

ID# 111344

Date: June 20, 2025

To: Honorable Members of the Board of Acquisition and Contract

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

Re: Authority for the County of Westchester to enter into agreements with:

- (i) New York New Jersey Trail Conference to accept a grant in the amount of \$15,000 to be used by the County to conduct a controlled burn at Ward Pound Ridge Reservation to eradicate invasive woody saplings and vines for a term commencing upon contract execution and continuing through December 31, 2025; and
- (ii) Star Tree Wildfire Protection, LLC pursuant to which it will conduct the controlled burn at Ward Pound Ridge Reservation for a term commencing upon contract execution and continuing until the burn has been completed but in no event later than December 31, 2025 for an amount not-to-exceed \$15,000, payable pursuant to an approved budget.

Authority is requested for the County of Westchester ("County"), acting by and through its Department of Parks Recreation and Conservation (the "Department"), to enter into an agreement with the New York New Jersey Trail Conference, a 501 (c)(3), not-for-profit, membership corporation of the State of New York (the "Trail Conference"), to accept a grant in the amount of \$15,000 to be used by the County to conduct a controlled burn at Ward Pound Ridge Reservation (the "Reservation") to eradicate invasive woody saplings and vines (the "Grant Agreement"). The term of the Grant Agreement will commence upon contract execution and continue through December 31, 2025.

Pursuant to the terms of the Grant Agreement, the County will also agree to indemnify and hold the Trail Conference harmless for any and all liability or loss for injury to any person, including death, or damage to property caused by the negligent acts or omissions of the County in the performance of the Grant Agreement.

Authority is further requested for the County, through the Department, to enter into an agreement with Star Tree Wildfire Protection, LLC ("Star Tree"), pursuant to which Star Tree will provide the County with the services and equipment necessary to conduct the controlled burn at the Reservation, for a term commencing upon contract execution and continuing until the burn has been completed, but in no event later than December 31, 2025 (the "Contractor Agreement"). In consideration for services rendered under the

Contractor Agreement, the County will pay Star Tree an amount not-to-exceed \$15,000, pursuant to an approved budget.

The Grant Agreement does not constitute the procurement of goods or services and as such, is not subject to the requirements of the Westchester County Procurement Policy and Procedures (the "Policy"). The Contractor Agreement was procured pursuant to Section 5 of the Policy whereby the Department obtained three (3) price quotes. Star Tree submitted the lowest price quote.

Both the Grant Agreement and the Contractor Agreement will serve a public purpose by eradicating invasive species from the Reservation while simultaneously reducing wildfire threats, acting as an educational event for first responders, increasing desirable plant seed production, improving habitat for rare wildflowers, and drawing attention to a historic indigenous land management technique.

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.

Accordingly, I recommend and urge your Honorable Board's approval of the annexed Resolution.

KOC/jpg
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Parks Recreation & Conservation (the "Department"), is authorized to enter into an agreement with the New York New Jersey Trail Conference, a 501 (c)(3), not-for-profit, membership corporation of the State of New York (the "Trail Conference"), to accept a grant in the amount of \$15,000 to be used by the County to conduct a controlled burn at Ward Round Ridge Reservation (the "Reservation") to eradicate invasive woody saplings and vines, for a term commencing upon contract execution and continuing through December 31, 2025 (the "Grant Agreement"); and be it further

RESOLVED, that pursuant to the terms of the Grant Agreement, the County shall agree to indemnify and hold the Trail Conference harmless for any and all liability or loss for injury to any person, including death, or damage to property caused by the negligent acts or omissions of the County in the performance of the Grant Agreement; and be it further

RESOLVED, that the County, through the Department, is further authorized to enter into an agreement with Star Tree Wildfire Protection, LLC (the "Contractor"), pursuant to which the Contractor will provide the County with the services and equipment necessary to conduct the controlled burn at the Reservation, for a term commencing upon contract execution and continuing until the burn is completed, but in no event later than December 31, 2025, for an amount not-to-exceed \$15,000, payable pursuant to an approved budget (the "Contractor Agreement"); and be it further

RESOLVED, that the Contractor Agreement is subject to County appropriations, and be it further

RESOLVED, that the Contractor 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 the Contractor 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 hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	42	A776	9856	T776	\$15,000.00

Budget Funding Year(s) 2025 Start Date 6/30/25 End Date 12/31/25
(must match resolution)

Funding Source

\$ _____
(must match resolution)

Tax Dollars \$

State Aid _____

Federal Aid _____

Other _____