

**MINUTES OF THE MEETING OF THE  
COUNTY OF WESTCHESTER  
BOARD OF ACQUISITION AND CONTRACT  
HELD ON THURSDAY AUGUST 18, 2011 AT 11:00 A.M.**

County Executive	Robert P. Astorino
Chair, Board of Legislators	Ken Jenkins
Commissioner Public Works & Transportation	John Hsu
Deputy County Executive	Kevin Plunkett
Deputy County Attorney	Jim Robertson
Commissioner Budget	Pat Haggerty
Deputy Commissioner, Dept. of Finance	Dennis Kelly
County Executive's Office	Bill Mooney
County Executive's Office	Christine Sculti
Board of Legislators	Anne Reasoner
Board of Legislators	Larry Goldstein
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	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, "On Item 3, #20831 Youth Bureau, the Board did submit item 3. We certainly have no problem sharing the love with the Youth Bureau and wanted to make sure the Board and the administration would move forward, if that would be acceptable to you."**

**Mr. Astorino responded, "What are you asking?"**

**Mr. Jenkins said, "We are asking that the Board be added to item #3 as the Board initially submitted this particular resolution on May 3."**

**Mr. Astorino responded, "This isn't a Board act."**

**Mr. Jenkins said, "This is a Board act. We certainly have the record with your veto on December 15<sup>th</sup> for particular parts of the record and certainly the Board added this particular item. It is in the miscellaneous budget where the Board has control of that particular item. It is not an item where it is outside of the Board's peruse. Many times we have various departments that manage the contracts for oversight purposes for transparency, etc. We certainly request that we would both do that together. We have met with Cornell Cooperative Extension, made modifications in where the project was being managed by, took into consideration the additional oversight requests that the Youth Bureau would have in this particular thing, and it seems that it would be a reasonable request to do."**

**Mr. Plunkett responded, "The Chairman did speak to me about this. My position was the administration monitors and controls the particular activities under this particular resolution. I did not think it was appropriate to add the Board as a co-sponsor of this particular A&C resolution. There are many other resolutions where the Board has added back money in different projects in different particular programs that the Board is not a co-sponsor on. I did inform through Christine, I think we informed Anne, that we respectfully understand the request by the Chairman, yes there were meetings with the Board of Legislators and yes we**

are moving forward, but the administration of this and the sponsoring of this should be done strictly through the Youth Bureau who will be monitoring this contract.”

Mr. Jenkins said, “With that consideration, there was another item that we actually just received this morning for the accreditation standards for Cornell Cooperative Extension that we have not had an opportunity to review. We just received it this morning. That being the case, I think we should over it right now and then we can continue the discussion and work through that to make sure that we are all sync on it.”

Mr. Jenkins also said, “There are 2 different items we are working on. One is to do a continued follow-up with the Sprain Ridge Pool design aspects. We will bring further information and have a full package available for the Board’s review next week. The second item has to do with the Food Stamp Nutrition Education Program, which is a Federal program and has no county dollars associated with it. Cornell Cooperative Extension is the vendor for this contract. The Board, maybe a month ago, extended the contract for this particular activity until the end of the year; however there is a new grant cycle that starts in October and the concern at this moment is that we need to have the County advance to the Federal government that there would be support from the County in distributing this money. There are no county dollars associated with this program. If we could ask, Mr. Chairman, through you and your staff to look and see where that particular item is because the application will not be considered at the Federal level unless the county supports it.”

Mr. Astorino asked, “Which Federal department?”

Mr. Jenkins said, “We do not know. We will get that information for you.”

Mr. Plunkett said, “So this is for the next funding cycle.”

Mr. Jenkins responded, “Yes, it starts October 1<sup>st</sup>.”

Mr. Robertson said, “Christine just gave me an email she received from the Planning Department. This has to do with Items 1 (#20510) and 2 (#20511). It looks like they changed the not to exceed amount, which is different from what is in the calendar, on Items 1 and 2, from \$343,223 to \$308,923. It’s problematic in that public notices have gone out with the \$343,223, so if it is the intent of the department to change the not to exceed we would have to do it by a motion or withdraw it now.”

Mr. Plunkett said, “Doesn’t not to exceed language cover that?”

Mr. Robertson responded, “They are reporting to us that they have actually changed the resolution in OnBase.”

Mr. Jenkins said, “The not to exceed amount would have covered that. If it’s a lesser amount it’s a not to exceed amount but because the resolution has changed at this moment in time.”

Mr. Jenkins made a motion to reconsider items 1 and 2. Mr. Hsu seconded it.

Mr. Jenkins motioned to table items 1 and 2 until next scheduled A&C meeting. Mr. Hsu seconded it.

**Acquisition & Contract.** Minutes of the meeting of 8/11/11 and the SEQR Review for agenda items.

J. Vieira

1. (20510) **Planning – TABLED 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 Legal Services of the Hudson Valley, for the provision of legal services to eligible low income households in need of eviction protection.

E. Buroughs

**Withdrawn by Department – 8/11/11**

2. (20511) **Planning – TABLED BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with Legal Services of the Hudson Valley, for the provision of legal services to eligible low income households needing eviction prevention, from 1/1/11 – 12/31/11, for a total not to exceed amount of \$343,223.

E. Buroughs

**Withdrawn by Department – 8/11/11**

3. (20831) **CE/Youth Bureau – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with Cornell Cooperative Extension Association of Westchester County to conduct a number of county-wide educational programs in accordance with an agreed-upon scope of services, to be held at the County's Hilltop Hanover Farm and Environmental Center, as well as various other locations, from 1/1/11 – 12/31/11, for an amount not-to-exceed \$990,000.

M. Cabaleiro

4. (20843) **CE/Youth Bureau -** Enter into an agreement with the Community Planning Council of Yonkers, Inc., to operate the W.O.R.K. Program, from 1/1/11 – 12/31/11, in the total not to exceed amount of \$30,380.

M. Cabaleiro

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

5. (20303) **CE/Office for Women - 1)** Enter into an agreement with Legal Services of the Hudson Valley to provide legal services to the indigent at the County's Mount Vernon District Office, and **2)** Subcontract with My Sisters' Place, Inc., to provide legal services as well as crisis intervention and individual counseling to women who are victims of domestic violence; and **3)** Subcontract with the Empire Justice Center to provide legal assistance to immigrants, from 3/1/11 – 2/29/12, in an amount not to exceed \$517,500, under the listed terms and conditions.

D. Balistreri

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

6. (20842) **Information Technology -** Amend an Agreement (IT-768) with Verizon Credit, Inc., pursuant to which the County leased from Verizon Credit certain equipment and software necessary for the operation of an Enhanced 911 system for a number of Public Safety Answering Points, for a term of five (5) years, for monthly payments of \$29,845.47, in order to **1)** change the list of equipment being leased, **2)** change the locations at which the leased equipment is installed, **3)** change the Master Lease monthly payment of \$29,845.47 and total not to exceed amount of \$1,790,728.20, to a new total not to exceed amount of \$2,002,037.26, and **4)** extend the overall termination date of the Master Lease from 12/28/10 to 2/28/13.

M. Beirne

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

7. (20156) **County Attorney -** Settle the Lawsuit of EDWARD YURUS v. COUNTY OF WESTCHESTER, in the amount of \$19,600.

R. Meehan

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

8. (20729) **Social Services -** Amend an agreement with Westchester Community Opportunity Program, Inc., to operate the Oasis Homeless Shelter Warming/Drop-in site, by increasing the not to exceed amount by \$26,000, thereby authorizing the County to amend the

agreement for a new amount not to exceed \$526,000.

K. McGuire

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

9. (20832) **Social Services** - Amend a 7/7/11 Resolution with ten (10) agencies to operate a summer youth employment program for a certain number of TANF eligible youth ages 14-21 as part of the Summer Jobs Express! Program, from 6/13/11 – 9/30/11, by replacing the first “RESOLVED” clause with the following: to enter into an agreement with each of the ten (10) agencies listed, to operate a summer youth employment program for a certain number of TANF recipient youth ages 14 to 21 and WIA eligible youth ages 14 to 21, as part of the overall Summer Jobs Express! Program that will serve 394 eligible youth, for a total aggregate amount not to exceed \$1,027,394 from 6/13/11 – 9/30/11.

K. McGuire

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

10. (20620) **Social Services** - Amend a 10/8/09 resolution for a Lease Agreement with the Village of Scarsdale for a one-family home located at 2 Drake Road, Scarsdale, with an annual rent of \$5,112, from 5/1/09 – 4/20/14, in order for Scarsdale to waive the rent for the period 5/1/11 – 4/30/12.

McGuire/Mahon

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

11. (20834) **Social Services** - Exercise the third of three options to 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 9/1/11 – 8/31/12, for the contract extension amount of \$2,930,005 for a total contract amount not to exceed \$10,556,645.

McGuire/Hsu

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

12. (20762) **Community Mental Health** - Amend a 12/22/10 Resolution to enter into IMA's with local municipalities and Putnam County to carry out the purposes of Article 25 and Article 41 of the New York Mental Hygiene Law to provide employee assistance programs for which the municipalities shall pay the County the rates specified in Schedule “A” for these services, from 1/1/10 – 12/31/14, to **1)** remove the Westchester County Medical Center from the list of municipalities authorized to receive such services; **2)** add the Town of Rye and Lake Mohegan Fire District to the list of municipalities authorized to receive such services at the rates set forth; and **3)** change the rate per employee for the agreements with the City of White Plains and the County of Putnam and with the City of New Rochelle, under the listed terms and conditions.

G. Mitchell

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

13. (20739) **Health** - Enter into a contract amendment with the New York State Department of Health for the Tobacco Enforcement Program Grant, in order to extend the contract termination date from 9/30/11 to 3/31/12, and increase the not to exceed amount by \$119,110, for a

new total not to exceed amount of \$414,480.

C. Archbald

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

14. (20769) **Health** - Enter into a contract amendment with the New York State Department of Health for the Primary Prevention of Childhood Lead Poisoning Program Grant, in order to extend the contract termination date from 9/30/11 to 3/31/12, and increase the not to exceed amount by \$305,328, for a new total not to exceed amount of \$958,984.

C. Archbald

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

15. (20702) **College** – Contract No. WCC-10-892, with Mohegan Associates, Inc., for Construction of Security Fence, Westchester Community College. Completed work and approval of Final Contract Amount of \$52,690.40.

J. Hankin

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

16. (20752) **Public Safety** - Enter into an agreement with the New York State Division of Homeland Security and Emergency Services to accept Federal funds through the State Law Enforcement Terrorism Prevention Program, in an amount not to exceed \$50,000 to purchase an Explosive Detection Canine, related equipment and supplies, and to pay necessary training costs, associated with the Department's use of a New York State Division of Criminal Justice Services certified dog trainer and designated assistant, from 11/22/10 – 7/13/13.

G. Longworth

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

17. (20764) **Public Safety** - Enter into a grant agreement with New York State Division of Criminal Justice Services, to operate the Westchester County Policing Program, from 4/1/11 – 3/31/12, in an amount not to exceed \$1,984,000.

G. Longworth

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

18. (20692) **DPW/Transportation** - Amend Agreement No. 03-926 with Stearns & Wheeler, LLC, Cazenovia, NY, for the provision of engineering services in connection with the Pumping Station Upgrade and Electrical Equipment Upgrade at the North Yonkers Pump Station in Yonkers, New York, by extending the term date to 12/31/11.

J. Hsu

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

19. (20771) **DPW/Transportation** – Contract No. 11-541, for Resurfacing and Related Improvements, Wappanocca Avenue and Ridge Street from Highland Avenue to High Street, A Distance of 0.62 Miles, City of Rye, New York. Advertise for bids.

J. Hsu

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

20. (20772) **DPW/Transportation** – Contract No. 09-528, with Best Roofing of NJ, Inc., for Roof Replacement, 85 Court Street, White Plains, New York. Approved Change Order No. 1 in the amount of \$69,261.74.

J. Hsu

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

21. (20773) **DPW/Transportation** – Contract No. 10-531, with Joken Development Corp., for Installation of New Water Service, Tibbetts Brook Park, Yonkers, New York. Approved Labella Electric, Inc., Port Chester, Harvest Plumbing & Heating, Inc., Brewster, and Post Road Iron Works, Inc., Greenwich, as subcontractors.

J. Hsu

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

22. (20774) **DPW/Transportation** – Contract No. 09-544, with Bilotta Construction Corp., for Final Closure, Sprout Brook Residue Disposal Facility, Cortlandt Manor, New York. Approved the four (4) listed subcontractors.

J. Hsu

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

23. (20775) **DPW/Transportation** – Contract No. 10-566-Rev., for Roofing Replacement, Jail Annex and Radio Tower Building, Norwood E. Jackson Correctional Center, Valhalla Campus, Valhalla, New York. Awarded to Low Bidder, Monpat Construction, Inc., (MBE), Flushing, in the amount of \$954,000, and approval of S.A.HVAC Inc. as a subcontractor. (2 bids)

J. Hsu

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

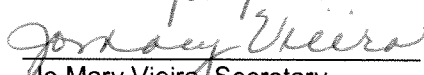
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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.

  
(JoMary Vieira – Secretary)

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

Dated 8/22/11

  
Jo Mary Vieira, Secretary  
Board of Acquisition and Contract



Robert P. Astorino  
County Executive

December 15, 2010

Members of the Westchester County  
Board of Legislators  
148 Martine Avenue  
White Plains, New York 10601

Dear Honorable Board:

Pursuant to Sections 167.101 of the Laws of Westchester County, the following attached budget addition to the proposed 2011 Westchester County Budget adopted as Act 168-2010 by your Honorable Board on December 10, 2010 and presented to me on December 10, 2010, is hereby returned to the County Board with my disapproval for the reasons set forth herein.

This add of \$ 990,000 in expense to the Miscellaneous Budget is not warranted at this time. The amount in the proposed budget was sufficient to accomplish the purpose designated. In order to save tax dollars, all unnecessary spending must be eliminated. My proposed 2011 budget does that. Moreover, alternative funding or programs are available elsewhere within the County or through non-County sources.

Your Honorable Board offers no explanation or justification for this additional cost to taxpayers.

In keeping with my pledge to County taxpayers to reduce the size and cost of County government this added and totally unnecessary expenditure is vetoed and returned.

Sincerely,

Robert P. Astorino  
County Executive

Office of the County Executive

Michaelian Office Building  
White Plains, New York 10601

Telephone: (914) 995-2900

E-mail: ce@westchestergov.com

Attachment: (52) 2170-2170-Cornell Coop Ext-\$990,000-DRAFT (3960 : (52) 2170-5100-Cornell Cooperative Ext.-\$990,000)