

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JANUARY 28, 2010 AT 11:00 A.M.**

County Executive	Rob Astorino
Deputy County Executive	Kevin Plunkett
Chair, Board of Legislators	Ken Jenkins
Acting Commissioner of Public Works	John Hsu
County Attorney	Robert Meehan
Deputy County Attorney	Jim Robertson
County Executive's Office	Christine Sculti
County Executive's Office	Sue Gerry
Budget Director	Lawrence Soule
Office of Budget	Patricia Haggerty
Acting Commissioner of Planning	Ed Buroughs
Commissioner of Finance	Ann Marie Berg
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Chief Information Officer	Marguerite Beirne
Board of Legislators	Bob Boland
Board of Legislators	Ray Indelicato
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.

Acquisition & Contract. Minutes of the meeting of 1/21/10 and the SEQR 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.

Mr. Astorino then added, "In addition, I note the filing of a memorandum dated January 26, 2010 from the Acting Commissioner of Public Works concerning an emergency condition at Building No. 3 at the Westchester County Airport that will require an emergency contract or contracts."

"It is also my understanding that it has been the past practice of this Board to allow the Chair of the Board of Legislators the opportunity to ask any questions he may have with regard to this emergency. Does the Chair have any questions for Acting Commissioner Hsu?"

Mr. Jenkins asked, "Is this particular item covered under insurance?" Mr. Hsu stated, "I've spoken to our Risk Management department. The airport has provided a non recurring account in the interim. We will straighten out whether it is reimbursable under risk management." Mr. Boland asked, "If there is a possibility that this is covered, the

insurance carrier should be notified immediately. Before public works does any work on it, we should notify our carrier right away, because they usually want to see the damage and if there is a possibility of it being covered, the insurance carrier should be notified immediately.” Mr. Hsu said, “I spoke to Risk Management this morning and they are part of the team. I already spoke with Tony DiBuono regarding this matter. So we are covered.”

Mr. Astorino then noted, “Before commencing the Board’s consideration of the agenda, I understand Acting Commissioner Hsu wishes to make a motion.”

Mr. Hsu said, “At the request of the Acting Commissioner of Planning, I move to add item #26 to the agenda. This resolution would authorize a contract with W. Frank Newton, Inc. to conduct an analysis of impediments to fair housing choice. This contract must be signed by January 31, 2010 for the reasons set forth in the cover memorandum to the proposed resolution.”

Rob Astorino asked, “Is there a second to the motion?”

Mr. Jenkins seconded the motion and item 26 was added to the Agenda.

Mr. Astorino then said, “I understand that Acting Commissioner Hsu now wishes to propose a second motion.”

Mr. Hsu said, “I move to amend items 1 and 2 on the agenda to strike the references to “Department of the Budget” and “Department of Correction” in the first RESOLVED clause of both resolutions.”

Mr. Astorino asked, “Is there a second to the motion?” Mr. Jenkins seconded the motion and items 1 and 2 were amended as stated.

1. (6794) **County Executive** – Pursuant to Sections 161.01 and 161.11(1) (b) of the Laws of Westchester County, for the County Executive to issue certificates of authorization to department, board or commission heads as listed, and empowering them to execute contracts, under the listed terms and conditions.

R. Astorino

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

Held over by the Board of Legislators – 1/21/10

2. (6795) **County Executive** – Pursuant to Sections 161.01 and 161.11(1) (c) of the Laws of Westchester County, for the County Executive to issue certificates of authorization to department, board, or commission heads as listed, empowering them to execute contracts relating to the maintenance and/or operation of such department, board or commission provided that the contract does not exceed \$20,000, under the listed terms and conditions.

R. Astorino

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

Held over by the Board of Legislators – 1/21/10

3. (6154) **Public Safety** - Enter into a five (5) year license agreement with RJT Motorist Services, Inc. to provide booting, towing and storage services for the County’s Taxi and Limousine Commission on an “as needed” basis, from 12/27/09 – 12/26/14, under the listed terms and conditions.

G. Longworth

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

Held over by the Board of Legislators – 1/21/10

4. (6198) **Board of Elections** – Enter into a grant agreement with the State of New York, pursuant to the Help America Vote Act, to accept funding to improve access to polling places for individuals with disabilities, in the amount of \$41,927, from 8/1/09 – 7/31/14.

Sunderland/LaFayette

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

5. (6716) **Information Technology** – Amend Contract IT-604 with Motorola, Inc., by extending the term of the agreement by eight (8) months to a new termination date of 12/31/10.

M. Beirne

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

Mr. Jenkins made a statement. Please refer to tape for details.

6. (6985) **Information Technology** – Amend Contract IT-901 with the United States of America, acting by and through the United States Geological Survey (U.S.G.S.), to accept an additional \$48,000 in funding (through Title IV of the Intergovernmental Personnel Act of 1970) to a new total not to exceed contract amount of \$267,882, to reimburse services provided by the County's Assistant Chief Information Officer, to assist and provide support to the U.S.G.S. NYS liaison office in a wide range of statewide government mapping and geospatial programs and to extend the term of the agreement to a new termination date of 8/31/10.

M. Beirne

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

7. (6959) **Information Technology** – Amend a 12/7/09 Resolution to enter into an agreement with Janus Associates, Inc., for consulting services in connection with the development and implementation of an electronic records management system, to include the authorization for the use of Iseman, Cunningham, Riester & Hyde, LLP, Albany, as a subcontractor.

Beirne/Meehan

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

8. (6901) **Planning** - Enter into an IMA with the City of Mount Vernon for the purpose of administering the Housing Opportunities for Persons With AIDS Program, in order to provide funding to the City of Mount Vernon from the Fiscal Year 2008 Federal HOPWA Program for programs and services that will benefit local residents, from 1/1/10 – 12/31/10, in the grant amount of \$385,000.

E. Buroughs

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

9. (6902) **Planning** - Enter into an agreement with the Town of Greenburgh in the amount of \$45,000, for a project to include but not be limited to construction/installation of sidewalks and guide rails on the southern side of Route 119, between Manhattan and Yellowstone Avenues, from 2/1/10 – 1/31/11.

E. Buroughs

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

10. (6903) **Planning** - Enter into an agreement with the Children's Village, in the amount of \$50,000, for a D'Assern playground renovation project at Children's Village in the Village of Dobbs Ferry, to replace the existing playground equipment with ADA compliant play structures

and install safety surfacing underneath the play equipment, from 2/1/10 – 1/31/11.

E. Buroughs

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

11. (6904) **Planning** - Enter into a grant agreement with the City of New York to accept and administer a Housing Opportunities for Persons With AIDS grant, to devise and implement comprehensive strategies for meeting the housing needs of persons with HIV/AIDS and related diseases, from 4/1/09 – 3/31/11, in the amount of \$2,165,321.

E. Buroughs

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

12. (6884) **College** – Enter into Contract No. WCC-08-852, with LiRo Program and Construction Management, P.C., Syosset, NY, for Construction Management Services for the Student Center Improvements/Expansion, Westchester Community College, New York, for a total compensation of \$1,085,557, from 1/30/10 – 8/31/12.

J. Hankin

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

13. (7000) **Probation** - Enter into an agreement with Michael R. Iorio, C.S.W., for the provision of counseling services in connection with the Department of Probation's Project L.E.A.D., from 1/1/10 – 12/31/10, in the not to exceed amount of \$30,000.

R. Pozzi

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

14. (6850) **Transportation** - Amend an agreement with First Environment, Inc. to perform additional site investigation of the aviation fuel farm at Westchester County Airport, in order to extend the term for the period from 1/1/10 – 12/31/10.

L. Salley

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

15. (6886) **Transportation** - Enter into an agreement with Infax Incorporated, Duluth, GA for maintenance service of the Flight Information Display System and Baggage Information Display System in the Main Terminal and associated locations at the Westchester County Airport, from 2/2/10 – 2/1/13, in an amount not to exceed \$128,428.

Salley/Beirne

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

16. (6756) **DPW** – Enter into a five (5) year lease agreement with One Gateway Plaza, LLC, for approximately 1,680 square feet of space located at One Gateway Plaza, Port Chester, NY, from 2/1/10 – 1/31/15, for an amount of \$291,557.04, under the listed terms and conditions.

J. Hsu

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

17. (6965) **DPW** - Enter into Contract 09-237 with the New York State Industries for the Disabled for Janitorial Services at the Fire Training Center, Valhalla Campus; 38 Brockway Place, White Plains; Valhalla Garage, Valhalla Campus; and 375 Executive Boulevard, Elmsford, New York, from 4/1/10 – 3/31/13, in an amount not to exceed \$339,678.91; and approval of Jawonio, Inc., New City as a subcontractor.

J. Hsu

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

18. (6966) **DPW** - Enter into License Agreement No. 10-901 with Yonkers Paddling and Rowing Club, Inc., for the use of County-owned Hudson River waterfront property located on Alexander Street in the City of Yonkers, from 3/1/10 – 2/28/15, for a total fee of \$13,924, under the listed terms and conditions.

J. Hsu

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

19. (6967) **DPW** – Contract No. 07-509, with RLJ Electric Corporation, for Fire Alarm System Upgrade, Westchester County Center, White Plains, New York. Approved Change Order No. 1 in the amount of \$25,255.

J. Hsu

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

20. (6968) **DPW** – Contract No. 02-510-P, with Eventus Construction Company, Inc., to Upgrade Water Supply and Electrical Systems, Muscoot Park, Somers, New York. Completed work and Final Contract Amount of \$175,100.

J. Hsu

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

21. (6969) **DPW** – Contract No. 04-514-E, with D&M Electrical Contracting, Inc., for Bathhouse and Pool Rehabilitation, Tibbetts Brook Park, Yonkers, New York. Completed work and Final Contract Amount of \$34,843.

J. Hsu

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

22. (6970) **DPW** – Contract No. 07-537, with Paladino Concrete Creations Corp., for Sidewalk Replacement, Vernon Plaza, 17 South Second Avenue, Mount Vernon, New York. Completed work and Final Contract Amount of \$51,640.

J. Hsu

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

23. (6971) **DPW** - Consent to the assignment of Lease Agreement No. 08-939, with David Smith, Wingdale, NY, for space located on the street floor of the County's Coachman Hotel building located at 129 East Post Road, White Plains, New York, to Francesco Binasco, White Plains, effective 2/1/10, under the listed terms and conditions.

J. Hsu

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

24. (6848) **DEF** - On behalf of Water District No. 3, to enter into an IMA with the Town of Mount Pleasant granting the County the right to construct a connection to a pipeline being built for the Town by the New York City Department of Environmental Protection in order to enable the District to obtain clean water during DEP scheduled shutdowns of the Catskill Aqueduct, noting that the Connection will continue to serve as a long-term emergency back-up water source for the District, commencing upon execution for a period of forty (40) years, under the listed terms and conditions.

T. Lauro

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

25. (6986) **DEF** - Enter into a permit agreement with the Village of Mamaroneck to utilize a portion of Harbor Island Park as a construction staging area, commencing on the execution date of such agreement and ending on 12/31/12, under the listed terms and conditions.

T. Lauro

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

26. (7167) **Planning** - Enter into an agreement with W. Frank Newton, Inc., to conduct an Analysis of Impediments to Fair Housing Choice, to perform the required background work and analyze the relevant data, for an amount of \$97,000, commencing upon execution and expiring on 8/31/10.

E. Buroughs

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 _____

Jo Mary Vieira, Secretary
Board of Acquisition & Contract