

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, MAY 26, 2016 AT 11:00 A.M.**

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

Kevin Plunkett
Michael Kaplowitz
Larry Soule
Jim Robertson
Dennis Kelly
Christine Sculti
Carl Pagano
Kelly Smith
Pat Haggerty
Greg Casciato
Gary Friedman
Allie Restiano
Lisa Mrijaj
Joan Cocciardi

Mr. Plunkett presided.

Mr. Plunkett said, "I would like to call the meeting of the Board of Acquisition and Contract to order. 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 this conference room?"

Ms. Mrijaj confirmed that she had done so.

Mr. Plunkett said, "I understand the Budget Director has some motions that he would like to make."

Mr. Soule said, "I move to add two related resolutions to the agenda. The first is item 41 (OnBase ID #52117) which is a best interests of the County exemption for a contract with Thompson and Bender LLC. The second is item 42 (OnBase ID #52118) which is for Authority to enter into an agreement with Thompson & Bender, LLC to assist the County in developing the "One Community Campaign," in an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars. As noted in this resolution, this contract is necessary to comply with the order of Honorable Denise Cote dated May 23, 2016."

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

Mr. Kaplowitz said, "Just put on the record the IMA footnote language. Just a question, if I might sir, to the added starter, what budget line will these monies come out of?"

Mr. Plunkett said, "My understanding is that there are proceeds from the settlement of the 2009 settlement of the litigation."

Mr. Kaplowitz said, "BPL50?"

Mr. Plunkett said, "BPL50 is the bond amount."

Mr. Soule said, "It's actually in a trust. I don't know the trust i.d. number, but there is money

that is set aside for marketing and different purposes from the original settlement. It won't be an operating budget thing."

Mr. Kaplowitz said, "Fees and all the rest."

Mr. Plunkett said, "This is our Thursday meeting before Memorial Day so I want to wish everybody a Happy Memorial Day. Let's remember those who gave their lives and are being remembered this weekend for all their service to our country and to our nation."

Acquisition & Contract. Minutes of the meeting 5/19/16 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. (52065) **CE/Emergency Services – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into a second amendment to the Agreement, as amended, with Motorola Solutions, Inc. to (i) reflect the revised scope of work addressed by each of the change orders numbers 1-14, and (ii) increase the Contract Price by an amount not to exceed \$520,499.67, bringing the new total Contract Price to \$6,248,535.67, under the listed terms and conditions.

Cullen/McCaffrey

2. (51609) **CE/Office for Women –** Enter into an agreement with The LOFT: Lesbian and Gay Community Services Center, Inc. to provide information, education and training for Westchester's lesbian, gay bisexual and transgender community, their families, and service providers seeking support for LGBT clients from 1/1/16 – 12/31/16, for an amount not to exceed \$33,000.

Astorino/Kaplowitz/Schlaff

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

3. (51885) **Planning - 1)** Enter into any and all agreements necessary to purchase a two-bedroom condominium located at 112 Village Road, Unit No. F, Town of Yorktown in an amount not to exceed \$205,000 plus an additional amount not to exceed \$8,800 in settlement costs for a total amount not to exceed \$213,800, and to grant and accept any and all property rights necessary in connection therewith including, but not limited to, the assignment to the County of a Contract of Sale for the Property from the Housing Action Council, Inc.; and **2)** Enter into any and all agreements necessary to sell the Property to an eligible buyer, in order to create an affordable home ownership unit that will Affirmatively Further Fair Housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York.

E. Buroughs

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

4. (51952) **Planning** - Amend a 4/28/16 Resolution authorizing the County to purchase a 0.22 acre of real property located at 104 Pine Street, Town of Cortlandt from the current owner(s) of record for a total not to exceed amount of \$328,000, by conveying the Property to an eligible buyer, in order to create an affordable AFFH ownership house that will Affirmatively Further Fair Housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York.

E. Buroughs

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

5. (51960) **Planning - 1)** Enter into any and all agreements necessary to purchase 0.49-acre of real property developed with a single-family house, located at 18 Minkel Road, Town of Ossining from the current owner(s) of record in an amount not to exceed \$210,000, plus an additional \$9,050 in settlement costs for a total amount not to exceed \$219,050 and to grant and accept any property rights necessary in connection therewith, and **2)** Enter into any and all agreements necessary to re-convey the Property to an eligible buyer, in order to create an affordable AFFH ownership house that will Affirmatively Further Fair Housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b)(2) and in accordance with the settlement of a lawsuit titled United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York.

Boroughs/Rodriguez

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

6. (51928) **Social Services** - Amend an agreement with Westchester Community Opportunity Program, Inc. to manage and provide a New Rochelle Emergency Overnight Shelter, from 1/1/16 – 4/30/16 in the amount of \$148,465, by extending the term of the agreement to 6/30/16 and increasing the amount by \$73,633, for a new total not to exceed amount of \$222,098.

K. McGuire

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

7. (51806) **Senior Programs** - Enter into agreements with the City of New Rochelle, City of Yonkers, Family Services of Westchester, Inc. and Westchester Jewish Community Services, Inc. to provide Livable Community Regional Host services for a total aggregate amount not to exceed \$95,000 in County funds, in the individual amounts listed in Schedule A, from 1/1/16 – 12/31/16, under the listed terms and conditions.

M. Carpenter

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

8. (51887) **Senior Programs - 1)** Enter into an agreement with the New York State Office for the Aging to accept a grant in the amount of \$312,989 for the purpose of administering and implementing the Senior Community Service Employment Program ("SCSEP") under Title V of the Older Americans Act, from 7/1/16 – 6/30/17; and **2a)** Amend an agreement with the Urban League of Westchester County, Inc. for the provision of administration services in connection with the SCSEP, in order to exercise the County's third renewal option and thereby extend the term of the agreement for one additional year, from 7/1/16 – 6/30/17, for an amount not to exceed \$298,182 in Federal funds, with the Urban League

contributing \$33,802 in Contractor matching funds; and **b)** Amend the agreement with the Urban League of Westchester County, Inc. to incorporate into the third renewal and all renewal options thereafter certain "Standard Assurances" as mandated by the New York State Office for the Aging, including but not limited to, certain contract provisions applicable to the program and to replace the existing list of federal and state statutes, regulations and policies in the Initial Agreement with a revised list in the third renewal.

M. Carpenter

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

9. (51951) **Senior Programs** - Enter into an agreement with Family Service Society of Yonkers to provide Guardianship Services for incapacitated individuals 60 years and older residing in Westchester County under Article 81 of the New York State Mental Hygiene Law in an amount not to exceed \$45,000 in County tax dollars, from 1/1/16 – 12/31/16.

M. Carpenter

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

10. (51954) **Senior Programs – WITHDRAWN BY DEPARTMENT.** Request authority to amend an agreement with Family Service Society of Yonkers d/b/a JCY-Westchester Community Partners, in order to exercise the first of its five options to renew the Agreement with the Contractor to provide Volunteer Recruitment and Recognition services from 1/1/16 – 12/31/16, in an amount not to exceed \$25,000.

M. Carpenter

11. (51955) **Senior Programs** – Authority to **1)** amend an agreement with Lifeline Systems Company, Inc. in order to renew the Agreement to provide Personal Emergency Response Systems services to frail, homebound seniors under the In-Home Services for the Elderly Program for an amount not to exceed \$40,609 from 4/1/16 – 3/31/17, with Contractor matching funds in the amount of \$13,536, and **2)** by adding certain "Standard Assurances", including the revised list of federal and state statutes, regulations, policies and certain contract provisions as mandated by the New York State Office for the Aging.

M. Carpenter

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

12. (51956) **Senior Programs** – Enter into an IMA with the City of Yonkers for the provision of Information and Assistance Services to Westchester County elderly residents, 60 years and older in accordance with the Community Services for the Elderly Program in an amount not to exceed \$105,530 in State funds from 4/1/16 – 3/31/17, with the City of Yonkers contributing \$45,228, under the listed terms and conditions.

M. Carpenter

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

13. (52057) **Senior Programs** – Enter into agreements with each of the agencies listed in Schedule "A" to provide consumer directed in-home services, and homemaker and housekeeper services to frail, homebound elderly who reside in Westchester County under the Expanded In-home Services for the Elderly Program from 4/1/16 – 3/31/17, for a total aggregate amount not to exceed \$1,789,703 under the listed terms and conditions.

M. Carpenter

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

14. (51946) **Health** - Amend a 3/5/15 Resolution to enter into Agreements with approved Related Services Providers, pursuant to Section 4410, Part 200 of the New York State Education Law, in order to add one additional approved Related Services Provider: Kings Education Services, O.T., R.P.N., P.T., S.L.P., PLLC, an Agency, effective 7/1/16 to the list, under the previous listed terms and conditions.

S. Amler

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

15. (51918) **College** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Corporate Cost Control, Inc.

B. Miles

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

16. (51919) **College** - Enter into an agreement with Corporate Cost Control, Inc. for the provision of consultant services in connection with unemployment claims administration and related matters from 1/1/16 – 12/31/19, for a total amount of \$11,200, under the listed terms and conditions.

B. Miles

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

17. (51945) **Correction** - Amend an agreement with Public Safety Psychology, PLLC for psychological testing of correction officer candidates commencing 1/1/15 and expiring 12/31/15, for a not to exceed amount of \$61,000 subject to County renewal for up to four (4) one (1) year periods, in order to exercise the County's first renewal option from 1/1/16 – 12/31/16 and increase the amount by \$41,000, for a new total not to exceed amount of \$102,000.

K. Cheverko

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

18. (51944) **Public Safety** - Enter into an IMA with the Lakeland Central School District whereby the County will assign a uniformed police officer to act as School Resource Officer for the District at the Walter Panas High School and the School Resource Officer assigned to the Walter Panas High School will provide services eight (8) hours per day on the days that school is in session for a five (5) year term commencing upon the opening of school in September, 2016 and continuing through the last day of school in June, 2021, with the District paying the County a total fee of \$710,329, under the listed terms and conditions.

G. Longworth

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

19. (51950) **Public Safety** - Enter into IMA's with one or more Westchester County municipal corporations for the implementation of the STOP-DWI Patrol/Datamaster Project for a five (5) year period commencing on 1/1/16 and continuing to 12/31/20, for a total amount of \$1,848,000.

G. Longworth

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

20. (51757) **Probation** - Enter into a one year contract with DCA Consulting Services, LLC to provide polygraph testing services to the Department of Probation's Sex Offenders Unit from 4/1/16 – 3/31/17, with a total contract amount not to exceed \$40,000.

R. Pozzi

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

21. (51916) **Probation** - Enter into an agreement with Westchester Jewish Community Services, Hartsdale, for the provision of pre-dispositional risk assessment and post-dispositional treatment of Family Court Act, Article 3, juvenile delinquency sex offenders and pre-post-sentence risk assessment and treatment for adolescent sex offenders ages 14 through 17 appearing before the criminal court as juvenile offenders, youthful offenders or young adults from 1/1/16 – 12/31/16, at a cost not to exceed \$110,813.

R. Pozzi

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

22. (51953) **Probation** - Enter into an agreement with the New York State Division of Criminal Justice Services in the amount of \$24,322 to accept Federal funds to operate the Juvenile Accountability Block Grant – Juvenile Community Service Program from 1/1/16 – 10/31/16.

R. Pozzi

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

23. (51727) **Parks** – Execute an agreement For Advance Payment with the Commissioner of Transportation for the People of the State of New York in connection with the State's taking, by eminent domain, of certain County-owned property situated in the Town of Cortlandt adjacent to Oscawana Park, for the purpose of accommodating bridge rehabilitation along Route 9 over the Furnace Brook for a sum of \$2,350, commencing upon execution for a term of three (3) years from execution.

O'Connor/Rodriguez

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

24. (51880) **Parks** - Enter into five-year license agreements with County employees listed in the attached Schedule for the use of designated County owned housing units from 6/1/16 – 5/31/21, for a total amount of \$1,740,684, with an increase of two percent per year.

K. O'Connor

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

25. (51930) **DPW/Transportation** - Enter into an agreement with Bruel & Kjaer EMS, Inc. to provide support to the Airport Noise and Operations Monitoring System from 4/15/16 – 4/14/21, in the amount of \$1,013,375. (Agreement No. WCA 06004)

Pisco/McCaffrey

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

26. (51929) **DPW/Transportation** – Contract No. 14-502 for Sprain Lift Pumping Station Access Driveway, Bronx Valley Sewer District, Greenburgh, New York. Awarded to Low Bidder, Abbott & Price, Inc., Millwood, in the amount of \$389,414. (5 bids)

J. Pisco

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

27. (51931) **DPW/Transportation** - Enter into Agreement #16-907 with Lockwood, Kessler & Bartlett, Inc., Syosset, NY, for engineering services associated with the Replacement of Overhead Sign Structures, Various County Road Locations, Westchester County, New York for a total compensation of \$406,000 from 6/15/16 – 12/31/20. Approval of Terry Bergendorff Collins Land Surveying, PLLC, Brewster, as a subconsultant.

J. Pisco

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

28. (51932) **DPW/Transportation** – Contract No. 06-525, with Arben Group LLC, for Dewatering Equipment Rehabilitation, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York. Completed work and Final Contract Amount of \$955,224.45.

J. Pisco

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

29. (51933) **DPW/Transportation** – Contract No. 08-531 with Arben Group LLC, for Shaft 22 Facility Improvements, Water District No. 1, Yonkers, New York. Completed work and Final Contract Amount of \$463,671.

J. Pisco

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

30. (51934) **DPW/Transportation** – Contract No. 12-522 with Spectraserv Inc. for Replacement of Manual Scum Removal Equipment on Primary and Final Clarifiers, Peekskill Wastewater Treatment Plant, Peekskill, New York. Completed work and Final Contract Amount of \$295,699.62.

J. Pisco

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

31. (51935) **DPW/Transportation** - Obtain a proposal and negotiate a fee with Master Consulting PA, for engineering services for Wastewater Disposal System Improvements, George's Island Park, Town of Cortlandt, New York. (Agreement No. 16-908)

J. Pisco

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

32. (51936) **DPW/Transportation** - Obtain a proposal and negotiate a fee with Dolph Roffeld Engineering, PC, Tarrytown, for construction administration services for the Sprain Life Pumping Station Access Driveway, Bronx Valley Sanitary Sewer District, Greenburgh, New York. (Agreement No. 16-909)

J. Pisco

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

33. (51937) **DPW/Transportation** - Obtain a proposal and negotiate a fee with Savin Engineers, PC, Pleasantville, for engineering services for the Reconstruction of the Beaver Brook Section T-1 Sanitary Sewer Spur, Mamaroneck, Sanitary Sewer District, Harrison and Rye, New York. (Agreement No. 16-910)

J. Pisco

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

34. (51938) **DPW/Transportation** – Contract No. 15-501, for Central Electrical Distribution Facility Addition, Valhalla Campus, Valhalla, New York. Advertise for bids.

J. Pisco

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

35. (51939) **DPW/Transportation** - Contract No. 16-202, for Hydrant and Valve Replacement – Phase XII, County Water District 3, Valhalla Campus, Valhalla, New York. Advertise for bids.

J. Pisco

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

36. (51940) **DPW/Transportation** - Contract No. 16-501, for Stormwater Management, South of Harney Road and Bronx River and Sprain Brook Confluence, Bronx River Parkway Reservation, Eastchester, Bronxville and Yonkers, New York. Advertise for bids.

J. Pisco

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

37. (51941) **DPW/Transportation** – Contract No. 11-506 with The LandTek Group, Inc. for Security Enhancements – Replace Airport Perimeter Fencing and Security Gates – Construction, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Approved Creative Construction Works LLC, Bay Shore, NY, as a subcontractor.

J. Pisco

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

38. (51942) **DPW/Transportation** – Contract No. 14-537, with VRH Construction Corp., for Baggage Screening Facility, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Approved the seven (7) listed subcontractors.

J. Pisco

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

39. (51943) **DPW/Transportation** – Contract No. 15-539, with VRH Construction Corp., for Terminal Systems Upgrade, South Concourse Renovation – Phase II, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Approved the seven (7) listed subcontractors.

J. Pisco

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

40. (52063) **DPW/Transportation** - **1)** Terminate a ground lease agreement with White Plains Aviation Partners LLC d/b/a Million Air White Plains for approximately 22.4 acres at the Airport for a term of thirty (30) years; and **2)** Enter into a new ground lease agreement with Million Air for a term of thirty (30) years from 6/1/16 through 5/31/46, which will give Million Air a right to negotiate the terms of a subsequent separate lease before the term expires and the new lease will allow the tenant to operate both a Light General Aviation facility and a Full Service Heavy Aircraft General Aviation Fixed Base Operation on the Premises, for a total amount of \$31,233,337, under the listed terms and conditions.

Pisco/Rodriguez

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

41. (52117) **County Executive** – Pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures to exempt from procurement an agreement with Thompson & Bender, LLC.

R. Astorino

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

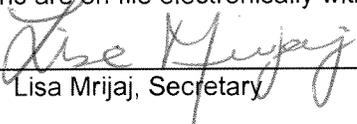
42. (52118) **County Executive** – Authority to enter into an agreement with Thompson & Bender, LLC to assist the County in developing the "One Community Campaign" in accordance with the Settlement Agreement between the United States and the County and the Court Order of Judge Denise Cote dated May 23, 2016, in an amount not to exceed \$100,000.00 to commence upon full execution and approval of the same by the Office of the County Attorney and to terminate upon thirty (30) days notice by the County.

R. Astorino

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

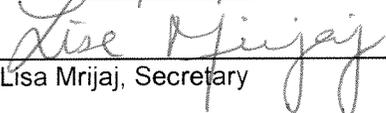
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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 5/27/16


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.