

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, MARCH 3, 2016 AT 11:00 A.M.**

Deputy County Executive
Chairman, Board of Legislators
Budget Director
Deputy County Attorney
Commissioner of Finance
County Executive's Office
Budget
Board of Legislators
Board of Legislators
Board of Legislators
Board of Legislators
Secretary BAC
Assistant Secretary

Kevin Plunkett
Michael Kaplowitz
Lawrence Soule
Jim Robertson
AnnMarie Berg
Christine Sculti
Mark Medwid
Greg Casciato
Gary Friedman
Allie Restiano
Steve Bass
Lisa Mrijaj
Joan Cocciardi

Mr. Plunkett presided.

Mr. Plunkett said, "For the record, has the Secretary to the Board gone to the reception area to invite any members of the public who wish to attend today's meeting to come to the conference room?"

Ms. Mrijaj confirmed that she had done so.

Mr. Kaplowitz said, "Mr. County Executive I would just ask that the IMA language be put on the minutes for today."

Mr. Plunkett said, "I think the Board has once again put on the record the position that they have with respect to the approvals of matters that are subject to an IMA. That matter is in litigation. We are all waiting for a decision from the Appellate Court."

Acquisition & Contract. Minutes of the meeting 2/25/16 and the SEQR Review for agenda items.

L. Mrijaj

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

1. (50890) **County Executive** - Enter into an IMA with the Town of Cortlandt to sub-allocate to the Energy Improvement Corporation as the Town's instrumentality for the purpose of financing the acquisition, construction and installation of renewable energy systems and energy efficiency improvements and the verification of the installation of such systems and improvements, for an amount not to exceed \$103,507, to be used for the property of St. Christopher's Church in the Village of Buchanan, commencing upon execution, under the listed terms and conditions.

R. Astorino

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

2. (50917) **County Executive** - Enter into an agreement with the Westchester Arts Council, Inc. or/ra ArtsWestchester to administer and deliver the County of Westchester's cultural services to County residents; develop and implement County-wide cultural activities in an amount not to exceed \$1,547,000, from 1/1/16 – 12/31/16.

K. Plunkett

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

3. (50994) **County Executive** - Enter into an agreement with the County of Westchester Industrial Development Agency to provide office space, personnel and support services to the WIDA for the period 1/1/16 – 12/31/16, in an amount not to exceed \$973,660, in accordance with Schedule "A".

R. Astorino

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

4. (50939) **CE/Office for Women** - Enter into an agreement with the YWCA of White Plains and Central Westchester to provide child care in the Richard J. Daronco Courthouse in White Plains, from 1/1/16 – 12/31/18, for a total amount not to exceed \$148,011.

R. Schlaff

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

5. (50940) **CE/Office for Women** - Enter into an agreement with the YWCA of White Plains and Central Westchester to provide child care in the Courthouse in New Rochelle, from 1/1/16 – 12/31/18, for a total amount not to exceed \$221,106.

R. Schlaff

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

6. (51186) **County Attorney** – Amend a retainer agreement with the Wicks Group, PLLC for the provision of outside counsel services in connection with various legal issues relating to the Westchester County Airport, by **1)** extending the term of the agreement for one (1) additional year commencing on 11/22/15 – 11/21/16; **2)** increasing the amount by \$100,000, to a new not to exceed amount of \$400,000; and **3)** increase the blended hourly rate from \$300.00 to \$350.00 or \$2,000 per day per attorney.

R. Meehan

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

7. (51192) **County Attorney** – Enter into an outside counsel retainer agreement with the law firm of Saretsky Katz & Dranoff, LLP to represent the County of Westchester in the legal action entitled Connecticut Fund for the Environment, Inc. (Save the Sound), et al.v. Westchester County, et al 15-CV-06323-CS, from 2/23/16 – 2/22/21, in an amount not to exceed \$100,000, under the listed terms and conditions.

R. Meehan

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

8. (50916) **Social Services** - Enter into an agreement with Harrison Edwards, Inc. to provide marketing and promotional services for the County's Ready-to-Work initiative from 1/15/16 - 10/31/18, for a total not to exceed amount of \$100,000.

K. McGuire

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

9. (50914) **Social Services** - Amend two agreements with The Sharing Community, Inc., to operate a transitional residence for homeless single men and women at a facility known as Travers House located at 100 Vark Street, Yonkers, from 1/1/14 - 12/31/14, in the amount of \$515,705 and the other for the term 1/1/15 - 12/31/15 in the amount of \$495,549, in order to increase the amount payable to each agreement by \$115,852 and \$117,163 respectively for a new total amount not to exceed \$631,557 for 2014 and \$612,712 for 2015 to cover the costs that exceeded the budgeted amounts for these two contract terms due to the unforeseen severe weather conditions which resulted in serving more people that had been anticipated.

K. McGuire

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

10. (50916) **Social Services** - Enter into a grant agreement with the United States Department of Health and Human Services Administration for Children and Families (Award No. 90CA1837-01-00) to provide Phase Two of a Youth Homelessness Prevention Initiative entitled "Westchester Building Futures" from 9/30/15 - 9/29/16, in the amount of \$670,000.

K. McGuire

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

11. (50919) **Social Services** - Amend the 11/24/15 Resolution to solicit bids by public advertisement for a contract for the provision of Non-Emergency Moving and Storage Services for *planned* "non-emergency" moves of households eligible for temporary housing within Westchester County, as well as storage services, for a two-year period, with the County having the option to extend for two additional one-year periods, by changing the term of the proposed Agreement for which authority to advertise is being sought, from two-years, with the County having an option to extend the contract for two (2) one-year periods, for a term of only one-year, with the County having an option to extend the contract for up to three (3) additional one-year periods.

K. McGuire

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

12. (50934) **Social Services** - Amend the agreement with The Sharing Community, Inc., **1)** to operate a shelter for homeless single customers at a facility known as Broadway Manor Residence located at 101 North Broadway, Yonkers; **2)** to operate an emergency overnight center at a facility known as the Broadway Manor Emergency Overnight Center also located at 101 North Broadway, Yonkers, from 1/1/15 - 12/31/15 for an amount not to exceed \$790,643, by increasing the amount by \$121,359, for a new total not to exceed \$912,002 as the actual costs of operation of the facilities exceeded the budgeted amounts mainly due to the unforeseen severe weather conditions which resulted in serving more people that had been anticipated.

K. McGuire

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

13. (50908) **Social Services** - Enter into an agreement with Laboratory Corporation of America Holdings to provide genetic marker test services and supportive testimony as ordered by the Family Court in disputed paternity proceedings for an amount not to exceed \$30,000, which also includes the cost of expert witness testimony from 1/1/16 – 12/31/16 under the listed terms and conditions.

K. McGuire

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

14. (50912) **Health** - Enter into agreements with various providers listed in Schedule "A" to provide TB clinic patient chest X-rays and other radiological tests and interpretations as needed, from 3/1/16 – 2/28/17 in the not to exceed amount of \$26,000, and adding the listed indemnification language to the proposed agreements under the listed terms and conditions.

S. Amler

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

15. (50932) **Health** - Renew an agreement with McCall Management Group LLC (Michael R. McCall) for the provision of professional services to coordinate the County's pest management services in consultation with the Westchester County Pest Management Committee, from 4/1/16 – 3/31/17, for a not to exceed amount of \$39,960 under the same terms and conditions of the original agreement.

S. Amler

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

16. (50977) **Health** - Enter into contract to accept funding from Health Research, Inc., for the Expanded Partner Services Pilot Program Grant, from 4/1/16 – 3/31/17 in the not to exceed amount of \$115,500.

S. Amler

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

17. (50909) **Parks** – Contract No. PRC-1046 for Pest Control/Exterminating Service, Various Parks, Recreation and Conservation Locations In Westchester County, New York. Advertise for bids.

K. O'Connor

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

18. (50860) **Planning** - Amend a prior resolution to enter into an IMDA with the Town of Bedford and Antioch Baptist Church Housing Development Fund Corp., its successor or assign for the construction of certain infrastructure improvements in support of the affordable affirmatively furthering fair housing development to be constructed at 147, 165 and 175 Railroad Avenue, Town of Bedford, in an amount not to exceed \$500,000 from Capital Project BPL1A Housing Implementation Funds II, in order to change the legal corporate name of the HDFC entity to Antioch Homes Housing Development Fund Corp., its successor or assign and to change the term of the agreement from a five-year term commencing upon execution, to a term commencing on 1/1/16 and terminating on 12/31/20.

E. Buroughs

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

19. (50967) **DPW/Transportation** - Amend Agreement No. 13-916, with the State of New York Department of Transportation for the Rehabilitation of the Ashford Avenue Bridge over Saw Mill River Parkway, South County Trailway, Elm Street, I-87 and the Saw Mill River, Villages of Ardsley and Dobbs Ferry, Westchester County, New York, wherein the State shall provide additional Federal funds in a sum not to exceed \$2,908,800, reducing the overall County share of the Project by a corresponding amount.

J. Pisco

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

20. (50960) **DPW/Transportation** - Amend Agreement No. DOTGA 14-05 with STV Incorporated, NYC, by providing additional professional consulting services in connection with the development of technical specifications for a 60-foot hybrid articulated bus for the Bee-Line bus fleet, for a fee not to exceed \$16,865.11, increasing the total maximum fee to an amount not to exceed \$136,499.11.

J. Pisco

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

21. (50985) **DPW/Transportation** - Enter into an agreement with Pamal Broadcasting, Ltd., Beacon, NY, to buy radio advertising to support the efforts of the County's SMART Commute Program by promoting the use of public transit and other green commute alternatives in order to reduce drive alone commuting; mitigate traffic congestion and reduce emissions on the County's major roadways, from 3/1/16 – 12/31/16, at a not to exceed amount of \$60,000. (Agreement No. DOTSM16-01)

J. Pisco

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

22. (50961) **DPW/Transportation** - Renew Contract 13-206 with Grotto Plumbing Inc., for Service Contract for Plumbing Repairs, Various Locations, Westchester County, New York, by, **a)** increasing the amount by \$134,946, to a new amount of \$337,365 and **b)** extending the termination date from 12/31/16 to 12/31/18.

J. Pisco

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

23. (50962) **DPW/Transportation** - Renew Contract 13-215 with American Petroleum Equipment & Construction Co., Inc. for Maintenance Service for Fuel Systems and Related Equipment, Various County Facilities, Westchester County, New York, by **a)** increasing the amount by \$581,260 to a new amount of \$1,453,150, and **b)** extending the termination date of the agreement from 12/31/16 to 12/31/18.

J. Pisco

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

24. (50963) **DPW/Transportation** - Renew Contract 13-216 with American Petroleum Equipment & Construction Co., Inc. for Environmental Remediation for Petroleum Based Products, Various County Facilities, Westchester County, New York, by **a)** increasing the amount by \$304,740, and **b)** extending the termination date of the agreement from 12/31/16 to 12/31/18.

J. Pisco

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

25. (50964) **DPW/Transportation** – Contract No. 13-533 with Abbott & Price, Inc., for Elevator Rehabilitation, Bathhouse, Tibbetts Brook Park, Yonkers, New York. Completed work and Final Contract Amount of \$381,737.21.

J. Pisco

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

26. (50965) **DPW/Transportation** – Contract No. 10-530, for Roadway and Related Improvements, Greenwich Road, From Millbrook Road to Route 172, A Distance of 1.5 Miles, Town of Bedford, New York. Reject All Bids and Re-Advertise as 10-530-Rev.

J. Pisco

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

27. (50966) **DPW/Transportation** – Contract No. 09-547, with E.E. Cruz & Company, Inc. for Rehabilitation of the Ashford Avenue Bridge and Ramp, Villages of Ardsley and Dobbs Ferry, New York. (Federal Aid Project) Approved PDK Commercial Photographers Ltd. d/b/a Bernstein Associates (DBE), Tarrytown and R&J Tree Service (DBE), Carmel, as subcontractors.

J. Pisco

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

28. (50818) **DEF** - Amend a 10/22/15 Resolution to enter into agreement with Patrick and Michele McInerney on behalf of New Rochelle Sanitary Sewer District, to which the County would issue to Permittees an Out-of-District Wastewater Discharge Permit to allow Permittees to discharge sanitary wastewater from premises which Permittees are under contract to purchase and which is located at 1450 Roosevelt Avenue, Bronx, and designated as BIN#2082936, Block No. 5651, Lot No. 0069 on the official tax maps of Bronx County, into the County trunk sewer serviced by the District, for a term of three (3) years commencing on 1/1/16 – 12/31/18, by **1)** changing the street address of the premises from 1450 Roosevelt Avenue, Bronx, to 1433 Roosevelt Avenue, Bronx, NY; **2)** changing the tax map designation from BIN#2082936, Block No. 5651, Lot No. 0069, to BIN# 2127301, Block No. 5651, Lot No. 0065; **3)** changing the commencement date of the Permit from 1/1/16 to the date title closes on the premises; and **4)** changing the annual permit fee for the first year from \$910.50 to \$1,231.54.

T. Lauro

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

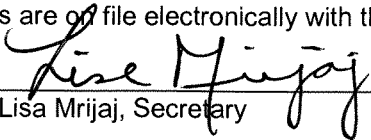
29. (50893) **DEF** - Enter into a license agreement with the New York City Department of Environmental Protection for the purpose of performing test borings on County property; Section, Block and Lot 116.12-1-7 which is the grassy area near the Department of Correction's visitors' parking lot, Oval Connector and Woods Road outside of the jail fencing, and Section, Block and Lot 117.13-1-2 at the Water Tower property off of Bradhurst Avenue which locations are more particularly identified on maps that have been made exhibits to the license agreement, commencing upon execution and continuing through 12/31/26, under the listed terms and conditions.

Lauro/Pisco/Cheverko

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


The 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.



Lisa Mrijaj, Secretary

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

Dated 3/4/16


Lisa Mrijaj, Secretary

Statement of Michael B. Kaplowitz,
Chairman of the Westchester County Board of Legislators

In 2011 the Westchester County Board of Legislators passed a local law that, among other things, made Board of Legislators' action sufficient to authorize the County Executive to implement Inter-Municipal Agreements – without approval of the Board of Acquisition and Contracts. The local law has subsequently been judicially sustained.

There is today a resolution before the Board of Acquisition and Contracts authorizing the County Executive to enter into Inter-Municipal Agreements.

I will vote for the resolution because I am in favor of the underlying matter. I recognize that the resolution is on the agenda pro forma.