

48188

September 30, 2015

TO: Board of Acquisition and Contract

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

RE: Authority enter exercise the option to extend the license agreement with TSMMJ, LLC d/b/a North Street Tavern and Wood Fired Pizza, for the food and refreshment concession at Maple Moor Golf Course from January 1, 2016 through December 31, 2020.

On March 10, 2011, the Board of Acquisition and Contract approved a resolution granting authority for the County of Westchester to enter into a license agreement with Shalexon Corporation d/b/a Hutch 25 Bar and Grill, 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. The Board of Acquisition and Contract approved a resolution on March 18, 2011 correcting the name and address of the Licensee to Shalexson Corporation d/b/a Bistro 25 at Maple Moor, 1128 North Street, White Plains, New York. On April 11, 2014, the Board of Acquisition and Contract granted authority to consent to assign the license agreement to TSMMJ, LLC. d/b/a North Street Tavern and Wood Fired Pizza "TSMMJ", 528 Byram Lake Road, Mount Kisco, New York.

Authority is now requested to exercise the option to extend the License Agreement for the period of January 1, 2016 through December 31, 2020 and change the address to 1128 North Street, White Plains, New York. As consideration for the privilege of operating this License, TSMMJ shall pay the following annual license fees:

<u>Period</u>	<u>License Fee</u>
January 1, 2016 through December 31, 2016	\$24,000
January 1, 2017 through December 31, 2017	\$24,000
January 1, 2018 through December 31, 2018	\$25,000
January 1, 2019 through December 31, 2019	\$25,000
January 1, 2020 through December 31, 2020	\$26,000.

In addition to the license fees above, TSMMJ shall undertake the following capital improvements to be completed no later than December 31, 2016:

<u>Improvement</u>	<u>Estimated Cost</u>
Furnish and install lighting to the area below the deck	\$ 2,700.00
Refinish wall adjacent to deck with stucco	\$ 5,800.00
Furnish and install drainage system with gutters to deck	<u>\$11,500.00</u>
Total Estimated Cost	<u>\$20,000.00</u>

The goal of this agreement is to provide revenue to the County and provide food and beverages to golf course patrons and visitors. 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, approval of the attached resolution by your Honorable Board is most respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACTS 12/11/15 -- JOANNE M. HARRIS, SECRETARY

## RESOLUTION

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

**RESOLVED**, that the County of Westchester is hereby authorized to exercise its option to extend the license agreement with TSMMJ, LLC d/b/a North Street Tavern and Wood Fired Pizza "TSMMJ", 1128 North Street, White Plains, New York, for the food and refreshment concession at Maple Moor Golf Course from January 1, 2016 through December 31, 2020; and be it further

**RESOLVED**, that for the privilege of operating this License, TSMMJ shall pay the following annual license fees:

<u>Period</u>	<u>License Fee</u>
January 1, 2016 through December 31, 2016	\$24,000
January 1, 2017 through December 31, 2017	\$24,000
January 1, 2018 through December 31, 2018	\$25,000
January 1, 2019 through December 31, 2019	\$25,000
January 1, 2020 through December 31, 2020	\$26,000; and be it further

**RESOLVED**, that in addition to the above license fees, TSMMJ shall undertake the following capital improvements to be completed no later than December 31, 2016:

<u>Improvement</u>	<u>Estimated Cost</u>
Furnish and install lighting to the area below the deck	\$ 2,700.00
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Furnish and install drainage system with gutters to deck	<u>\$11,500.00</u>
Total Estimated Cost	\$20,000.00; 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.

Original Agreement \$110,000  
 First Amendment \$  
**This Amendment \$124,000**  
 TOTAL \$234,000

Agreement #

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars	
165	42	3100	9246		24,000	2016
165	42	3100	9246		24,000	2017
165	42	3100	9246		25,000	2018
165	42	3100	9246		25,000	2019
165	42	3100	9246		26,000	2020

Budget Funding Year(s) 2016-2020 Start Date 1-1-16 End Date 12-31-20  
 (must match resolution)

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

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

\$124,000 Federal Aid \_\_\_\_\_

(must match resolution)

Other Revenue \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/17/2015 - JOAN COCCIARDI, SECRETARY