

**33783**

May 6, 2013

TO: Board of Acquisition and Contract

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

RE: AUTHORITY TO ENTER INTO A LICENSE AGREEMENT WITH  
MGE, INC., 4 MANHATTAN AVENUE, RYE, NEW YORK 10580 FOR  
THE OPERATION OF A CONCESSION RIDE KNOWN AS THE  
"ZOMBIE CASTLE" AT PLAYLAND PARK FOR THE 2013  
OPERATING SEASON FOR A TERM COMMENCING MAY 11, 2013  
AND TERMINATING SEPTEMBER 30, 2013

Authority is requested of this Board for the County of Westchester to enter into a license agreement with MGE, Inc. for the operation of a concession ride known as the "Zombie Castle" at Playland Park, Rye, New York for the 2013 operating season for a term commencing May 11, 2013 and terminating September 30, 2013.

As consideration for this license privilege, MGE, Inc. will pay the County of Westchester a license fee of 42% of gross receipts during the operating season.

The goal and objective of this agreement is to increase County revenue while providing a safe attraction for Playland patrons.

The objective of this agreement will be monitored using inspection and ridership reports.

This agreement is exempt from the County's procurement policy pursuant to Section 3 (b).

A Resolution is attached for your favorable consideration.

# 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 authorized to enter into a license agreement with MGE, Inc., 4 Manhattan Avenue, Rye, New York 10580 for the operation of a concession ride known as the "Zombie Castle" at Playland Park, Rye, New York 10580 for the 2013 operating season for a term commencing May 11, 2013 and terminating September 30, 2013; and be it further

**RESOLVED**, that for this license privilege, MGE, Inc., will pay the County of Westchester a license fee of 42% of gross receipts during the operating season; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby empowered to execute any and all instruments and take such other actions as may reasonably be necessary to effectuate the purposes thereof.

Original Agreement	\$108,000
First Amendment	\$
<b>This Amendment</b>	<b>\$</b> _____
<b>TOTAL</b>	<b>\$108,000</b>

Account to be Charged/Credited

		Major Program, Program & Phase			
		Or Unit	Object/ Sub-Object	Trust Account	Dollars
Fund	Dept				
165	42	5520	9201		\$108,000 est.

Budget Funding Year(s) **2013** Start Date **5/11/2013** End Date **9/30/2013**  
(must match resolution)

Funding Source Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

**\$ 108,000** Federal Aid \_\_\_\_\_

(must match resolution)

Other ESTIMATED REVENUE \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/09/2013 - JOMARY VIEIRA, SECRETARY