s ability to enjoy the full potential of park resources during financially challenging times and to permit JHC to apply for grant funds for projects on the Jay Property.

Authority is now requested from your Honorable Board for the County to amend each grant agreement as follows: (i) the Environmental Protection Fund – HP grant in an amount of \$500,000, for the restoration of the Historic Jay Gardens, in order to extend the term through December 31, 2020 and (ii) a Hurricane Sandy Disaster Relief grant for Historic Properties in the amount of \$391,056 for the rehabilitation of the Palmer Tennis House in order to extend the term through December 31, 2019.

I recommend approval of the attached resolution authorizing the County, as part owner, to execute the amendments to the grant agreements.

KMO/CMC

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/19/19
LISA MARIJAS SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) acting by and through its Department of Parks, Recreation and Conservation, is authorized, as part-owner of that certain property located in the City of Rye and known as the “Jay Property,” to amend two grant agreements as follows: (i) the Environmental Protection Fund – HP grant in an amount of \$500,000, for the restoration of the Historic Jay Gardens, in order to extend the term through December 31, 2020; and (ii) a Hurricane Sandy Disaster Relief grant for Historic Properties in the amount of \$391,056, for the rehabilitation of the Palmer Tennis House, in order to extend the term through December 31, 2019 (collectively, the “Grant Agreements”); and be it further

RESOLVED, that all other terms and conditions of the Grant Agreements shall remain unmodified and in full force and effect, 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.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
							N/A

Budget Funding Year(s) 2019/2020 Start Date ____ End Date ____
 (must match resolution)

Funding Source	Tax Dollars _____
	State Aid _____
<u>N/A</u>	Federal Aid _____
(must match resolution)	Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION SECRETARY