

**81587**

DATE: December 22, 2020

TO: 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  
Office of the County Executive

RE: **Resolution authorizing the County of Westchester, acting by and through the Department of Public Works and Transportation (“the County”) to retroactively amend a lease agreement with Yessica Mazzarri d/b/a Christy Nails for the lease of the premises known as Store No. 8, on the first floor of the County building at 131 East Post Road, White Plains, New York for a term which commenced on September 1, 2011 and terminated on August 31, 2016 in order to reflect a negotiated reduction in rent for the first two months of 2016 from \$989.00 per month to \$494.50 per month. (Lease Agreement No. 11-929)**

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On October 27, 2011, your Honorable Board authorized the County of Westchester (the “County”) acting by and through the Department of Public Works and Transportation (the “Department”) to enter into a five (5) year lease agreement (the “Lease”) with Yessica Mazzarri d/b/a Christy Nails (“the Tenant”) for a term which commenced on September 1, 2011 and terminated on August 31, 2016 for the lease of the premises known as Store No. 8, on the first floor of the County building at 131 East Post Road, White Plains, New York (the “Premises”). In 2016, the County’s prior Director of Real Estate, the Department, and the Tenant negotiated a reduction in the Tenant’s rent for the months of January and February, 2016 from \$989.00 per month to \$494.50 per month with the remaining months of the Lease to remain at \$989.00 per month.

As a result of an administrative oversight, no Resolution was submitted to your Honorable Board requesting authority to amend the Prior Lease (which is now expired) and enter into the Proposed Lease. Nevertheless, the Tenant, who has leased the Premises since the County acquired the property in 1993, has continued to occupy the Premises and has paid the rent at the agreed-upon amended rates (set forth above) throughout 2016.

Authority is now requested for the County to retroactively amend the Lease to reflect a negotiated reduction in rent for the first two months of 2016 from \$989.00 per month to \$494.50 per month with the remaining months of the Lease to remain at \$989.00 per month.

This Lease Agreement is exempt from the Westchester County Procurement Policy and procedures pursuant to Section 3(b) thereof.

Approval of the attached resolution is respectfully recommended.

HJG/GAF/jrc  
Attachment

# RESOLUTION

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 retroactively amend the lease agreement (“the Lease”) with Yessica Mazzarri d/b/a Christy Nails for space at 131 East Post Road, Store No. 8, Street Floor, White Plains, New York for a period of five (5) years which commenced on September 1, 2011 and terminated on August 31, 2016, in order to reflect a negotiated reduction in rent for the first two months of 2016 from \$989.00 per month to \$494.50 per month with the remaining months of the Lease to remain at \$989.00 per month; and be it further

**RESOLVED:** that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary and appropriate to effectuate the purpose hereof.

Lease Agreement No. 11-929

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
		101	46	3300	9274	

Budget Funding Year(s) 2016 Start Date 09/01/2011 End Date 08/31/2016  
 (must match resolution)

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

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

(\$989.00) Federal Aid \_\_\_\_\_  
 (must match resolution)

Other Revenue Reduction