

ID 112389

DATE: March 30, 2026

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to enter into a grant agreement with the Dormitory Authority of the State of New York for, and otherwise accept, a grant, under the State and Municipal Facilities Program, in an amount of \$100,000.00, for restoration of the historic Ward Pound Ridge Reservation Fire Tower.

Authority is requested for the County of Westchester (the "County") to enter into a grant agreement (the "Grant Agreement") with, and to otherwise accept a grant (the "Grant") from, the Dormitory Authority of the State of New York ("DASNY"), under its State and Municipal Facilities Program, in an amount of \$100,000.00, for restoration of the historic Ward Pound Ridge Reservation Fire Tower, (the "Work") for a term commencing upon execution by DASNY and continuing for a period of three (3) years thereafter.

Under the Grant Agreement, the County will agree to provide \$100,000.00 in value towards the performance of the Work.

Under the Grant Agreement, the County will be required to agree to the following clause:

"DASNY shall not in any event whatsoever be liable for any injury or damage, cost or expense of any nature whatsoever that occurs as a result of or in any way in connection with the Project and the Grantee hereby agrees to indemnify, defend, and hold harmless DASNY, the State and their respective agents, officers, employees and directors (collectively, the "Indemnitees") from and against any and all such liability and any other liability for injury or damage, cost or expense resulting from the payment of the Grant by DASNY to the Grantee or use of the Project in any manner, including in a manner which, if the bonds are issued on a tax-exempt basis, (i) results in the interest on the bonds issued by DASNY the proceeds of which were used to fund the Grant (the "Bonds") to be includable in gross income for federal income tax purposes or (ii) gives rise to an allegation against DASNY by a governmental agency or authority, which DASNY defends that the interest on the Bonds is

includable in gross income for federal income tax purposes, other than that caused by the gross negligence or the willful misconduct of the Indemnitees.”

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.

The proposed Grant Agreement will serve a public purpose by providing the County with Grant funds to be used for a portion of the Work.

The goal and objective of the proposed Grant Agreement is to provide the County with Grant funds to be used for a portion of the Work.

The goal and objective of the Grant Agreement is in the best interests of the County in terms of fiscal responsibility, as enabling the County to obtain the Grant funds will allow the County to pay for a portion of the Work with non-County funds.

The goal and objective of the Grant Agreement will be tracked and monitored by the staff of the Department of Parks, Recreation and Conservation.

The proposed Grant Agreement does not constitute a procurement. Accordingly, the provisions of the Westchester County Procurement Policy and Procedures do not apply to the proposed Grant Agreement.

I respectfully recommend the adoption of the attached resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT 04/09/2018 RAYMOND SCUKKY, 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 grant agreement with, and to otherwise accept a grant from, the Dormitory Authority of the State of New York ("DASNY"), under its State and Municipal Facilities Program, in an amount of \$100,000.00, for restoration of the historic Ward Pound Ridge Reservation Fire Tower, (the "Work") for a term commencing upon execution by DASNY and continuing for a period of three (3) years thereafter (the "Grant Agreement"); and be it further

RESOLVED, that, under the Grant Agreement, the County shall agree to provide \$100,000.00 in value towards the performance of the Work; and be it further

RESOLVED, the Grant Agreement shall include the following clause, to which the County will agree:

"DASNY shall not in any event whatsoever be liable for any injury or damage, cost or expense of any nature whatsoever that occurs as a result of or in any way in connection with the Project and the Grantee hereby agrees to indemnify, defend, and hold harmless DASNY, the State and their respective agents, officers, employees and directors (collectively, the "Indemnitees") from and against any and all such liability and any other liability for injury or damage, cost or expense resulting from the payment of the Grant by DASNY to the Grantee or use of the Project in any manner, including in a manner which, if the bonds are issued on a tax-exempt basis, (i) results in the interest on the bonds issued by DASNY the proceeds of which were used to fund the Grant (the "Bonds") to be includable in gross income for federal income tax purposes or (ii) gives rise to an allegation against DASNY by a governmental agency or authority, which DASNY defends that the interest on the Bonds is includable in gross income for federal income tax purposes, other than that caused by the gross negligence or the willful misconduct of the Indemnitees."

; and be it further

RESOLVED, that the County Executive or his duly 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
372	42	RWPR5-01-C	9694		100,000

Budget Funding Year(s): 2026 Start Date: Upon DASNY Execution
(must match resolution)

End Date: 3 Years After
DASNY Execution

Funding Source
\$100,000.00
(must match resolution)

Tax Dollars: _____
State Aid: \$100,000
Federal Aid: _____
Other: _____



APPROVED BOARD OF ACQUISITION & CONTRACT - 04/09/2026 - RAYMOND SULLIVAN, SECRETARY