

**MINUTES OF THE MEETING OF THE  
COUNTY OF WESTCHESTER  
BOARD OF ACQUISITION AND CONTRACT  
HELD ON THURSDAY, APRIL 1, 2010 AT 11:00 A.M.**

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

Rob Astorino  
Ken Jenkins  
John Hsu  
Jim Robertson  
Christine Sculti  
Bill Mooney  
Patricia Haggerty  
Dennis Kelly  
Olivia Rhodes  
Ray Indelicato  
Anne Reasoner  
Kay Foster  
Larry Salley  
JoMary Vieira  
Debby Linhardt  
Rosemary MacLaughlin

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 3/25/10 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 said, "Before we consider today's agenda, there are several items of business. First, as noted by counsel on the record last week, the New York Medical College sent separate agreements to four County departments that have roles and responsibilities related to medical hazardous waste response plans. The Law Department is working with counsel for the Medical College to consolidate them into one agreement with the County. Accordingly, Item number 1 which was laid over last week is being withdrawn by the Department of Public Safety."

"Second, I will be recusing myself from voting to approve an agreement with one of the listed contractors contained in the attachment to item 13 on today's agenda. Item 13 is a request from the Department of Health to approve contracts with various licensed providers for the State's mandated Early Intervention program where providers are paid at rates established by the State Education Department and State Health Department. I am specifically recusing myself from voting to approve the contract with R.G. Health Corporation, d.b.a. Northern Westchester Center for Speech Disorders. My wife has been an outside contractor for speech therapy with this agency."

Mr. Hsu made a motion. "My first motion is to add item 23 to the agenda. This is a resolution to award a contract for emergency pier and boardwalk repairs at Playland Park to Arben Group, LLC, in the amount of \$184,890. This contract will address conditions described in Commissioner Stout's March 15<sup>th</sup> memorandum that was filed with and discussed by this Board two weeks ago. In accordance with the emergency contracting procedures utilized since April 8, 2002, DPW immediately prepared documents to solicit bids from responsible general contractors on the County's Emergency Contractor List and requested bids from three contractors on that list. Arben Group, LLC submitted the lowest bid."

Mr. Jenkins seconded the motion and Item #23 was added to the Agenda.

Mr. Hsu then made a second motion. "My second motion is to add item 24 to the agenda. This is a resolution to authorize a grant agreement with the Federal Transit Administration to accept up to \$11,360,000 in urbanized area formula grant proceeds to reimburse the County for certain operations of the Department of Transportation, including expenditures paid as bus operating assistance to contractors operating the County's Bee-line Bus System."

Mr. Jenkins seconded the motion and Item #24 was added to the Agenda.

1. (8057) **Public Safety – WITHDRAWN BY DEPARTMENT.** Request authority to enter into an MOU with New York Medical College in order to identify the roles and responsibilities of the Medical College and the Department of Public Safety with respect to the Medical College's status as a generator of hazardous waste, commencing upon execution and continuing in effect until either party terminates the MOU by providing written notice to the other party.

G. Longworth

2. (7831) **Information Technology** – Amend the 11/19/09 Resolution in order to specify \$21,843 as the exact amount of the grant (project number 0580-10-1174) and to enter into an agreement (IT-1155) with William Saffady, PhD., Brooklyn, for consultant services to analyze county-owned real estate property records from, 3/1/10 - 6/30/10, for a total not to exceed contract amount of \$21,843.

M. Beirne

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

3. (8198) **Planning** – Amend the agreement with the Village/Town of Mount Kisco for the replacement of the sanitary sewer main and manholes on West Street and roadway restoration, by changing the expiration date from 2/8/10 to 8/31/10.

E. Buroughs

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

4. (8267) **Planning** – Apply for and enter into a grant agreement with the New York State Affordable Housing Corporation in an amount not to exceed \$800,000, for the purpose of providing funding to acquire and rehabilitate 20 homes to be sold as fair and affordable housing to lower income Westchester residents through AHC's Affordable Homeownership Development Program, commencing upon the execution of such agreement and expiring on the last to occur of **a)** the date when the latest expiring recapture period specified in a grant enforcement mortgage and note has passed, **b)** the date the last of the amounts, if any, due from the homeowners has been recaptured by the County and paid to the AHC, or **c)** the date when AHC has agreed in writing to accept the performance of the County as satisfying its obligations under the Grant Agreement, under the listed terms and conditions.

E. Buroughs

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

5. (8268) **Planning** – Apply for and enter into a grant agreement with the New York State Affordable Housing Corporation in an amount not to exceed \$300,000, for the purpose of providing funding to improve 30 homes owned by lower income Westchester residents through AHC’s Affordable Homeownership Development Program, commencing upon the execution of such agreement and expiring on the last to occur of **a)** the date when the latest expiring recapture period specified in a grant enforcement mortgage and note has passed, **b)** the date the last of the amounts, if any, due from the homeowners has been recaptured by the County and paid to the AHC, or **c)** the date when AHC has agreed in writing to accept the performance of the County as satisfying its obligations under the Grant Agreement, under the listed terms and conditions.

E. Buroughs

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

6. (8269) **Planning** - Agreement with Westhab, Inc., through the Emergency Shelter Grant Program, in the amount of \$435,417, to conduct an HPRP – Medium Term Rental Subsidy Program for the benefit of the Westchester Urban County Consortium communities and non-consortium residents, to facilitate the disbursement of rental subsidies to landlords, from 3/1/10 – 12/31/11.

E. Buroughs

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

7. (8137) **Social Services** - Contracts with Westhab, Inc., and Community Housing Innovations, Inc., from 4/1/10 – 3/31/11, to administer a Rental Assistance Program to assist families who are employed and/or transitioning off public assistance and disabled single adults, in an aggregate amount not to exceed \$1,009,000 as set forth in the attached Schedule “A”.

K. Mahon

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

8. (8255) **Social Services** - Authority to **1)** amend agreements with the licensed and approved Voluntary Child Care Agencies for the provision of institutional/group foster care and adoption services and with the educational providers for the provision of educational services associated with out-of-home placements listed in attached Schedule “A”, by extending the term of those agreements for the period commencing on 7/1/10 - 6/30/11, and increasing the amount not to exceed by \$42,384,151, for a new total not to exceed amount of \$84,186,914; and **2)** enter into agreements with the two new Voluntary Child Care Providers listed, for the provision of institutional/group foster care and adoption services, from 7/1/10 – 6/30/11.

K. Mahon

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

9. (8277) **Social Services** - 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 \$75,000, by increasing the total not to exceed authorized thereunder by an additional \$18,750, to a new total not to exceed amount of \$93,750; and **2)** amend an agreement with Westchester Independent Living Center, Inc. to administer the “Disability Program Navigator” program, from 1/1/09 – 6/30/10, by increasing the total not to exceed amount by \$16,875 to a new total not to exceed amount to \$84,375.

K. Mahon

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

10. (8293) **Social Services** - Amend a 12/30/09 Resolution to enter into an agreement with the New York State Office of Temporary and Disability Assistance to accept funding for an amount not to exceed \$148,722; and enter into agreements with the various employers to provide subsidized job placements and training for TANF-eligible individuals using the aforesaid funding, from 8/15/09 – 9/30/10, by adding the five (5) new employers listed, at no additional cost to the County.

K. Mahon

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

11. (8256) **Social Services** - Amend a 3/4/10 Resolution to enter into agreement with River Valley Pediatrics, PLLC to provide medical services to both foster children and children post-discharge from foster care, for an amount not to exceed \$225,770, from 4/1/09 – 3/31/10, by extending the term for another six months to end on 3/31/11, and increasing the not to exceed amount by \$112,885, to a new total not to exceed amount of \$451,540.

K. Mahon

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

12. (8138) **Health** - Contract with The Greater New York City Affiliate of Susan G. Komen for the Cure, Inc., to accept funding in the not to exceed amount of \$66,278 for the Cancer Services Program Expansion, for the grant contract period 4/15/10 – 3/31/11.

C. Archbald

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

13. (8201) **Health** - Agreements with approved and licensed Early Intervention and Related Services providers as listed on the Attachment, pursuant to Article 25, Title IIA of the New York State Public Health Law and Section 4410, Part 200 of the New York State Education Law, from 7/1/10 – 6/30/15, with each provider to be reimbursed at rates established and approved by the New York State Department of Health and the New York State Education Department, for a total aggregate not to exceed amount of \$353,187,562.

C. Archbald

**Mr. Astorino said, "Unless there is any objection, I move a vote on item 13, but propose that two votes be taken on this item. The first vote would be to approve all the contractors listed in the attachment, except for R.G. Health Corporation, d.b.a. Northern Westchester Center for Speech Disorders and the second vote would be solely to approve R.G. Health Corporation, which I will recuse myself from for the reasons stated at the beginning of this meeting."**

**The secretary called the role. "The first vote on item 13 is to approve all the contractors listed in the attachment, except for R.G. Health Corporation, d.b.a. Northern Westchester Center for Speech Disorders"**

**The vote was 3-0 with Mr. Astorino, Mr. Jenkins and Mr. Hsu voting in the affirmative.**

**The secretary called the role. "The second vote on item 13, is solely to approve R.G. Health Corporation, d.b.a. Northern Westchester Center for Speech Disorders."**

**The vote was 2-0 with Mr. Jenkins and Mr. Hsu voting in the affirmative and Mr. Astorino recusing himself.**

14. (8158) **Labs and Research** - Extend an agreement with the United States Department of Justice, in an amount not to exceed \$263,348.02 in federal funds, to participate in the Forensic Casework DNA Backlog Reduction Program, by changing the original termination date of 3/31/10 to a new termination date of 9/30/10.

M. Hyland

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

15. (8184) **Labs and Research** - Agreement with the New York State Industries for the Disabled, Inc., NYC, for the provision of janitorial services at the Department of Labs and Research, Valhalla, from 5/11/10 – 5/10/12, for a total amount not to exceed \$200,308.15, and approval of Jawonio, Inc., New City, as a subcontractor,

M. Hyland

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

16. (8155) **College** – Contract No. WCC-09-862, with Foremost Electric Corp., for Installation of SMART Technologies into Classrooms, Phase II, Westchester Community College. Accepted completed work and approved Final Contract Amount of \$124,700.

J. Hankin

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

17. (8285) **District Attorney** - Agreement with the New York State Division of Criminal Justice Services in the amount of \$95,189 in Federal grant funds and \$251,843 in County matching funds for the District Attorney to operate the Sexual Assault Victims and Elderly Services (SAVES) Program, from 10/1/09 – 9/30/10, and subcontract with the Westchester Community Opportunity Program, Inc., (Victims Assistance Services) in the amount of \$16,000.

J. DiFiore

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

18. (8286) **District Attorney** - Agreement with the New York State Division of Criminal Justice Services in the amount of \$171,553 in Federal grant funds and \$373,436 in County matching funds to operate the STOP Violence Against Women Collaborative Program, from 12/1/09 – 11/30/10, and subcontract with the Westchester Community Opportunity Program, Inc., (Victims Assistance Services) in the amount of \$20,000, and My Sisters' Place in the amount of \$14,400.

J. Di Fiore

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

19. (8281) **Probation** - Authority to 1) enter into an MOU with the United States Marshals Service, whereby the USMS will reimburse the County for qualified expenses for a vehicle for the exclusive use of the Department's assigned Regional Task Force Officer, from 10/1/09 – 9/30/10; and 2) enter into a second MOU with the USMS, whereby the USMS will reimburse the County up to \$16,000 for the first year for overtime hours worked by the Department's staff involved with the Fugitive Apprehension Task Force, under the listed terms and conditions.

R. Pozzi

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

20. (8270) **Parks** – Extend the license agreement with Powell Catering Services, Inc., Harrison, for the operation of the miniature golf concession at Saxon Woods Park, White Plains, from 1/1/10 – 12/31/14, for a license fee of \$28,000, under the listed terms and conditions.

J. Stout

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

21. (8247) **DPW** – Contract No. 07-508-HVAC, with S&O Construction Services, Inc., for Renovations to Main Corridor, Penitentiary, Norwood E. Jackson Correctional Center, Valhalla Campus, Valhalla, New York. Accepted completed work and approved Final Contract Amount of \$676,332.

J. Hsu

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

22. (8248) **DPW** – Contract No. 08-228, with Avanti Building Construction Corp., for Restoration of the Hutchinson River Trailway, Eastchester and New Rochelle, New York. Accepted completed work and approved Final Contract Amount of \$333,511.

J. Hsu

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

23. (8532) **DPW** – Contract No. 10-210, for Emergency Pier and Boardwalk Repairs, Playland Park, Rye, New York. Awarded to Arben Group, LLC, Pleasantville, in the amount of \$184,890 and approved RLJ Electrical Corp., (Electric Work), Peekskill, as a subcontractor.

J. Hsu

**Mr. Jenkins made some comments. Please refer to tape.**

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

24. (8212) **Transportation** – Grant agreement with the Federal Transit Administration for a grant of up to \$11,360,000 with local matching funds of \$2,840,000/20%, to be used for preventive maintenance, administration and planning functions, for a total amount of \$14,200,000.

L. Salley

**Mr. Jenkins made some comments. Please refer to tape.**

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

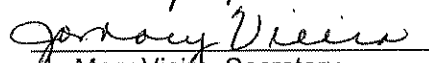
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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.

  
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(s) Mary Vieira – Secretary

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

Dated 4/5/10

  
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Jo Mary Vieira, Secretary  
Board of Acquisition & Contract