

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, OCTOBER 7, 2010 AT 11:00 A.M.**

County Executive
Chair, Board of Legislators
Commissioner of Public Works
Deputy County Executive
Deputy County Attorney
County Executive's Office
Office of Budget
Deputy Commissioner, Dept. of Finance
Board of Legislators
Board of Legislators
County Executive's Office
Secretary BAC
Assistant Secretary BAC

Rob Astorino
Ken Jenkins
John Hsu
Kevin Plunkett
Jim Robertson
William Mooney
Patricia Haggerty
Dennis Kelly
Anne Reasoner
Larry Goldstein
Carl Pagano
JoMary Vieira
Joan Cocciardi

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.

Mr. Jenkins said, "Although the Board supports item #2, resolution #13964 from the Department of Emergency Services to accept a grant from 8/9/09-7/31/12, we have asked for specific data in the grant that we have not received as of yet. Specifically, an item on the equipment list is for CBRNE Chemical Biological Radiological Nuclear and Explosive vehicles for a total of \$400,000.00. We asked for a breakdown of the cost per vehicle, who was going to use those vehicles and where they were going to be housed. There is also a budget item of \$531,792.00 for DPS Special Operations Training and Exercises. We want to understand whether that was in conjunction with DES personnel, volunteers, local fire and police or not. Additionally, we want to understand where the Mass Casualty Transport vehicle will be housed, whether we are going to coordinate with the Medical Center and if there is an IMA with the Medical Center that is still in effect to staff the vehicle in an emergency. Finally, there was another \$300,000.00 in the contract services for facility hardening. We want to understand what that was for, equipment to harden or secure a facility and if that was so, which facility that would be?"

Acquisition & Contract. Minutes of the meeting of 9/30/10 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. (13948) **Parks** - Amend an 8/5/10 Resolution to enter into a License Agreement with Ticketmaster L.L.C., NYC, for the provision of box office service at the Westchester County Center, from 8/1/10 – 7/31/15, in order to authorize the License Agreement to contain a clause which would authorize the County to provide Ticketmaster prior written approval to assign the license agreement to a Ticketmaster affiliate provided such approval is not unreasonably withheld.

K. O'Connor

Laid over by the Board of Legislators – 9/30/10

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

2. (13964) **CE/Emergency Services** - Enter into a grant agreement with the New York State Division of Homeland Security and Emergency Services to accept grant funds, from 8/1/09 – 7/31/12, in an amount not to exceed \$2,151,792, to enhance Westchester County's capability to prevent, deter, respond to, and recover from threats or acts of terrorism and mitigate man-made and natural hazards in compliance with the FY09 Urban Area Security Initiative.

A. Sutton

Laid over by the Board of Legislators – 9/30/10

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

3. (8157) **Board of Legislators** – Enter into an agreement with Westchester Jewish Community Services, Inc., to provide a Geriatric Care Specialist who will work with the many resources in the County to meet the growing, changing and varied needs of the County's older adult community, from 2/1/10 – 1/31/11, for an amount not to exceed \$40,375.

K. Jenkins

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

4. (14039) **Board of Legislators –1)** Renew the agreement with Bennett Kielson Storch DeSantis, the Government Services Division of O'Connor Davies Munns & Dobbins, LLP, for an additional one-year term in order to extend the term of the agreement, from 11/17/10 – 11/16/11, and **2)** Agreement with Bennett Kielson, to reduce the not to exceed amount of this second one (1) year option period by \$10,000, for a new not to exceed amount of \$125,000.

K. Jenkins

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

5. (13747) **CE/Office for Women – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with Empire Justice Center, to provide various legal services for immigrant men and women who present problems associated with immigration, housing, employment, education, health and other systems, from 10/1/09 – 9/30/10, for an amount not to exceed \$100,000, by extending the term by three (3) months, from 10/1/10 – 12/31/10, and increasing the total amount by \$25,000, for a new total not to exceed amount of \$125,000.

D. Balistreri

6. (12948) **Planning** – Enter into an agreement with Legal Services of the Hudson Valley for the provision of legal services to eligible families in connection with housing resettlement and eviction prevention, from 1/1/10 – 12/31/10, for a total amount not to exceed \$343,248.

E. Buroughs

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

7. (12986) **Planning** – Amend an agreement with 326 Riverdale Owners LLC, pursuant to which the County conveyed to the Developer 1.25 acres of real property located at 330 Riverdale Avenue in the City of Yonkers for the purpose of providing one hundred thirty six (136) affordable rental apartments, for a period of fifty (50) years, by decreasing the period of affordability for the Affordable Units from fifty (50) years to thirty (30) years, noting that the original fifty (50) year period of affordability will continue to apply to any existing affordable

tenant(s) that remain in their unit or relocate to any other unit within the Development, and also providing for a different mix of affordability for the Affordable Units.

E. Buroughs

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

8. (12990) **Planning** – Amend an IMA with the City of Yonkers, to provide infrastructure improvements in support of units to be constructed as part of the affordable housing development known as 330 Riverdale Avenue in the City, by decreasing the period of affordability for the Affordable Units from fifty (50) years to thirty (30) years, noting that the original fifty (50) year period of affordability will continue to apply to any existing affordable tenant(s) that remain in their unit or relocate to any other unit within the Development, and also providing for a different mix of affordability for the Affordable Units.

E. Buroughs

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

9. (14249) **Planning** – Enter into an agreement by and among the County of Westchester, Graceland Terrace Housing Development Fund Corp and Cottage Landings, LLC, its designee or assigns (the Developer) to provide a grant in the total amount of \$1,356,000, from the Fair and Affordable Housing BPL-50 capital project in support of the Edgar Place Affordable AFFH Development in the City of Rye, which will consist of 18 fair and affordable Affirmatively Further Fair Housing one-bedroom and one bedroom plus dens ownership units on approximately 0.9 acres of real property, located at 15 Edgar Place in the City of Rye, from 10/7/10 – 10/6/12, of which \$1,227,000 shall fund acquisition of the AFFH share of the property and \$129,000 shall be used to fund the construction of publicly owned infrastructure in support of the Development.

E. Buroughs

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

10. (7701) **Planning – OVER BY BOARD OF LEGISLATORS.** Request authority, pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Westchester Residential Opportunities, Inc., White Plains.

E. Buroughs

11. (7702) **Planning – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with Westchester Residential Opportunities, Inc., for a Condominium and Cooperative Board Fair Housing Education Program and Asset Building/Individual Development Account Program, in an amount not to exceed \$30,000, from 1/1/10 – 12/31/10.

E. Buroughs

12. (14144) **Social Services - OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with The New York State Unified Court System, whereby the court system shall utilize the services of the City University of New York Hunter College School of Social Work, to facilitate the Disproportionate Minority Representation in the foster care research project, from 10/1/10 – 12/31/10, in an amount not to exceed \$16,667.

G. Mitchell

13. (14157) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with Westhab, Inc., to operate its Pathways to Progress Program designed to assist customers of the Temporary Assistance for Needy Families program and the Safety Net Maintenance of Effort Program, from 10/1/10 – 9/30/11, for a total amount not to exceed \$103,500.

G. Mitchell

14. (14135) **Labs and Research - OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the United States of America, acting by and through the U.S. Department of Justice, to accept a grant in the amount of \$111,858, to participate in the FY2010 Forensic Science Improvement program, from 10/1/10 – 9/30/11.

K. Ashar

15. (14164) **College -** Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Bargaining Associates, for labor negotiations and related matters.

J. Hankin

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

16. (14206) **College –** Enter into an agreement with Bargaining Associates for the provision of consulting services to Westchester Community College in connection with labor negotiations and related matters, from 9/1/10 – 8/31/11, for an amount not to exceed \$78,000, under the listed terms and conditions.

J. Hankin

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

17. (14072) **Probation – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the New York State Division of Criminal Justice Services, to operate the Detention Services Program, from 9/1/10 – 8/31/11, in an amount not to exceed \$71,171 in federal funds.

R. Pozzi

18. (14180) **Parks –** Amend an 8/19/10 Resolution to enter into a License Agreement with Richmond Community Services Foundation, Inc., or current owner of real property located at 622 Mountain View Road, Peekskill, to utilize an access entry drive across lands of the Briarcliff Peekskill Parkway (approximately 0.346 acres), from 8/1/10 – 7/31/15, for a license fee of \$100 per year, in order to correctly state the name of the licensee as Richmond Children's Center, Inc., d/b/a Richmond Community Services, grant Richmond approval to install and maintain a driveway area, allow for the use of an area for parking and for the installation of a gate approved by the Department of Parks, Recreation and Conservation, at the licensed premises.

K. O'Connor

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

19. (14232) **DPW –** Contract No. 09-509, with Verde Electric Maintenance Corp., for Traffic Signal and Street Lighting Improvements, Various Locations, Westchester County, New York. Completed work and Final Contract Amount of \$1,125,422.

J. Hsu

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

20. (14233) **DPW** - Contract No. 09-512, for Household Materials Recovery Facility, Valhalla Campus, Valhalla, New York. Advertise for bids.

J. Hsu

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

21. (14235) **DPW** – Contract No. 10-552, to Replace HVAC Unit No. 3, Central Maintenance Facility, 475 Saw Mill River Road, Yonkers, New York. Advertise for bids.

J. Hsu

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

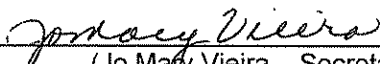
22. (14147) **DEF** - Enter into an IMA with each of the Villages of Tarrytown, Sleepy Hollow and Briarcliff Manor, to grant the Villages the right to connect to the DEP Pipeline Connection, which consists of two 48 inch pipes to the UV water treatment facility currently under construction by the Department of Environmental Protection at its Eastview site adjacent to the Grasslands Campus, and the right to use of the proposed County-owned distribution chamber to facilitate connection to and distribution of DEP ultra-violet treated water from the DEP Connection, commencing upon execution until Forty 40 years after execution, under the listed terms and conditions.

T. Lauro

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

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 10/7/10



Jo Mary Vieira, Secretary
Board of Acquisition & Contract