

**62521**

May 30, 2018

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 PERIOD MAY  
5, 2018 THROUGH SEPTEMBER 30, 2019.

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 period of May 5, 2018 through September 30, 2019 to cover the 2018 and 2019 operating seasons, which run May through September of each year respectively.

As consideration for this license privilege, MGE, Inc. will pay the County of Westchester a license fee of 38% of gross receipts per operating season.

The goal and objective of this agreement is to increase County revenue while providing a safe attraction for Playland patrons. This agreement promotes fiscal responsibility as the County will benefit from the additional revenue.

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

The Westchester County Procurement Policy does not apply to concessions pursuant to Section 3(b) thereof, and, therefore, does not apply to this license agreement.

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 period May 5, 2018 through September 30, 2019 to cover the 2018 and 2019 operating seasons, which run May through September of each year respectively; and be it further

**RESOLVED**, that for this license privilege, MGE, Inc., will pay the County of Westchester a license fee of 38% of gross receipts per 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.

APPROVED BOARD OF ACQUISITION & CONTRACTS 05/15/2018 - LISIA MATAJ SECRETARY

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

Agreement # PRC-1169

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase  Or Unit	Object/ Sub-Object	Trust Account	Dollars
165	42	5520	9201		\$117,000 est.
165	42	5520	9201		\$117,000 est.

Budget Funding Year(s) **2018-2019** Start Date **5/5/2018** End Date **9/30/2019**  
 (must match resolution)

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

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

**\$ 234,000** Federal Aid \_\_\_\_\_

(must match resolution)

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

APPROVED BOARD OF ACQUISITION & CONTRACTS - 05/01/2018 - LISA MRIJAJ, SECRETARY