

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, MARCH 24, 2016 AT 11:00 A.M.**

Deputy County Executive
Chairman, Board of Legislators
Budget Director
Deputy County Attorney
Commissioner of Finance
County Executive's Office
Budget
Board of Legislators
Secretary BAC
Assistant Secretary

Kevin Plunkett
Michael Kaplowitz
Lawrence Soule
Jim Robertson
AnnMarie Berg
Christine Sculti
Pat Haggerty
Catherine Borgia
Greg Casciato
Gary Friedman
Allie Restiano
Steve Bass
Lisa Mrijaj
Valerie Rodriguez

Mr. Plunkett presided.

Mr. Plunkett 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.

Mr. Plunkett said, "I understand that the Budget Director wishes to make a motion. This is a motion, as I understand it, to just correct a typo that was in the prior resolution for the Hudson River Museum contract."

Mr. Soule said, "I move to add item 27 (OnBase ID# 51570) to the agenda. This resolution would amend a resolution approved by the Board on March 17, 2016 which authorized the County to enter into an agreement with the Hudson River Museum of Westchester pursuant to which the Museum shall provide various artistic, cultural and educational programs to the public and to schools throughout the County for the period of January 1, 2016 through December 31, 2016 for an amount not to exceed \$667,000 pursuant to an approved budget by correcting the not-to-exceed amount to a new amount not to exceed \$677,000."

Mr. Plunkett seconded the motion and it was unanimously approved.

Mr. Kaplowitz said, "Item #11 is both an IMA so just use the IMA language for the record. More importantly, and substantively, having spent the last 19 years legislatively working on this item, I just want to note for the record I guess good things do take a while. Two decades worth has brought us to this point which will be a market movement forward for the environment and for public health and safety and for the individuals who are directly, in this case, possibly impacted when this whole project goes forward. I want to thank the administration for their efforts in this area, the County Executive. I want to thank the legislature, Ms. Borgia is here and other Legislators who are not here in moving this forward. This is a good thing. A lot more work needs to be done to make this really happen. I just wanted to note it for the record that this is a very positive day for lots of entities."

Mr. Plunkett said, "Thank you. The Chairman is being very modest because it was his continuing hard work on this particular issue; this is a diversion of certain properties in the New Castle area, amalgamation of properties in the New Castle area which the Board of Legislators have worked on cooperatively under the leadership of our Chairman and even before he was Chairman he was working very hard to help his constituents; so we were pleased in the administration to be partners with you and the entire Board of Legislators. Thank you for commenting on that."

Acquisition & Contract. Minutes of the meeting 3/17/16 and the SEQR Review for agenda items.

L. Mrijaj

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

1. (50984) **CE/Office for Women – WITHDRAWN BY DEPARTMENT.** Request authority to enter into an agreement with The Child Care Council of Westchester, Inc. to provide training, technical assistance, consultations and conferences to child care centers to ensure quality environments and appropriate programming, for a total amount not to exceed \$604,713, from 1/1/16 – 12/31/18.

R. Schlaff

Tabled by Administration – 3/17/16

2. (51248) **County Executive** – Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with the Volunteer Service Bureau of Westchester, Inc. d/b/a Volunteer New York!

K. Plunkett

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

3. (51250) **County Executive** - Enter into an agreement with Volunteer Service Bureau of Westchester, Inc. d/b/a Volunteer New York! to conduct both a program to encourage volunteerism, known as "Mobilizing More Volunteers," and a program to assist local not-for-profits in handling additional volunteers, known as "Building the Capacity of Local Nonprofits," from 1/1/16 – 12/31/16, for a sum not to exceed \$40,000, under the listed terms and conditions.

K. Plunkett

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

4. (50765) **CE/Youth Bureau** - Enter into an agreement with Cornell Cooperative Extension Association of Westchester County to conduct a number of County-wide educational programs in accordance with an agreed-upon scope of services, to be held at various locations, from 1/1/16 – 12/31/16, for an amount not to exceed \$640,000.

I. Pagan

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

5. (50047) **CE/Office of Tourism** - Enter into an agreement with Immediate Mailing Services, Inc. for the provision of fulfillment solution and bulk distribution services for the Westchester County Office of Tourism & Film, from 1/1/16 – 12/31/16, for an amount not to exceed \$20,000, under the listed terms and conditions.

N. Caputo

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

6. (51383) **CE/Office of Tourism** - Enter into an agreement with Martinelli Holdings, LLC d/b/a Today Media Custom Communications to design and construct custom print and digital versions of the Westchester County 2016/2017 Destination Guide and the 2016/2017 Brochure/Map, as well as pack and ship hardcopy print versions of each, commencing retroactive to 1/1/16 and continuing through 5/31/16 for a lump sum fee of \$24,950, under the listed terms and conditions.

N. Caputo

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

7. (50875) **County Attorney** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Vincent Toomey.

R. Meehan

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

8. (50874) **County Attorney** - Enter into an agreement with Vincent Toomey for the provision of consulting services in connection with labor negotiations and related matters pertaining to the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO, Westchester County Local 860 – Westchester Seasonal and Hourly Unit from 9/1/15 – 8/31/16, for a total amount of \$26,500.

R. Meehan

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

9. (51022) **County Attorney** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Vincent Toomey.

R. Meehan

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

10. (51023) **County Attorney** - Enter into an agreement with Vincent Toomey for the provision of consulting services in connection with labor negotiations and related on-going contractual matters, from 3/1/16 – 2/28/17, for a lump sum of \$170,000.

R. Meehan

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

11. (51246) **Planning** - Enter into an IMA with the Town of New Castle and the City of New York in order to distribute funds from the East of the Hudson Water Quality Investment Program Fund to fund a portion of the eligible costs associated with the Saw Mill River Sewer District expansion/diversion project that will be implemented by the Town of New Castle, for a not to exceed amount of \$16,000,000 commencing upon execution and continue for a term of five years.

E. Buroughs

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

12. (51353) **Planning** - Amend an agreement with Housing Action Council, Inc. to provide grant funds from the Community Development Block Grant Property Improvement Program for a portion of the costs related to the acquisition and rehabilitation of the three-family residence at 21 Cooley Street in the Village of Pleasantville, to create one affordable ownership unit and two affordable rental units that will all affirmatively further fair housing, in order to extend the end date to 12/31/16.

E. Buroughs

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

13. (51354) **Planning** - Amend an agreement with Housing Action Council, Inc. to provide a combination of a grant and loan through the Capital Project BPL50 – Fair and Affordable Housing under the County’s Acquisition and Rehabilitation Revolving Loan Fund Program for a portion of the costs related to the acquisition and rehabilitation of the three-family residence at 21 Cooley Street in the Village of Pleasantville to create one affordable ownership unit and two affordable rental units that will all affirmatively further fair housing, in order to extend the end date to 12/31/16.

E. Buroughs

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

14. (51124) **Social Services** - Enter into an agreement with The Sharing Community, Inc. to operate an overnight warming site/drop-in center at a facility known as the Broadway Manor Emergency Shelter located at 101 North Broadway, Yonkers, from 1/1/16 – 6/30/16, for an amount not to exceed \$268,567.

K. McGuire

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

15. (51297) **Health** - Enter into contract with the New York State Department of Health to accept continued funding for the Lead Poisoning Prevention Program grant from 10/1/15 – 9/30/20, in the not to exceed amount of \$1,549,185.

S. Amler

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

16. (51254) **College** - Enter into an affiliation agreement with the Greenburgh Police Department to assist the College in providing a supervised clinical education and instruction program for matriculated Westchester Community College students who are pursuing a degree or certificate program of study in the EMS/Paramedic program from 2/14/16 – 12/31/20.

B. Miles

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

17. (51314) **Public Safety** - Amend a License Agreement with West Publishing Corporation, for use of West’s CLEAR system, from 1/1/14 – 12/31/16, for an amount not to exceed \$143,737.93, in order to: **1)** expand the scope of services during the third and final year of the agreement to include the CLEAR ProFlex platform; **2)** increase the monthly contract amount for the third year for the agreement from \$4,072.04 per month to \$5,100 per month to compensate West for the additional service component, thereby increasing the total by \$12,335.52, to a new total amount not to exceed \$156,072.45.

Longworth/McCaffrey

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

18. (50139) **Parks** – Enter into a license agreement with Pepsi Cola Bottling Company of New York, Inc., College Point, NY, for the pouring rights of Pepsi’s complete line of carbonated beverages, juices, iced tea and bottled water at Playland Park and other Westchester County Parks, Recreation and Conservation facilities, from 1/1/16 – 12/31/20, for a total compensation package of \$1,485,000.

K. O’Connor

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

19. (51310) **Parks** - Enter into a license agreement with CulinArt, Inc., Plainview, for the food, beverage, vending and catering concession at Playland Park, Rye, from 5/7/16 – 9/30/16, for a total fee of \$660,000.

K. O’Connor

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

20. (51339) **DPW/Transportation** – Contract No. 15-214, for Service Contract for Auto-Body Repair Work, Passenger Vehicles and Light Trucks, Department of Public Works and Transportation, Westchester County, New York. Awarded to Low Bidder, Circle Collision Center Inc., Nanuet, in the amount of \$494,400. (2 bids)

J. Pisco

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

21. (51340) **DPW/Transportation** – Contract No. 15-215, for Service Contract for Auto-Body Repair Work, Medium and Heavy Trucks, Department of Public Works and Transportation, Westchester County, New York. Awarded to Sole Bidder, Stiloski’s Automotive Corp., Tarrytown, in the amount of \$252,600. (1 bid)

J. Pisco

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

22. (51341) **DPW/Transportation** – Contract No. 15-538, for Roadway Resurfacing and Related Improvements, West Lake Drive, From Columbus Avenue to North Kensico Avenue, A Distance of 0.74 Miles, Town of Mount Pleasant, New York. Awarded to Low Bidder, Montesano Brothers, Inc., New Rochelle, in the amount of \$776,117. (8 bids)

J. Pisco

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

23. (51342) **DPW/Transportation** – Contract No. 15-552, for Bathhouse Improvements, Willson’s Woods Pool, Mount Vernon, New York. Awarded to Low Bidder, MVM Construction LLC, Mount Vernon, in the amount of \$2,329,506.59. Approved the three (3) listed subcontractors. (3 bids)

J. Pisco

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

24. (51343) **DPW/Transportation** – Contract No. 15-554, for Irrigation System and Site Work Improvements, Lasdon Park, Arboretum and Veterans Memorial, Somers, New York. Awarded to Low Bidder, JC Land & Site Development, Inc. (WBE), Somers, in the amount of \$390,408.75. (12 bids)

J. Pisco

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

25. (51344) **DPW/Transportation** – Contract No. 09-547, with E.E. Cruz & Company, Inc. for Rehabilitation of the Ashford Avenue Bridge and Ramp, Villages of Ardsley and Dobbs Ferry, New York. Approved the four (4) listed subcontractors.

J. Pisco

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

26. (51261) **DEF** – Enter into an easement agreement with the City of New York to which the City would grant to the County a permanent and perpetual sewer easement in, on, over, under and through certain City-owned property located in the Town of Mount Pleasant, for the purpose of allowing the County to operate, repair and maintain its sewer mains, laterals and pump stations.

T. Lauro

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

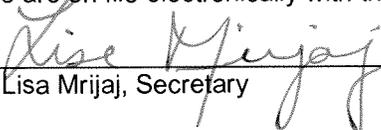
27. (51570) **County Executive** - Amend an agreement with the Hudson River Museum of Westchester to provide various artistic, cultural and educational programs to the public and to schools throughout the County, from 1/1/16 – 12/31/16, for an amount not to exceed \$667,000, by correcting the amount to a new total not to exceed amount of \$677,000.

K. Plunkett

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

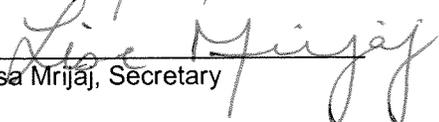
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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.



Lisa Mrijaj, Secretary

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

Dated 3/25/16


Lisa Mrijaj, Secretary

Statement of Michael B. Kaplowitz,
Chairman of the Westchester County Board of Legislators

In 2011 the Westchester County Board of Legislators passed a local law that, among other things, made Board of Legislators' action sufficient to authorize the County Executive to implement Inter-Municipal Agreements – without approval of the Board of Acquisition and Contracts. The local law has subsequently been judicially sustained.

There is today a resolution before the Board of Acquisition and Contracts authorizing the County Executive to enter into Inter-Municipal Agreements.

I will vote for the resolution because I am in favor of the underlying matter. I recognize that the resolution is on the agenda pro forma.