

32315

February 27, 2013

TO: Board of Acquisition and Contract

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

Mary Mahon
Director of Real Estate

RE: Authority to enter into a License Agreement with the Yonkers Model Railroad Club for the use of a room on the first floor of the administration building at Tibbetts Brook Park for the period April 1, 2013 through March 31, 2018

The Yonkers Model Railroad Club ("the Club") had occupied approximately 1,000 square feet of space on the second floor of the administration building at Tibbetts Brook Park since the 1970's. In 2011, the second floor was completely remodeled to make it available for a catering concession.

Authority is now requested to enter into a license agreement with the Yonkers Model Railroad Club, 140 Truman Avenue, Yonkers, New York 10703, for the use of a room of approximately 661 square feet on the first floor of the Tibbetts Brook Park Administration Building for the period April 1, 2013 through March 31, 2018, with the sole option of the County to extend the agreement for a five-year period, at a license fee to be negotiated. For the privilege of this license, the Yonkers Model Railroad Club will pay to the County the following annual license fees:

<u>Period</u>	<u>License Fee</u>
April 1, 2013 to March 31, 2014	\$500
April 1, 2014 to March 31, 2015	\$525
April 1, 2015 to March 31, 2016	\$551
April 1, 2016 to March 31, 2017	\$579
April 1, 2017 to March 31, 2018	\$608

As an additional license fee, the Club will make electrical upgrades to the room and finish the floor at a cost of approximately \$1,800 no later than March 31, 2014. The Club, at its sole expense, shall also provide a new train layout including 900 feet of track, 80 switches and 80 motors and a digital control center for a total estimated cost of \$7,900 no later than March 14,

2018, which shall remain the property of the Club. The Yonkers Model Railroad Club will provide 2 clinics and 3 open house events during each year of the agreement for the public.

The public purpose of this agreement is to provide a recreational activity and demonstrations for the public at Tibbetts Brook Park. The goal of this agreement is to provide revenue to the County.

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 & CONTRACT - 03/21/2013 - JOMARY VEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Parks, Recreation and Conservation and the Director of Real Estate, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to enter into a license agreement with the Yonkers Model Railroad Club, 140 Truman Avenue, Yonkers, New York 10703, for the use of a room of approximately 661 square feet on the first floor of the Tibbetts Brook Park Administration Building April 1, 2013 through March 31, 2018, with the sole option of the County to extend the agreement for an additional period of five years for a license fee to be negotiated; and be it further

RESOLVED, that as consideration for the privilege of operating this License, the Yonkers Model Railroad Club shall pay to the County the following license fees:

<u>Period</u>	<u>License Fee</u>
April 1, 2013 to March 31, 2014	\$500
April 1, 2014 to March 31, 2015	\$525
April 1, 2015 to March 31, 2016	\$551
April 1, 2016 to March 31, 2017	\$579
April 1, 2017 to March 31, 2018	\$608;

and be it further

RESOLVED, that as consideration for the privilege of operating this License, the Yonkers Model Railroad Club shall, as an additional license fee, make electrical upgrades to the room and finish the floor for a total estimated cost of approximately \$1,800, no later than March 31, 2014; and be it further

RESOLVED, that the Yonkers Model Railroad Club shall, at its sole expense, provide a new train layout including 900 feet of track, 80 switches and 80 motors and a digital control center for a total an estimated cost of \$7,900, which shall remain the property of the Club, no later than March 31, 2018; and be it further

RESOLVED, that The Yonkers Model Railroad Club will provide 2 clinics and 3 open house events during each year of the agreement for the public at Tibbetts Brook Park; 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 \$2,763
 First Amendment \$
This Amendment \$ _____
 TOTAL \$2,763

Agreement #

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	4250	9246		\$500	2013
165	42	4250	9246		\$525	2014
165	42	4250	9246		\$551	2015
165	42	4250	9246		\$579	2016
165	42	4250	9246		\$608	2017

Budget Funding Year(s) 2013-2017 Start Date 04-1-13 End Date 3-31-18
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$2,763 Federal Aid _____
 (must match resolution) Other Revenue _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/21/2013 - JOHANNY VIEIRA, SECRETARY