

Councilwoman Kaplan offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 694 - 2012**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A  
LICENSE AGREEMENT WITH EQUINOX GREAT NECK, INC.**

**WHEREAS**, the Town wishes to construct new asphalt parking area, including concrete curbs, asphalt, walkways, sub-base, rough and final grading and asphalt pavement at Manhasset Valley Park (the "Premises"); and

**WHEREAS**, Equinox Great Neck, Inc., a subsidiary of Equinox Holdings, Inc. ("Equinox"), has asked that the Town enter into a non-exclusive, revokable license agreement whereby the Town would permit employees and/or members of the Equinox facility located at 90 East Shore Road, Great Neck, New York (the "Facility"), to park their vehicles in 60 designated parking spaces within the lot to be constructed at Manhasset Valley Park during certain four-hour periods (the "Use"); and

**WHEREAS**, Equinox would agree to pay a one-time fee of \$120,000 which would defray the cost of constructing the parking area at the Premises in exchange for the Use, which Use would continue for a period of 10 years; thereafter Equinox would have two 10-year options to renew based on a prevailing fair market value for the Use, to be agreed upon by the parties and to be paid in monthly installments (the "License Agreement"); and

**WHEREAS**, Equinox will be permitted to install signs concerning parking restrictions and directing members to and from the Facility, the location and language of which shall be approved by the Town; and

**WHEREAS**, the Board wishes to authorize and direct the Supervisor or

the Deputy Supervisor, or their designees, as the case may be, to negotiate and execute the License Agreement on behalf of the Town.

**NOW THEREFORE, BE IT**

**RESOLVED** that the Supervisor or the Deputy Supervisor, or their designee, as the case may be, is hereby authorized to execute the License Agreement on behalf of the Town, and to execute such documents and take such related action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Office of the Town Attorney be and is hereby authorized and directed to negotiate the terms and conditions, and supervise the execution, of the License Agreement; and be it further

**RESOLVED** that the Comptroller be and hereby is authorized to accept payments pursuant to the License Agreement.

**Dated:** Manhasset, New York  
October 23, 2012

The vote on the foregoing resolution was recorded as follows:

**Ayes:** Councilwoman DeGiorgio, Councilman Dwyer, Councilman Ferrara,  
Councilwoman Kaplan, Councilwoman Russell, Councilwoman Seeman,  
Supervisor Kaiman

**Nays:** NONE

**cc:** Town Attorney      Comptroller