

**MINUTES OF THE MEETING OF THE  
COUNTY OF WESTCHESTER  
BOARD OF ACQUISITION AND CONTRACT  
HELD ON THURSDAY, APRIL 28, 2011 AT 11:00 A.M.**

County Executive	Robert P. Astorino
Chairman, Board of Legislators	Ken Jenkins
Commissioner of Public Works and Transportation	John Hsu
Deputy County Attorney	Jim Robertson
County Executive's Office	Bill Mooney
County Executive's Office	Christine Sculti
Office of Budget	Patricia Haggerty
CIO-Information Technology	Marguerite Beirne
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Board of Legislators	Anne Reasoner
Board of Legislators	Olivia Rhodes
Board of Legislators	Larry Goldstein
Board of Legislators	David Tubiolo
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.**

**Mr. Jenkins said, "First on item #17277, Social Services, from our last meeting, which the Board voted against, I just wanted to put this information on the record and certainly request consideration on a motion to reconsider this particular item. This is a contract with Cornell Cooperative Extension for the food stamp nutrition program and we wanted to note that in the 2010 budget, this particular program had an advance to grants of an amount of \$318,809.00. We also have documentation, as we said, from the Department which went to Cornell Cooperative Extension for the contract that would extend it until the end of the grant period which was 9/30/2011. I do not believe that we would want the County to be in a position where legally we would be responsible for that money since we initiated that contract and sent that particular document, that we gave to the Secretary, to the vendor, in this case Cornell Cooperative Extension. Again, I would respectfully ask that we would have a motion to reconsider that particular item. The Board is asking to make the term of the contract period end concurrently with the funding which is 9/30/2011, instead of 12/31/10. Since we did initiate that document, sent from the Department of Social Services, we would be liable for that particular amount of money. My request is that we would have a motion to reconsider that particular item, again item #17277 which was item #5 on Thursday, April 21, 2011's Agenda. Again, just reconsidering it, bringing it back in, getting this particular contract issue straightened out where it would end on 9/30/2011, which would be concurrent with the Federal funding that we received and that would be my motion."**

**Mr. Astorino responded, "I will discuss this with Department of Social Services and the Law Department as well. I am not going to second the motion to reconsider at this point. Is there a motion to second? Okay, there has been no motion to reconsider, but we will look into this."**

Mr. Jenkins said, "Thank you Mr. Chairman, on that particular item. We did hold over several items on this Agenda. We went through this extensively and although we did get the information, it was received too late to process. From the Department of Social Services, we are still asking for a provision in the Oasis Contract, that we held over at the last meeting, to add in a onetime extension that would be at the department's request, by the way, to extend for the period of the year as opposed to have to hump back to A&C again, should there be an agreement with DSS after the analysis was done with the Oasis Program. We were trying to keep the contract period ending at 9/30/2011 and put in a provision for a onetime extension to the end of 2011 that would be concurrent with the funding that was approved and adopted by the Board and, again, it would be at the department's request. We didn't see a major issue with that particular provision in that item. So if you want to consider that one before going to the next item?"

Mr. Astorino responded, "I didn't think there would be an issue if we wanted to extend it at some point in June to just put it on the Agenda at that point. I don't see a need at this point to extend beyond the date that is requested."

Mr. Jenkins said, "Understood. We thought we would put it in, as we do with many of these contracts. If you have a one-time extension or a two-time extension, we don't have to come back in front of the Board other than to say that you have done that under the terms and conditions that you have previously agreed, which make sense. On Item 2, #18246, Mental Health, we did say again the date should be a one year period as opposed to try and make it concurrent with the year end. It is a tremendous amount of work for the Department of Law with all the contracts that we have ending on 12/31/2011, which also have the provision that if there is some kind of modification in grant funding it would be able to be terminated. It should be able to be based on the State's financial period which is March as opposed to even December. We think the contracts should end June 30th. If something happens, modifications could occur without too much fuss."

"On item #4, 18075 Youth Bureau the cover memo stated that there might be some consolidation with the Youth Bureau and the Office for Women. I know that it is a proposal that you are considering. It has not come down to us yet. The Youth Bureau is a Charter Department under the Office of the County Executive. The Board members would respectfully request that we didn't have any language that indicated any consolidations might occur in this. We also needed to make sure that the dates were consistent. That was a request and it's a follow up that Ms. Sculti is currently performing."

Mr. Jenkins continued, "Item # 7, #18116, this particular item is for Youth Theater Interactions, and everyone now knows that my wife is on the Board and has been on the Board. I have to note for the record that this information has been in my ethics form since I became an elected official; she is a volunteer member of this particular organization. The Board members also include previous County Legislator Andrea Stewart-Cousins and now State Senator Andrea Stewart-Cousins. I know Mr. Chairman that you would never be involved in this, but somewhere and somehow there is some staff member partially responsible for this, according to the information the newspaper reporter asked me. I would respectfully ask that you would inquire within your department to make sure we don't have individuals trying to do silly items with members of people's family. It is completely ridiculous that we even have to deal with this. You and I certainly understand that."

Mr. Astorino responded, "No, it did not come from me or this department. What is the question? Is the question is somebody going through your ethics filings? That is foible."

Mr. Jenkins said, "There is no question about that being foible. When the newspaper reporter called to ask me about this particular item, he brought it to my attention that this was highlighted for him, as my wife is a member of this particular Board. Certainly this information had already been foiled from my ethics form and it was clear that they already knew this information. For whatever reason, someone decided to make this a particular issue. I don't understand why, but it doesn't matter. I also understand that being in the business that we are in we are certainly targets, but certainly your spouse, your family, etcetera, from my perspective, are not. Other than that, the YTI folks thanked me Monday

night at their annual event. Since we brought them additional attention and because they were on the front page of the Journal News, additional folks came to their event.”

Mr. Jenkins continued, “We held a bunch of items over from the Office for Women, because we were concerned there were more people engaged with this service. Without having additional funding or rather a reduction in funding, we were trying to understand the rationale for this item. We also went down further into Item #28, 18417, the Chamber of Commerce item. We want to understand the purpose of extending this for four (4) months. The RFP went out and the members of the BOL would like to obtain a copy of the RFP so they would be able to understand this particular item. On the CHI item #30, 18650, we were actually pulling off because another organization, which was created by the County and actually has Norma Drummond as its first member, but we withdrew our request. We understand there are time considerations on this contract with the State and other funding so we wanted to make sure that went forward, although we had some significant questions on this item. Item #31, 17817 we held over because it appears, based on reading the resolution, that it is suggesting, instead of the current organizations providing all the services for a client, now the client would have to go to three individual places. I’m pretty sure that is not what your intentions were, especially for seniors looking for services, whether those services were counseling screening, counseling programs, health and wellness programs or medication management programs. They would have to go to three places instead of one. I’m sure that that was not intended. But you could do some additional research on that and that would be great. On Item #40, 18489 which was for roofing replacement, in the past the Board has asked DPW to bundle those things together so that we could have a proper RFP and actually get better service. I understand that was done in the past and we were able to save \$450,000.00 by bundling those various roof repairs together as opposed to having one individual roof repair. Items #40 18489 and #46 18495 are in that category and are the ones we are suggesting bundling together for the future.”

Mr. Hsu responded, “I am trying to encourage local participation by local contractors, which is why I am not bundling. This is the same situation with the dams that you recently passed. If I bundled those two dams, it would be a \$7 million dollar project. I’m going to issue individual contracts because I think I can get a better distribution since there are more people looking for work, as opposed to giving to one contractor. The bigger contractors can get work. I’m looking at the smaller guys who can minimize their bonding. By doing this job small I can encourage more minority participation. That is my reasoning for unbundling. We are getting the same price. We are getting about twenty-two to twenty-four dollars per square foot regardless. We are right in that range.”

Mr. Jenkins said, “Well, since we did this in the past, it was the Board’s concern and certainly mine, as a person that’s been advancing Minority and Women Business Enterprise legislation. To bundle them together and to encourage those larger vendors who actually have a better level of support and a better level of bonding through our contractual process, to be able to reach down to those smaller vendors as subcontractors, that is something we were looking at as far as legislation is concerned. We want to try to do that to make sure that we keep the money invested in Westchester County, with MWBE great businesses in Westchester. By bundling it, it seemed to be the thing that we did and we were able to save \$450,000.00 in the last go around and it is something for your consideration.”

Mr. Astorino said, “There seems to be an inordinate amount of hold-over’s for this Agenda. Just to set the record straight, of the 19 that were held, 7 received no questions whatsoever.”

Ms. Reasoner responded, “They are follow-up questions to go with those answers that we did not get soon enough to send them with the Tuesday questions.”

Mr. Astorino said, “Of the remaining 12, 9 were addressed, 3 responses are pending to questions which we received at noon yesterday, which is after the 5:00 p.m. deadline. So the process that we have in place, that was set with an agreement between the County Executive’s office and the Board of Legislators, etcetera, to try to move these things. Clearly

I have no problem holding things over unless they are really time sensitive, which none of these really truly are. If the process is going to be broken for no apparent reason, we are holding over Item #7, 18116 especially with no questions that were ever put in. If there is a breakdown in communication or something that is needed, let us know.”

Ms. Reasoner said, “Since we had met late with Ken on Tuesday, I notified Christine that questions would be late and that we wouldn’t get them out until noon yesterday. The answers that came back, came back this morning and to review everything to let the Chairman know what we received and have it processed by 11:00 is not always an easy situation. The one that you did not get the 7 questions for were follow-up questions from other legislators. I didn’t get them until late and I didn’t see any point sending them out late yesterday. We would address them with Christine and have another week to review them and get the answers for next week’s meeting. I don’t think it is a breakdown of the process, it’s just that it was a situation that came up and I did alert Christine before the end of the day Tuesday that that was going to be the situation.”

Ms. Sculti responded, “The only clarification I would add is of the 9 the County Executive mentioned, 7 of those had extensive coverage of the Preboard and then through follow-up. That is the 7 that we kind of vetted and at this point we do have 3 pending and we will get those to you. Just as a further clarification.”

Mr. Jenkins said, “Being a former legislator, legislators unfortunately don’t have the same time frame that we do and several of them indicated questions to me that we had already asked, by the way, and they sent those to me last night. They, unfortunately, are on a different time clock and we are working very hard to get them the answers. On this particular Agenda there was not only a huge number of items, I don’t believe we have had 51 items on the Agenda for a while, but there were a lot of things that came down and a lot of questions that came up. The Preboard meeting, as far as I’m concerned, is working great as far as having all the people that could answer the questions that come up in general and working with the people and the department’s onsite to do that. However, sometimes there are additional questions that do need answers and do need to have the additional scrutiny. That is the Board’s responsibility. So we appreciate everyone’s patience in that. I don’t expect that we will have as many numbers held over that we have this week on a normal basis. However, I believe that this particular week was an outlier on how things were with the number of items. Other than that we are prepared to vote.”

**Acquisition & Contract.** Minutes of the meeting of 4/21/11 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.**

1. (18245) **Social Services** – Enter into an agreement with Westchester Community Opportunity Program, Inc., to operate the Oasis Homeless Shelter Warming / Drop-in Site, from 1/1/11 – 6/30/11, for an amount not to exceed \$250,000.

K. McGuire

**Laid Over by the Board of Legislators – 4/21/11**

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

2. (18246) **Community Mental Health** - Enter into an agreement with Daytop Village, Inc., to provide chemical dependency treatment to families and individuals in Westchester County, in the amount not to exceed \$331,977, from 7/1/11 – 12/31/11.

G. Mitchell

**Laid Over by the Board of Legislators – 4/21/11**

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

3. (18134) **County Executive** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with the Animal Welfare League of Westchester County, Inc., to provide public humane education programs in responsible dog ownership, in the amount of \$2,000, from 3/15/11 – 3/14/12.

K. Plunkett

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

4. (18075) **CE/Youth Bureau – OVER BY BOARD OF LEGISLATORS.** Request authority to amend each of the thirty-one (31) agreements to provide services under the County's Invest In Kids Program, from 1/1/09 – 12/31/11, in order to reduce the amount not to exceed authorized under each agreement by the individual amounts specified.

M. Cabaleiro

5. (18114) **CE/Youth Bureau – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with The Children's Village, Inc., to operate the Drop In Center program, in a total amount not to exceed \$72,000, from 1/1/11 – 12/31/11, under the listed terms and conditions.

M. Cabaleiro

6. (18115) **CE/Youth Bureau – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with The Children's Village, Inc., to operate the Sanctuary Program – Case Management Services component, from 1/1/11 – 12/31/11, in a total amount not to exceed \$82,450, under the listed terms and conditions.

M. Cabaleiro

7. (18116) **CE/Youth Bureau – OVER BY ADMINISTRATION.** Request authority to enter into an agreement with Youth Theatre Interactions, Inc., to operate the Intimate Realities and After School Performing Arts Program, from 1/1/11 – 12/31/11, in a total amount not to exceed \$125,000, under the listed terms and conditions.

M. Cabaleiro

8. (18440) **CE/Office for Women – OVER BY BOARD OF LEGISLATORS.** Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Hope's Door, Inc., Pleasantville, for non-residential domestic violence support services.

D. Balistreri

9. (18441) **CE/Office for Women – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with Hope's Door, Inc., for the provision of state mandated non-residential support services in accordance with the Department of Social Services Consolidated Services Plan Amendment for Non-Residential Services for Victims of Domestic Violence; and domestic violence education and prevention services for teen age youth via its school-based outreach program and Students Terminating Abusive Relationships Program, for a not to exceed amount of \$137,406, from 1/1/11 – 12/31/11. (County / \$81,877, New York State / \$33,882, Federal / \$21,647)

D. Balistreri

10. (18530) **CE/Office for Women – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with Pace University, acting by and through the Women's Justice Center of Pace University Law School, for the provision of legal consumer education via telephone counseling in matrimonial, employment, health care, domestic violence and elder law, including the development of educational publications in English and Spanish, and the maintenance of a legal center staffed by law students; in addition Pace will provide education and training to private attorneys who will, in return for such training, provide low cost matrimonial and elder law representation to low and middle income persons, from 1/1/11 – 12/31/11, for an amount not to exceed \$61,453.

D. Balistreri

11. (18359) **Information Technology** - Enter into an agreement (IT-1192) with ASC Staffing LLC, Stamford, CT, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed amount of \$307,944, under the listed terms and conditions.

M. Beirne

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

12. (18360) **Information Technology** - Agreement (IT-1193), with Software Guidance and Assistance, Inc., Hartsdale, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$517,608, under the listed terms and conditions.

M. Beirne

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

13. (18361) **Information Technology** - Enter into an agreement (IT-1191), with EZ Steps USA, Inc., Suffern, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$150,696, under the listed terms and conditions.

M. Beirne

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

14. (18362) **Information Technology – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement (IT-1194), with Westchester County Historical Society, Elmsford, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$81,000, under the listed terms and conditions.

M. Beirne

15. (18475) **Information Technology** - Enter into an agreement (IT-1187), with Atria Consulting LLC, NYC, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$857,500, under the listed terms and conditions.

M. Beirne

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

16. (18353) **Information Technology** - Agreement (IT-1188), with Columbia IS Consulting Group Inc., Stamford, CT, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$543,145 under the listed terms and conditions.

Beirne/McGuire

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

17. (18473) **Information Technology** - Enter into an agreement (IT-1196), with Technisource Inc., Stamford, CT, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$285,012, under the listed terms and conditions.

Beirne/Sutton

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

18. (18474) **Information Technology** - Enter into an agreement (IT-1189), with Nutech Information Systems, Stamford, CT, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$279,286, under the listed terms and conditions.

Beirne/Idoni

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

19. (18392) **County Attorney** - Solicit bids by public advertisement for a two-year contract for the Service of Legal Documents in Family Court Proceedings.

R. Meehan

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

20. (18056) **Planning – OVER BY BOARD OF LEGISLATORS.** Request authority to amend agreements with Suburban Green Housing Development Fund Corp., for the acquisition and rehabilitation of the foreclosed properties located at 224 Union Avenue and 431 South Fifth Avenue both in the City of Mount Vernon, from 6/17/10 – 6/30/11, in order to change the expiration date from 6/30/11 to 7/31/11 for both properties.

E. Buroughs

21. (18348) **CE/Emergency Services – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with Phelps Memorial Hospital Center through the Hoch Center for Emergency Education, for the provision of training in the administration of Cardio Pulmonary Resuscitation and use of Automated External Defibrillation operation for adult, child and infant patients, with training being provided by Phelps to County employees who volunteer to be part of the Westchester County Public Access Defibrillation program, from 5/1/11 – 4/30/14, for a total contract amount not to exceed \$78,000, with the County reserving the right to terminate the agreement on thirty (30) days notice.

A. Sutton

22. (18529) **Social Services** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with My Sisters' Place, Inc., for the provision of advocacy and support services to victims of domestic violence and their children.

K. McGuire

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

23. (18175) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with My Sisters' Place, Inc, for the provision of advocacy and support services to victims of domestic violence and their children referred to the agency by the Child Protective Services Division of the Department of Social Services, from 5/1/10 – 4/30/11, for an amount not to exceed \$252,460, by extending the end date of the agreement to 12/31/11; and by increasing the not to exceed amount by \$204,992, for a new total not to exceed amount of \$457,452, under the listed terms and conditions.

K. McGuire

24. (18238) **Social Services** - Amend an agreement with the State of New York, acting by and through its Department of Labor, to accept a grant in the amount of \$500,000 to be used by the County to fund the "Green Talent Pipeline" project in the Hudson Valley, by extending the end date of the said agreement from 4/30/11 to 6/30/11 at no cost to the County.

K. McGuire

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

25. (18253) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into agreements with the licensed and approved Voluntary Child Care Agencies, for the provision of institutional/group foster care and adoption services and the educational providers for the provision of educational services associated with out-of-home placements listed in Schedule “A”, commencing on 7/1/11 and extending indefinitely until terminated with thirty (30) days prior written notice from either party to the other, for an aggregate amount not to exceed \$40,880,856 for the term 7/1/11 – 6/30/12, under the listed terms and conditions.
- K. McGuire
26. (18256) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with Mina Malin Consulting Group, Inc., to serve as the Green Project Manager for the Hudson Valley Green Talent Pipeline Program, from 10/1/10 – 4/30/11, in an amount not to exceed \$38,899, by extending the end date of the agreement from 4/30/10 to 6/30/11.
- K. McGuire
27. (18257) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to amend the agreements with each of the three (3) listed agencies, for the purpose of providing training programs under the Hudson Valley Green Talent Pipeline Program throughout the Hudson Valley region, from 10/1/10 – 4/30/11, in an aggregate amount not to exceed \$98,602; by 1) extending the termination date of the contracts to 6/30/11; and 2) increasing the amount not to exceed for the contract with Hudson Valley Regional Council, Inc. by \$3,000, for a new total aggregate not to exceed amount of \$101,602.
- K. McGuire
28. (18417) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with the Yonkers Chamber of Commerce for the purpose of providing employment services for all employable Temporary Assistance customers, from 6/1/07 – 5/31/11, for an amount not to exceed \$5,833,066, by: **1)** extending the end date to 9/30/11; **2)** increasing the not to exceed amount by \$486,157 to a new total not to exceed amount of \$6,319,223; and **3)** modifying the scope of services in order to provide employability assessments during first appointment with the Yonkers Chamber of Commerce case-manager within 10 days of referral
- K. McGuire
29. (18439) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with Harquin Creative Group, in which Harquin Creative Group agreed to design and create a marketing and promotional plan, from 9/1/09 – 4/30/11, in an amount not to exceed \$97,700, by extending the end date of the agreement to 6/30/11 at no additional cost to the County.
- K. McGuire
30. (18650) **Social Services -** Amend a 1/28/11 Resolution in order to reflect the correct amount not to exceed, and the correct requested increase in the amount not to exceed, for the County's contract with Community Housing Innovations, Inc., to which CHI is providing services to implement the agreements with the four (4) listed agencies for the provision of services with the Green Jobs Corps program under a grant from the New York State Department of Labor for the period November 1, 2009 through October 31, 2010 by: **1)** increasing the amount not-to-exceed by \$27,293 (\$21,358 to CHI and \$5,935 to the City of Peekskill, acting by and through its Youth Bureau, respectively), from a total aggregate not to exceed amount of \$410,680 for all of the agreements to a new total aggregate not-to-exceed amount of \$437,973 for all of the agreements, to be paid in accordance with approved budgets; and **2)** extending the contract termination date of all agreements listed from 10/31/10 to 12/31/10.

K. McGuire

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

31. (17817) **Senior Programs – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with Family Service Society of Yonkers, Inc., Elderserve Licensed Home Care Services Agency, Inc., and YWCA of White Plains and Central Westchester, Inc., pursuant to which each contractor was to administer breast and cervical cancer screening and counseling programs, health and wellness programs and medication management programs, for the period from January 1, 2009 through December 31, 2010, for the individual amounts not-to-exceed (and from the respective sources) specified in Schedule "A", in order to, **(1)** to modify the scope of services for each of the Three Agreements to reflect the fact that each contractor will administer either breast and cervical cancer screening, counseling programs, health and wellness programs, and/or medication management programs, rather than perform all of those services, and **(2)** exercise the County's second one-year renewal options under each of the Three Agreements and, as a result, **(a)** amend each of the Three Agreements to extend the term thereof from January 1, 2009 through December 31, 2010 to January 1, 2009 through December 31, 2011; **(b)** amend each of the Three Agreements to reflect the fact that the County will have no remaining options under each of the Three Agreements; and **(c)** amend each of the Three Agreements to increase the not-to-exceed amount authorized under each of the Three Agreements as follows: Family Service Society of Yonkers, Inc., increasing the not to exceed amount by an additional \$6,084; Elderserve Licensed Home Care Services Agency, Inc., increasing the not to exceed amount by an additional \$12,557; YWCA of Central and Northern Westchester, increasing the not to exceed amount by an additional \$27,847, under the listed terms and conditions.

M. Carpenter

32. (18397) **Health** - Enter into contract with the New York State Department of Health to accept continued funding for the Drinking Water Program Local Assistance Funding Enhancement grant, from 4/1/11 – 3/31/12, for a not to exceed amount of \$221,325.

C. Archbald

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

33. (18399) **College** – Contract No. WCC-11-897, for Construction Phase of Elevator Overhauls for the Library and Technology Buildings, Westchester Community College, Valhalla, New York. Advertise for bids.

J. Hankin

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

34. (18347) **Public Safety – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into a IMA to lease to the City of Mount Vernon the Mobile Interoperable Communications Equipment and Communications Van identified in Schedule "A", for use by the City's Police Department when responding to a call for Mutual Aid, and for responses to incidents in the City's Police Department when responding to a call for Mutual Aid, and for responses to incidents in the City, from 5/1/11 – 4/30/16, under the listed terms and conditions.

G. Longworth

35. (18380) **Probation – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the New York State Division of Criminal Justice Services, to act as the monitoring agency for Leandra's Law, from 10/1/10 – 9/30/11, in an amount not to exceed \$142,407.

R. Pozzi

36. (17310) **DPW/Transportation** – Contract No. 11-202, for Janitorial Services at District Offices, 25 Moore Avenue and 750 Washington Street, Mount Kisco and Peekskill, New York. Advertise for bids.

J. Hsu

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

37. (18335) **DPW/Transportation** - Amend Contract No. 07-201, with CTE Cleantech Corp. for Janitorial Services, District Office, 100 East First Street, Mount Vernon, from 6/1/11 – 5/31/13, by extending the term of the contract through to 5/31/13.

J. Hsu

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

38. (18487) **DPW/Transportation** – Contract No. 11-507, for Improvements to Roads and Parking Areas – Phase I, Blue Mountain Park, George’s Island Park and Croton Gorge Park, City of Peekskill and Town of Cortlandt, New York. Awarded to Low Bidder, Bilotta Construction Corp., Purchase, in the amount of \$1,392,929. (10 bids received)

J. Hsu

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

39. (18488) **DPW/Transportation** – Contract No. 11-510. For Paving and Stormwater Improvements, Valhalla Campus, Valhalla, New York. Awarded to Low Bidder, ELQ Industries, Inc., New Rochelle, in the amount of \$67,737.50. (10 bids received)

J. Hsu

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

40. (18489) **DPW/Transportation** – Contract No. 09-526, for Roof Replacement and Exterior Repairs, 9 Union Avenue, Mount Vernon Annex, Mount Vernon, New York. Advertise for bids.

J. Hsu

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

41. (18490) **DPW/Transportation – OVER BY BOARD OF LEGISLATORS.** Contract No. 10-235, for Weatherization Assistance Program, South County Housing Facilities, Westchester County, New York. Request authority to Reject Bids and Re-Advertise for bids as 10-235-Rev. (1 bid received)

J. Hsu

42. (18491) **DPW/Transportation** – Contract No. 10-509, for HVAC Equipment Upgrades and Odor Control Improvements, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York. Reject Bids and Re-Advertise for bids as 10-509-Rev. (4 bids received)

J. Hsu

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

43. (18492) **DPW/Transportation** – Contract No. 10-540, for Total Residual Chlorine Reduction, Peekskill Wastewater Treatment Plant, Peekskill, New York. Advertise for bids.

J. Hsu

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

44. (18493) **DPW/Transportation** – Contract No. 10-545, for Total Residual Chlorine Reduction and Structural Repairs to the Chlorine Contact Tank, Ossining Wastewater Treatment Plant, Ossining, New York. Advertise for bids.

J. Hsu

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

45. (18494) **DPW/Transportation** – Contract No. 10-533, for Roofing Replacement, Welding Shop, 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.**

46. (18495) **DPW/Transportation** – Contract No. 10-564, for Roofing Replacement, Automotive Garage and Roads and Grounds Garage, Valhalla Campus, Valhalla, New York. Advertise for bids.

J. Hsu

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

47. (18496) **DPW/Transportation** – Contract No. 11-201, for Countywide Installation of Data, Telephone and Branch Circuitry, Various Locations, Westchester County, New York. Reject Bids and Re-Advertise for bids as 11-201-Rev.

J. Hsu

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

48. (18497) **DPW/Transportation** – Contract No. 11-208, for Weatherization Assistance Program, Travers House, 100 Vark Street and Issan House & Maitri Center, 23 Park Avenue, Yonkers, New York. Advertise for bids.

J. Hsu

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

49. (18498) **DPW/Transportation** – Contract No. 10-567, with DiMarino Brothers Contracting, Inc., for Pool Modernization – Phase II, Tibbetts Brook Park, Yonkers, New York. Approved Kenlar Electric Inc., Scarsdale, and Long Island Swimming Pool Inc., Bohemia, NY, as subcontractors.

J. Hsu

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

50. (18224) **DEF** – Contract No. EF-1101, for the Emergency Repair of Leaks, for Westchester County Sewer and Water Districts, Various Locations throughout Westchester County, New York. Awarded to Low Bidder, ELQ Industries, Inc., New Rochelle, in a not to exceed amount of \$1,050,000. (6 bids received)

T. Lauro

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

51. (18226) **DEF** – Contract No. EF-1104, Removal of Grit from the Yonkers Joint, Peekskill, Mamaroneck, New Rochelle, Ossining and Port Chester Wastewater Treatment Plants and from the Hutch and North Yonkers Pump Stations, Westchester County, N.Y. Advertise for bids.

T. Lauro

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

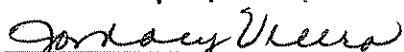
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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 5/4/11.

  
\_\_\_\_\_  
Jo Mary Vieira, Secretary  
Board of Acquisition & Contract

## Dept Of Social Services (22)

### Trusts and Grants

Account Title	Program Amount	Program Amount	Current Year Program Amount: Funding Breakdown					
			Prior Year	Current Year	Federal	State	Adv. to Grants	Other
<b>Medical Center Unit</b>			\$408,300	\$317,498	\$158,749	\$101,599		\$57,150
Acct T-0777 22-077L. Granting Agency: Westchester Health Care Corporation. To assist patients of Medical Center in determination of their eligibility for Medical Assistance. Funds: Other \$57,150 is reimbursement from the Westchester County Medical Center. Term: 01/01/11-12/31/11. Positions: 3.								
<b>HEAP</b>			\$880,176	\$891,339	\$891,339			
Acct T-127 22-127K. Granting Agency: N.Y. State Office of Temporary and Disability Assistance. To provide funds to low income individuals to offset increases in energy costs and for agency administrative costs. Term: 10/01/10 - 09/30/11. Positions: 4.								
<b>Food Stamp Nutrition Education</b>			\$300,638	\$318,809	\$318,809			
Acct T-290 22-290K. Granting Agency: N.Y. State Office of Temporary and Disability Assistance. This program intends to help low income population to make informed choices which will support optimal health through maximization of all resources. Term: 10/01/10 - 09/30/11.								
<b>TANF Drug and Alcohol (FFFS)</b>			\$107,315	\$109,988	\$109,988			
Acct T-387 22-387K. Granting Agency: N.Y. State Office of Temporary and Disability Assistance To screen TANF customers for alcohol and substance abuse problems. Services are provided through the Flexible Funds for Family Services (FFFS). Term: 07/01/10 - 06/30/11.								
<b>TTANF Services Plan (FFFS)</b>			\$223,825	\$271,171	\$271,171			
Acct T-413 22-413K. Granting Agency: N.Y. State Office of Temporary and Disability Assistance. Transitional services to customers are provided through the flexible Funds for Family Services (FFFS). Term: 07/01/10 - 06/30/11.								
<b>Community Solutions for Transportation</b>			\$77,300	\$29,767	\$29,767			
Acct T-439 22-439J. Granting Agency: N.Y. State Dept. of Labor. To provide transportation costs to eligible TANF customers. Term: 07/01/09 - 06/30/11.								

EAT SMART  
Approved  
of cost

71750  
copy  
to Candy  
Kerry DSS  
10/1/10  
APPROVED FFY 2011  
Red email Anne Hunter  
S

**PROJECT INFORMATION and FUNDING REQUEST**

**Agency Description**

State Agency or Local DSS	Westchester County Department of Social Services
Address	112 East Post Road
City & Zip Code	White Plains, New York 10601
Project Contact Person	Ms. Kerry Flynn
Title	Food Stamp Director
Telephone Number	(914) 995-6-55
Fax Number	(914) 995-5535
E-Mail Address	kef1@westchestergov.com

**Vendor Description**

Cooperative Extension or Other Agency	Cornell Cooperative Extension-Westchester County
Address	26 Legion Drive
City & Zip Code	Valhalla, NY 10595
Project Contact Person	Sandra Antonioli
*Alternate Contact Person	Barbara Sacks - <a href="mailto:bks28@cornell.edu">bks28@cornell.edu</a> 914 285-4622
Telephone Number	914 285-4627
Fax Number	914 285 4624
E-Mail Address	sla32@cornell.edu

*\*Please include the name, phone number, fax number and email address for an alternate contact*

*Mrs. Cindy Fox- Financial Manager*  
[ckf2@cornell.edu](mailto:ckf2@cornell.edu)  
*(914)285-6245*

**Food Stamp Nutrition Education Program (FSNEP) Funds Requested for FFY 2011.**

Federal Share:	\$322,659.00
State/Local Share:	\$322,659.00
<b>FSNEP Total Project Cost:</b>	<b>\$645,318.00</b>

## **AGREEMENT**

**AGREEMENT BY AND BETWEEN Westchester County Department of Social Services (hereinafter referred to as LDSS) and Cornell Cooperative Extension-Westchester County (hereinafter referred to as Vendor/Vendors) for Nutrition Education Services, for the period: October 1, 2010 through September 30, 2011.**

The above referenced parties do hereby agree to the following:

1. Under Section 16 of the Food Stamp Act of 1977, as amended, a State food stamp agency is reimbursed 50 percent for allowable administrative program costs that are reasonable and necessary to operate approved nutrition education activities. Because State costs, by law, are reimbursed, the Food Stamp Nutrition Education Program is not a "grant" program, which provides a set level of funding for specific activities for a specific period of time, nor is it technically a match program. It is a reimbursement program, and reimburses 50 percent of States' allowable expenditures. (50% State or Local Share/50%Federal Share)
2. Nutrition education activities will be conducted exclusively for the benefit of Food Stamp Program participants and applicants. Any necessary waivers will be applied for by OTDA from USDA, for NYS projects that include reaching school populations with over 50% Free and Reduced Lunch participants. Program activities will be conducted in compliance with all applicable Federal laws, rules, regulations including civil rights and OMB circulars governing cost issues.
3. Cash or in-kind donations from other non-Federal public agencies to the Food Stamp Nutrition Education Program have not been claimed or used as a match or reimbursement under any other Federal program.
4. Costs incurred by other non-Federal agencies for goods and services for food stamp nutrition education and which are then donated to the Food Stamp State agency make up the public in-kind contributions that are included in the State share of costs that are eligible for Federal reimbursement. They may not be used as a match under any other federally funded project.
5. The Vendor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this agreement. The records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The New York State Office of Temporary and Disability Assistance (OTDA), The United States Department of Agriculture, Food and Nutrition Service (USDA/FNS), the Comptroller General of the United States, the New York State Division of the

Budget, the State Office of the Comptroller and any other person or entity authorized to conduct an examination, as well as the entities involved in this agreement, shall have access to the records during normal business hours at an office of the vendor within the State of New York, or if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying.

6. Program activities shall not supplant existing nutrition education programs, and, where operating in conjunction with existing programs, enhance and supplement them.
7. Program activities shall be reasonable and necessary to accomplish program objectives and goals.
8. Materials developed with Food Stamp Program funds must include the appropriate non-discrimination statement, a statement crediting the Food Stamp Program as a funding source and a brief message about how the Food Stamp Program can help provide a healthy diet and how to apply for benefits. All reports, studies, publications, videos, curricula, etc., made as a result of participation in the FSNEP project must be reviewed and approved by the NYS Office of Temporary and Disability Assistance (OTDA) prior to use or publication and acknowledge that the FNS/USDA reserves a royalty-free non-exclusive license to reproduce, publish, use or authorize others to use all videos or literature including copyrighted items resulting from this project.  

USDA Civil Rights guidelines require that:

  - a. Materials must include a nondiscrimination statement. "In accordance with Federal law and U.S. Department of Agriculture's policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs or disability." "To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer."
  - b. All photographs or other graphics used in informational materials must display participants of different races, colors, sexes, and national origin.
  - c. Bilingual project information and staff or interpreters must be provided based on the number of low-income households who speak the same non-English language in the project area.
9. The Program work plan and budget, including any revisions and modifications shall be submitted in writing to the LDSS for written approval. Reporting requirements include quarterly progress reports and a final report due 10/30 of each year.

- 10. All personal information concerning individuals served or studied, as a part of this project, is confidential and will be safeguarded. As such the VENDOR shall maintain the confidentiality of all information collected in the implementation of the programs funded pursuant to the terms of this Agreement in accordance with all federal and State statutes and regulations including the provisions set forth in 7 CFR 272.1, sections 136 and 372 of the Social Services Law, and 18 NYCRR 387.2(j). The vendor also agrees to include a confidentiality provision in all subcontracts entered into pursuant to this Agreement.
- 11. If the VENDOR enters into subcontracts for the performance of work pursuant to this Agreement, the VENDOR shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the LDSS under this AGREEMENT. No contractual relationship shall be deemed to exist between the subcontractor and the LDSS. The VENDOR shall insure that subcontractors for work pursuant to this Agreement have not been debarred from doing business with the federal government, the State of New York or the county.
- 12. This Agreement shall be terminated:
  - a. should Federal funds which support this Agreement become unavailable or be insufficient (less than 50% of the Total Project Cost) to meet the amount specified in the budget section,
  - b. by either party to the Agreement based on 30-day written notice. Such notice shall be given no less than 30 days prior to the date on which the termination shall become effective, and/or
  - c. by the LDSS immediately, upon written notice of termination to the VENDOR, if the VENDOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.
- 13. The Vendor certifies that the information contained in the attached FFY Application for FSNEP, including the work plan and budget pages are true and correct.
- 14. The parties agree to comply with all the above listed items.

*C. M. ... for ...* Date: *6/15/10*  
 \_\_\_\_\_  
 Commissioner, Department of Social Services or Designated Officer

*Barbara K. Sacks* Date: *6-10-10*  
 \_\_\_\_\_  
 Executive Director, Cornell Cooperative Extension or Designated Officer  
 Barbara K. Sacks

Appendix A. Template 4. Section D Continued:  
**3. BUDGET INFORMATION BY PROJECT-Cornell Cooperative Extension-Westchester County**  
 Sub-grantee Name (if applicable):  
 Project Name: Eat Smart New York!

Expenses*	(a) Non-Federal Public Funds		(b) Non-Federal Public Funds Cash	(c) Total Non-Federal Funds (a+b)	(d) Federal Funds	Total Funds (c+d)
	Cash	In-kind				
1 Salary/Benefits	0	203,789		203,789	247,110	450,899
2 Contracts/Grants/Agreements**	0	6,299		6,299	12,474	18,773
3 Non-Capital Equipment/Supplies	0	3,050		3,050	18,755	21,805
4 Materials	0	0		0	12,600	12,600
5 Travel	0	3,000		3,000	8,300	11,300
6 Administrative	0	49,001		49,001	0	49,001
7 Building/Space	0	57,521		57,521	0	57,521
8 Maintenance	0	0		0	8,386	8,386
9 Equipment & Other Capital Expenditures	0	0		0	15,034	15,034
10 Total Direct Costs	0	322,659		322,659	322,659	364,318
11 Indirect Cost***	0	0		0	0	0
12 Total Costs		322,659		322,659	322,659	645,318

\*Provide narrative describing all expenses.

\*\* Attach copies of interagency agreements to support line 2.

\*\*\* Provide assurance that the indirect cost rate is an approved rate (see Appendix C, Section A.2).