

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, DECEMBER 1, 2016 AT 11:00 A.M.**

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

Kevin Plunkett
Michael Kaplowitz
Lawrence Soule
Jim Robertson
AnnMarie Berg
Katy Delgado
Carl Pagano
Pat Haggerty
Allie Restiano
Larry Goldstein
Gary Friedman
Greg Casciato
Lisa Mrijaj
Valerie Rodriguez

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 made a motion to table Item# 53054.

Mr. Plunkett seconded the motion and it was unanimously approved.

Mr. Kaplowitz said, "Please put on the record the same traditional IMA language."

Mr. Plunkett explained, "For the record, the Chairman of the Board has continued his objection that the Board of Acquisition and Contract is considering approving IMAs with the thought that the Board of Legislators has taken the position that they approve the IMAs and there is litigation pending. We are awaiting the decision from the court so for the time being we will make the record reflect his position, so please do that madam secretary."

Acquisition & Contract. Minutes of the meeting 11/23/16 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. (53054) College – TABLED BY BOARD OF LEGISLATORS. Contract No. WCC-11-891 with Worth Construction Co., Inc., for Student Center Renovation/Improvements, Westchester Community College. Acceptance of completed work and approval of Final Contract Amount of \$17,250,437.36.**

B. Miles

Held Over By Board of Legislators – 11/23/16

2. (53047) **Board of Elections** – Contract No. BOE 16-09 for 2017 and 2018 Primary, Special and General Election Moving Services of Voting Machines, Supply Bags and Privacy Booths between the County Warehouse and Various Polling Place Locations in Westchester County Zone 3 – Greenburgh, Harrison, Mount Pleasant, North Castle and White Plains. Awarded to Low Bidder, Ron's Trucking Corporation, Yonkers, in an amount of \$234,825. (5 bids)

LaFayette/Colety

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

3. (53048) **Board of Elections** – Contract No. BOE 16-10 for 2017 and 2018 Primary, Special and General Election Moving Services of Voting Machines, Supply Bags and Privacy Booths between the County Warehouse and Various Polling Place Locations in Westchester County Zone 4 – Mamaroneck, New Rochelle, Rye Town and Rye City. Awarded to Low Bidder, Ron's Trucking Corporation, Yonkers, in an amount of \$153,987. (6 bids)

LaFayette/Colety

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

4. (53051) **Board of Elections** – Contract No. BOE 16-05 for 2017 and 2018 Primary, Special and General Election Moving Services and Storage of Handicapped Accessibility Equipment between the County Warehouse and Various Polling Place Locations in Westchester County Zone 5 – Eastchester, Pelham, Mount Vernon and Scarsdale. Awarded to Low Bidder, Warburton Mover's Inc., Yonkers, in an amount of \$64,999.99. (6 bids)

LaFayette/Colety

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

5. (53084) **Board of Elections** - Contract No. BOE 16-06 for 2017 and 2018 Primary, Special and General Election Moving Services and Storage of Handicapped Accessibility Equipment between the County Warehouse and Various Polling Place Locations in Westchester County Zone 6 – Yonkers. Awarded to Low Bidder, Warburton Mover's Inc., Yonkers, in an amount of \$74,000. (6 bids)

LaFayette/Colety

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

6. (53109) **Information Technology** – Enter into IMA's with municipalities located in Westchester County to receive telecommunications services from Cablevision Lightpath, Inc. through Lightpath's contract with the County from 1/1/17 – 12/31/21.

J. McCaffrey

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

7. (53503) **Planning** – Enter into 1) any and all agreements necessary to purchase a +/-0.46 acre parcel of real property with a vacant former chapel building located at 19 Park Avenue, Town of Lewisboro, from the current owner(s) of record in an amount not to exceed \$200,000, and to grant and accept any and all property rights in connection therewith including, but not limited to, entering into a contract of sale with the current owner(s) of record or accepting an assignment of the contract of sale from Housing Action Council, Inc., and 2) any and all agreements necessary to convey the Property to Housing Action Council, Inc. for ONE DOLLAR (\$1) and fund rehabilitation and/or soft costs of \$80,000 from the New York State Affordable Housing Corporation and \$235,000 in program income received from previous loans through the County's Community Development Block Grant Property Improvement Program, in order to create a two-bedroom affordable homeownership unit and a studio affordable rental unit that will Affirmatively Further Fair Housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York, for a two-year term from 12/12/16 – 12/11/18, under the listed terms and conditions.

Boroughs/Rodriguez

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

8. (53504) **Planning** – Enter into 1) an agreement with Housing Action Council, Inc., its designee or assigns, in order to provide funds for the Developer to purchase a parcel of approximately 0.49 acres of real property with an existing single-family home located at 18 Minkel Road, Town of Ossining from the current owner(s) of record for a not to exceed amount of \$269,000, plus an additional \$9,050 in expected settlement costs for a total amount not to exceed \$278,050 in order to affirmatively further fair housing from 12/12/16 – 12/11/18, and 2) the agreement will provide funding for the acquisition and settlement, for the Property in order to create an affordable ownership unit that will Affirmatively Further Fair Housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York, for a two-year term from 12/12/16 – 12/11/18, under the listed terms and conditions.

E. Boroughs

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

9. (53505) **Planning** – Enter into 1) any and all agreements necessary to purchase +/-0.22 acre of real property with a single-family house located at 3 Maryland Avenue, Town of North Castle from the current owner(s) of record for an amount not to exceed \$430,000, plus an additional \$6,000 in expected settlement costs for a total amount not to exceed \$436,000, and to grant and accept any and all property rights in connection therewith including, but not limited to, the assignment to the County of a contract of sale with the current owner(s) of record, and 2) any and all agreements necessary to convey the Property to an eligible buyer, in order to create a three-bedroom affordable home ownership that will Affirmatively Further Fair Housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York, under the listed terms and conditions.

Boroughs/Rodriguez

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

10. (53176) **College** – Contract No. WCC-16-965-Rev. for Replacement of Pool Filtration Equipment, Westchester Community College, Valhalla, New York. Awarded to Low Bidder, Norberto Construction, Inc., Commack, NY, in the amount of \$226,000. (1 bid)

B. Miles

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

11. (53199) **Parks** - Amend an 8/4/16 Resolution to enter into a license agreement with Westchester Concessions, Inc. for the operation of the golf driving range at Dunwoodie Golf Course, Yonkers, New York, from 1/1/17 – 12/31/21, in order to change the name of the licensee from Westchester Concessions, Inc. to the Westchester Parks Foundation, Inc., 450 Saw Mill River Road, Ardsley, New York.

K. O'Connor

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

12. (53204) **Parks** - Amend an 8/4/16 Resolution to enter into a license agreement with Westchester Concessions, Inc. for the operation of the golf driving range at Mohansic Golf Course, Yorktown Heights, New York, from 1/1/17 – 12/31/21, in order to change the name of the licensee from Westchester Concessions, Inc. to the Westchester Parks Foundation, Inc., 450 Saw Mill River Road, Ardsley, New York.

K. O'Connor

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

13. (53197) **DPW/Transportation** - Amend a lease agreement with EJM Building Services, LLC for the use of the premises known as Hangar 26 at the Westchester County Airport, in order to replace the name of the lessee from EJM Building Services, LLC to NetJets Services, Inc. (Lease Agreement No. WCA 15007)

Kopicki/Rodriguez

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

14. (53023) **DEF** – Contract No. EF-1612 for Water System Leak Detection Survey Services for Westchester County Water Districts, Water District #1 and Water District #3, Westchester County, New York. Advertise for bids.

T. Lauro

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

15. (53093) **DEF** – Enter into an IMA with the Village of Port Chester, which discharges wastewater from its sanitary sewage collection system to the Port Chester Wastewater Treatment Plant, to reduce inflow and infiltration violations so that the County can comply with the requirements of its State Pollutant Discharge Elimination System Permit, under the listed terms and conditions.

T. Lauro

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

10. (55092)

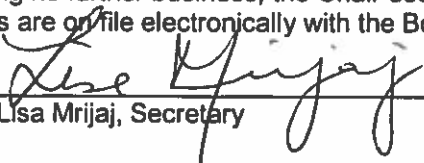
DEP - Enter into an IMA with the Village of Mamaroneck, which discharges wastewater from its sanitary sewage collection system to the Mamaroneck Wastewater Treatment Plant, to reduce inflow and infiltration violations so that the County can comply with the requirements of its State Pollutant Discharge Elimination System Permit, under the listed terms and conditions.

T. Lauro

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

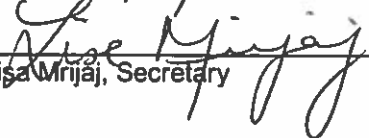
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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.



Lisa Mrijaj, Secretary

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

Dated 12/2/16


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.