

George Latimer  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

**63803**

DATE: June 20, 2018

TO: Honorable Board of Acquisition and Contract

FROM: Kevin M. McGuire  
Commissioner, Department of Social Services

Gary Friedman  
Director of Real Estate

SUBJECT: Authority to enter into a lease agreement with the Rector, Wardens & Vestry of St. John's Episcopal Church of Getty Square for the premises located at 1 Hudson Street, Yonkers, New York for the term July 1, 2018 through December 31, 2018.

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Authority of your Honorable Board is requested for the County of Westchester (the "County") enter into a lease agreement with the Rector, Wardens & Vestry of St. John's Episcopal Church of Getty Square ("Owner") for the property located at 1 Hudson Street, Yonkers, New York (the "Premises") for use by the Department of Social Services (the "Department") as a shelter for homeless single males, for the term July 1, 2018 through December 31, 2018. The base rent is \$18,062.14 per month for a total base rent for the lease term of \$108,372.84. In addition to rent, the County will pay an estimated amount of \$90,022.16 for water, gas, electricity or other utilities as well as the portion of any real estate or other taxes imposed upon the Premises. The total not to exceed amount comprising the rent and expenses for other related services during the lease term shall be \$198,395. The Premises are currently operated for the Department by the Sharing Community, Inc. which had previously leased the Premises directly from the Owner pursuant to a lease which will expire on June 30, 2018.

The proposed lease requires the County to indemnify and hold harmless the owner against and from all liabilities, obligations, damages, penalties, claims costs and expenses for liabilities, obligations damages, penalties, claims, costs and expenses, including reasonable attorney's fees, for which owner shall not be reimbursed by insurance and to defend any action or proceeding brought against Owner for, acts or omissions, breach or negligence.

This lease is in the public's best interest as it will provide premises for the continued operation of a shelter for homeless singles males, located at 1 Hudson Street, Yonkers, New York. The lease will be monitored by the Department of Social Services.

Pursuant to section 3(b) of the County Procurement Policy the provisions of the Procurement Policy do not apply to the proposed lease agreement.

Approval of the annexed Resolution is therefore, recommended.

KMM/GF/di  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/28/2018 - LISA MRIJAJ, SECRETARY

# RESOLUTION

Upon a communication from the Commissioner of Social Services and the Director of Real Estate, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to enter into a lease agreement with the Rector, Wardens & Vestry of St. John's Episcopal Church of Getty Square ("Owner") for the property located at 1 Hudson Street, Yonkers, New York (the "Premises") for use by the Department of Social Services (the "Department") as a shelter for homeless single males, for the term July 1, 2018 through December 31, 2018 at the monthly base rent of \$18,062.14 for a total base rent for the lease term of \$108,372.84 and \$90,022.16 for water, gas, electricity or other utilities as well as the portion of any real estate or other taxes imposed upon the Premises payable by the County in addition to the rent making the total not to exceed amount comprising the rent and other related expenses during the lease term \$198,395; and be it further

**RESOLVED**, that the rent shall be fixed for the term as indicated above, and the County shall be responsible for payment as additional rent all charges for water, sewer, gas, electricity or any other utility used or consumed on the Premises; and be it further

**RESOLVED**, that the County shall indemnify and hold harmless the Owner against and from all liabilities, obligations, damages, penalties, claims costs and expenses for liabilities, obligations damages, penalties, claims, costs and expenses, including reasonable attorney's fees, for which owner shall not be reimbursed by insurance and to defend any action or proceeding brought against Owner for, acts or omissions, breach or negligence; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; 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.

Account to be  
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2018	101	22	8900	5860	-----	\$198,395

Budget Funding Year(s): 2018 Start Dates: 7/1/18 End Date: 12/31/2018  
(must match resolution)

Funding Source

Tax Dollars: 71%

State Aid: 29%

**\$198,395**  
(must match resolution)

Federal Aid: 0%

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/28/2018 - LISA MRIJAJ, SECRETARY