

**Department of Parks, Recreation  
& Conservation**

April 6, 2010

TO: Board of Acquisition and Contract

FROM: Joseph A. Stout, Commissioner  
Parks, Recreation and Conservation

RE: AUTHORITY TO ENTER INTO A LICENSE AGREEMENT WITH  
MGE, INC., 4 MANHATTAN AVENUE, RYE, NEW YORK 10580  
FOR THE OPERATION OF A CONCESSION RIDE KNOWN AS THE  
"SKY FLYER" AT PLAYLAND PARK FOR A TERM COMMENCING  
MAY 1, 2010 AND TERMINATING OCTOBER 15, 2010

Authority is requested of this Board for the County of Westchester to enter into a license agreement with MGE, Inc. for the operation of a concession ride known as the "Sky Flyer" at Playland Park, Rye, New York for a term commencing May 1, 2010 and terminating October 15, 2010.

As consideration for this license privilege, MGE, Inc. will pay the County of Westchester a license fee of 40% of gross receipts.

The goal and objective of this agreement is to increase County revenue while providing a safe attraction for Playland patrons. If this agreement were not in place, the "Sky Flyer" ride would not be available for patron use. This would result in disappointed customers who have become accustomed to visiting this attraction. The County would also lose revenue as a result of the ride not being open.

The objective of this agreement will be monitored using inspection and ridership reports.

This agreement is exempt from the County's procurement policy pursuant to Section 3 (b).

A Resolution is attached for your favorable consideration.

# RESOLUTION

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

**RESOLVED**, that the County of Westchester is authorized to enter into a license agreement with MGE, Inc., 4 Manhattan Avenue, Rye, New York 10580 for the operation of a concession ride known as the "Sky Flyer" at Playland Park, Playland Parkway, Rye, New York 10580 for a term commencing May 1, 2010 and terminating October 15, 2010; and be it further

**RESOLVED**, that for this license privilege, MGE, Inc., will pay the County of Westchester a license fee of 40% of gross receipts; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby empowered to execute any and all instruments and take such other actions as may reasonably be necessary to effectuate the purposes thereof.

Original Agreement	\$78,000
First Amendment	\$
<b>This Amendment</b>	<b>\$</b> _____
<b>TOTAL</b>	<b>\$78,000</b>

Agreement #

Account to be  
Charged/Credited

		Major Program, Program & Phase  Or Unit	Object/ Sub-Object	Trust Account	Dollars
Fund	Dept				
165	42	5520	9205		\$78,000 *

2010  
\* Estimated

Budget Funding Year(s) 2010    Start Date 5/1/2010    End Date 10/15/2010  
(must match resolution)

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

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

**\$78,000 est.**            Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_ REVENUE \_\_\_\_\_