

Department of Parks, Recreation
& Conservation

11969

June 3, 2010

TO: Board of Acquisition and Contract

FROM: Joseph A. Stout
Commissioner, Department of Parks, Recreation and Conservation

RE: **Resolution Authorizing the County of Westchester to enter into a License Agreement with Frank Costa, 11 Lincoln Avenue, Rye Brook, New York 10573 for the operation of the miniature golf concession at Tibbetts Brook Park from June 18, 2010 through December 31, 2014.**

Authority is requested to enter into an agreement with Frank Costa (the "Licensee"), 11 Lincoln Avenue, Rye Brook, New York 10573 for the operation of the miniature golf concession at Tibbetts Brook Park for the period of June 18, 2010 through December 31, 2014.

The attached Resolution, if approved by this Board, would authorize the County to enter into a License Agreement with the Licensee for the period of June 18, 2010 to December 31, 2014. In consideration for the privilege of operating this License, the Licensee shall pay to the County the following license fees:

<u>Period</u>	<u>License Fee</u>
June 18, 2010 through December 31, 2010	\$2,000
January 1, 2011 through December 31, 2011	\$2,100
January 1, 2012 through December 31, 2012	\$2,200
January 1, 2013 through December 31, 2013	\$2,300
January 1, 2014 through December 31, 2014	\$2,400

Licensee shall also complete improvements to the miniature golf course concession at Tibbetts Brook Park at an estimated total cost of \$5,825 as listed on the attached schedule to be completed by July 1, 2010.

Licensee has operated the miniature golf concession at Tibbetts Brook Park since 2003 and has done an excellent job in meticulously maintaining the facility and providing high levels of customer service.

This agreement is exempt from the Westchester County procurement policy pursuant to section 3 (b), thereof.

The ultimate goal of the agreement will be for the public good by providing revenue for the County in addition to providing a recreational amenity for patrons visiting the pool and park at Tibbetts Brook Park.

The program will be tracked and monitored by site inspections and daily interaction with park staff.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

JAS/JMC
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-17-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County is hereby authorized to enter into a license agreement with Frank Costa (“the Licensee”), 11 Lincoln Avenue, Rye Brook, New York 10573 for the operation of the miniature golf concession at Tibbetts Brook Park for the period of June 18, 2010 through December 31, 2014; and be it further

RESOLVED, that in consideration for the privilege of this license, the Licensee shall pay the County the following annual license fees:

<u>Period</u>	<u>License Fee</u>
June 18, 2010 through December 31, 2010	\$2,000
January 1, 2011 through December 31, 2011	\$2,100
January 1, 2012 through December 31, 2012	\$2,200
January 1, 2013 through December 31, 2013	\$2,300
January 1, 2014 through December 31, 2014	\$2,400;

and be it further

RESOLVED, that the Licensee shall also complete the improvements on the attached schedule at an estimated total cost of \$5,825 to be completed no later than July 1, 2010; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-17-2010 - JOHANNY VIEIRA, SECRETARY

Agreement #

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars	
165	42	4250	9246		\$2,000	2010
165	42	4250	9246		\$2,100	2011
165	42	4250	9246		\$2,200	2012
165	42	4250	9246		\$2,300	2013
165	42	4250	9246		\$2,400	2014

Budget Funding Year(s) 2010-2014 Start Date 6/18/10 End Date 12/31/14
(must match resolution)

Funding Source Tax Dollars _____
State Aid _____
\$ 11,000 Federal Aid _____

(must match resolution) Other PRC Revenue

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-17-2010 - JOMARY VIEIRA, SECRETARY

TIBBETTS BROOK PARK – MINIATURE GOLF COURSE

SCHEDULE OF IMPROVEMENTS

Upgrade Fuse Panel, furnish and install 20 new breakers	\$ 800
Furnish and install Konecto vinyl floor to building	\$ 900
Furnish and install Dimplex 240 volt electric heater with thermostat	\$ 500
Furnish and install Broan #506 exhaust fan	\$ 600
Furnish and install new Formica counter tops	\$1,950
Paint building two tone white/old country bisque	\$ 600
Furnish and install Suncast #GS1250 outdoor shed	\$ 275
Furnish and install new entrance door model	<u>\$ 200</u>
Total cost of improvements	\$5,825

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-17-2010 - JOMARY VIEIRA, SECRETARY