

ID 103301

Date: September 12, 2023

To: Honorable Board of Acquisition and Contract

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

Re: Authority for the County of Westchester to amend the license agreement with the Consolidated Edison Company of New York, Inc. to use an area of Bronx Street, the Bronx River Parkway and the Westchester County Center parking lot in White Plains in order to change the location of the licensed area.

The County of Westchester (the County”) entered into a license agreement dated August 30, 2019 with the Consolidated Edison Company of New York, Inc. (“Con Ed”), a corporation with its principal office and place of business at 4 Irving Place, New York, New York to maintain and operate portions of its distribution system for natural gas and electricity over and under lands of the County of Westchester under direction and control of the Commissioner of Parks, Recreation and Conservation (the “Commissioner”) pursuant to authority vested in the Commissioner to issue such permits pursuant to Sections 239.141 and 765.391 of the Laws of Westchester County, through September 20, 2023.

The County entered into a separate agreement with Con Ed dated as of May 5, 2023 for the in-kind replacement of an existing Con Ed gas main located under Bronx Street and the Bronx River Reservation and on Westchester County property that ties into an existing Tennessee Gas Transmission Pipeline also located on County property along with a staging area in White Plains (the “License”). The term of the License commenced on May 5, 2023 and will continue through March 5, 2024.

During the construction process when borings were taken, it was discovered that there was very high groundwater when the initial plan was to place the new gas line under an existing culvert. Con Ed has proposed to bypass the culvert and go under the stream. The change in location and direction is acceptable to the County. The proposed amendment to the License will revise the licensed area to accommodate the change in plan as proposed by Con Ed. All other terms and conditions of the License shall remain in full force and effect.

I recommend approval of the attached proposed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/21/2023 - RAYMOND SCULKY, SECRETARY

RESOLUTION

WHEREAS, the County of Westchester (the “County”) entered into a license agreement dated as of May 5, 2023 with the Consolidated Edison Company of New York, Inc. (“Con Edison”), 4 Irving Place, New York, New York for the use of an area of Bronx Street and the Bronx River Reservation for the in-kind replacement of an existing Con Edison gas main located underground in Bronx Street and on Westchester County property that ties into an existing Tennessee Gas Transmission Pipeline also located on County property including a portion of the parking lot at the Westchester County Center for use as a staging area (the “License”) for the period from May 5, 2023 through March 5, 2024; and

WHEREAS, the initial plan was to place the new line under an existing culvert, however borings determined that there was very high groundwater; and

WHEREAS, Con Edison requested that the plan be changed to bypass the culvert and go under an existing stream; now therefore be it

RESOLVED, that the County is hereby authorized to amend the license agreement dated as of May 5, 2023 with Con Edison for the use of an area of Bronx Street and the Bronx River Reservation for the in-kind replacement of an existing Con Edison gas main located underground in Bronx Street and on Westchester County property that ties into an existing Tennessee Gas Transmission Pipeline also located on County property including a portion of the parking lot at the Westchester County Center for use as a staging area (the “License”), in order to revise the licensed area to accommodate a change in plan to bypass the culvert and go under an existing stream; and be it further

RESOLVED, that all other terms and conditions of the License shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Original Agreement \$ 210,000
This Amendment \$ 0
TOTAL \$ 210,000

Agreement # PRC-1411A

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars

Budget Funding Year(s) _____ Start Date 05-01-23 End Date 03-05-24
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$ _____ Federal Aid _____

(must match resolution)

Other: Revenue

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