

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JUNE 7, 2012 AT 11:00 A.M.**

Acting County Executive	Kevin Plunkett
Chairman, Board of Legislators	Ken Jenkins
Comm. - Public Works & Transportation	Jay Pisco
Deputy County Attorney	Jim Robertson
County Executive's Office	Bill Mooney
County Executive's Office	Christine Sculti
County Executive's Office	Maricelly Velez
County Executive's Office	Carl Pagano
County Executive's Office	Allie Cohill
Budget	Patricia Haggerty
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Finance	Laura Ogden
Board of Legislators	Anne Reasoner
Board of Legislators	Thomas Staudter
Board of Legislators	David Cabibbo
Board of Legislators	David Tubiolo
Board of Legislators	Anthony Amiano
Board of Legislators	Kevin Quaranta
League of Women Voters	Barbara Strauss
Commercial Tower	Chris Boyman
On-Time Companies	Omar Atkins
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	Valerie Rodriguez

Mr. Plunkett presided.

Mr. Plunkett said, "The County Executive is out of the office and has asked me as the Deputy County Executive to chair the meeting and I will do so. For the record has the Secretary to the Board gone to the reception area to invite any members of the public who wish to attend this meeting to come to this conference room?"

Ms. Vieira confirmed that she had done so.

Mr. Plunkett mentioned that Mr. Pisco wished to make a motion.

Mr. Pisco said, "At the request of the Department of Public Safety and the Budget Department, I move to amend item 21 (OnBase ID #26857) on today's agenda to correct an error in the budget box information. Specifically, I move to delete the \$110,000 amount that appears on the line titled 'Tax Dollars' and insert the following language into the line titled 'Other' which shall read '\$110,000 Revenue'."

Mr. Jenkins seconded the motion and item 21 was amended.

Mr. Jenkins said, "On items 10 and 12 can we sever those items?"

Mr. Plunkett said, "There is a motion from Chairman Jenkins to sever items 10 and 12 which is an item for Social Services and an item for DPW/Transportation. Chairman Jenkins had made a motion to sever those items for voting and I will second that motion. All in favor?"

Mr. Plunkett, Mr. Pisco and Mr. Jenkins voted "Aye."

Mr. Plunkett continued, "Motion carried unanimously. Items 10 and 12 are severed and we will be voting on separately. We made a motion on the items that will be voted on and on items held over and items that will be severed. Do I have a second on all those motions?"

Mr. Jenkins seconded the motions.

Mr. Jenkins said, "The Board is going to put on the record it's normal objection based on local law 6-2012 that we are purporting is in effect as well as our normal concern about Mr. Pisco's presence at the meeting."

Mr. Plunkett said, "Those are the matters that are in litigation?"

Mr. Jenkins responded, "Yes, those are the matters that are in litigation. Thank you for making sure that we have that on the record as well. Item #10 is from the Department of Social Services #26749 and it regards an agreement with the Westchester Hispanic Coalition for the provision of services from 1/1/2011 – 12/31/2011 for \$70,000, but this is a 2011 contract that we are requesting in June 2012. The 2011 service should have been reserved in that department for that particular purpose. We should not be using 2012 dollars for this particular item at all. The amount of money that they are trying to utilize on this particular item 26749 is being charged to group 5960 and group 5960 happens to be the sub account for child care services which we have indicated, and the administration has indicated, has some sort of shortfall so I am not sure why the department would be charging any money against that particular department. That is a specific concern and that is in the daycare line for 2011 services. Certainly we also have the concerns that we have raised before and we tried to work through that with TANF programs. In the revenue and reserves accounts for the department, there are sufficient resources to handle those. That is the concern on item #10 Mr. Chairman and that was part of the reason we wanted to have some input from the department directly."

Mr. Plunkett responded, "This item as I review the budget box that had been approved through the Department of Social Services and the Budget department is 41% tax dollars so you are talking probably about \$30,000 or \$35,000 in tax dollars, the rest is state aid and federal aid but my understanding is this is a 2011 agreement that was not entered into last year and they are just funding it from the resources that are available to fund it because the services have been provided. We will acknowledge your objection but it seems to me having DSS approve this and the Budget department, it is appropriate to move this today to be voted on."

Mr. Jenkins said, "I am not questioning the department saying that it would be moved. The question we were saying is with the department, the source of the funds specifically since in that particular account there is several million dollars in the account that we have for child welfare \$3,138,669.26. It's not about the tax levy dollars of \$30,000. It is really a concern about utilizing that specific account. Especially in 2012 when the administration clearly indicated that there are some issues with child care funding, another subject of litigation. However, that is a concern that we have with that particular thing."

Mr. Jenkins said, "On item 12 the DPW/Transportation request to modify the Liberty Lines in Port Chester Rye transit agreement, the Board has had significant concerns in that through the year and we have concerns about this particular modification being done."

Mr. Jenkins continued, "The last item that we will discuss today is item 14 which is a modification on the Office of Tourism, to increase the amount of funding for marketing by

\$100,000. We certainly have supported the Office of Tourism and we certainly agree with supporting this particular item, we just wanted to make sure that we entered on the record the concern that we moved out of space on Mamaroneck Avenue which was the street level space which had a different level of marketing associated with it. I believe the savings was \$97,000 to bring them into the County Office Building. Even though we have now opened up the front of the office building by taking down the scaffolding it's still not as friendly an opening as the Office of Tourism had suggested to the Board it needed to be out on the street level, that is kind of a wash on those particular dollars. There is additional hotel tax that we are doing much better and we certainly think that we should spend more money in marketing Westchester County. We still think that we need to revisit that item and hopefully we will do that with the administration in the upcoming months; consider moving them back out in the field to say give that level of visibility that Westchester County should continue to have. With that Mr. Chairman, the Board is prepared to vote."

Mr. Plunkett responded, "Just for clarification, I understand item #12 DPW/Transportation request, is simply an adjustment as a result of the accounting procedures in auditing that went on with respect to the different bus companies and bus routes that were in place during 2011 and my recollection there is some minor adjustments that are resulting in the need for DPW /Transportation to move this resolution forward. On the Tourism, I think you understand that this particular contract is designed to expand the branding of Westchester County. Our Office of Tourism is working very closely with our outside constituents, third parties, hotel associations, restaurant associations to see how we better market all the good things we have here in Westchester County, including our Triple A rating and the tax savings we are working jointly on. I think the County Tourism department with the hotel funds thinks it to be able to market would be the appropriate thing and we have saved money by bringing the tourism department into the building because no one was stopping by the building when we were paying \$97,000 rent to a landlord on Mamaroneck Avenue. So that is really the rationale for them."

Mr. Jenkins responded, "Let me just point out again, we are in support of the item as far as the Office of Tourism. With Liberty Lines and Port Chester Rye Transit, the concern from the Board has to do with the modifications in the reimbursement rates that were based on a change to the bus schedule that was done in the September timeframe and that's what the concern is. Just for clarification."

Acquisition & Contract. Minutes of the meeting of 5/31/12 and the SEQR Review for agenda items.

J. Vieira

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

1. (26714) **County Attorney** - Extend an agreement with New York State Office of Indigent Legal Services, for the receipt of \$409,340 to improve the quality of indigent legal services provided by the County through 3/31/13.

R. Meehan

Held Over By Board of Legislators – 5/31/12

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

2. (26753) **Planning** - Amend the agreement with Freedom Gardens for the Handicapped, Inc., through the federal HOME Investment Partnership Program to supplement a portion of the construction costs for three (3) units of affordable affirmatively furthering fair housing rental units for physically handicapped households at the property known as Freedom Gardens, Mohegan Lake, Town of Yorktown, in order to change the contract expiration date from 6/14/12 to 4/30/13.

E. Buroughs

Held Over By Board of Legislators – 5/31/12

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

3. (26754) **Planning** - Amend an agreement with Suburban Green Housing Development Fund Corp., for the acquisition and rehabilitation of the foreclosed property located at 141 Morningside Avenue, Yonkers, in order to change the expiration date from 6/30/12 to 12/31/12.

E. Buroughs

Held Over By Board of Legislators – 5/31/12

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

4. (26756) **Planning** - Amend an agreement with Suburban Green Housing Development Fund Corp., for the acquisition and rehabilitation of the foreclosed property located at 224 Union Avenue, Mt. Vernon, in order to change the expiration date from 6/30/12 to 12/31/12.

E. Buroughs

Held Over By Board of Legislators – 5/31/12

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

5. (26757) **Planning** - Amend an agreement with Community Capital Resources Housing Development Fund Corp., for the acquisition and rehabilitation of the foreclosed property located at 122 Nelson Avenue, Peekskill, in order to change the expiration date from 6/12/12 to 12/31/12.

E. Buroughs

Held Over By Board of Legislators – 5/31/12

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

6. (26761) **Planning** - Amend an agreement with Suburban Green Housing Development Fund Corp., for the acquisition and rehabilitation of the foreclosed property located at 44 Summit Street, Yonkers, in order to change the expiration date from 6/30/12 to 12/31/12.

E. Buroughs

Held Over By Board of Legislators – 5/31/12

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

7. (26762) **Planning** - Amend an agreement with Community Housing Innovations, Inc., for the acquisition and rehabilitation of the foreclosed property located at 19 North High Street, Mt. Vernon, in order to change the expiration date from 6/30/12 to 12/31/12.

E. Buroughs

Held Over By Board of Legislators – 5/31/12

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

8. (26599) **Social Services** - Advertise for bids for Messenger Services to Support Administrative Operations of DSS, Office of Child Support Enforcement, from 2/1/13 – 1/31/14.

K. McGuire

Held Over By Board of Legislators – 5/31/12

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

9. (26748) **Social Services** - Amend a 12/9/10 Resolution (amended on 12/22/11 & 3/8/12) to enter into agreements with one hundred and eighty-five (185) licensed child care centers, licensed family group programs and registered school-age programs for the provision of child care services to Title XX eligible families as well as low income eligible households, commencing on 1/1/11, to authorize the County to enter into agreements with the agencies listed, commencing upon execution and continuing indefinitely until terminated by either party for the provision of child care serves.

K. McGuire

Held Over By Board of Legislators – 5/31/12

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

10. (26749) **Social Services** - Enter into an agreement with the Westchester Hispanic Coalition, Inc., for the provision of housing related and case management services for immigrants, from 1/1/11 – 12/31/11, for an amount not to exceed \$70,000.

K. McGuire

Held Over By Board of Legislators – 5/31/12

Mr. Plunkett moved the resolution, which was duly seconded and approved by Mr. Plunkett and Mr. Pisco. Mr. Jenkins voted in the negative.

11. (26953) **Parks** - Amend a 4/5/12 Resolution to enter into a license agreement with Big Bar Entertainment, LLC, to provide concerts at Playland Park, to add SLP Concerts, LLC, as an additional Licensee for the provision of the talent, sound engineer, stage security and personnel, marketing and promotion of the shows along with Big Bar, from 5/7/12 – 9/10/12, under the listed terms and conditions.

K. O'Connor

Held Over By Board of Legislators – 5/31/12

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

12. (26797) **DPW/Transportation** - Amend a 11/10/11 Resolution authorizing payments to Liberty Lines Transit, Inc., P.T.L.A. Enterprise, Inc., and Port Chester-Rye Transit, Inc., in order to re-allocate the maximum amounts payable for the provision of Public Transportation Services, so that they may be reimbursed according to their monthly financial reports, from 1/1/11 – 12/31/11, for an amount not to exceed \$97,226,284.

J. Pisco

Held Over By Board of Legislators – 5/31/12

Mr. Plunkett moved the resolution, which was duly seconded and approved by Mr. Plunkett and Mr. Pisco. Mr. Jenkins voted in the negative.

13. (26805) **DPW/Transportation** – Enter into Agreement #12-909, with Savin Engineers, PC (MBE), Pleasantville, for engineering services for the Ludlow Street Pumping Station, Piping and Force Main Replacement, South Yonkers Sanitary Sewer District, Yonkers, New York, to provide design services with this project, for a total compensation of \$70,000, from 7/1/12 – 12/31/16; and approval of The Chazen Companies, Poughkeepsie, as a subconsultant.

J. Pisco

Held Over By Board of Legislators – 5/31/12

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

14. (27179) **CE/Office of Tourism** - Amend an agreement with Thompson & Bender LLC, for advertising services for Westchester County Tourism and Film, from 1/1/10 – 12/31/12, for a not to exceed amount of \$600,000, to **1)** add additional services; **2)** increase the not to exceed amount by \$100,000, for a new total aggregate not to exceed amount of \$700,000, to pay for the additional services; and **3)** authorize Thompson & Bender to enter into a subcontract with Situation Marketing, LLC, for additional services.

N. Caputo

Held Over By Board of Legislators – 5/31/12

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

15. (26457) **Information Technology** – Contract No. IT-1213-Rev., for Radio Tower, Antenna System and Related Infrastructure, Inspection, Installation and Maintenance Services for Various County Radio Antenna Sites. Awarded to Low Bidder, Mid-State Communications & Electronics, Inc., (WBE), Oriskany, NY, in the amount of \$647,000, and approval of ADCO Electrical Corp., Staten Island, as a subcontractor. (2 bids)

M. Beirne

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

16. (26901) **Planning – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an IMA with the City of New Rochelle for the purpose of administering the Housing Opportunities for Persons With AIDS (HOPWA) Program, to provide funding to the City of New Rochelle for programs and services that will benefit local residents, for a grant amount of \$79,000, from 6/1/12 – 5/31/13.

E. Buroughs

17. (26826) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the Young Women's Christian Association of White Plains and Central Westchester, Inc., to operate a shelter with a monthly capacity of up to twelve (12) homeless single women just released from prison through a program known as Awakenings located at 69 North Broadway, White Plains, from 7/1/12 – 6/30/13, for an amount not to exceed \$123,782.

K. McGuire

18. (26856) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to extend the agreement with Public Consulting Group, Inc., to provide Social Security eligibility services to the County for Aid to Families with Dependent Children – Foster Care cases as well as for Temporary Assistance for Needy Families and Safety Net Assistance cases, from 7/1/12 – 6/30/13, for an amount not to exceed \$380,000.

K. McGuire

19. (26916) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to amend 2/22/12 Resolution for an agreement with Golden Renewable Energy, LLC, by which the contractor has employed two individuals from the Department's One Stop Employment Center and provided them with "on the job" training regarding the production of bio-diesel, in exchange for the County's maximum six month's reimbursement to the Contractor of fifty-percent of the job training participants' wages paid to them while receiving such training to: **1)** increase the number of participants from two **to** nine participants; **2)** extending the end date of the agreement to 6/30/13; and **3)** increasing the not to exceed amount by \$65,000, for a new total aggregate not to exceed amount of \$85,000.

K. McGuire

20. (26860) **Senior Programs** - Enter into an IMA with the City of Yonkers to provide Caregiver Information and Assistance programs in accordance with the requirements of Title III-E of the Older Americans Act, for an amount not to exceed \$31,304, from 1/1/12 – 12/31/12, under the listed terms and conditions.

M. Carpenter

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

21. (26857) **Public Safety – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an IMA with the Lakeland Central School District, to assign a uniformed police officer to act as School Resource Officer for the District at the Walter Panas High School, to provide services eight (8) hours per day on the days that school is in session, from 9/1/11 – 6/30/12, for a total amount of \$110,000, under the listed terms and conditions.

G. Longworth

22. (26861) **Solid Waste Commission** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Steven Sledzik for administration hearing officer services to the Westchester County Solid Waste Commission.

B. Berger

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

23. (26896) **Parks - OVER BY BOARD OF LEGISLATORS.** Enter into a License Agreement with the Peekskill Rotary Club, Inc., for the use of three picnic areas and a parking lot at Blue Mountain Reservation in Peekskill, for three two-day annual Fall Horse Shows (plus one additional day for set-up) on dates to be determined for the term, from 6/11/12 – 12/31/14, with an annual license fee of \$2,500.

K. O'Connor

24. (26900) **Parks** - Enter into a license agreement with Entergy Nuclear Operations, Inc., as Agent for Entergy Nuclear Indian Point 2 and Entergy Nuclear Indian Point 3, LLC, Buchanan, for the purpose of operating and maintaining an air quality monitoring station at Croton Point Park in the Village of Croton-on-Hudson, from 5/1/12 – 4/30/17, under the listed terms and conditions.

K. O'Connor

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

25. (26865) **DPW/Transportation – OVER BY BOARD OF LEGISLATORS.** Contract No. 11-536, to Repave Hangar 6 Public Aircraft Apron and Install Blast Fence, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Request authority to advertise for bids.

J. Pisco

26. (26866) **DPW/Transportation – OVER BY BOARD OF LEGISLATORS.** Contract No.12-515, for Aircraft Deicing Collection System Improvements and Apron Reconstruction at Hangar A, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Request authority to advertise for bids.

J. Pisco

27. (26867) **DPW/Transportation –** Contract No.08-540, with Yonkers Contracting Company, Inc., for Composite Performance Implementation and Plant Expansion, New Rochelle Wastewater Treatment Plant, New Rochelle, New York. Approved DSA Services, Inc., Linden, NJ, and PAL Environmental Services, Long Island City, as subcontractors.

J. Pisco

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

28. (26868) **DPW/Transportation –** Contract No. 09-504-Rev., with Caladri Development Corp., for Rehabilitation of Bathhouse – Phase II, Tibbetts Brook Park, Yonkers, New York. Approved Jose Luis Cordova, (MBE) Plattekill, NY, as a subcontractor.

J. Pisco

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

29. (26869) **DPW/Transportation –** Contract No.09-514, with Yonkers Contracting Company, Inc., for Biological Nutrient Removal Facilities, New Rochelle Wastewater Treatment Plant, New Rochelle, New York. Approved Tyrek Heights Erectors, Inc., Yonkers, as a subcontractor.

J. Pisco

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

30. (26870) **DPW/Transportation –** Contract No. 11-547, with TWI Construction Corp., for Rehabilitation of Greenacres Avenue Bridge Over Bronx River Parkway, Scarsdale, New York. Approved Gianfia Corp., White Plains, Mimosa Construction Inc., (MBE), East Rutherford, NJ, and PIM Corporation, Piscataway, NJ, as subcontractors.

J. Pisco

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

31. (26897) **DPW/Transportation – OVER BY BOARD OF LEGISLATORS.** Contract No.10-520, for Resurfacing and Related Improvements, North Broadway, Main Street to North Castle/White Plains Line, A Distance of 1.51 Miles, City of White Plains, New York. Request authority to advertise for bids.

32. (26895) **DPW/Transportation – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into a five (5) year Lease Agreement with the State of New York, acting by and through their agent, the Dormitory Authority of the State of New York, for approximately 11,049 square feet of space located in the County building at 100 East First Street, Mount Vernon, NY, for a total lease fee of \$1,491,508 and commencing upon execution, under the listed terms and conditions.

Pisco/Mahon


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 6/8/12


JoMary Vieira, Secretary