

79624

DATE: September 22, 2020

TO: Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E. Gary A. Friedman
Commissioner of Public Works Director of Real Estate
and Transportation

SUBJECT: Resolution authorizing the County of Westchester to amend two lease agreements with Robert Martin-Eastview North Company, as assigned to 14/16 Skyline Realty LLC, for property owned by the County located at 14 and 16 Skyline Drive, Mount Pleasant in order to permit construction of a new building consisting of at least 25,000 square feet of rentable space on either 14 or 16 Skyline Drive within ten years.

On September 14, 2020 the Westchester County Board of Legislators approved Local Law No. 2020-14 authorizing the County to amend two leases for property owned by the County, between the County and Robert Martin-Eastview North Company. The first lease dated September 1, 1999 is for 14 Skyline Drive, Mount Pleasant, New York ("14 Skyline Lease") and the second lease dated June 11, 2002 is for 16 Skyline Drive, Mount Pleasant, New York ("16 Skyline Lease") (collectively the "Leases"). Each of the Leases was assigned to 14/16 Skyline Realty LLC ("Robert Martin") by Assignment and Assumption of Lease dated June 12, 2002. The amendments permit Robert Martin to complete construction of a new building (the "Amendments"), consisting of at least 25,000 square feet of rentable space on either the 14 Skyline Lease parcel or on the 16 Skyline Lease parcel (the "Leased Premises") within ten years of execution of the Amendments.

Pursuant to the Amendments, and in addition to the current rent payments to the County, Robert Martin shall pay to the County the following:

Execution Date ("ED")	Twenty Five Thousand (\$25,000) Dollars
First Extension- (Four years after ED)	Thirty Seven Thousand Five Hundred (\$37,500) Dollars;
Second Extension-(Five years after ED)	Fifty Thousand (\$50,000) Dollars;
Third Extension- (Six years after ED)	<u>Sixty Two Thousand Five Hundred (\$62,500) Dollars</u>
TOTAL:	One Hundred Seventy-Five Thousand (\$175,000) Dollars

Board of Acquisition and Contract

Amend Two Lease Agreements

Robert Martin-Eastview North Company, as assigned to 14/16 Skyline Realty LLC

County-Owned Property at 14 and 16 Skyline Drive, Mount Pleasant, New York

Page 2

Pursuant to the Amendments and depending on the number of extensions that are exercised, the maximum amount payable to the County pursuant to the Amendments to the 14 Skyline Lease and the 16 Skyline Lease is Three Hundred Fifty Thousand (\$350,000) Dollars over the ten year term of the Amendments and the minimum amount payable pursuant to each Amendment is Twenty Five Thousand (\$25,000) Dollars, for a total of Fifty Thousand (\$50,000) Dollars, if the term of the Amendments is four years.

The Amendments will also provide that in the event that Robert Martin, its successors or assigns, includes housing as all or part of the New Building(s), Robert Martin, its successors or assigns, shall provide that not less than 10% per cent of the total number of housing units in the New Building(s) are affordable units, or the number of affordable units required by the Town of Mount Pleasant, whichever is greater.

Your Honorable Board's authority is now requested to authorize the County to enter into the Amendments as detailed above.

The goal and objective of this agreement is to authorize Robert Martin to construct a New Building within ten years and to possibly provide affordable housing units in Westchester County if the New Building includes housing.

HJG/GAF/di

Attachment

R E S O L U T I O N

UPON A COMMUNICATION FROM THE COMMISSIONER OF PUBLIC WORKS AND TRANSPORTATION AND THE DIRECTOR OF REAL ESTATE, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to amend two leases with Robert Martin-Eastview North Company, as assigned to 14/16 Skyline Realty LLC (“Robert Martin”): the first lease dated September 1, 1999 for 14 Skyline Drive, Mount Pleasant, New York (“14 Skyline Lease”) and the second lease dated June 11, 2002 for 16 Skyline Drive, Mount Pleasant, New York (“16 Skyline Lease”), in order to authorize Robert Martin to complete construction of a new building consisting of at least 25,000 square feet of rentable space (“New Building”) on either the 14 Skyline Lease parcel or on the 16 Skyline Lease parcel (the “Amendments”) within ten years of execution of the Amendments; and be it further

RESOLVED, that pursuant to each of the Amendments, and in addition to the current rent payments to the County, Robert Martin shall pay to the County the following:

Execution Date (“ED”)	Twenty Five Thousand (\$25,000) Dollars
First Extension- (Four years after ED)	Thirty Seven Thousand Five Hundred (\$37,500) Dollars;
Second Extension-(Five years after ED)	Fifty Thousand (\$50,000) Dollars;
Third Extension- (Six years after ED)	<u>Sixty Two Thousand Five Hundred (\$62,500) Dollars</u>
TOTAL:	<u>One Hundred Seventy-Five Thousand (\$175,000) Dollars</u>

; and be it further

RESOLVED, that each of the Amendments will also provide that in the event that Robert Martin, its successors or assigns, includes housing as all or part of the New Building(s), Robert Martin, its successors or assigns, shall provide that not less than 10% per cent of the total number of housing units in the New Building(s) are affordable units, or the number of affordable units required by the Town of Mount Pleasant, whichever is greater; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any and all documents and to take any actions necessary to effectuate the purposes hereof.

Agreement No. 19-931

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Revenue Account	Dollars
	101	52	1000	9670		\$50,000 - \$350,000

Budget Funding Year(s): 2020 Start Date: Upon Execution End Date: Ten Years from Execution
 (must match resolution)

Revenue Source: Tax Dollars _____
 State Aid _____
\$50,000 - \$350,000 Federal Aid _____
 (must match resolution) Other Revenue \$50,000 - \$350,000