

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, OCTOBER 10, 2019 @ 11:00 A.M.**

Deputy County Executive
Chair, Board of Legislators
Budget Director
Assistant Chief Deputy County Attorney
Deputy Commissioner of Finance
Budget
Board of Legislators
Board of Legislators
Secretary BAC
Assistant Secretary BAC

Ken Jenkins
Benjamin Boykin
Larry Soule
Tami Altschiller
Caesar Vargas
Pat Haggerty
Greg Casciato
Jaevon Boxhill
Lisa Mrijaj
Joan Cocciardi

Mr. Jenkins presided.

Mr. Jenkins said, "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 today's meeting to come to the conference room?"

Ms. Mrijaj confirmed that she had done so.

Acquisition & Contract. Minutes of the meeting 10/3/19 and the SEQR Review for agenda items.

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

1. (71918) **Planning** – Enter into an agreement with the Town of Mount Pleasant, owner of Town Hall, Valhalla, NY, for the use of the County to provide training for the Census Bureau's Building Permits Survey, which provides as follows: "...Licensee agrees to protect, defend, indemnify and hold the Town of Mount Pleasant (the "Town") their officers, agents and employees free and harmless from and against any and all losses, penalties, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character, and in any jurisdiction, in connection with or arising directly or indirectly out of this agreement and/or the performance hereof including if a Licensee, its use of Town Property... without limiting the generality of the foregoing, and all such claims, etc., relating to personal injury, death, damage to property, defects in material workmanship, actual or alleged infringement of any patent, trademark, copyright (or application for any thereof) or of any other tangible or intangible personal property or property right or any alleged violation of any applicable statute, ordinance, administrative order, rule or regulation or decree of any court shall be included in the indemnity hereunder."

Mr. Jenkins moved the resolution, which was duly seconded and unanimously approved. N. Drummond

2. (71652) **Planning** - Enter into any and all agreements necessary to purchase and subsequently convey approximately 1.90 +/- acres of real property located at 645 Main Street, City of Peekskill from the current owner(s) of record for a total not to exceed amount of \$2,340,000 and to convey the Property to WB 645 Main LLC, its successors or assigns for one dollar and to accept and/or release any and all property rights in connection therewith, under the listed terms and conditions.

Drummond/Friedman

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

3. (71693) **Planning** - Enter into an Inter-Municipal Developer Agreement with the City of Peekskill and WB 645 Main LLC., its successors or assigns, to fund the construction of certain infrastructure improvements in support of the affordable housing development to be constructed at 645 Main Street in the City of Peekskill, in an amount not to exceed \$5,760,000 from Capital Project BPL1A-Housing Implementation Funds II and to grant and accept all necessary property rights in connection therewith, for which the Developer will construct and provide eighty-two affordable rental units for households with incomes at or below 40% and up to 80% of the Westchester County Area Median Income and will be affordable for a period of not less than 50 years, commencing upon execution and continue for a term that will not exceed fifteen 15 years.

N. Drummond

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

4. (71952) **Planning** – Amend a Developer Infrastructure Agreement with Chappaqua Station, LLC to provide construction management services in connection with the construction of site work and infrastructure improvements all in support of an affordable AFFH development to be known as Chappaqua Station, in order to have the developer deposit funds in escrow to facilitate the completion of work by the County's contractor, under the listed terms and conditions.

Drummond/Greechan

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

5. (71651) **Social Services** - Enter a subaward agreement with Caring for the Homeless of Peekskill Inc. ("CHOP"), to which CHOP will be subawarded \$574,927 from the funds to be made available to the County under a grant agreement with the United States Department of Housing and Urban Development ("HUD"), for funds to pay for work and services involving the County's Continuum of Care and housing and services for victims of domestic violence (the "Grant Agreement"; HUD Grant Number NY1237D2T041800), with the Subaward Agreement to have a term from 9/1/19 – 8/31/20, under the listed terms and conditions.

K. McGuire

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

6. (71649) **Community Mental Health** - Enter into 1) an agreement with the United States Department of Housing and Urban Development ("HUD") in order to accept a grant in the amount of \$164,177.00 under HUD's Continuum of Care program (the "Grant"), to be used to pay for a leasing project that will provide seven (7) units of housing for homeless persons with chemical dependency or co-occurring (mental health/chemical dependency) disorders (the "Leasing Project"), for the period 12/1/19 – 11/30/20; 2) a sub-grant agreement with The Guidance Center of Westchester, Inc. ("The Guidance Center"), for which the County will sub-grant to The Guidance Center an amount not-to-exceed \$161,048.00 from the Grant and The Guidance will use the funds to provide services for the operation and management of the Leasing Project, for the period from 12/1/19 – 11/30/20, with The Guidance Center contributing a cash match amount of \$8,852.00. The remaining \$3,129.00 will be retained by the County to pay for administration of the Grant (the "Sub-grant Agreement").

M. Orth

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

7. (71610) **College** – Contract No. WCC-18-627 with Kone, Inc., for Annual Maintenance of Elevators, Westchester Community College, Valhalla, New York. Approved Change Order No. 1 in the amount of \$85,000.

B. Miles

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

8. (71681) **District Attorney** - Enter into an agreement with the New York State Division of Criminal Justice Services to accept a grant in an amount not to exceed \$500,175, in State Funds for the District Attorney's Office to operate the Aid to Prosecution Program, from 10/1/19 – 9/30/20.

A. Scarpino

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

9. (71686) **DPW/Transportation** – Contract No. 17-501-Rev., for Accessibility Improvements, White Plains TransCenter, City of White Plains, New York. Awarded to Second Lowest Bidder, Wall Contractor Corp. (MBE), Brooklyn, NY, in the amount of \$395,277. (4 bids)

H. Greechan

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

10. (71687) **DPW/Transportation** – Contract No. 17-512-Rev., for Rustic Steel Guide Rail Replacement, Various Locations, Westchester County, New York. Awarded to Low Bidder, Senco Metals, LLC, Passaic, NJ, in the amount of \$4,087,490. (3 bids)

H. Greechan

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

11. (71688) **DPW/Transportation** – Contract No. 19-509-Rev., for Bathhouse Canopy Replacement, Playland Park, Rye, New York. Awarded to Low Bidder, Mace Contracting Corporation (MBE), New Rochelle, in the amount of \$1,087,860. (2 bids)

H. Greechan

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

12. (71689) **DPW/Transportation** – Contract No. 07-549-Rev., with ELQ Industries, Inc., for Pool Modernization, Sprain Ridge Park, Yonkers, New York. Completed work and Final Contract Amount of \$8,544,500.

H. Greechan

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

13. (71690) **DPW/Transportation** – Contract No. 19-506, with Arben Group LLC, for Rehabilitation of Bronx River Parkway and Two Bridges, From the Cross County Parkway to Scarsdale Road, A Distance of 2.3 Miles, Cities of Mount Vernon and Yonkers, New York. Approved C.A.C. Industries, Inc., Long Island City, as a subcontractor.

H. Greechan

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

14. (71696) **DPW/Transportation** – Contract No. 11-503-Rev., with E.E. Cruz & Company, Inc., for Rehabilitation of the Fulton Avenue Bridge, Over Hutchinson River, City of Mount Vernon and Village of Pelham Manor, New York. Approved Change Order No. 1 in the amount of \$167,215.20.

H. Greechan

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

15. (71697) **DPW/Transportation** – Contract No. 17-544, with ELQ Industries, Inc., for Competition Pool Reconstruction, Sprain Ridge Park, Yonkers, New York. Approved Change Order No. 1 in the amount of \$823,600.

H. Greechan


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

16. (71898) **DPW/Transportation** – Authority to 1) enter into a Ground and Facility Lease Agreement and Declaration of Easements with Mayfair Housing LLC and Mayfair Housing Development Fund Company, Inc. (collectively "Mayfair") to lease approximately 7.7220 acres of County-owned property located off Knollwood Road in the Town of Greenburgh (the "Premises") in order to facilitate Mayfair's development, rehabilitation and operation on the Premises of an affordable housing project consisting of approximately seventy-four (74) residential rental units exclusively for low and moderate income senior citizens aged sixty-two (62) and older, with Mayfair to pay rent to the County in the amount of \$1,500,000 contemporaneously with the execution of the Lease Agreement as follows: \$600,000 to the Town of Greenburgh, on behalf of the County, in exchange for which the Town will terminate its lease with the county and relinquish all of its right, title and interest in and to the Premises; and \$900,000 to the County; 2) terminate a Ground and Facility Lease Agreement with the Town of Greenburgh whereby the Town would surrender its current lease with the County for a six (6) acre portion of the Premises; 3) cancel a Declaration of Restrictions against the Premises and the surrounding thirty-three (33) acre parcel of County-owned land; and 4) terminate a services agreement dated April 24, 1990 and any and all other services agreements that may have been executed between the parties. (Agreement No. 19-930)

H. Greechan

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

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.



Lisa Mrijaj, Secretary

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

Dated 10/11/19



Lisa Mrijaj, Secretary