

**TO THE COUNTY BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a transmittal from the County Executive recommending the approval of proposed legislation by your Honorable Board, which would authorize the County of Westchester (“County”), acting by and through its Department of Information and Technology (“Department”), to amend an intermunicipal agreement (“IMA”) with the Town of Bedford (“Bedford” or “Town of Bedford”), in order to: (i) extend the term of the IMA through December 31, 2022, (ii) expand the scope of services to include the Town of New Castle in the Study Area (as defined below), and (iii) increase the amount due under the IMA by \$24,592.00, bringing the total not-to-exceed amount due under the IMA from \$190,170.00 to \$214,762.00.

Your Committee is advised that on October 20, 2020, Act No. 2020 – 181 was approved authorizing the County to enter into the IMA with Bedford, pursuant to which the County was to pay Bedford an amount not-to-exceed \$190,170.00, to finance the preparation of a Wireless Telecommunications Infrastructure Master Plan (the “Master Plan”). The IMA benefits the Town of Bedford and certain other northern Westchester County communities, comprised of the Town of Lewisboro, the Town of North Salem, Village of Mount Kisco, the Town of Pound Ridge, the Town of Somers and the Town of Yorktown (“Study Area”), as the creation of the Master Plan will facilitate an optimized wireless telecommunications environment that will promote efficient network deployment practices throughout the Study Area and overall improved wireless telecommunication experience. The term of the IMA commenced on the date both parties executed the IMA and terminated on December 31, 2021. Your Committee is further advised that, subsequent to the approval of Act No. 2020 – 181 by your Honorable Board, the IMA was executed and Bedford retained CityScape Consultants, Inc., to prepare the Master Plan. Due to the COVID-19 pandemic, the Master Plan has been delayed and has not been completed. In addition, the Town of New Castle, which is adjacent to Bedford, has recently informed Bedford that it is interested in being included in the Study Area in order to benefit from the analysis and recommendations derived from the Master Plan.

The Department now desires to extend the term of the Agreement through December 31, 2022, in order to permit Bedford to complete and deliver the Master Plan to the County, add the Town of New Castle to the Study Area and pay Bedford an additional amount not-to-exceed \$24,592.00 for the additional services in connection with the inclusion of the Town of New Castle in the Study Area.

Your Committee is advised that all other terms and conditions of Act No. 2020 – 181 and the IMA shall remain unchanged and in full force and effect.

The Department of Planning previously advised that, based on its review, the actions under the approved IMA were classified as a “Type II” action, pursuant to the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations, 6 NYCRR, Part 617, which is an action determined not to have a significant effect on the environment and, therefore, did not require further environmental review, as evidenced in the annexed 2020 SEQRA documentation (“2020 SEQRA Memo”). Since the proposed legislation seeks to amend the IMA to extend the term thereof and does not change any of the actions to be undertaken under the approved IMA, the Planning Department has advised that the recommendations set forth in the 2020 SEQRA Memo remain applicable and no further environmental review is required. Your Committee concurs with this conclusion.

Your Committee has carefully considered and recommends approval of the proposed Act.

Dated: *April 25th*, 2022
White Plains, New York

David G. Li
Nancy Ban
to H
Henry B. Kelly
Mary Jane Shinsky
11.12.22
COMMITTEE ON

Nancy Ban
to H
Mary Jane Shinsky

C/CMC 03.31.2022

Budget & Appropriations

Public Works & Transportation

Dated: April 25, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 56 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations



David Q. Jabrot



Catherine F. Parker

Public Works & Transportation

Catherine F. Parker

David Q. Jabrot

FISCAL IMPACT STATEMENT

SUBJECT: IMA Bedford Wireless Telecom Plan NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: N/A

Potential Related Operating Budget Expenses: Annual Amount

Describe: N/A

Potential Related Operating Budget Revenues: Annual Amount

Describe: N/A

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: NO FISCAL IMPACT

Next Four Years: NO FISCAL IMPACT

Prepared by: Donna Montera

Title: Director of Administrative Services

Department: Information Technology


Date: February 28, 2022

Reviewed By: 

Budget Director

Date: 4/5/22

TO: Carla M. Chaves
Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM
Director of Environmental Planning 

DATE: September 25, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR WIRELESS
TELECOMMUNICATIONS MASTER PLAN AGREEMENT**

PROJECT/ACTION: An intermunicipal agreement between the County, acting by and through its Department of Information and Technology, and the Town of Bedford to finance the preparation of a Wireless Telecommunications Master Plan for the Town of Bedford, the Town of Lewisboro, the Town of North Salem, the Village of Mount Kisco, the Town of Pound Ridge, the Town of Somers, and the Town of Yorktown ("Study Area"). Under this agreement, the County will provide payment to the Town of Bedford in order to finance the consulting services of CityScape Consultants, Inc., which were retained by the Town of Bedford, acting on behalf of the Study Area communities, to prepare the plan. The plan will facilitate the creation of an optimized telecommunications network and promote efficient deployment practices.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:

DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)

MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)(27):
conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: None

DSK/dvw

cc: Norma Drummond, Commissioner
Claudia Maxwell, Associate Environmental Planner

AN ACT to authorize the County of Westchester to amend an intermunicipal agreement with the Town of Bedford, for the preparation of a Wireless Telecommunications Infrastructure Master Plan, for the benefit of certain northern Westchester County communities comprised of the Town of Bedford, Town of Lewisboro, the Town of North Salem, Village of Mount Kisco, the Town of Pound Ridge, the Town of Somers and the Town of Yorktown, for a term commencing upon execution and terminating on the earlier date of December 31, 2021 or the date the Master Plan was completed, in order to extend the term of the agreement through December 31, 2022, include the Town of New Castle in the Study Area and increase the amount of the contract by \$24,592.00.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester (the “County”) is hereby authorized to amend an intermunicipal agreement (“IMA”) with the Town of Bedford (“Bedford”), for the preparation of a Wireless Telecommunications Infrastructure Master Plan (“Master Plan”) by CityScape Consultants, Inc., for the benefit of certain northern Westchester County communities, comprised of Bedford, the Town of Lewisboro, the Town of North Salem, Village of Mount Kisco, the Town of Pound Ridge, the Town of Somers and the Town of Yorktown (“Study Area”), in order to: (i) extend the term of the IMA through December 31, 2022; (ii) expand the scope of services to include the Town of New Castle in the Study Area; and (iii) increase the amount due under the IMA, by \$24,592.00, bringing the total not-to-exceed amount due under the IMA from \$190,170.00 to \$214,762.00.

§2. All other terms and conditions of Act No. 2020 - 181 and the IMA shall remain unchanged and in full force and effect.

§3. The County Executive or his authorized designee is hereby authorized to execute

and deliver all documents and take such actions as he deems necessary or desirable to accomplish the purposes hereof.

§4. This Act shall take effect immediately.

EXHIBIT A-1

CityScape

Project Overview for a Cooperative Wireless Telecommunications Infrastructure Master Plan

Prepared for the Northern Westchester County Communities

A Cooperative Wireless Telecommunications Infrastructure Master Plan (“Master Plan”) Study for the Northern Westchester County communities including Bedford, Lewisboro, North Salem, Mount Kisco, Pound Ridge, Somers, Yorktown and New Castle, referenced herein as the “study area”.

The proposed Wireless Telecommunications Infrastructure Master Plan (Plan) is a comprehensive wireless telecommunications study designed to facilitate the creation of an optimized wireless telecommunications environment that promotes efficient network deployment practices throughout the study area. The proposed Master Plan is intended to identify the goals of optimal commercial wireless network coverage throughout the study area while minimizing the visual impacts of proposed new wireless infrastructure. Analysis of existing or future public safety radio systems are not included in the Master Plan, however the public safety towers will be considered in the Plan as potential commercial sites.

CityScape Consultants, Inc. (CityScape) will conduct the study and assessment of the current commercial wireless deployment activity in the study area including projections for future wireless deployment and compile its findings into a comprehensive Wireless Telecommunications Infrastructure Master Plan.

CityScape will focus on the citizen’s commercial wireless needs as discovered throughout the master planning process. Existing wireless communication infrastructure is the backbone for anticipating future development; therefore all existing facilities will be assessed. All data will be collected and evaluated for wireless coverage sufficiency and compiled into an inventory catalog providing all significant information from each facility. The deployment patterns will be analyzed; community characteristics will be studied and theoretical propagation mapping will showcase wireless coverage deficiencies. Projection analysis will contemplate complete study area-wide wireless coverage. Model ordinance recommendations will be provided to ensure compliance with state and federal regulations, historic preservation, while allowing for the desired wireless services. The Plan will address the impending 5G deployment and the ramifications for each community.

SUMMARY OF PROPOSED TASKS AND DELIVERABLES

TASK 1: Preliminary Research and Project Initiation

A. Preliminary Research – Community research and acquisition of tower data for fieldwork assessments of existing antenna, towers, and base stations. The necessary data is gathered from a variety of sources including all GIS data and permits obtained from each community, research of FCC registered site locations, direct information from existing service providers and tower owners active in each community, and site visits to each location. The **CityScape Project Team** will request from each Town a list of known existing antenna and tower locations. CityScape must have this information from each Town prior to scheduling the wireless facilities assessments.

B. Project Initiation Meeting – Up to seven (7) on site or virtual project initiation meetings to allow for coordination with all necessary community participants. This meeting includes but is not limited to:

- Introduction to Wireless Master Plan process;

- Overview of the pertinent state and federal regulations;
- Overview of wireless network design and deployment practices utilized by the wireless communications industry;
- Overview of concepts behind wireless facilities planning and zoning with emphasis on familiarizing the stakeholders with the Master Planning process;
- An introduction to a working vocabulary;
- A basic but thorough understanding of the technical aspects of the project will provide decision-makers with the background necessary to ensure the development of effective and legally defensible regulations.
- Polling of wireless infrastructure preferences by attendees.

TASK 2: Infrastructure Assessments

A. Infrastructure Assessments - Field assessments of all commercial wireless antenna, towers and base stations as well as existing water tanks and public safety towers that could be potential collocation sites. This fieldwork acquires all pertinent facility information and facilitates the project team becoming familiar with each community and surrounding areas.

TASK 3: Inventory Catalog

A. Draft Inventory Catalog – CityScape will prepare and provide in PDF format an initial draft inventory catalog of all existing commercial wireless facilities located on public and private property together with the location of existing water tanks and public safety towers for potential use as future collocations. *Inventory of existing antenna sites include:* photograph; identification by latitude and longitude and street address; tower ownership; type of infrastructure; wireless services provided at each location; and observation of site conditions. Each community will be responsible for reviewing and proofing the towers and base station data inside their jurisdictional boundary and for providing corrections or revisions to CityScape prior to CityScape performing any theoretical propagation modeling.

TASK 4: Engineering, Preliminary Mapping and Analysis

A. Engineering, Mapping and Analysis – Commencement and preliminary analysis of initial mapping, which may include:

- Existing inventory mapping;
- Existing infrastructure coverage mapping including all applicable variables (i.e. terrain, topography etc.).
- Special event, population, employment density mapping as applicable;
- Anticipated future coverage and capacity fill-in mapping including macro and small wireless facilities.
- Provide recommendations on filling in identified gaps in coverage;
- Identify strategies to develop revenue from identified public-owned property locations, if applicable.

Task 5: Regulatory Review and Recommendations

A. Review Existing Land Use Development Standards and Processes – Regulatory review and recommendations for proposed standards to include concealment options for facilities, hierarchy of preferences, cross-reference review to other zoning criteria, including federal and state statutes and regulations, permitted use charts, and definitions. Review of other underlying zoning land use development standards will be used to uncover any possible inconsistencies and loopholes in totality of regulatory framework.

In developing recommendations for Ordinance, *CityScape* will review necessary materials provided by each community with particular attention to:

- Strengths and weaknesses of the existing zoning regulations;
- Strategies to enhance permitting and application review processes;
- Strategies to control and prioritize the location of new facilities;
- Strategies to protect the aesthetics and reduce the visual impact of new facilities and examine possibilities for concealed facilities and design guidelines;
- Compliance with federal and state regulations and statutes;

- Effectiveness of intent of existing zoning regulations and processes.

Use of Public Properties – Each Town has the option to provide to CityScape a list of publicly-owned lands that could be used as potential future tower site locations. CityScape will address leasing public-owned property based on the public property assessments and the engineering data of the Master Plan and make recommendations on potential properties that could provide the best opportunity to each community.

TASK 6: Draft of Wireless Master Plan

A. Submission of a Draft Wireless Master Plan- A preliminary review draft of the Wireless Master Plan will be provided for review, comment, subsequent revision and approval. The draft Wireless Master Plan, at minimum, will include:

- Goals and maps from previous meetings;
- Analysis of population and population density trends, service providers, and public-owned land locations;
- Diagrams and pictures of specific and preferential towers and antenna types agreed to by necessary stakeholders;
- Engineering analysis illustrating the benefit of utilizing certain public-owned sites on revised propagation maps; regulatory recommendations based on master planning process and mapping;
- Wherever applicable, all mapping and data included in the Wireless Master Plan will be provided in ESRI ArcGIS compatible format.

B. Meeting/Workshop – *CityScape* will provide up to seven (7) on site or virtual project workshop meetings with community stakeholders to present the findings and recommendations of the Wireless Master Plan.

Task 7: Project Completion and Submittal of Final Documents

- A. Finalize Master Plan** - *CityScape* will finalize the Master Plan to address all previous approved revisions and submit final document for review and approval. CityScape will submit the final Plan in electronic PDF format, along with all project deliverables (i.e. final maps and data tables).
- B. Meeting/Workshop** – *CityScape* will provide one workshop in a combined onsite or virtual meeting with community stakeholders to present the final Wireless Master Plan.

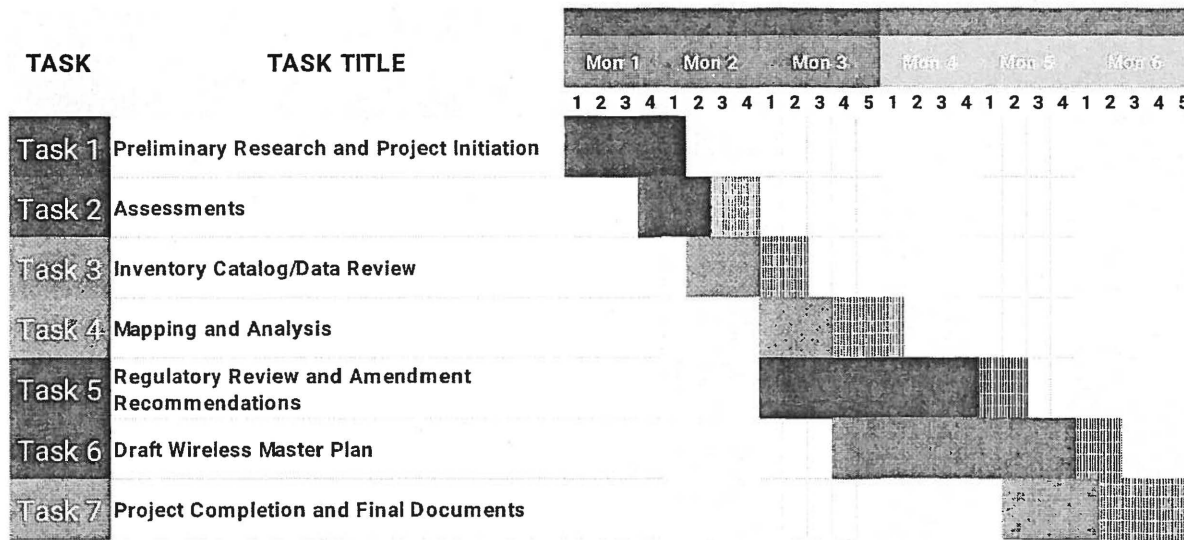
COST OF SERVICES AND DELIVERABLES SUMMARY

The cost proposal for a combined scope of work for the study area (including labor, travel and other direct costs) is **\$214,762.00**

Task	Description	Time-line	Fee	Inclusion New Castle
TASK 1 – PROJECT COMMENCEMENT AND INITIATION				
A. Preliminary Research for Data Assessments	Requested community data/research and assembly of tower/antenna database of all known existing tower and wireless antenna locations, including community (GIS) map layers for base mapping.	up to 3 weeks	\$24,710.00 (\$ 3,560.00)	\$3,525.00
B. Initiation Meeting(s) (meetings to be coordinated and scheduled in same 1- 2 week period)	Up to seven (7) in person or virtual meetings or combination thereof (up to one per community) for project kick-off and presentation to stakeholders; strategies specific to facilitate orderly wireless network deployment and discuss Master Plan process, goals and objectives (to be scheduled within 4 weeks of receipt of all necessary documentation from each community)	up to 2 weeks	\$21,000.00 (\$3,000.00)	\$3,000.00
TASK 2 – INFRASTRUCTURE, OPERATIONAL AND TELECOMMUNICATIONS NEEDS ASSESSMENTS				
A. Infrastructure Assessments	Assessments of existing wireless antenna, tower and base stations and identified public-owned properties;	up to 3 weeks	\$13,248.00 (\$7,200.00)	\$1,440.00
TASK 3 – INVENTORY CATALOG				
A. Infrastructure Assessment Data Review and Draft Inventory Catalog	Review of all infrastructure data and draft inventory catalog of all existing wireless facilities	Up to 3 weeks	\$8,742.00 (\$4,750.00)	\$ 950.00
TASK 4 – ENGINEERING, PRELIMINARY MAPPING AND ANALYSIS				
A. Engineering Analysis and Propagation Mapping	Related mapping necessary to present inventory analysis (set of five maps per Town and one set of five maps for the entire geographic areas) , propagation coverage maps (draft and one final set of 3 maps per community and one set of three for the entire study area) and engineering analysis including ten year anticipated growth forecast. Inventory catalog and site-specific recommendations.	up to 3 weeks	\$22,219.00 (\$12,075.00)	\$2,150.00
TASK 5 – REGULATORY REVIEW AND RECOMMENDATIONS				
A. Review Existing Land Use Development Standards and Processes	Review existing regulations including federal and state mandates and codes, permitted use charts, definitions and other applicable development standards and develop a proposed ordinance recommendations	up to 9 weeks	\$36,500.00 (6,500.00)	\$5000.00
TASK 6 – DRAFT OF WIRELESS MASTER PLAN				
A. Draft Wireless Master Plan	Preparation of the Wireless Master Plan and Telecommunications law recommendations into a draft document form to include engineering analysis and recommendations.	up to 8 weeks	\$18,511.00 (10,060.00)	\$2,013.00
B. Public Workshop (meetings scheduled in same 1-2 week period)	Up to seven (7) in person or virtual presentation/workshops or combination thereof of (up to one per community) preliminary mapping and initial Master Plan findings	up to 2 weeks	\$21,000.00 (\$3,000.00)	\$3,0000.00
TASK 7 – PROJECT COMPLETION – SUBMITAL OF FINAL DOCUMENTS				
A. Submittal of Final Wireless Master Plan documents	Finalize Wireless Master Plan documents to include all approved revisions in electronic PDF format.	up to 2 weeks	\$6,240.00 (1,740.00)	\$750.00
B. Master Plan Presentation (meetings to be scheduled in same 1-2 week period)	Up to seven (7) in person or virtual meetings or combination thereof (up to one per community) for presentation to Stakeholders	up to 2 weeks	\$18,000.00 (3,000.00)	\$2,500.00
			Total Master Plan:	\$190,170.00
			First Amended Total Master Plan:	\$ 24,592.00
			(54,885.00)*	\$214,762.00

*Amounts highlighted in (blue) totalling \$33,585.00 will be paid by the County to Bedford in connection with the Bedford work (as defined in the Agreement) in advance, as set forth in Section II.A., and shall be deducted by the County from future payments owed to Bedford. All other payments by the County shall be made as set forth in Section II.A.

ESTIMATED TIMELINE PROJECTION



The above is an estimated timeline based on a projected 18 to 26 weeks completion and is contingent on the receipt of individual community data, completion of assessments and scheduling of the necessary individual meetings which will either be in person and/or virtual via video conferencing.

BASIS OF PROPOSAL

1. Total pricing is a fixed cost, including labor, travel and other direct costs. The proposed costs for this project are based on combining project meetings and travel; a significant change in scope of one or more tasks may affect the overall price.
2. Project includes up to twenty-one total on site and/or virtual presentation/meetings. Additional on-site meeting/presentations may be added at a fixed fee of \$3,000.00 to include all labor, travel and other direct costs.
3. Town will be invoiced upon completion, submission and acceptance of the completed deliverables for each Task.
4. Projected timeline with dates to be finalized in Task 1. Estimated timeline does not take into consideration required advertisement for public meetings or the clients existing workload or existing public meeting schedules and the coordination of individual project meetings for savings in travel costs. Staff will schedule any public meetings required with necessary planning and community groups, public notification and arrangements for meeting dates, and times and locations in conjunction with the CityScope calendar. Community staff will be responsible for public notification, location, meeting arrangements, and recording of sessions if applicable.
5. Scope of service process may be modified and/or reorganized throughout the process as necessary in order to meet necessary community requirements and timelines.

Project Amended to Include Town of New Castle

The Cost of Services for the Cooperative Wireless Telecommunications Infrastructure Master Plan (“Master Plan”) Study for the Northern Westchester County communities is being updated to add the Town of New Castle. The plan will include Bedford, Lewisboro, North Salem, Mount Kisco, Pound Ridge, Somers, Yorktown and New Castle, referenced as the “study area”.

The Amended Cost of Services will include the Town of New Castle into the combined Master Plan study area (including labor, travel and other direct costs) for the additional fee of \$24,592.00 which will bring the total to be paid for the Master Plan \$214,762.00.

Original Cost of Services:	\$190,170.00
Amended Fees:	\$ 24,592.00
Amended Cost of Services:	\$214,762.00

Below represents the breakdown of additional fees added to the project to include New Castle; to be invoiced as completed with the remainder of the project:

Task 1 Preliminary Research – data/research from Town	\$ 3,525.00
Initiation Meeting – Virtual meeting	\$ 3,000.00
Task 2 Infrastructure Assessments -	\$ 1,440.00
Task 3 Inventory Catalog -	\$ 950.00
Task 4 Engineering Mapping -	\$ 2,415.00
Task 5 Review Land Use Standards/Ordinance	\$ 5,000.00
Task 6 Draft of Master Plan – Inclusion in plan	\$ 2,012.00
Public Workshop – Virtual meeting	\$ 3,000.00
Task 7 Finalize Master Plan – Inclusion in plan	\$ 750.00
Master Plan Presentation – Virtual meeting	<u>\$ 2,500.00</u>
Total Added to plan to include New Castle in Final Plan	\$24,592.00

AMENDED TIMELINE PROJECTION: The timeline will follow the time allotments as shown in the Tables on Page 4 titled, “COST OF SERVICES AND DELIVERABLES SUMMARY” and Page 5, titled, “ESTIMATED TIMELINE PROJECTION”, respectively.

THIS FIRST AMENDMENT (“First Amendment”) made this ____ day of _____, 2022, by and between:

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601 (hereinafter referred to as the “Westchester” or “County”)

and

THE TOWN OF BEDFORD, a municipal corporation of the State of New York, having an office and place of business at the Town House, 321 Bedford Road, Bedford Hills, New York 10507-1398 (“Bedford” or “Town of Bedford”)

WITNESSETH:

WHEREAS, the County and Bedford entered into a certain intermunicipal agreement (“Agreement”), dated October 28, 2020 (“Effective Date”), wherein Bedford, on behalf of the County and all communities within the Study Area, agreed to retain CityScape Consultants, Inc. (“CityScape”) to develop and provide a copy of a Wireless Telecommunications Infrastructure Master Plan (the “Master Plan”) benefiting certain Northern Westchester County communities comprised of Bedford, Town of Lewisboro, Town of North Salem, Village of Mount Kisco, Town of Pound Ridge, Town of Somers and Town of Yorktown; and

WHEREAS, the Agreement commenced on the Effective Date and terminated on December 31, 2021 (“Termination Date”), which pursuant to the agreement was the earlier date of either December 31, 2021 or the date the Master Plan was to be completed; and

WHEREAS, due to the current COVID-19 pandemic, Bedford was unable to complete and provide the Master Plan to the County by the Termination Date; and

WHEREAS, the Town of New Castle, which is adjacent to Bedford, has informed Bedford that it is interested in being included in the Study Area in order to benefit from the analysis and recommendations derived from the Master Plan; and

WHEREAS, the parties now desire to amend the Agreement in order to, among other things, extend the term of the Agreement for one additional year, through December 31, 2022, expand the scope of services to include the Town of New Castle in the Study Area and increase the amount due under the Agreement by an additional amount of \$24,592.00, from a total amount not-to-exceed \$190,170.00 to a new total amount not-to-exceed \$214,762; and

WHEREAS, all capitalized terms not defined herein shall have the meaning set forth in the Agreement.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

1. The Agreement is hereby amended in order to add the Town of New Castle to the Study Area. Bedford shall require CityScape to include the Town of New Castle in the Study Area wide wireless coverage analysis and shall require CityScape, amongst other things, to review existing telecommunications ordinances from the Town of New Castle, provide model ordinance recommendations to same and address the impending 5G deployment and the ramifications from the installation of 5G technology in the Town of New Castle, as more fully described in the Amended CityScape Project Overview is attached hereto as Exhibit A-1 and made a part hereof. Exhibit "A" of the Agreement is hereby be deleted in its entirety and replaced with Exhibit "A-1" attached to this First Amendment.

2. For the additional services to be rendered in connection with the inclusion of the Town of New Castle in the Study Area and the Master Plan, pursuant to this First Amendment, the County shall pay Bedford an additional amount not-to-exceed Twenty Four Thousand, Five Hundred Ninety-Two and 00/100 (\$24,592.00), as set forth in Exhibit "A-1," for a total aggregate not-to-exceed amount payable under the Agreement, as amended by this First Amendment, of Two Hundred Fourteen Thousand Seven Hundred Sixty-Two and 00/100 Dollars (\$214,762.00), pursuant to the terms of the Agreement, as amended by this First Amendment.

3. The term of the Agreement is hereby extended for one additional year, commencing retroactively on January 1, 2022 and expiring on December 31, 2022 (“Extension Term”), unless sooner terminated pursuant to the terms set forth in the Agreement.

4. Bedford agrees to furnish the County with updated insurance certificates evidencing coverage for the Extension Term, as required under the Agreement.

5. Any and all references to the phrase “One Hundred Ninety Thousand One Hundred Seventy and 00/100 (\$190,170.00) Dollars” in the Agreement shall be deleted in their entirety and replaced with the phrase “Two Hundred Fourteen Thousand Seven Hundred Sixty-Two and 00/100 Dollars (\$214,762.00).”

6. Except as otherwise expressly provided herein, all other terms and conditions of the Agreement shall remain in full force and effect upon the parties. This First Amendment shall be deemed effective as of December 31, 2021 and shall not be modified or amended, except by an instrument in writing executed by the parties.

7. This First Amendment shall not be enforceable unless signed by all parties and approved by the Office of the County Attorney.

[NO FURTHER TEXT/SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the County of Westchester and Bedford have executed this First Amendment as of the date first above written.

THE COUNTY OF WESTCHESTER

By: _____
Marguerite Beirne
Commissioner
Department of Information and Technology

TOWN OF BEDFORD

By: _____
Name: Ellen Calves
Title: Town Supervisor

Approved by the Westchester County Board of Legislators by Act No. 2022- ____ on the ____ day of _____, 2022.

Approved:

Assistant County Attorney
The County of Westchester

BEDFORD'S ACKNOWLEDGEMENT

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On the ____ day of _____ 2022, before me, the undersigned, personally appeared [TITLE AND NAME] _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, Westchester County

CERTIFICATE OF AUTHORITY

I, Lisbeth Fumagalli certify that I am the Town Clerk of the Town of Bedford, New York (“Bedford”) a corporation duly organized in good standing under the laws of the State of New York named in the foregoing agreement, that _____, who signed said agreement on behalf of Bedford was, at the time of execution, the Bedford Town _____, that said First Amendment was duly signed for on behalf of said Bedford by authority of the Town of Bedford Town Board, thereunto duly authorized, and that such authority is in full force and effect at the date hereof.

Lisbeth Fumagalli, Town Clerk

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On the ____ day of _____ 2022 before me, the undersigned, personally appeared Lisbeth Fumagalli, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, Westchester County

EXHIBIT "A-1"

**REVISED PROJECT OVERVIEW FOR A
COOPERATIVE WIRELESS TELECOMMUNICATIONS
INFRASTRUCTURE MASTER PLAN**

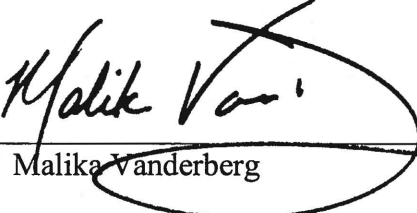
Project Overview in following pages.

DRAFT

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 46 - 2022, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on April 25, 2022, and approved by the County Executive on April 27, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 28th day of April, 2022.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

