

Department of Parks, Recreation
& Conservation

ID 32875

March 18, 2013

TO: Board of Acquisition and Contract

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

RE: **Authority to consent to the assignment of the license agreement with Shalexson Corporation d/b/a Bistro 25 at Maple Moor ("Shalexson") for food and refreshment services at Maple Moor Golf Course, to TSMMJ Corp. d/b/a North Street Tavern and Wood Fired Pizza, 508 Byram Lake Road, Mount Kisco, New York 10549**

By Resolution dated March 10, 2011, the Board of Acquisition and Contract approved a resolution granting authority for the County to enter into a license agreement with Shalexson Corp., 222 East Main Street, Mount Kisco, New York 10549, for the food and refreshment concession at Maple Moor Golf Course for the period of March 10, 2011 through December 31, 2015 with the sole option of the County to extend the license for a period of five years. On March 18, 2011, the resolution was amended to change the name of the corporation from Shalexson Corporation d/b/a Hutch 25 Bar and Grill to Shalexson Corporation d/b/a Bistro 25 at Maple Moor. The license agreement was subsequently executed.

Shalexson has recently advised the County that it wishes to assign the license agreement to TSMMJ Corp. d/b/a North Street Tavern and Wood Fired Pizza, 508 Byram Lake Road, Mount Kisco, New York 10549. All other terms and conditions shall remain the same. One of the primary reasons for the original selection of Shalexson was the experience and expertise of the president of the company. The president of Shalexson will remain as president of TSMMJ Corp. d/b/a North Street Tavern and Wood Fired Pizza. The assignment is expected to have no negative impact on the food service operation at Maple Moor.

Accordingly, authority is hereby requested for the County of Westchester, acting by and through the Department of Parks, Recreation and Conservation, to assign the license agreement with Shalexson Corporation d/b/a Bistro 25 at Maple Moor to TSMMJ Corp. d/b/a North Street Tavern and Wood Fired Pizza, 508 Byram Lake Road, Mount Kisco, New York 10549.

The goal of this agreement is to provide revenue for the County and food and refreshment services for golfers. The objective of this agreement will be tracked and monitored by observations and interactions with staff and site visits.

This agreement is exempt from the Westchester County procurement policy pursuant to section 3 (b), thereof.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

KMOC/JMC
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/11/2013 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Parks, Recreation and Conservation, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to consent to the assignment of the license agreement with Shalexson Corporation d/b/a Bistro 25 at Maple Moor to TSMMJ Corp. d/b/a North Street Tavern and Wood Fired Pizza, 508 Byram Lake Road, Mount Kisco, New York 10549; and be it further

RESOLVED, that all other terms and conditions of the agreement will remain unchanged; and be it further

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 5/11/2013 - JOMAR VERA, SECRETARY

Original Agreement \$ n/a
 First Amendment \$
This Amendment \$ _____
 TOTAL \$

Agreement #

Account to be
 Charged/Credited

| Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub- Object | Trust Account | Dollars |
|------|------|--|------------------------|------------------|---------|
| | | | | | N/A |
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Budget Funding Year(s) 2013-2015 Start Date 04-11-13 End Date 12-31-15
 (must match resolution)

Funding Source Tax Dollars _____ N/A _____

State Aid _____

\$ _____ Federal Aid _____

(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/11/2013 - JOHANNY VIEIRA, SECRETARY