



Memorandum
Department of Emergency Services

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DATE: August 11, 2025

TO: Board of Acquisition and Contract

FROM: Susan Spear
Commissioner, Department of Emergency Services

RE: Resolution authorizing the County of Westchester to enter into a license agreement with the State of New York, acting by and through the Division of Homeland Security & Emergency Services' Office of Interoperable & Emergency Communications ("NYS OIEC") to grant the NYS OIEC permission to connect its subscriber equipment to the County radio communication system and utilize the County radio communication system if a State asset is being operated in Westchester County at the request of the County for public safety communication purposes for a term to commence upon execution and terminate by either party upon five (5) days written notice or by the County in instances of a default upon forty-eight (48) hours written notice.

Authority is requested for the County of Westchester (the "County"), acting by and through its Department of Emergency Services (the "Department") to enter into a license agreement with the State of New York, acting by and through the Division of Homeland Security & Emergency Services' Office of Interoperable & Emergency Communications (the "NYS OIEC") to grant the NYS OIEC permission to connect its subscriber equipment to the County radio communications system and utilize the County radio communication system if a State asset is being operated in Westchester County at the request of the County for public safety communication purposes (the "Agreement").

Only subscriber equipment approved by the County may be connected to the County radio communication system. The NYS OIEC will be responsible for programming the subscriber equipment. The Agreement will include the right to use the Programming Keys and radio configuration templates associated with the County radio communications system to program the subscriber equipment.

The proposed Agreement would commence upon execution and continue in full force and effect unless terminated by either party upon five (5) days written notice when it deems it to be in its best interest or by the County in instances of default upon forty-eight (48) hours written notice. The County shall also have the right to immediately suspend the Licensee's access and use of the County radio communication system without prior notice, and terminate on five (5) days' written notice, if the County reasonably believes that not doing so would: (i) cause harm or liability to a user of the County radio communication system, a third party, or the County, (ii) violate the law or a legal enforcement authority's order, or (iii) compromise the operation, integrity or security of the County radio communication system.

The NYS OIEC shall be responsible for the purchase, operation, maintenance, repair, programing, reprograming, modification, connection, use and disconnection of the subscriber equipment at its sole cost and expense. The NYS OIEC shall comply with the County's mandatory user guidelines and operating procedures to utilize the County radio communication system.

The NYS OIEC will acknowledge and agree that the County is going to obtain and hold, if necessary, the FCC licenses for the subscriber equipment to operate on the County radio communication system. The NYS OIEC will take no action that causes the County to be in violation of its FCC license.

The Westchester County Procurement Policy and Procedures does not apply to this License under Section 3(b) thereof.

The proposed Agreement will **serve a public purpose** by allowing the NYS OIEC to program approved radios for the potential use by NYS employees or other response resources when requested to support an emergency or large-scale event when support from NYS is required.

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The **goals and objectives** of the proposed Agreement shall be to allow the NYS OIEC permission to preprogram approved communications equipment in preparation for supporting a County response when required. This action will save significant time and effort to program the radios prior to the potential utilization.

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The goals and objectives of the proposed Agreement shall be tracked and monitored by the staff of the Department the Department of Emergency and Department of Information Technology.

Approval of the attached resolution by your Honorable Board is respectfully requested.

SS/m
Enc.

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/04/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Emergency Services, be it hereby

RESOLVED, that the County of Westchester ("County") is authorized to enter into a license agreement (the "Agreement") with the State of New York, Acting by and through the Division of Homeland Security & Emergency Services Office of Interoperable & Emergency Communications ("NYS OIEC") to grant NYS OIEC permission to connect its subscriber equipment to the County radio communication system and utilize the County radio communication system if a State asset is being operated in Westchester County at the request of the County (the "Agreement"); and be it further

RESOLVED, that only subscriber equipment approved by the County may be connected to the County radio communication system, and

RESOLVED, that the NYS OIEC shall be responsible for the purchase, operation, maintenance, repair, programing, reprograming, modification, connection, use and disconnection of the subscriber equipment at its sole cost and expense; and be it further

RESOLVED, that NYS OIEC shall comply with the County's mandatory user guidelines and operating procedures to use the County radio communication system; and be it further

RESOLVED, that NYS OIEC will acknowledge and agree that the County is going to obtain and hold, if necessary, the FCC licenses for the subscriber equipment to operate on the County radio communication system, and NYS OIEC will take no action that causes the County to be in violation of its FCC license, and be it further

RESOLVED, that the term the Agreement will commence upon execution and continue unless terminated by either party upon five (5) days written notice when it deems it to be in its best interest or by the County in instances of default upon forty-eight (48) hours written notice; and be it further

RESOLVED, the County shall have the right to immediately suspend the Licensee's access and use of the County radio communication system without prior notice, and terminate on five (5) days' written notice, if the County reasonably believes that not doing so would: (i) cause harm or liability to a user of the County radio communication system, a third party, or the County, (ii) violate the law or a legal enforcement authority's order, or (iii) compromise the operation, integrity or security of the County radio communication system; and be it further

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

Account to be
Charged/
credited

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

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Budget Funding Year(s)
(must match resolution)

Start Date

End Date

Funding Source

Tax Dollars \$ _____
State Aid \$ _____
Federal Aid \$ _____
Other \$ _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/04/2025 - RAYMOND SCULLEY SECRETARY