

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, OCTOBER 14, 2010 AT 11:00 A.M.**

County Executive	Rob Astorino
Deputy County Executive	Kevin Plunkett
Chair, Board of Legislators	Ken Jenkins
Commissioner of Public Works	John Hsu
Deputy County Attorney	Jim Robertson
County Executive's Office	Christine Sculti
Office of Budget	John Delaney
Information Technology	Marguerite Beirne
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Board of Legislators	Anne Reasoner
Board of Legislators	Larry Goldstein
Board of Legislators	Barney Molloy
League of Women Voters of Westchester	Karen Schatzel
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	Debby Linhardt

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. (1) Minutes of the meeting of 10/7/10 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. Jenkins said, "First, the Board of Legislators wants to say a positive thing. It's our understanding, from looking at the website, that it's been updated with the Minutes and the Agenda items. That is certainly going in the direction that you have mentioned, Mr. Chairman, and that's good. We are still looking to have the additional backup information on the website, but I know it's a work in progress, and commend the Administration for working with A&C and IT of course, in making sure that it happened so quickly."

"For Items 2, 3 and 7, we would respectfully request that those items be severed from the consent vote and be withdrawn until the Board of Legislators receives the information that we requested, when we initially overed these items. Items 2 and 3 are from the Department of Planning. We initially asked the department to provide us with information regarding these resolutions, on October 6th. The program was originally scheduled to begin in January 2010. Our questions were: What occurred to delay receipt of this resolution? How will the goal be achieved in the last three months of the year? In 2009, this item was budgeted at \$47,612 with a goal to service 245 households/individuals. This resolution states that the goal is 360 households/individuals. How do they plan on accomplishing more with less? What

was the budget breakdown in 2009 vs 2010. We did receive a partial answer on that question, but I'm not sure why it was so difficult to get."

"On Item #7, from the Probation Department, we asked the Administration to provide us with the following information: The grant is for \$71,171 with a portion for salaries and, in the original documentation, a tax dollar match for fringe benefits. The documentation now states that there is not a county match for fringe. Please provide the breakout of the overtime piece of this grant and the related fringe. Who or what are these individuals absent without leave from? It's a Probation program that we believe actually replaced a program that was eliminated in Mental Health in the 2010 State Budget. We just want to know for sure. We received a response back from the Department and the Commissioner to please call back so that they could explain the situation to us. Their response was that they were told by their accountant some time ago that the Budget Department decided to no longer use an advance to grants account. Further, fringes are not shown on the department side. Since the advance to grants account no longer exists for our department through Budget's deletion/instruction, we have customarily not included the fringe match. Well, that's just not good accounting. It's just not accurate. We need to review those items. Mr. Chairman, we respectfully request that those three items be withdrawn at this time, until the Departments provide those answers. I know we're still working through the process. It's extremely difficult to get all these answers as quickly as we are asking for them, so with respect, Mr. Chairman, we are asking for these three items to be removed."

Mr Astorino responded, "Okay, here's what we'll do. We'll sever 2, 3 and 7. I'll make a motion to table them if you like." Mr. Jenkins replied, "That's fine."

There was a discussion among Mr. Astorino, Mr. Jenkins, Mr. Plunkett and Mr. Robertson concerning the rules allowing an item to be overed or tabled. Mr. Robertson explained that the Board's rules allowed for an item to be overed, but Robert's Rules of Order allowed an item to be tabled.

Mr. Astorino made a motion to table Items 2, 3 and 7. Mr. Jenkins seconded and Items 2, 3 and 7 were tabled until the next A&C meeting on October 21, 2010.

1. (13747) **CE/Office for Women** – Amend an agreement with Empire Justice Center, to provide various legal services for immigrant men and women who present problems associated with immigration, housing, employment, education, health and other systems, from 10/1/09 – 9/30/10, for an amount not to exceed \$100,000, by extending the term by three (3) months, from 10/1/10 – 12/31/10, and increasing the total amount by \$25,000, for a new total not to exceed amount of \$125,000.

D. Balistreri

Laid over by the Board of Legislators – 10/7/10

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

2. (7701) **Planning – ITEM TABLED UNTIL A&C MEETING OF OCTOBER 21, 2010.** Request authority, pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Westchester Residential Opportunities, Inc., White Plains.

E. Buroughs

Laid over by the Board of Legislators – 10/7/10

3. (7702) **Planning - ITEM TABLED UNTIL A&C MEETING OF OCTOBER 21, 2010.** Request authority to enter into an agreement with Westchester Residential Opportunities, Inc., for a Condominium and Cooperative Board Fair Housing Education Program and Asset Building/Individual Development Account Program, in an amount not to exceed \$30,000, from 1/1/10 – 12/31/10.

E. Buroughs

Laid over by the Board of Legislators – 10/7/10

4. (14144) **Social Services** - Agreement with The New York State Unified Court System, whereby the court system shall utilize the services of the City University of New York Hunter College School of Social Work, to facilitate the Disproportionate Minority Representation in the foster care research project, from 10/1/10 – 12/31/10, in an amount not to exceed \$16,667.

G. Mitchell

Laid over by the Board of Legislators – 10/7/10

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

5. (14157) **Social Services** – Agreement with Westhab, Inc., to operate its Pathways to Progress Program designed to assist customers of the Temporary Assistance for Needy Families program and the Safety Net Maintenance of Effort Program, from 10/1/10 – 9/30/11, for a total amount not to exceed \$103,500.

G. Mitchell

Laid over by the Board of Legislators – 10/7/10

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

6. (14135) **Labs and Research** - Agreement with the United States of America, acting by and through the U.S. Department of Justice, to accept a grant in the amount of \$111,858, to participate in the FY2010 Forensic Science Improvement program, from 10/1/10 – 9/30/11.

K. Ashar

Laid over by the Board of Legislators – 10/7/10

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

7. (14072) **Probation – ITEM TABLED UNTIL A&C MEETING OF OCTOBER 21, 2010.** Request authority to enter into an agreement with the New York State Division of Criminal Justice Services, to operate the Detention Services Program, from 9/1/10 – 8/31/11, in an amount not to exceed \$71,171 in federal funds.

R. Pozzi

Laid over by the Board of Legislators – 10/7/10

8. (14236) **Information Technology** - Amend Contract IT-702 with Oracle USA, Inc., Reston, VA, for one-year of on-site technical support services, from 11/1/10 – 10/31/11, for 250 person days of work, by increasing the amount by \$383,250, for a new total not to exceed contract amount of \$2,654,870.

M. Beirne

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

9. (14286) **Law – OVER BY THE BOARD OF LEGISLATORS.** Request authority to enter into an agreement with American International Group Inc., through the brokerage firm of Marsh USA, Inc. of New York, to purchase Helicopter Hull and Liability Insurance, and provide **a)** \$50,000,000 “All Risk” “First Dollar” Liability coverage; **b)** Hull Physical Damage Coverage subject to a \$1,000 deductible (rotors not in motion), and **c)** 5% hull value deductible (rotors in motion) for each of the two County helicopters, with the premium not exceeding \$63,291 for the policy period of 11/4/10 – 11/4/11.

R. Meehan

- 10.(14360) **Planning** – Contract No. C-LSW-10-198, for Lead-Based Paint Hazard Activities in Residential Properties located throughout Westchester County. Awarded to Low Bidder, Krutown Construction Corporation, Brooklyn, in the amount of \$345,750. (2 bids received)

E. Buroughs

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

- 11.(14368) **Planning** - Amend an agreement with the Port Chester Housing Authority for removal and replacement of the roof at the 167-169 Terrace Avenue housing complex in the Village of Port Chester, in order to change the expiration date from 10/31/10 **to** 12/31/10.

E. Buroughs

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

12. (14380) **Planning** - Agreement with the Interfaith Council for Action, Inc., through the Community Development Block Grant Program, for replacement of windows and the construction of a new fire-escape at 49-51 State Street in the Village of Ossining, from 10/18/10 – 10/17/11, in the amount of \$30,000.

E. Buroughs

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

13. (14392) **Planning** - Amend an 8/13/10 Resolution with The Tarrytown Music Hall for an Available/Access Public Restroom Facilities Project at the Tarrytown Music Hall in the Village of Tarrytown, in order to change the name **from** The Tarrytown Music Hall, **to** The Friends of the Mozartina Musical Arts Conservatory, Inc.

E. Buroughs

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

14. (14270) **CE/Emergency Services** - Amend an 12/27/07 Resolution (amended 4/8/10) authorizing an agreement with Business Network of Emergency Resources, Inc., to administer its Corporate Emergency Access System program, to change the term of the agreement **from** 4/15/10 – 4/14/15, to a term commencing upon execution and continuing until terminated and providing either party with the ability to terminate the agreement upon thirty (30) days written notice to the other.

A. Sutton

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

15. (14142) **Social Services** - Amend a 12/30/09 Resolution (amended 4/1/10, 8/5/10 and 9/10/10) 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 to enter into agreements with various employers to provide subsidized job placements and training for TANF-eligible individuals using the aforesaid funding, from 8/15/09 – 12/31/10, to add three more new employers to the list of already approved employers, to change the name of one of the newly added employers to reflect its legal name **from:** Richmond Community Services, Inc., **to** Richmond Children’s Center, Inc., d/b/a Richmond Community Services.

G. Mitchell

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

16. (14269) **Labs and Research** - Amend the agreement with the United States of America, acting by and through the U.S. Department of Justice, to accept a grant in the amount of \$124,050 to participate in the FY2009 Forensic Science Improvement program, from 10/1/09 – 9/30/10, by extending the term of the agreement to a new termination date of 3/31/11.

K. Ashar

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

17. (14272) **Labs and Research** - Agreement with Health Research, Inc., to accept a grant in the amount of \$150,000, which will provide funding for the operation of the County’s Biodefense Laboratory, from 8/10/10 – 8/9/11.

K. Ashar

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

18. (14049) **College** – Solicit bids for public advertisement JANITORIAL SERVICES, Westchester Community College Extension Centers at 175 Gramatan Avenue, Mount Vernon, New York and 8510 Mall Walk, Cross County Shopping Center, Yonkers, New York, for a four year contract commencing upon completion of the bid process.

J. Hankin

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

19. (14333) **College** – Contract No. WCC-11-603, for Facility Wide HVAC Maintenance, Westchester Community College, Valhalla, New York. Advertise for bids.

J. Hankin

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

20. (14334) **College** – Contract No. WCC-08-212, with AKL Mechanical Corp., for New Campus Water Meters, Westchester Community College. Accepted completed work and approved Final Contract Amount of \$190,900.

J. Hankin

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

21. (14336) **College** – Contract No. WCC-08-850, for Academic Arts Building Renovation/Improvements, Westchester Community College, Valhalla, New York. Advertise for bids.

J. Hankin

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

22. (14301) **Parks** - IMA with the Village of Scarsdale to license a portion of parkland on the Bronx River Reservation located near the Scarsdale train station, consisting of approximately 3.7 acres, to be used solely for municipal recreational purposes, from 5/1/10 – 4/30/15, for an annual license fee of \$1.00, under the listed terms and conditions.

K. O'Connor

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

23. (14363) **Transportation** - Execute an agreement to consent to the assignment of a lease agreement with JPMorgan Chase Bank, National Association, for Hangar D-1 at Westchester County Airport, to TISMA, Inc., effective 10/1/10, releasing JPMorgan from further obligations under the lease; and amend the lease agreement to eliminate the requirement that the tenant maintain a minimum net worth of \$100,000,000; further amend the lease agreement to provide that in lieu of the net worth requirement and the required two (2) months' security deposit, TISMA shall provide the County with a mutually acceptable letter of credit, certificate of deposit or other financial instrument, equivalent to six (6) months' rent in advance as security for TISMA's faithful performance of lease obligations.

J. Hsu

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

24. (14376) **Transportation** - Grant agreement with the New York State Department of Transportation for the receipt of \$500,000 for the operation of the Bee Line Route 20 Service as part of a Regional Transportation Program, from 10/1/09 – 9/30/11.

J. Hsu

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

25. (14377) **Transportation** - Agreement with the New York State Department of Transportation for the receipt of \$830,000 for the operation of the Route 77 Bus service as part of a Regional Transportation Program, from 10/1/09 – 9/30/11.

J. Hsu

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

26. (14378) **Transportation** – **WITHDRAWN BY DEPARTMENT.** Request authority to enter into two agreements with the New York State Department of Transportation for the receipt of a total of \$2,655,000 for the operation of certain bus services, including the Westchester Shuttle Network and the management of bus stop information, and the pass-through of funding to the New York Power Authority, as part of a Regional Transportation Program, from 10/1/09 – 9/30/11.

J. Hsu

27. (14230) **DPW** – Contract No.09-528, for Roof Replacement, 85 Court Street, White Plains, New York. Awarded to Low Bidder, Best Roofing, of NJ, Inc., Wallington, NJ, in the amount of \$538,800. (4 bids received)

J. Hsu

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

28. (14231) **DPW** – Contract No. 10-524, for Building and System Improvements, Richard J. Daronco Courthouse Annex, White Plains, New York. Awarded to Sole Bidder, Caladri Development Corp., Peekskill, in the amount of \$1,291,000. Approval of C. S. Plumbing, Inc., (HVAC and Plumbing Work), Eastchester, and Energy Services of New York Corp., (Electrical Work), Cold Spring, as subcontractors. (1 bid received)

J. Hsu

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

29. (14370) **DPW** – Contract No. 03-520-GC-Rev., with Arben Group LLC, for Pump Station Rehabilitation Program, Beach Avenue Pumping Station, Briarcliff Manor Pumping Station, Larchmont and Briarcliff Manor, New York. Accepted completed work and approved Final Contract Amount of \$1,407,104.

J. Hsu

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

30. (14371) **DPW** – Contract No. 09-203, with R. Pagni & Sons, Inc., for Regrading and Site Stabilization at Former Hangar “B” Site, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Accepted completed work and approved Final Contract Amount of \$45,620.

J. Hsu

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

31. (14373) **DPW** – Contract No. 09-213, with R. Pagni & Sons, Inc., for Replacement of Sidewalks and Installation of Concrete Pads, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Accepted completed work and approved Final Contract Amount of \$81,495.

J. Hsu

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

32. (14374) **DPW** – Contract No. 10-231, for Restoration of Primary Sludge Piping – Phase III, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York. Advertise for bids.

J. Hsu

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

33. (14375) **DPW** – Contract No. 10-556, for Drainage, Stormwater and Roadside Improvements, Pines Bridge Road (C.R. 1323) and Ryder Road (C.R. 19), Towns of Ossining and New Castle, New York. advertise for 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.

(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