

**MINUTES OF THE MEETING OF THE  
COUNTY OF WESTCHESTER  
BOARD OF ACQUISITION AND CONTRACT  
HELD ON THURSDAY, JANUARY 21, 2010 AT 11:00 A.M.**

County Executive	Rob Astorino
Deputy County Executive	Kevin Plunkett
Chair, Board of Legislators	Ken Jenkins
Acting Commissioner of Public Works	John Hsu
County Attorney	Robert Meehan
Deputy County Attorney	Jim Robertson
County Executive's Office	Christine Sculti
Office of the Budget	Patricia Haggerty
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Information Technology	Marguerite Beirne
Board of Legislators	Steve Bass
Board of Legislators	Olivia Rhodes
Board of Legislators	Larry Goldstein
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	Debby Linhardt

Secretary of the Board of Acquisition & Contract JoMary Vieira said "Before commencing today's meeting, I note for the record that I have just gone to the reception area to invite any members of the public who wish to attend today's meeting to come to this conference room." There were no members of the public present.

"I call this meeting of the Board of Acquisition and Contract to order." Mr. Astorino, Mr. Jenkins and Mr. Hsu were present.

"It is my understanding that a vote is required for Chair of this Board. I request that counsel to the Board address this matter for the record."

County Attorney Robert Meehan said, "Section 161.01 of the County Charter sets the membership of this Board of Acquisition and Contract as: the County Executive; the Commissioner of Public Works and the Chairman of the County Board of Legislators. It does not specify who the Chair of the Board shall be. As such, a vote for Chair by the members of the Board must take place. This Board has in the past taken such votes upon the beginning of the terms of the elected officials that constitute the membership of the Board. Any member may nominate himself or any other member of the Board for the position of Chair."

Ms. Vieira asked, "Are there any nominations for the position of Chair of the Board of Acquisition and Contract?"

Chairman of the Board of Legislators, Ken Jenkins, said, "I move the nomination of the County Executive, the Honorable Robert P. Astorino, as Chair of the Board of Acquisition and Contract."

Acting Commissioner of DPW John Hsu seconded the motion.

Ms. Vieira asked, "Are there any other nominations for Chair of the Board?" There were none.

Ms. Vieira said, "I will now conduct a roll call vote for the Chair of the Board Acquisition and Contract."

Mr. Hsu, Mr. Jenkins and Mr. Astorino all voted in the affirmative.

Ms. Vieira said, "I note for the record, that the County Executive, the Honorable Robert P. Astorino, has been elected as the Chair of the Board of Acquisition and Contract. The Chair will now conduct the rest of this meeting."

Mr. Astorino presided

Mr. Astorino asked, "Are there any other motions before we consider the agenda for today's meeting?"

Mr. Hsu said, "Mr. Chairman, I move that we re-adopt the rules of this Board of Acquisition and Contract. A copy of those rules has been circulated by the Secretary to the Board."

Mr. Jenkins seconded and the motion was unanimously adopted.

**Acquisition & Contract.** Minutes of the meeting of 12/30/09 and the SEQRA Review for agenda items.

J. Vieira

Mr. Astorino moved to receive and file the foregoing minutes and SEQRA review, which were duly seconded and approved.

1. (6962) **Board of Legislators** – Agreement with the African-American Men of Westchester, Inc., to provide its Eighth Annual Martin Luther King, Jr. Youth Awards Luncheon on January 18, 2010, in an amount not to exceed \$10,000, from 1/1/10 – 1/31/10.

K. Jenkins

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

2. (6794) **County Executive – OVER BY THE BOARD OF LEGISLATORS.** Request authority, pursuant to Sections 161.01 and 161.11(1) (b) of the Laws of Westchester County, for the County Executive to issue certificates of authorization to department, board or commission heads as listed, and empowering them to execute contracts, under the listed terms and conditions.

R. Astorino

3. (6795) **County Executive – OVER BY THE BOARD OF LEGISLATORS.** Request authority, pursuant to Sections 161.01 and 161.11(1) (c) of the Laws of Westchester County, for the County Executive to issue certificates of authorization to department, board, or commission heads as listed, empowering them to execute contracts relating to the maintenance and/or operation of such department, board or commission provided that the contract does not exceed \$20,000, under the listed terms and conditions.

R. Astorino

4. (6203) **Information Technology** – Amend Contract IT-889 with Bowne Management Systems, Inc., Mineola, NY, for the provision of professional consulting services, by extending the term of the agreement to 12/31/10 and increasing the amount by \$20,000, for a new total not to exceed contract amount of \$118,000.

M. Beirne

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

5. (6328) **Information Technology** – Agreement (IT-1151) with Atria Consulting LLC, NYC, for the provision of professional consulting services, from 1/22/10 – 1/21/11, for a total not to exceed contract amount of \$120,085.

M. Beirne

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

6. (6676) **County Attorney** - Amend an agreement with the law firm of Martin & Colin, P.C. for the legal representation of Christopher Hopkins, a former employee of the Westchester County Department of Correction, in connection with a federal lawsuit entitled Kyle Dennis v. Westchester County Jail Correctional Department, Correctional Officer – C. Hopkins, Officer Stukes, Officer Jenkins, Officer John Doe, EMSA Correctional Care, Nurse Jane Doe, in their official and individual capacities, from 3/25/08 – 12/31/09, in an amount not to exceed \$30,000, by extending the term of the agreement for one (1) additional year, from 1/1/10 – 12/31/10.

R. Meehan

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

7. (6577) **Planning** - Amend an agreement with the Village of Tarrytown for the purchase of a Senior Bus with a wheelchair lift, by changing the expiration date to 4/30/10.

E. Buroughs

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

8. (6578) **Planning** - Agreement with Washingtonville Housing Alliance to provide a three percent loan for ten years from the Property Improvement Program for the renovations at 11 Madison Avenue in the Village of Mamaroneck, from 2/1/10 – 1/31/11, for a loan amount of \$32,655, under the listed terms and conditions.

E. Buroughs

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

9. (6650) **Planning** - Amend a 10/8/09 Resolution with the Greenburgh Health Center to purchase a 15 Passenger Van, in order to change the name from Greenburgh Health Center to Mount Vernon Neighborhood Health Center.

E. Buroughs

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

10. (6666) **CE/Emergency Services** - Enter into (i) a Grant Agreement with the New York State Office of Homeland Security ("NYSOHS"), in the amount of \$60,000; (ii) a Memorandum of Agreement with the City of New York and Putnam County, in the amount of \$35,000, which the County will administer; and (iii) a Memorandum of Agreement with the City of New York in the amount of \$25,000, which NYC will administer, in order to receive funding from NYSOHS under the FY09 Companion Animal Sheltering Equipment grant program, commencing upon execution and expiring 8/30/12.

A. Sutton

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

11. (6747) **Social Services** – Enter into 1) a grant agreement with the U.S. Department of Housing and Urban Development to receive and administer a grant in the amount of \$58,546 to be used in implementing a supportive housing program to pay rental and operational expenses for housing chemically dependent homeless adults discharged from their long-term residential program, from 1/1/10 – 12/31/10; and 2) a separate agreement with the Renaissance Project, Inc., for the same period to operate the aforesaid program.

K. Mahon

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

12. (6765) **Social Services** - Agreement with Northern Westchester Hospital to provide customized training services for up to fifty (50) incumbent workers determined eligible under the provisions of the Workforce Investment Act of 1998, from 2/1/10 – 1/31/11, for a not to exceed amount of \$40,000.

K. Mahon

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

13. (6813) **Social Services** - Agreement with Caring for the Homeless of Peekskill, Inc. to operate a shelter for up to nineteen (19) homeless single males and females at a facility known as Jan Peek House located at 200 N. Water Street, Peekskill, New York, from 2/1/10 – 1/31/11, for an amount not to exceed \$731,197.

K. Mahon

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

14. (6661) **Mental Health** - Amend an agreement with ABA Business Technologies for the provision of on-site technical assistance and training in the use and report generating aspect of the Department's billing software system, from 1/1/09 – 12/31/09, in order to extend the termination date to 6/1/10.

Mitchell/Beirne

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

15. (6550) **Health** - Contract to accept continued funding from the New York State Department of Health for the Enhanced Immunization Capability Grant, for the contract period 10/1/09 – 3/31/11, in the not to exceed amount of \$100,000.

P. Yang

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

16. (6686) **Health** - Contract amendment with the New York State Department of Health for the Fit Kids of Hudson Valley Program Grant, to accept additional funding in the not to exceed amount of \$140,900 and extend the contract period to 6/30/10.

P. Yang

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

17. (6740) **Health** - Authority, pursuant to Part A of the federal Ryan White HIV/AIDS Treatment Extension Act, to accept funding from the City of New York in the not to exceed amount of \$6,500,000 and enter into contracts with listed health and supportive care agencies for the provision of HIV-related services in the Tri-County region, from 3/1/10 – 2/28/11, in the amount of \$4,334,411.

P. Yang

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

18. (6429) **Labs and Research** - Exercise the first renewal option to an agreement with On Assignment Staffing Services, Inc., for the provision of temporary lab personnel on an as-needed basis, at a total annual cost to the County not to exceed \$219,280.62, from 1/1/10 – 12/31/10.

M. Hyland

**Mr. Jenkins made some comments. Please refer to tape.**

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

19. (6579) **Labs and Research** - Agreement with Benchmark Analytics, Inc. for the provision of environmental laboratory analyses of water samples, on an as-needed basis, from 1/1/10 – 12/31/10, in an amount not to exceed \$45,000, under the listed terms and conditions.

M. Hyland

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

20. (6712) **District Attorney** - Agreement with the New York State Division of Criminal Justice Services for the District Attorney's Office to operate the Drug Law Reform Program, in an amount not to exceed \$100,000 in federal funds and \$47,770 in County matching funds, from 1/1/10 – 12/31/10.

J. DiFiore

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

21. (6154) **Public Safety – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into a five (5) year license agreement with RJT Motorist Services, Inc. to provide booting, towing and storage services for the County's Taxi and Limousine Commission on an "as needed" basis, from 12/27/09 – 12/26/14, under the listed terms and conditions.

G. Longworth

22. (6725) **Parks** - License agreement with Broadcast Music, Inc, Nashville, TN, for the non-exclusive license to publicly perform musical works at Playland Park for which BMI has intellectual property rights, from 1/1/10 – 12/31/14, for an amount not to exceed \$40,000, under the listed terms and conditions.

J. Stout

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

23. (6746) **Transportation** - Amend a 7/29/09 grant agreement with the Federal Transit Administration to accept a Transit Capital Assistance grant, by increasing the amount an additional \$8,398 for a new total amount of \$13,278,398, from 4/15/09 – 3/01/11.

L. Salley

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

24. (6755) **DPW** - Interconnection Agreement with Consolidated Edison Company of New York for the Solar Photovoltaic Systems located at the Low Rise Building, White Plains, New York and the Department of Emergency Services Support Services Building, Valhalla, New York.

J. Hsu

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

25. (6757) **DPW** – Contract No. 05-509, with Mohegan Associates Inc., for Replacement of Traffic Control Signs – Phase I, Various Locations, Westchester County, New York. Accepted completed work and approved Final Contract Amount of \$503,715.19.

J. Hsu

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

26. (6758) **DPW** – Contract No. 06-555, with ELQ Industries, Inc., for Rehabilitation of Armonk Road Connector (CR68) Bridge, (BIN #3348180) Over Broadway, Town of North Castle, New York. Accepted completed work and approved Final Contract Amount of \$946,620.

J. Hsu

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

27. (6759) **DPW** – Contract No. 07-513, with Stonehenge Group Ltd., for Water Quality Improvements, Dickerman's Pond, City of New Rochelle, New York. Accepted completed work and approved Final Contract Amount of \$427,255.65.

J. Hsu

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

28. (6760) **DPW** – Contract No. 07-536, with Foremost Development LLC, for Rehabilitation of Penthouse Exterior, Peekskill District Office Building, 750 Washington Street, Peekskill, New York. Accepted completed work and approved Final Contract Amount of \$61,490.

J. Hsu

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

29. (6761) **DPW** – Contract No. 08-222, with Landscape Unlimited, Inc., for Restorations at Lasdon Park, Mountain Lakes Park and Ward Pound Ridge Reservation, Towns of Somers, North Salem and Lewisboro, New York. Accepted completed work and approved Final Contract Amount of \$447,969.

J. Hsu

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

30. (6764) **DPW** – Contract No. 09-505, with Ortega Group LLC., for Playland Bathhouse Restoration, Playland Park, Rye, New York. Approved Sitework Services, Inc., Upper Saddle River, NJ, as a subcontractor.

J. Hsu

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

31. (6565) **DEF** – Contract No. EF-0908, for Boiler Maintenance and Repairs, Three (3) Wastewater Treatment Plants, Westchester County, New York. Awarded to Low Bidder, Unity Mechanical Corporation, in the amount of \$179,060. (2 bids received)

T. Lauro

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

32. (6576) **DEF** - Grant agreement with the State of New York whereby the County will be reimbursed for up to 50% of the actual and eligible expenses incurred by the County for its Household Chemical Waste Collection Program, following submission of an application and in conformity with Chapter 610 of the Laws of 1993, to cover the State's 2008 fiscal grant year program, from 4/1/08 – 3/31/09.

T. Lauro

**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

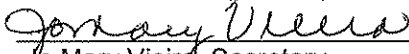
This meeting was recorded and a copy of the tape is on file in the Board of Acquisition and Contract.

There being no further business, the Chair declared the meeting adjourned. All approved resolutions are on file electronically with the Board of Acquisition and Contract.

  
(Jo Mary Vieira – Secretary)

I have reviewed the foregoing minutes and have found them to be correct as written.

Dated 11/25/10

  
Jo Mary Vieira, Secretary  
Board of Acquisition & Contract



Memorandum  
Board of Acquisition and Contract

TO: The Honorable Board of Acquisition and Contract

FROM: Jo Mary Vieira  
Secretary, Board of Acquisition and Contract

RE: Rules of Procedure  
Board of Acquisition and Contract

DATE: January 21, 2010

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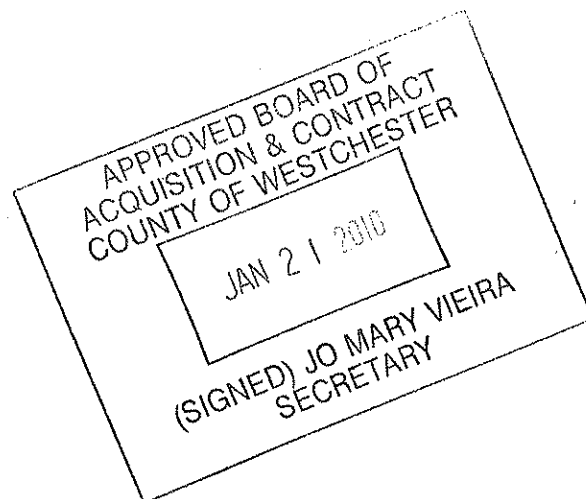
Attached is a Resolution containing the rules of the County Board of Acquisition and Contract. These rules were originally approved at the Acquisition and Contract meeting of February 24, 1994.

Rule One sets forth the procedure for requests by any one member of the Board to lay over for consideration once, any matter on the Board's agenda.

Rule Two establishes the procedure for a request to reconsider any matter on the Board's agenda voted upon by Board members prior to adjournment of a Board meeting.

Rule Three provides that Robert's Rules of Order, Revised Edition shall govern the procedures of the Board of Acquisition and Contract in all cases when not inconsistent with the foregoing rules.

JMV/  
Attachment



RESOLVED, that the following rules are hereby adopted by the Westchester County Board of Acquisition and Contract:

§ 1. RULES OF THE COUNTY BOARD OF ACQUISITION AND CONTRACT

RULE ONE - REQUEST TO LAY OVER

1. Any matter on the Board of Acquisition and Contract's agenda, upon request of one member, shall be laid over for consideration once and come up at the next meeting under the order of "MATTERS LAID OVER."
2. A request to lay over as herein provided shall not apply to the last day of the annual meeting or special meeting.

RULE TWO - MOTION TO RECONSIDER

1. A meeting of the Board of Acquisition and Contract may commence when any two members of the Board or their respective legally authorized representatives are present.
2. If a member (or his or her legally authorized representative) is not present when the meeting commences, that member or his or her legally authorized representative may have reconsideration made of any of the items on the Board's agenda that have been voted on prior to his or her arrival, providing that the meeting is still in session and has not been adjourned.

RULE THREE - PROCEDURES NOT COVERED

1. Robert's Rules of Order, Revised Edition, shall govern the procedures of the Board of Acquisition and Contract in all cases when it is not inconsistent with the foregoing rule and not covered by the Rules of the Board set forth herein.

§2. These rules shall take effect immediately.

