



Memorandum
**Department of Parks, Recreation
and Conservation**

Onbase No. 111351

DATE: June 12, 2025

TO: The Honorable Board of Acquisition and Contract

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

RE: Authority to retroactively enter into an agreement with the New York State Department of State Division of Local Government Services to accept funds in the amount not to exceed \$125,000.00 under the NYS Statewide Investment in More Swimming Program, for the period from April 1, 2024 through September 30, 2025.

The County of Westchester (the "County"), acting by and through its Department of Parks, Recreation and Conservation (the "Department"), seeks authority from your Honorable Board to retroactively enter into an agreement (the "NYS Swim Grant Agreement") with the New York State Department of State Division of Local Government Services (the "State") to accept funding in an amount not to exceed \$125,000.00 under the NYS Statewide Investment in More Swimming Program ("Swim Program"), for the period of April 1, 2024 to September 30, 2025.

The goal of the Swim Program is to hire and train seasonal lifeguards in order to make public and open swim more available to the residents and visitors of Westchester County.

The NYS Swim Grant Agreement will among other things, increase the number of lifeguards available at public and open swim spaces, for the use and enjoyment of such swim areas by the public while providing local prevention and response efforts, as necessary.

The NYS Swim Grant Agreement will require the County to indemnify the State as follows:

"The [County] shall be solely responsible and answerable in damages for all accidents, incidents, and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the [County] or its subcontractors pursuant to this [NYS Swim Grant Agreement]. The [County] shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages, and cost of every nature arising out of the provision of services pursuant to the [NYS Swim Grant Agreement]."

The goals and objectives of the NYS Swim Grant Agreement support the Swim Program objectives which involve hiring and training lifeguards to make public and open swim spaces more available to residents and visitors of Westchester County.

The public purpose of the proposed NYS Swim Grant Agreement is to make available public and open swim space to the public.

I certify that my department, a.) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b.) has reviewed the Grant Terms, c.) is aware of and understands all of the Grant Terms, and d.) can and will comply with all of the Grant Terms.

Because the NYS Swim Grant Agreement is for the acceptance of grant funds, it does not constitute a procurement and, as such, is not subject to the Westchester County Procurement Policy.

Approval of the attached resolution is respectfully requested.

KOC/cmc
Enclosure

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/03/2025 RAYMOND SOULE, 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 (the "Department"), is authorized to retroactively enter into an agreement (the "NYS Swim Grant Agreement") with the New York State Department of State Division of Local Government Services (the "State") to accept funding in an amount not to exceed \$125,000.00 under the NYS Statewide Investment in More Swimming Program, for the period from April 1, 2024 through September 30, 2025, to be used to hire and train seasonal lifeguards; and be it further;

RESOLVED, that the County shall indemnify the State as follows:

"The [County] shall be solely responsible and answerable in damages for all accidents, incidents, and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the [County] or its subcontractors pursuant to this [NYS Swim Grant Agreement]. The [County] shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages, and cost of every nature arising out of the provision of services pursuant to the [NYS Swim Grant Agreement]."

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Account to be charged/credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	42	A776	9856	T776	\$125,000.00

Budget Funding Year(s) 2024-25 Start Date 04/01/2024 End Date 9/30/2025
(must match resolution)

Funding Source Tax Dollars 0 _____

State Aid \$125,000 _____

\$125,000 Federal Aid 0 _____
(must match resolution)

Other _____