

39409

TO: Honorable Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation

Mary J. Mahon
Director of Real Estate

DATE: April 1, 2014

SUBJECT: **Resolution authorizing the County of Westchester ("County") to enter into a lease agreement with Francesco Binasco for 334 square feet of space located on the street floor of the premises located at 129 East Post Road, for a five (5) year term commencing January 1, 2014 and terminating December 31, 2018, with the County's option to renew for an additional five (5) year period. (Lease Agreement No. 14-912)**

The attached resolution authorizes the County to enter into a lease agreement with Francesco Binasco ("Tenant"), 69 Bellwood Road, White Plains, New York 10603, for 334 square feet of space located on the street floor of the premises located at 129 East Post Road ("Premises") for the use and operation of a barber shop for a five (5) year term commencing January 1, 2014 and terminating on December 31, 2018. The Tenant has operated a barber shop at the Premises since 2010. The County and the Tenant are mutually desirous of entering into a new lease for the continued use and occupancy of the Premises as a barber shop.

The Tenant will pay the County rent at the following rates per month:

| | |
|-------------------------------------|------------|
| January 1, 2014 – December 31, 2014 | \$1,210.03 |
| January 1, 2015 – December 31, 2015 | \$1,246.33 |
| January 1, 2016 – December 31, 2016 | \$1,283.72 |
| January 1, 2017 – December 31, 2017 | \$1,322.23 |
| January 1, 2018 – December 31, 2018 | \$1,361.90 |

The County and the Tenant have agreed to provide for the County's option to renew the lease for one additional five (5) year term, subject to an annual rent escalation of the three (3) percent per year, with all other terms and conditions of the lease remaining the same.

Pursuant to the terms of the lease, the County will provide heat and water and the Tenant will be responsible for and will pay all electric bills resulting from electric usage in the Premises.

The goals and objectives of this lease are to support economic development and jobs while utilizing retail space in the County facility that benefits the surrounding community. The lease agreement serves a public purpose by supporting economic development while generating revenue for the County. This lease will be tracked and monitored by the Department of Public Works and Transportation to ensure compliance with the lease terms.

Board of Acquisition and Contract
Lease Agreement No. 14-912
Street Floor of Premises located at 129 East Post Road
Francesco Binasco
Page 2

It should be noted that leases are exempt from the County's Procurement Policy pursuant to Section 3(b) therein. A Resolution for your consideration is annexed hereto. I recommend your favorable consideration of the annexed proposed Resolution.

JTP/MJM/dm
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/24/2014 - JOMAR VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Real Estate, it is hereby

RESOLVED, that the County of Westchester is authorized to execute a lease agreement with Francesco Binasco (“Tenant”), 69 Bellwood Road, White Plains, New York 10603, for 334 square feet of space located on the street floor of the premises located at 129 East Post Road (“Premises”) for the use and operation of a barber shop for a five (5) year term commencing January 1, 2014 and terminating December 31, 2018; and be it further

RESOLVED, that the Tenant shall pay the County rent at the following rates per month:

| | |
|-------------------------------------|------------|
| January 1, 2014 – December 31, 2014 | \$1,210.03 |
| January 1, 2015 – December 31, 2015 | \$1,246.33 |
| January 1, 2016 – December 31, 2016 | \$1,283.72 |
| January 1, 2017 – December 31, 2017 | \$1,322.23 |
| January 1, 2018 – December 31, 2018 | \$1,361.90 |

; and be it further

RESOLVED, that the County shall have the option to renew the lease for an additional five (5) year term subject to an annual rent escalation of three (3) percent per year, with all other terms and conditions remaining the same for the renewal term; and be it further

RESOLVED, that under the terms of the lease the County shall provide heat and water and the Tenant shall be responsible for and pay all electric bills resulting from electric usage in the Premises; and be it further

RESOLVED, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes of this Resolution in the manner prescribed.

Lease Agreement No. 14-912

| Account to be Charged/Credited | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars |
|--------------------------------|------|------|--|--------------------|---------------|--------------------|
| | 101 | 46 | 3300 | 9274 | | \$14,520.36 (2014) |
| | 101 | 46 | 3300 | 9274 | | \$14,955.96 (2015) |
| | 101 | 46 | 3300 | 9274 | | \$15,404.64 (2016) |
| | 101 | 46 | 3300 | 9274 | | \$15,866.76 (2017) |
| | 101 | 46 | 3300 | 9274 | | \$16,342.80 (2018) |
| | | | | | | |

Budget Funding Year(s) 2014-2018 Start Date 01/01/2014 End Date 12/31/18
 (must match resolution)

| | | |
|---|-------------|---------|
| Funding Source | Tax Dollars | |
| | State Aid | |
| | Federal Aid | |
| <u>\$77,090.52</u> (must match resolution) | Other | Revenue |