

LOCAL LAW NO. ____ - 2008

A LOCAL LAW authorizing the County of Westchester to enter into an intermunicipal agreement with the City of Yonkers whereby the County will lease property from the City and will contribute funds toward the design and construction of ball fields, soccer fields and a skate park at Pelton Field, Fleming Field and the E.J. Murray Memorial Skating Center parking area, respectively, to be operated and maintained by the City and accessible to all County residents.

NOW, THEREFORE, BE IT ENACTED by the Board of Legislators of the County of Westchester by the affirmative vote of not less than two-thirds of the voting strength of the Board as follows:

Section 1. The County of Westchester (“County”) is hereby authorized to enter into an intermunicipal agreement (“IMA”) with the City of Yonkers (“City”) whereby the County will lease property from the City and will contribute funds toward the design and construction of certain recreation area improvements at Pelton Field, Fleming Field and the E.J. Murray Memorial Skating Center parking area (the “Yonkers Parcels”) to construct ball fields, soccer fields and a skate park, respectively on the Yonkers Parcels (the “Improvements”), in an amount not-to-exceed SEVEN MILLION TWO HUNDRED TWENTY-FIVE THOUSAND (\$7,225,000.00) DOLLARS. The Yonkers Parcels to be leased to the County are: Pelton Field which is located at McLean

Avenue and VanCortlandt Park Avenue and is approximately 134,869 square feet (or 3.10 acres), Fleming Field which is located at Prescott Street and Fillmore Street and is approximately 163,475 square feet (or 3.75 acres) and the E.J. Murray Memorial Skating Center parking area (the “Property”), which is located at 348 Tuckahoe Road and is approximately 114,000 square feet (or 2.62 acres), with the project area at approximately 7,800 square feet (or 0.18 acres).

§2. Pursuant to the IMA, the City shall undertake construction of the Improvements. Following construction, the City shall be responsible for the operation, maintenance, scheduling and security of the facility at its own expense. The Property shall be operated by the City, but shall be available to all Westchester County residents. All fees shall be subject to prior County approval. To the extent any fees are charged for the use of any part of the facility, the fees charged to non-residents of the City shall not exceed double the fees charged to the City’s residents. All park fees collected shall be retained by the City to offset any operating costs. The City of Yonkers will be responsible for the design, construction management and construction for the Project.

§3. The term of the IMA shall be fifteen (15) years.

§4. The County Executive or his authorized designee is hereby authorized to execute any instruments and to take any action necessary and appropriate to effectuate the purposes hereof.

§5. This Local Law shall take effect immediately.