

66462

TO: Honorable Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

Gary A. Friedman, Esq.
Director of Real Estate

DATE: December 5, 2018

SUBJECT: **Resolution authorizing the County of Westchester ("County") to amend a lease agreement with Francesco Binasco for approximately 334 square feet of space located on the street level at 129 East Post Road, for a five (5) year term commencing January 1, 2014 and terminating December 31, 2018, in order to exercise the County's option to renew the agreement for an additional five (5) year period. (Lease Agreement No. 14-912)**

On April 24, 2014, your Honorable Board approved a Resolution that authorized the County to enter into a lease agreement with Francesco Binasco ("Tenant"), 69 Bellwood Road, White Plains, New York 10603, for 334 square feet of space located on the street level at 129 East Post Road ("Premises") for the operation of a barber shop for a five (5) year term commencing on January 1, 2014 and terminating on December 31, 2018. The lease agreement provides that the County may renew the lease at its option for an additional five (5) year term, subject to an annual rent escalation of three (3) percent per year, with all other terms and conditions of the lease remaining the same.

The Tenant has operated a barber shop at the Premises since 2010, and has complied with all of the lease provisions. The County desires to amend the agreement in order to exercise its renewal option. The Tenant will pay the County rent at the following rates which reflect the above escalation:

January 1, 2019-December 31, 2019	\$1,402.76/monthly / \$16,833.12/annually
January 1, 2020-December 31, 2020	\$1,444.84/monthly / \$17,338.08/annually
January 1, 2021-December 31, 2021	\$1,488.18/monthly / \$17,858.16/annually
January 1, 2022-December 31, 2022	\$1,532.83/monthly / \$18,393.96/annually
January 1, 2023-December 31, 2023	\$1,578.82/monthly / \$18,945.84/annually.

All other terms and conditions of the lease agreement will remain the same.

The goals and objectives of this lease are to support economic development and jobs while utilizing retail space in the County facility that benefits the surrounding community. The lease agreement serves a public purpose by supporting economic development while generating revenue for the County. This lease will be tracked and monitored by the Department of Public Works and Transportation to ensure compliance with the lease terms.

It should be noted that leases are exempt from the County's Procurement Policy pursuant to Section 3(b) thereof. A Resolution for your consideration is annexed hereto. We recommend your favorable consideration of the annexed proposed Resolution.

HJG/GAF/dlv

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Real Estate, it is hereby

RESOLVED, that the County of Westchester is authorized to amend a lease agreement with Francesco Binasco (“Tenant”) for approximately 334 square feet of space located on the street level at 129 East Post Road for the use and operation of a barber shop for a five (5) year term commencing January 1, 2014 and terminating December 31, 2018, in order to exercise the County’s option to renew the agreement for an additional five (5) year period; and be it further

RESOLVED, that the Tenant shall pay the County rent at the following rates:

January 1, 2019-December 31, 2019	\$1,402.76/monthly / \$16,833.12/annually
January 1, 2020-December 31, 2020	\$1,444.84/monthly / \$17,338.08/annually
January 1, 2021-December 31, 2021	\$1,488.18/monthly / \$17,858.16/annually
January 1, 2022-December 31, 2022	\$1,532.83/monthly / \$18,393.96/annually
January 1, 2023-December 31, 2023	\$1,578.82/monthly / \$18,945.84/annually; and be it further

RESOLVED, that all other terms and conditions of the lease agreement shall remain the same; and be it further

RESOLVED, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes of this Resolution in the manner prescribed.

Lease Agreement No. 14-912

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300	9274		\$16,833.12 (2019)
	101	46	3300	9274		\$17,338.08 (2020)
	101	46	3300	9274		\$17,858.16 (2021)
	101	46	3300	9274		\$18,393.96 (2022)
	101	46	3300	9274		\$18,945.84 (2023)

Budget Funding Year(s): 2019-2023 Start Date: 01/01/2019 End Date: 12/31/2023
 (must match resolution)

Funding Source	Tax Dollars	
	State Aid	
	Federal Aid	
<u>\$89,369.16</u> (must match resolution)	Other	Revenue