

**MINUTES OF THE MEETING OF THE  
COUNTY OF WESTCHESTER  
BOARD OF ACQUISITION AND CONTRACT  
HELD ON THURSDAY, NOVEMBER 18, 2010 AT 11:00 A.M.**

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

Kevin Plunkett  
Ken Jenkins  
John Hsu  
Jim Robertson  
Christine Sculti  
Patricia Haggerty  
Marguerite Beirne  
Dennis Kelly  
Anne Reasoner  
Barney Molloy  
JoMary Vieira  
Joan Cocciardi

**Mr. Plunkett presided.**

**Mr. Plunkett said, "The County Executive is out of the County and out of the State and has asked me to chair this meeting."**

**Mr. Plunkett 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.** Minutes of the meeting of 11/12/10 and the SEQR Review for agenda items.

J. Vieira

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

**Mr. Plunkett said, "I understand there needs to be some revisions made to last weeks minutes which would be accomplished through the assistance of Mr. Robertson, is that correct Madame Secretary?" Ms. Vieira replied, "Yes."**

**As directed by Mr. Plunkett, the motion to table resolutions 14592 and 14669 shall be deemed a motion to withdraw. The motion was unanimously approved.**

**Mr. Jenkins said, "Legislator Meyers, who represents the Rye area, received copies of letters addressed to County Executive Astorino from Doug French and from Catherine Parker stating their feelings on the Tiki Bar proposal that was in front of us and I just want to submit those for the record."**

1. (12787) **CE/Youth Bureau – Enter into an agreement with Westchester Jewish Community Services, Inc., to operate the Young Parents Achieve II Program, from 1/1/10 – 12/31/10, for a total amount not to exceed \$150,000.**

M. Cabaleiro

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

2. (14903) **CE/Youth Bureau** – Enter into an agreement with the Village of Tarrytown, to operate the Tarrytown/Sleepy Hollow Summer Day Camp program, from 7/5/10 – 8/13/10, for a total amount not to exceed \$50,000.

M. Cabaleiro

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

3. (11897) **Information Technology** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Iron Mountain, Inc., for secured underground environmentally controlled storage area services, for the Department of Information Technology Records and Archives Center.

M. Beirne

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

4. (11567) **Information Technology** - Enter into an agreement (IT-1168) with Iron Mountain, Inc., Boyers, PA, for the provision of secured underground environmentally controlled storage area services, for the Department of Information Technology Records and Archives Center, from 5/1/10 – 4/30/15, for a total not to exceed contract amount of \$64,072.

M. Beirne

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

5. (15008) **Information Technology – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement (IT-1181) with Cellco Partnership, a Delaware general partnership, doing business as Verizon Wireless, Bedminster, NJ, for cellular telephone and wireless data services, utilizing the terms and conditions of the New York State Office of General Services Contract PS63766, for a total amount not to exceed \$627,000, from 12/3/10 – 12/2/11.

M. Beirne

6. (15010) **Information Technology** - Amend agreement (IT-1148) with Cellco Partnership, a Delaware general partnership, doing business as Verizon Wireless, Bedminster, NJ, for cellular telephone and wireless data services, by increasing the amount of the agreement by \$14,000, to a new total not to exceed amount of \$564,000.

M. Beirne

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

7. (15040) **Information Technology** - Amend a 10/14/10 Resolution, which authorized the County to amend Contract IT-702 with Oracle USA, Inc., Reston, VA, for one year of on-site technical support services, from 11/1/10 – 10/31/11, for 250 person days of work, by increasing the amount by \$383,250, to a new total not to exceed contract amount of \$2,654,870, to reflect the consultant's name change from Oracle USA, Inc., to Oracle America, Inc.

M. Beirne

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

8. (15013) **Information Technology** - Extend a license agreement with the Bedford Central School District, for an additional five (5) years, from 9/7/10 – 9/6/15, for the placement of a radio antenna and related equipment on property owned by the School District and located at Fox Lane Road and South Bedford Road in Mount Kisco, NY, for an annual license fee of \$1.00, under the listed terms and conditions.

Beirne/Mahon

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

9. (15014) **Information Technology** - Extend a license agreement with the City of Peekskill, for an additional five (5) years, from 8/10/10 – 8/9/15, for the placement of a radio antenna and related equipment on property owned by the City and located at 181 Benefield Road, Peekskill, NY, for an annual license fee of \$1.00, under the listed terms and conditions.

Beirne/Mahon

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

10. (14280) **Law – OVER BY BOARD OF LEGISLATORS.** Request authority to amend the County's insurance policy for the "Small Bus" ParaTransit and Senior Programs & Services Fleets by adding additional general liability coverage and increasing the total not to exceed amount by \$27,000, for the policy covering the combined fleets, for a new total not to exceed \$488,000.

R. Meehan

11. (14367) **Planning** - Enter into an agreement with Westchester Residential Opportunities, Inc., through the Community Development Block Grant Program, in the amount of \$79,000, to conduct a senior housing counseling program that will help 130 senior homeowners in their reverse mortgage program, which will result in the issuance of 50 reverse mortgages, incorporate the United Way of Westchester and Putnam's 211 program into the intake process and assist 30 seniors with securing affordable appropriate community based rental housing in the Westchester Urban County Consortium communities, from 7/1/10 – 6/30/11.

E. Buroughs

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

12. (14369) **Planning** - Enter into a grant agreement with Westchester Residential Opportunities, Inc., through the Community Development Block Grant Program, to provide mortgage foreclosure counseling and legal services to income eligible homeowners in the Westchester Urban County Consortium, who are going through and/or anticipate having a mortgage foreclosure/default problems, and incorporate the United Way of Westchester and Putnam's 211 program into the intake process, in the amount of \$85,000, from 7/1/10 – 6/30/11.

E. Buroughs

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

13. (14372) **Planning** - Enter into an agreement with Westchester Residential Opportunities, Inc., through the Community Development Block Grant Program, to conduct an Equal Housing Opportunity Program in the Westchester Urban County Consortium communities, to promote Fair Housing in Westchester, and incorporate the United Way of Westchester and Putnam's 211 program into the intake process, in the amount of \$79,000, from 7/1/10 – 6/30/11.

E. Buroughs

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

14. (14898) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to 1) amend an agreement with the New York State Department of Labor to accept a grant from 1/1/09 – 6/30/10, for an amount not to exceed \$93,750, by increasing the total not to exceed amount authorized thereunder by an additional \$37,500, for a new total not to exceed amount of \$131,250, to be used to provide additional services and cover administrative costs; and 2) amend an agreement with Westchester Independent Living Center, Inc. , to administer the "Disability Program Navigator", from 1/1/09 – 6/30/10, for an amount not to exceed \$84,375, by increasing the total not to exceed amount an additional \$33,750, for a new total not to exceed amount of \$118,125, for additional services.

G. Mitchell

15. (15038) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with the Business Council of Westchester to maintain the Career Institute to provide linkages between businesses and youth at the Westchester Workforce Development Academy for Youth, from 4/1/08 – 9/30/10, for an amount not to exceed \$140,000 by: 1) increasing the total not to exceed amount an additional \$25,000, for a total not to exceed amount of \$165,000 to be paid monthly pursuant to an approved program budget and 2) extending the end date of the agreement to 12/31/10.

G. Mitchell

16. (14950) **District Attorney –** Enter into an agreement with Firefly Ltd. d/b/a Firefly Migration to provide consulting services in connection with the migration of its case management software system, for an amount not to exceed \$150,000 consisting of \$130,000 for the migration effort and \$20,000 for any necessary training at \$10,000 per week, commencing upon execution for a term of 1 year.

J. DiFiore

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

17. (15053) **Probation -** Enter into an agreement with the New York State Division of Criminal Justice Services, to implement the Westchester County Alternatives To Incarceration Service Plan, from 1/1/10 – 12/31/10, in an amount not to exceed \$657,566 and subcontract, where appropriate, with the listed agencies.

R. Pozzi

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

18. (15017) **DPW –** Contract No. 10-211, for Gravel Stormwater Wetland Construction, Bronx River Parkway Reservation, North of Parkway Homes Road, Town of Greenburgh, New York. Awarded to Low Bidder, Landi Contracting Inc., (WBE), Hawthorne, in the amount of \$88,985.

J. Hsu

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

19. (15018) **DPW –** Contract No. 06-557-P, with Southeast Plumbing Corp., for Generator Replacement, Central Maintenance Facility, Department of Transportation, 475 Saw Mill River Road, Yonkers, New York. Completed work and Final Contract Amount of \$65,526.48.

J. Hsu

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

20. (15019) **DPW** – Obtain a proposal and negotiate a fee with PB Americas, Inc., NYC, in connection with Engineering Services for the Central Avenue Bus Rapid Transit System Improvements, Cities of White Plains and Yonkers and Town of Greenburgh, New York. (#10-939)

J. Hsu

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

21. (15020) **DPW** – Contract No. 08-534, for Emergency Generator Replacement, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York. Advertise for bids.

J. Hsu

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

22. (15021) **DPW** – Contract No. 10-503, for Roofing Replacement – Phase I, Various Parks Facilities, Westchester County, New York. Reject Bids and Re-Advertise for bids as 10-503-Rev.

J. Hsu

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

23. (15022) **DPW** – Contract No. 10-509, for HVAC Equipment Upgrades and Odor Control Improvements, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York. Advertise for bids.

J. Hsu

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

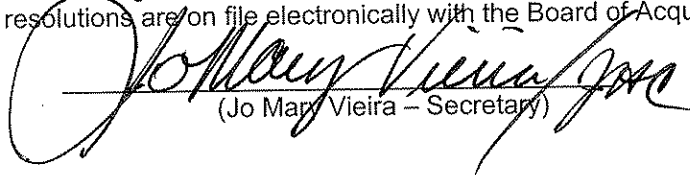
24. (15023) **DPW** – Contract No. 10-561, for Installation of Energy Efficient Lighting, Central Maintenance Facility, 475 Saw Mill River Road, Yonkers, New York. Advertise for bids.

J. Hsu

**Mr. Plunkett 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 11/19/10  
  
Jo Mary Vieira, Secretary  
Board of Acquisition & Contract



## CITY OF RYE

DOUGLAS FRENCH  
MAYOR

*R.F.*

Dear County Executive Astorino:

As a follow-up to my e-mail communication last week, I am writing about the pending decision on the expansion of the Tiki Bar. Similar to you, I have gotten a huge outpouring from residents who have significant concerns not only about the impacts an expansion will bring, but also about the impact of current establishment.

The Tiki Bar brings a lot of benefits to Rye and County residents by providing access and dining to the waterfront, but there have been increasingly more and more neighborhood and public access impacts that should be further evaluated prior to an additional expansion.

These are the key points as I have heard them:

- **Current Restaurant Track Record:** There has been a track record with both of the commercial establishments on the sound shore (the Tiki Bar and Seaside Johnnies) where commercial impacts have adversely affected residential quality of life. As they have with the Rye Town Park Commission and Seaside Johnnies, residents would like the time and opportunity to share their concerns with the County. Given the transition in park personnel with retirements and changes, there has not been adequate engagement and representation on these matters.

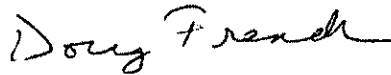
Attached to my letter is a summary of those concerns from Catherine Parker, Rye City Councilwoman, and liaison to our Playland Advisory Committee -- a representative group of Rye residents reporting to the City Council. We have a long-standing Playland Advisory committee that has worked over the years with County Park management on relaying residential concerns.

- **Contract Vetting:** Residents would like to know more about the contract and its elements to provide feedback prior to any additional approvals, and understand what controls are in place to ensure compliance. When commercial and residential interests come together, it is better to evaluate their impacts up front rather than try to find remedies after the fact as is the case we are finding with the current agreement.
- **Long-term Vision:** Understandably, there is concern about what the future may bring in terms of development at the park and the RFP. Although with potential risk comes opportunity, the residents would like to ensure the City has a voice in what the future may bring since the City will feel its full impact.

Having said that, residents understand that no new leases will be entered into until the RFP process is completed, but this should also include scrutiny of changes in current leases for their local impact and to ensure that the County and the City are working together.

In summary, the City's position is to delay or deny the application to expand the current lease arrangement with the New England Seafood Company for all of the reasons outlined above. Thanks very much for your consideration; I appreciate your attention to this matter.

Best Regards,

A handwritten signature in cursive script that reads "Doug French".

Douglas French  
Mayor

cc: Rye City Council  
Scott D. Pickup, City Manager  
Judy Myers, County Legislator



## CITY OF RYE

1051 BOSTON POST ROAD RYE, NY 10580-2996  
TEL: (914) 967-5400 FAX: (914) 967-4604

November 15, 2010

Dear County Executive Astorino:

Rye values its sound shore and Rye values Playland. In Rye we know that when a statistic is mentioned stating "70% of visitors to Playland are not Westchester County residents", that the figure does not represent those of us who enjoy the boardwalk, pier, and seashore walkway. Rye citizens consider themselves most fortunate to have this access right in their own community. Therefore, Rye opposes the expansion of the Pier Restaurant and Tiki bar, and asks you to take a further look at your contractual obligations before there is a more permanent violation of the rights of the public to parkland waterfront access.

This year has been relatively quiet concerning Playland with the exception of the Tiki Bar. The Rye Advisory Group has heard from many citizens who shared concern that the publicly accessible space of the boardwalk, pier, and seashore walkway was in jeopardy. Our citizens feel strongly that the operations of the Tiki Bar have encroached on these areas negatively. Many of those who enjoy running or walking expressed a feeling of "passing through the middle of a restaurant" as they made their way. There was also an appearance that tables, barricades and other restaurant equipment appeared to be blocking access.

Additionally, another source of complaints have been the continued use of golf carts to shuttle patrons and supplies between Tiki and the restaurant at Rye Town Park. There has been a sense of endangerment for those walkers who are sharing space on the paths and boardwalk with the vehicles.

The Playland Advisory Group has communicated with Playland management on these issues and all involved seemed to feel that a balance between tenant and the public interest was less than satisfactory. We are asking that as you consider renegotiating the county contract, you put the public's interest in enjoying the seashore park ahead of restaurant operations.

Thank you for your consideration.

Sincerely,

*Catherine Parker*

Catherine Parker  
Councilmember - City of Rye  
Liaison for the Playland Advisory Group