

ID 82989

Date: March 9, 2021

To: Honorable Board of Acquisition and Contract

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

Re: Authority to enter into a license agreement with the Town of Cortlandt (the "Town") whereby the County would license approximately one hundred sixty-one (161) acres of Oscawana/McAndrews Park to the Town to be operated and maintained by the Town exclusively for municipal recreational purposes, for a five (5) year term commencing retroactively on June 1, 2015, with an automatic five (5) year renewal term.

Authority of your Honorable Board is requested for the County of Westchester (the "County") to enter into a license agreement for the area of approximately one hundred sixty-one (161) acres known as Oscawana/McAndrews Park to the Town of Cortlandt (the "Town") to be operated and maintained by the Town at its sole expense exclusively for municipal recreational purposes. The License shall be for five (5) years and commence retroactively on June 1, 2015. The proposed license agreement automatically renews for an additional five (5) year term of June 1, 2020 to May 31, 2025. The parties acknowledge that the five (5) year renewal period has already commenced. Pursuant to the proposed agreement and in exchange for the license, the Town will pay a license fee of \$200.00 per year to the County for both the initial term and option period.

The County and the Town have entered into similar agreements for the operation and maintenance of Oscawana/McAndrews Park for over twenty (20) years and have found it to be mutually beneficial. Pursuant to previous license agreements, the Town performed capital improvements valued at approximately \$40,000.00 to the Oscawana/McAndrews Park, which included clearing nature trails, removing debris, the creation of two (2) unpaved parking areas, construction of a kayak launch, safety improvements and installation of new signage.

The ultimate goal of the agreement will be for the public good by providing a well-maintained location for recreational activities. This agreement promotes fiscal responsibility as the County will benefit from the Town maintaining the area and revenue from the License Agreement. If this agreement were not in place, the County would be responsible for maintenance at its sole cost. The objective of this agreement is to allow the Town to maintain the area and provide revenue to the County. The agreement will be tracked and monitored by site visits by Department of Parks, Recreation and Conservation staff.

This license agreement is exempt from the operation of the Westchester County Procurement Policy pursuant to Sections 3 (a)(iii) and 3 (b) thereof.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

KOC/JPI

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/01/2021 - JUSA MRIJAN SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into a license agreement with Town of Cortlandt (the "Town") whereby the County will license approximately one hundred sixty-one (161) acres of Oscawana/McAndrews Park (the "Licensed Premises") to the Town to be operated and maintained by the Town exclusively for municipal recreational purposes, for a license fee of \$200 per year, for a five (5) year term commencing retroactively on June 1, 2015, with an automatic five (5) year renewal term terminating on May 31, 2025; and be it further

RESOLVED, that the license agreement shall contain provisions requiring that the Licensed Premises shall be open to and benefit all County residents; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/14/2021 - 10A MR/KPS SECRETARY

Agreement #PRC-1304

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	1100	9542		1,400	2021
165	42	1100	9542		200	2022
165	42	1100	9542		200	2023
165	42	1100	9542		200	2024

Budget Funding Year(s) 2021-2025 Start Date 6/1/15 End Date 5/31/25
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$2,000 Federal Aid _____
(must match resolution)

Other Revenue _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/01/2024 - LISA MRISA, SECRETARY