

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JANUARY 19, 2012 AT 11:00 A.M.**

County Executive	Robert P. Astorino
Chairman, Board of Legislators	Ken Jenkins
Acting Comm. - Public Works & Transportation	Thomas J. Lauro
County Attorney	Robert Meehan
Deputy County Attorney	Jim Robertson
County Executive's Office	Christine Sculti
Budget	Patricia Haggerty
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Board of Legislators	Anne Reasoner
Board of Legislators	Larry Goldstein
Board of Legislators	Bob Boland
Board of Legislators	Thomas Staudter
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, "A point of information with Commissioner Lauro. Based on the Charter we do not believe Mr. Lauro is authorized to serve on this Board of Acquisition and Contract. The DPW Commissioner, until a law takes effect, would be able to do that. There is no Deputy, the Deputy would be able to take over for the Commissioner and there is no provision to allow a substitute for that particular matter. So we would object to him voting on this particular Board. Not that we were going to need it for these items because we usually do these things unanimously but that would be our objection."

Mr. Astorino responded, "Law is represented here. Should we get the County Attorney? Let's take a five minute recess."

Mr. Astorino said, "We are back. There are questions on the floor raised by Chairman Jenkins. The County Attorney is now here with us. Do you want to state your question or objection."

Mr. Jenkins responded, "We objected to Commissioner Lauro being appointed to this particular committee. There is no provision in Chapter 161 for Board of Acquisition and Contract for an acting member to be on the Board. There is no Deputy in that department and that person would be eligible. Commission Lauro could not be made an acting member of this committee. Further, he couldn't be made an Acting Commissioner pursuant to Section 110.21 without approval of the Board of Legislators. So he would not be able to serve on this committee."

Mr. Meehan responded, "The objection should be noted and we should proceed."

Mr. Jenkins said, "There is another aspect as well. There isn't a vacancy right now because according to the press release Commissioner Hsu is still on the payroll until the 23rd of January. That would be a further instance of why there isn't a vacancy on this Board at this point and time and, quite frankly, a Deputy should be here. Our objection would be extremely strong in this particular aspect for voting on the items that are on here and specifically items that were submitted by Commissioner Lauro. Actually they were submitted originally by Commissioner Hsu and the name was changed to be Commissioner Lauro on those. We should have just left them the same. Those items would be Items 8 and 11, #'s 23822 and 23886 respectively, which were originally submitted to the Board under Commissioner Hsu's name and the names were modified to put Commissioner Lauro as Acting Commissioner for the department. Again, there is no provision for that. Those would be things we would object to."

Mr. Robertson said, "If I could just submit for the record, the actual submission, we have individual submittals all the time that don't have authority to sign contracts. There are no rules against who can submit to this Board, none whatsoever, either in the Charter or the Rules of the Board. So that is really a form issue not a legal substantive issue."

Mr. Jenkins responded, "That would also be from a department that would be authorized to be able to sign off on a specific item which we do when we grant authority to those individual department heads in the beginning of their term."

Mr. Robertson said, "For signing the contract, as opposed to submitting to this board."

Mr. Jenkins said, "Understood. I believe it was changed and the title was put under Acting Commissioner of DPW, which again, would not be appropriate as well. The submission name should be modified from a contractual perspective for the resolution to be clear on that is fair. Mr. County Executive you have the authority to do all that without prior approval of the Board."

Mr. Lauro responded, "Is it any Deputy from the department? Because the department does have a Deputy Commissioner."

Mr. Jenkins said, "There is no one in the Deputy position at this moment."

Mr. Robertson said, "Yes there is, there is Deputy Commissioner Chemka. Her job description actually has an authorization to sit. Her civil service job position has an authorization to sit."

Mr. Jenkins responded, "She would be able to fill in for Commissioner Hsu."

Mr. Meehan said, "The objection is on the record and we can proceed."

Mr. Jenkins then said, "The BOL is going to sever DSS items 1 (23171) and 2 (23201) and we will vote separately on those because there was a new policy implemented in December of 2011 that documentation does not show the new policy was adhered to on those two particular items as it relates to rapid re-housing funding that we received from the federal government to make sure that these particular programs match those services. For those two we respectively request that they be postponed to a time certain to be able to analyze and determine whether or not they actually have met the criteria in the new policy, otherwise we can just sever them and vote them down. They are new contracts so I don't believe it would be a big issue to do those particular items."

Mr. Astorino responded, "Why don't we postpone the vote of 1 and 2 until the next A&C meeting which is the 26th."

Acquisition & Contract. Minutes of the meeting of 1/12/12 and the SEQR Review for agenda items.

J. Vieira

Mr. Astorino moved to receive and file the foregoing minutes and SEQR review, which were duly seconded and approved.

1. (23171) **Social Services – OVER BY COUNTY EXECUTIVE** Request authority to enter into an agreement with Interfaith Council for Action, Inc., for the purpose of operating scattered site transitional housing units and providing case management and supportive services to families transitioning to permanent housing, from 1/1/12 – 12/31/12, for an amount not to exceed \$421,914.

K. McGuire

Held Over by The Board of Legislators – 1/12/12

2. (23201) **Social Services – OVER BY COUNTY EXECUTIVE** Request authority to enter into an agreement with Community Housing Innovations, Inc., to manage and operate scattered site transitional housing units for homeless families, from 1/1/12 – 12/31/12, for an amount not to exceed \$1,346,017.

K. McGuire

Held Over by The Board of Legislators – 1/12/12

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

3. (23569) **Social Services** - Enter into an agreement with Westhab, Inc., to operate a shelter for employable single men at a facility known as the Vaughn Glanton Employment Residence located at 17 South Second Avenue, Mount Vernon, from 1/1/12 – 12/31/12, for an amount not to exceed \$1,039,301.

K. McGuire

Held Over by The Board of Legislators – 1/12/12

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

4. (23597) **Social Services** - Amend an agreement with the Y.W.C.A. of Yonkers, Inc., to operate a shelter program for small families and /or single homeless women / mothers with infants at a facility known as the Y.W.C.A. of Yonkers located at 87 South Broadway, Yonkers, from 7/1/11 – 6/30/12, for an amount not to exceed \$184,910, by increasing the amount an additional \$41,825, for a new total not to exceed amount of \$226,735.

K. McGuire

Held Over by The Board of Legislators – 1/12/12

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

5. (23598) **Social Services** - Amend an agreement with Westchester Community Opportunity Program, Inc., to operate the Oasis Homeless Shelter Warming / Drop-in Site, by; 1) increasing the amount an additional \$155,646, for a new total not to exceed amount of \$681,646/ and 2) extending the termination date from 12/31/11 to 4/15/12.

K. McGuire

Held Over by The Board of Legislators – 1/12/12

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

6. (23638) **Social Services** - Amend an agreement with the Urban League of Westchester County, Inc., for the provision of various support services through a program called WRAPP for the "hard-to-serve" Safety Net Families population in Westchester County, from 7/1/10 – 12/31/11, for a total amount not to exceed \$608,430 by: **1)** extending the end to 3/31/12; and **2)** increasing the amount an additional \$101,200, for a new total not to exceed amount of \$709,630, under the listed terms and conditions.

K. McGuire

Held Over by The Board of Legislators – 1/12/12

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

7. (23667) **Social Services - 1)** Enter into an agreement with the New York State Office of Children and Family Services to receive a grant in the amount of \$889,450, to purchase registration activities for school age care providers and registered family day care providers, to finger print child care providers and their employees and to conduct investigations and process complaints, from 1/1/12 – 12/31/12; and **2)** Enter into a separate agreement with the Child Care Council of Westchester, Inc., to perform the above said services, from 1/1/12 – 12/31/12, for an amount not to exceed \$844,977.

K. McGuire

Held Over by The Board of Legislators – 1/12/12

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

8. (23822) **DPW/Transportation** - Amend Agreement #07-936, with Camp Dresser & McKee, Woodbury, NY, for engineering services in connection with the Rehabilitation of the North Yonkers Trunk Sewer, Yonkers, New York, in the amount of \$225,825, from 1/30/12 – 12/31/14, to include surveying, design and construction administration services and approval of B. Thayer Associates, Woodbury, NY as a subconsultant.

T. Lauro

Held Over by The Board of Legislators – 1/12/12

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

9. (23836) **Information Technology** - Amend Contract IT-655 with Core Cashless, Inc., Kansas, for hardware and software support costs of the stored value card system utilized by Playland Park and the County Center, by assigning the contract from Core Cashless, Inc., to CORE Cashless, LLC, by increasing the amount by \$186,000, for a new total not to exceed amount of \$2,011,359, and extending the termination date to 9/30/12.

Beirne/O'Connor

Held Over by The Board of Legislators – 1/12/12

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

10. (23503) **Social Services** - Amend an agreement with Yonkers Chamber of Commerce for the purpose of providing employment services for all employable Temporary Assistance customers, from 6/1/07 – 12/31/11, for an amount not to exceed \$6,682,813, by 1) extending the end date from 12/31/11 to 3/31/12; and 2) increasing the not to exceed amount by \$364,567, for a new total not to exceed amount of \$7,047,380.

K. McGuire

Held Over by The Board of Legislators – 1/12/12

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

11. (23886) **DPW/Transportation** - Enter into an agreement with the New York State Department of Transportation for the receipt of \$1,280,000, for the operation of certain bus services, including the Westchester Shuttle Network and the management of bus stop information, as part of a Regional Transportation Program for transit services provided, from 10/1/11 – 9/30/12.

T. Lauro

Held Over by The Board of Legislators – 1/12/12

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

12. (23855) **Information Technology** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Mapping Westchester County and Home Seeker applications.

M. Beirne

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

13. (23856) **Information Technology** - Enter into agreement (IT-1221) with Bowne Management Systems, Inc., Mineola, for the provision of professional consulting services, from 1/1/12 – 12/31/12, for an amount not to exceed \$25,000.

M. Beirne

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

14. (23879) **Information Technology** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Towerkraft Engineering, P.C. for structural engineering services for radio towers at sites throughout the County.

M. Beirne

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

15. (23880) **Information Technology** - Enter into an agreement with Towerkraft Engineering, P.C., Alliance, NE, for radio tower structural engineering services, from 1/1/12 – 12/31/14, for a total not to exceed contract amount of \$21,650.

M. Beirne

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

16. (23881) **Information Technology – OVER BY BOARD OF LEGISLATORS.** Request authority to amend Contract (IT-776) with AssetWorks, Inc., Wayne, PA, for hardware and software support costs as well as software upgrade costs of the Fleet Management System utilized by Department of Public Works and Transportation, by extending the expiration date to 12/31/12, and by increasing the amount \$24,035, for a new total not to exceed amount of \$388,098.

Beirne/Lauro

17. (23882) **Information Technology** - Amend Contract IT-943 with Syscon Justice Systems Ltd., British Columbia, Canada, for software support and maintenance services for the Probation Criminal Court Information Management System, by extending the term for one year, 2/1/12 – 1/31/13, and by increasing the amount by \$101,457, for a new total not to exceed contract amount of \$556,791.

Beirne/Pozzi

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

18. (23995) **County Attorney** - Purchase Commercial General Liability Insurance, from Scottsdale Insurance Company through the brokerage firm of Spain Agency, Inc., for an amount not to exceed \$65,891, from 2/4/12 – 2/4/13, under the listed terms and conditions.

R. Meehan

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

19. (23931) **Planning – OVER BY BOARD OF LEGISLATORS.** Request authority to amend the agreement with the Community Environmental Center to provide energy audits, training and technical services that will assist in the provision of energy efficient improvements to multifamily rental buildings, by changing the expiration date from 12/31/11 to 3/31/12.

E. Buroughs

20. (23933) **Planning – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the Village of Elmsford, through the Community Development Block Grant Program, for a downtown Elmsford Streetscape project, from 1/1/12 – 12/31/12, in the amount of \$200,000.

E. Buroughs

21. (24008) **Social Services** - Amend an agreement with nine (9) licensed consultants as listed, to provide psychological testing and evaluations, from 1/1/12 – 12/31/12, in an aggregate amount not to exceed \$217,125, to correct the profession of one of the consultants: Elizabeth Osborn, M.D., to Elizabeth Osborn, Ph.D.

K. McGuire

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

22. (23992) **Health – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into contract to accept continued funding from the New York State Department of Health, for the Community-Based Facilitated Enrollment Program Grant, from 1/1/12 – 12/31/12, in the not to exceed amount of \$330,000.

S. Amler

23. (24000) **Probation** - Enter into an agreement with the Mental Health Association of Westchester County, Inc., Elmsford, to provide a Sex Offender Treatment Program, from 1/1/12 – 12/31/12, for an amount not to exceed \$154,500.

R. Pozzi

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

24. (24006) **Probation** - 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 10/1/11 – 9/30/12, in an amount not to exceed \$142,407.

R. Pozzi

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

25. (24030) **Parks – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into a license agreement with AAO Enterprises, Inc., Putnam Valley, NY, for the operation of the food and refreshment concession at Mohansic Golf Course, Yorktown Heights, from 1/20/12 – 12/31/16, under the listed terms and conditions.

K. O'Connor

26. (24077) **Parks** - Amend the term of the license agreement with Saxdale Rest. Corp., from 1/1/12 – 12/31/14 to 1/1/12 – 12/31/16, for an additional fee of \$50,387, under the listed terms and conditions.

K. O'Connor

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

27. (23559) **DPW/Transportation – OVER BY BOARD OF LEGISLATORS.** Request authority to amend a license agreement with Airport Mart, Inc., for space in the Terminal Building at the Westchester County Airport, to permit the Licensee to occupy an additional 300 square feet of space, for an additional license fee of \$18,900 annually, to operate a full service Dunkin Donuts franchise from the Terminal Building, under the listed terms and conditions.

Lauro/Mahon


28. (23991) **DEF** – Contract No. EF-1106, for Operation and Maintenance of Household Materials Recovery Facility, Valhalla Campus, Valhalla, Westchester County, New York. Awarded to Low Bidder, Clean Venture, Inc., Elizabeth, NJ, in the amount of \$1,573,368. (2 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.

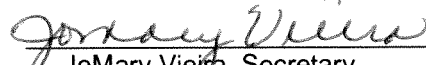
There being no further business, the Chair declared the meeting adjourned. All approved resolutions are on file electronically with the Board of Acquisition and Contract.



(JoMary Vieira, Secretary)

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

Dated 1/24/12



JoMary Vieira, Secretary