

22850

November 3, 2011

TO: Board of Acquisition and Contract

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

RE: Authority to terminate the agreement with Saxon Restaurant Corporation and enter into an agreement with Saxdale Rest. Corp., 315 Mamaroneck Road, Scarsdale, New York 10583 for the food and refreshment concession at Saxon Woods Golf Course

On February 5, 2005, the Board of Acquisition and Contract granted authority to enter into a license agreement with Saxon Restaurant Corporation, 315 Mamaroneck Road, Scarsdale, New York for the food and refreshment concession at Saxon Woods Golf Course for the period of January 1, 2005 through December 31, 2009, with the sole option of the County to extend the agreement for a period of five years. On December 7, 2009, the Board of Acquisition and Contract granted authority to exercise the option to extend the agreement from January 1, 2010 to December 31, 2014. Philip Santise, the brother of Michael Santise, the deceased president of Saxon Restaurant Corporation, has formed a new corporation, Saxdale Rest. Corp., for the operation of the concession and shall continue the operation with the same level of service.

Authority is requested to terminate the agreement with Saxon Restaurant Corporation and enter into an agreement with Saxdale Rest. Corp., 315 Mamaroneck Road, Scarsdale, New York 10583, for the period of January 1, 2012 through December 31, 2014. As consideration for the privilege of operating this license, Saxdale Rest. Corp. shall pay to the County an annual License Fee the greater of eight percent (8%) of gross sales, less sales tax or:

January 1, 2012 through December 31, 2012 - \$80,204  
January 1, 2013 through December 31, 2013 - \$84,214  
January 1, 2014 through December 31, 2014 - \$88,425.

The public purpose of this agreement is to provide food and refreshments at Saxon Woods Golf Course. The goal of this agreement is to provide revenue to the County and provide an important amenity in support of the golf course.

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.

## 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 hereby authorized to terminate the agreement with Saxon Restaurant Corporation, 315 Mamaroneck Road, Scarsdale, NY 10583 and enter into an agreement with Saxdale Rest. Corp., 315 Mamaroneck Road, Scarsdale, New York 10583 for the operation of the food and refreshment concession at Saxon Woods Golf Course, Scarsdale, New York; and be it further

**RESOLVED**, that as consideration for the privilege of operating this license, Saxdale Rest. Corp., shall pay to the County an annual License Fee the greater of eight percent (8%) of gross sales, less sales tax or:

January 1, 2012 through December 31, 2012 - \$86,204

January 1, 2013 through December 31, 2013 - \$84,214

January 1, 2014 through December 31, 2014 - \$88,425; 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 \$252,843  
 First Amendment \$  
**This Amendment** \$ \_\_\_\_\_  
 TOTAL \$252,843

Agreement #

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	3200	9246		\$ 80,204	2012
165	42	3200	9246		\$ 84,214	2013
165	42	3200	9246		\$ 88,425	2014

Budget Funding Year(s) 2012-2014 Start Date 01-01-12 End Date 12-31-14  
 (must match resolution)

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

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

\$252,843 Federal Aid \_\_\_\_\_

(must match resolution)

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/8/2011 - SOMARY VIEIRA, SECRETARY