

**79085**

DATE: August 31, 2020

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne  
Chief Information Officer

RE: Authority to amend the County of Westchester's license agreement IT-725 with the City of Peekskill for the installation of radio antennas and related equipment on the property owned by the City located at 181 Benefield Boulevard, Peekskill, New York, in order to permit the County to sublicense space on one of its antenna support masts and in its cable tray to the Lake Mohegan Fire District so that the Fire District may install one 2-foot microwave dish antenna and appurtenant equipment.

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On June 16, 2005, your Honorable Board approved a resolution which authorized the County of Westchester ("County") to enter into a license agreement (the "Initial Agreement") with the City of Peekskill (the "City") for the installation of radio antennas and related equipment on the property owned by the City located at 181 Benefield Boulevard, Peekskill, New York (the "Site") for a term of five (5) years with a mutual option to extend the term for an additional five (5) year period. The Initial Agreement was executed on August 9, 2005.

On November 18, 2010, your Honorable Board approved extending the term of the Initial Agreement for an additional five (5) year period, commencing August 10, 2010 (the "First Amendment"). The First Amendment was subsequently executed.

On August 19, 2015, your Honorable Board approved amending the Initial Agreement, as amended by the First Amendment, in order to modify and install additional antennas and radio equipment at the Site (the "Second Amendment"). The Second Amendment was subsequently executed on February 11, 2015.

On January 16, 2020, your Honorable Board approved amending the Initial Agreement, as amended by the First and Second Amendments, in order to (a) modify and install additional antennas and the radio equipment at the Site; (b) extend the term of the license agreement; (c) permit the County to sublicense space in the County's equipment shelter; and (d) permit the County

to terminate the license agreement on 6 months prior written notice if it determines doing so is in its best interest. The Third Amendment was subsequently executed on January 23, 2020.

The Initial Agreement, First Amendment, Second Amendment and Third Amendment are referred to herein collectively as the "Agreement."

Authorization is now sought from your Honorable Board to further amend the Agreement in order to permit the County to sublicense space on one of its antenna support masts and in its cable tray located on the City's water tank at the Site to the Lake Mohegan Fire District (the "Fire District") so that the Fire District may install one 2-foot microwave dish antenna on this antenna mount.

This Resolution serves a County purpose because the Fire District participates in the County Fire Mutual Aid Plan. This Agreement will permit the installation of the Fire District's public safety equipment for its emergency radio system. This Agreement will assist the local first responders in the community who respond to and participate in the County Fire Mutual Aid Plan.

All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

Approval of the attached resolution by your Honorable Board is requested.

MB/ran  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS 09/10/2020 USA PRUJAJ, SECRETARY

**RESOLUTION**

Upon a communication from the Chief Information Officer, be it hereby

**RESOLVED**, that the County of Westchester (“County”), acting by and through its Department of Information and Technology (“DoIT”), is authorized to enter into a fourth amendment (“Fourth Amendment”) to the license agreement with the City of Peekskill (the “City”), as amended by the First, Second, and Third Amendments thereto (collectively, the “Agreement”), for the operation of radio equipment and antennas at the property located at 181 Benefield Blvd, Peekskill, New York (“Site”) in order to permit the County to sublicense space on one of its antenna support masts and in its cable tray at the Site to the Lake Mohegan Fire District (“Fire District”) so that the Fire District may install one 2-foot microwave dish antenna and appurtenant equipment, and be it further

**RESOLVED**, that all other terms and conditions 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 to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof.

Agreement Number: IT-725, 4<sup>th</sup> Amendment

Account to be Charged/ Credited	Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account or Bond Act	Dollars
							N/A
							N/A

Budget Funding Year(s): N/A Start Date: August 10, 2015 End Date: December 31, 2040  
(must match resolution)

Funding Source Tax Dollars: N/A  
 State Aid: \_\_\_\_\_  
N/A Federal Aid: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_