

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JULY 29, 2010 AT 11:00 A.M.**

County Executive	Rob Astorino
Deputy County Executive	Kevin Plunkett
Vice Chairman, Board of Legislators	Lyndon Williams
Commissioner of Public Works	John Hsu
Deputy County Attorney	Jim Robertson
County Executive's Office	Christine Sculti
County Executive's Office	William Mooney
Deputy Budget Director	John Delaney
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Board of Legislators	Olivia Rhodes
Board of Legislators	Anne Reasoner
Board of Legislators	Bob Boland
Board of Legislators	Larry Goldstein
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	Debby Linhardt
LWV of Westchester	Barbara Strauss

Mr. Astorino presided.

Mr. Astorino said, "Before we begin the meeting, has the Secretary checked the reception area to make sure that all members of the public who wish to attend this meeting have been invited into this conference room?"

Ms. Vieira confirmed that she had done so.

Acquisition & Contract. (1) Minutes of the meeting 7/22/10 and the SEQR 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.

Mr. Williams said, "I'd like to ask to sever Item #1." Mr. Astorino said, "Hold over Item 1." Mr. Williams then said, "It's not a holdover, it's to vote separately. On Item #1, Mr. Chairman, let me just give a brief background or reasoning for my request and ask your indulgence in terms of some action that I would appreciate if you would take. This item affects the hospital in the City of Mt. Vernon. In my community there has been much concern about the image that our community has and how we are trying to enhance that image. There is a prison facility already at that hospital, which my community was not very happy with at the time it was placed. The further placement of prisoners in that facility only exacerbates the concern we have had with the image of the City of Mt. Vernon. This particular contract would suggest that the County is, actually, more enthusiastically supporting this kind of activity than others, which many members of my community find, to some extent, objectionable. We understand that there is some kind of financial aspect to this, but nevertheless, we believe that pride in a community is what Westchester is about. Each community, each part of this county has pride about where they live. The residents of my community, we may have our problems, but we are proud of where we live and we want to make sure that we continue to be proud of where we live. When we send a message to children of the City of Mt. Vernon, that this appears to be a kind of

priority for us, what it does is send to them a sense that there is very little concern about the other things that are important to us; things that everyone in the county wants: parks; quality of life; better jobs; economic development. Those are issues that, everywhere in this county, people are concerned with. My community suffers from an issue of economic deprivation and therefore, we probably need a little more than many others do. But, I believe that when a message is sent that what you are going to get is the prison complex, whether or not that message is intended or not, and I assume, Mr. Chairman, with all due respect, I know that you were born and raised in Mt. Vernon, I would not attribute that message to you. However, I know for a fact that is the message that is going to be received. Having been the Legislator and Councilman from that City, and knowing the sensitivities of that community, to have a further influx of prisoners for them to service, it's very hard for me to sit here as their representative and vote yes on this. I could not, because what I would be doing is condoning that same level of stereotyping that has plagued my community in a negative way.

With respect to this particular contract, I am concerned about the aspects of safety. How these prisoners are going to be brought in and out of the hospital; whether they go to the emergency room, where other people are sitting; who is transporting them, when and how? The financial aspects I understand, and I want to put that to the side, but quality of life is important. I could not answer my constituency right now, if someone would come and ask me, well, how is this going to work with respect to our community? How are they coming in? If my child is sitting in the emergency room for service, will he or she see a prisoner or prisoners in chains being brought in for service? I could not answer those questions, if it was asked of me. I could not truthfully answer those questions. That's why, Mr. Chairman, with the authority vested as the Chair of this Board, given that I will vote against this, for reasons that I have stated, reasons, I believe, are legitimate, I am asking your indulgence to hold this item off, so that these issues that I have raised may be considered."

Mr. Astorino responded, "I will sever the item, so that we can vote separately on it. You stated your objection and you can vote no, but I'm not going to hold it over. We did hold it for one week. This has been in discussion for several weeks. You were informed three weeks ago by George Oros. I've had a discussion with the Mayor, who raised no objections to me. The hospital board has raised no objections. In fact, the president of the hospital has said that they would welcome them, for the additional revenue. There is a secure ward, a secure area, already, where State prisoners go. There are empty beds, underutilization of the facility, and there would be no additional cost to the hospital, except revenue. Our Correction officers would, as they do for any prisoners in their custody, make the transfer. I spoke with Senator Hassell-Thompson, yesterday, who raised no objections to this. She had spoken to the State as well, with the Commissioner, and there would be no additional costs, which was a concern to her, as well. As you know, the Medical Center terminated their contract with us and we had to react appropriately, which we have done. This Board has had a contract with CCS which has been in effect since midnight on Monday and this is a part of that. It has to be taken care of. They have to go somewhere and this is an area where it makes sense, because there already is an established protocol, a secure area that State prisoners are going to already. There is underutilization of beds and revenue for a failing hospital, quite frankly, as well. Again, there were no objections raised up until very recently. I have spoken to the appropriate people and this is on the recommendation of the Department of Correction, as well. It is something where we don't have many options at this point. If a prisoner has fallen ill or if there is an emergency, they are going to need care and so they will be taken to Mt. Vernon Hospital.

I will allow a separate vote. Obviously, if you wish to vote No, you have that right."

Mr. Williams replied "To clear the record, neither the president of the hospital nor the Board of Directors of the hospital were elected by the people of that district."

Mr. Astorino said, "Their function is to run a hospital and we have discussed this with them for weeks and months. Well, maybe not for months, but we certainly have been discussing this for weeks and obviously it makes sense to them. If they have this secure area already, set up with beds that are empty, there is no additional cost for security because they are already there. It's the thing that we must do. The hospital has said yes to it, the Mayor did not object to it and the State Senator has not objected. This has already happened. We have already had the transfer from the Medical Center to CCS as of midnight on Monday and are no longer in contract with the Medical Center for these services. So this would formalize the agreement, the memorandum of understanding with Mt. Vernon Hospital."

Mr. Williams asked, "So, the services that this agreement relates to have already commenced with Mt. Vernon Hospital?"

Mr. Astorino replied, "It will commence officially with this vote." Mr. Williams asked, "Has a prisoner already been taken there?"

Mr. Plunkett replied, "I don't have any specific knowledge. We think there was a 911 call that may have necessitated a prisoner be taken to the Mt. Vernon Hospital."

Mr. Williams said, "Could I ask that you provide me with the particulars as to whether or not the services have commenced already? When I say services, obviously I mean, if they have take someone down to the Mt. Vernon Hospital, and if it was pursuant to this contractual agreement that they would have done so."

Mr. Astorino agreed. Mr. Plunkett said, "CCS has its own contract with Mt. Vernon Hospital. This is an MOU."

Mr. Williams replied, " Yes, with the State. I understand that. But what I'm saying is that CCS is operating pursuant to this MOU that we are entering into today with the State, even though they have a separate contract. This MOU enables them to have that arrangement with Mt. Vernon Hospital. All that I'm asking is whether you can provide for me, whatever information that's available as to whether or not that occurred." Mr. Astorino agreed to provide that information.

Mr. Williams concluded, "I thank you for your comments and I just wanted to be sure that my No vote will be on the record."

1. (12888) **Correction** – MOU with the New York State Department of Correctional Services and Mount Vernon Hospital ("MVH") for the admission and treatment of County inmates at MVH, commencing on 7/26/10 and continuing until terminated, under the listed terms and conditions.

K. Cheverko

Laid over by the Board of Legislators – 7/22/10

Mr. Astorino moved the resolution. Mr. Astorino and Mr. Hsu voted yes. Mr. Williams voted no.

2. (12753) **DPW** – Amend Agreement No. 08-926 (a Multi-Phased Agreement) with Camp Dresser & McKee, in the matter of Engineering Services in connection with the Emergency Generator Replacement, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York, to provide for additional services rendered in accordance with the consultant's proposal for the second phase of this multi-phase project, by increasing the amount an additional \$488,400, for a total fee of \$1,048,500, and extending the completion date to 12/31/14.

J. Hsu

Laid over by the Board of Legislators – 7/22/10

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

3. (12761) **DPW** – Contract No. 05-539, with Petrillo Contracting, Inc., Mount Vernon, for Resurfacing and Related Improvements, Pines Bridge Road (C.R. 1323) and Ryder Road (C.R. 19), A Distance of 3.4 Miles, Towns of Ossining and New Castle, New York. Approved Core Contracting of NY LLC, Mount Vernon, as a subcontractor.

J. Hsu

Laid over by the Board of Legislators – 7/22/10

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

4. (13037) **Human Resources** - Amend an agreement with Pace University to provide a scholarship program, designated the “Edwin G. Michaelian Scholarship Program”, for the benefit of up to 100 employees of the County and up to 100 employees of its constituent municipalities who qualify for and enroll in Pace’s graduate schools of Public Administration, Nursing, Computer Science or Business Administration, from 10/9/06 – 10/8/11, by expanding the scope of services to include a Master of Arts in Management for Public Safety & Homeland Security Professionals as an additional course of study available under the Graduate Programs offered by the Michaelian Scholarship, which will become available as of 8/20/10, at no cost to the County.

K. Oristano

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

5. (12512) **County Attorney** - Stipulation in Langford, et al. v. County of Westchester, in an amount not to exceed \$75,000, inclusive of counsel fees.

R. Meehan

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

6. (12790) **Planning** - Amend an agreement with the Village of Port Chester for the Park Security Enhancement Project that will install security systems in both Columbus Park and the Waterfront Promenade, by changing the expiration date from 8/16/10 to 12/31/10.

E. Buroughs

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

7. (12801) **Social Services** - Agreement with the Young Men’s Christian Association of Yonkers, Inc., for the provision of operating an after school activity and summer day program for TANF eligible youth who reside in Yonkers, from 9/1/10 – 8/31/11, for a not to exceed amount of \$36,000.

K. Mahon

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

8. (12879) **Social Services** - Agreement with the Sound Shore Health System, Inc., to assign County employees to accept and process Medicaid applications on-site for persons seeking medical assistance from Sound Shore, from 10/15/10 – 10/14/11, for a total cost of \$201,300, under the listed terms and conditions.

K. Mahon

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

9. (12881) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the Westchester County Health Care Corporation (“WCHCC”) to station Department of Social Services employees at WCHCC on a full-time basis in order for DSS to determine the eligibility of persons to receive Medicaid and so that WCHCC may continue to effectively and efficiently provide medical assistance to needy persons, from 1/1/10 – 12/31/13, for an amount of \$1,336,985, under the listed terms and conditions.

K. Mahon

10. (12885) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the Westchester Community Opportunity Program, Inc., to operate an employment project to place, monitor and track TANF customers on worksites, provide job skills training and place these customers into unsubsidized jobs, from 7/1/10 – 6/30/11, for a total amount not to exceed \$135,000.

K. Mahon

11. (12886) **Social Services -** Agreements with the ten (10) agencies listed for the purpose of operating ten (10) Summer Youth Employment programs under the New York State Office of Temporary Disability Assistance TANF Summer 2010 Youth Employment Program, from 5/1/10 – 9/30/10, in a total aggregate amount not to exceed \$226,542.

K. Mahon

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

12. (12792) **Health -** Amend a 1/21/10 Resolution to **1)** increase the not to exceed contract amounts, each by \$66,032, for Greyston Health Services, Inc., from \$154,500 to \$220,532, and for The Mount Vernon Hospital, from \$154,500 to \$220,532; and **2)** amend an existing executed contract with St. John’s Riverside Hospital in order to increase the not to exceed amount by \$66,032, from \$179,325 to \$245,357; with all contract amount increases totaling an aggregate amount not to exceed \$198,096, from 8/1/10 – 2/28/11, for the provision of early intervention services.

C. Archbald

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

13. (12906) **College –** Contract No. WCC-10-506, for Construction of Community Garden, Westchester Community College, Valhalla, New York. Award to Low Bidder, Teich Garden Systems LLC, South Salem, in the amount of \$88,750. (3 bids received)

J. Hankin

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

14. (12939) **District Attorney -** Grant disbursement agreement with the Dormitory Authority of the State of New York to purchase Digital Age Community Based Intelligence Equipment, for an amount of \$100,000, commencing upon execution and continuing for three (3) years, in accordance with the listed terms and conditions.

J. DiFiore

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

15. (12949) **District Attorney** - Grant disbursement agreement with the Dormitory Authority of the State of New York to purchase High Technology Investigative Equipment, for an amount of \$100,000, commencing upon execution and continuing for three (3) years, in accordance with the listed terms and conditions.

J. DiFiore

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

16. (12663) **Probation** - Extend an agreement with Leake and Watts Services, Inc., for the provision of secure detention and related medical, clinical, educational, transportation, cleaning, security and food services at Woodfield Secure Detention Cottage, from 7/1/10 – 6/30/11, in an amount not to exceed \$3,146,734, for a total of \$14,903,386.

R. Pozzi

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

17. (12828) **Parks** - Permit agreement with the Correction Officers' Benevolent Association of NYC, for the exclusive use of Playland Park for its employees and invited guests from 11:00 am to 7:00 pm on Saturday 18, 2010, with a rain date on Sunday, September 19, 2010, for a total fee of \$128,000, under the listed terms and conditions.

J. Stout

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

18. (12940) **Transportation** - Extend a contract with All County Bus, LLC, Yonkers, for the transportation of homeless children housed in Westchester County School District Zones 1, 2 and 3 including the transportation services for children in foster care for court-mandated visits with their families in Westchester County Social Services District Offices, from 9/1/10 – 8/31/11, in an amount of \$2,680,700 (\$1,106,320 for Zone 1, \$1,277,429 for Zone 2 and \$296,951 for Zone 3) for a total contract amount not to exceed \$7,626,640.

Hsu/Mahon

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

19. (12887) **DPW** – Contract No. 07-550, with SISCA Northeast, Inc., for Pool Modernization, Tibbetts Brook Park, Yonkers, New York. Approved Change Order No. 1 in the amount of \$120,023.

J. Hsu

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

20. (12889) **DPW** – Contract No. 07-506-P, with S&L Plumbing & Heating Corp., for Renovation of Emergency Services Command Center, Old Jail, Norwood E. Jackson Correctional Center, Valhalla Campus, Valhalla, New York. Accepted completed work and approved Final Contract Amount of \$172,853.

J. Hsu

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

21. (12890) **DPW – OVER BY BOARD OF LEGISLATORS.** Contract No. 10-524, for Building and System Improvements, Richard J. Daronco Courthouse Annex, White Plains, New York. Request authority to advertise for bids.

J. Hsu

22. (12891) **DPW – OVER BY BOARD OF LEGISLATORS.** Contract No. 10-541, for Installation of Masonry, Windows and Doors, 450 Saw Mill River Road, Ardsley, New York. Request authority to advertise for bids.

J. Hsu

23. (12892) **DPW – OVER BY BOARD OF LEGISLATORS.** Contract No. 10-542, for Installation of Mechanical Systems, 450 Saw Mill River Road, Ardsley, New York. Request authority to advertise for bids.

J. Hsu

24. (12893) **DPW – Contract 08-540, with Yonkers Contracting Company, Inc., for Composite Performance Implementation and Plant Expansion, New Rochelle Wastewater Treatment Plant, New Rochelle, New York. Approved Frank Miceli Jr. Contracting, New Rochelle, Schnell Contracting Services, LLC, Freehold, NJ, and Tremson Corporation (WBE), Brewster, as subcontractors.**

J. Hsu

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

25. (12894) **DPW – Contract 05-539, with Petrillo Contracting, Inc., for Resurfacing and Related Improvements, Pines Bridge Road (C.R. 1323) and Ryder Road (C.R. 19), A Distance of 3.4 Miles, Towns of Ossining and New Castle, New York. Approved R & J Tree Service, Inc., (MBE), Carmel, and Safety Marking, Inc., Bridgeport, CT, as subcontractors.**

J. Hsu

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

26. (12896) **DPW – Contract No. 10-214, for Restoration of Primary Sludge Piping – Phase II, Yonkers Wastewater Treatment Plant, Yonkers, New York. Advertise for bids.**

J. Hsu

This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

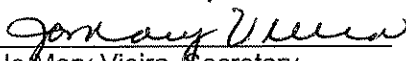
There being no further business, the Chair declared the meeting adjourned. All approved resolutions are on file electronically with the Board of Acquisition and Contract.



(Jo Mary Vieira – Secretary)

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

Dated 7/30/10



Jo Mary Vieira, Secretary
Board of Acquisition & Contract