

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JUNE 23, 2016 AT 10:00 A.M.**

Deputy County Executive
Chairman, Board of Legislators
Budget Director
Deputy County Attorney
Commissioner of Finance
County Executive's Office
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
AnnMarie Berg
Adam Rodriguez
Katy Delgado
Carl Pagano
Sam Kanusher
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 item 17 (OnBase ID #52278) to the agenda. The resolution would authorize the County to execute all documents necessary to consent to the assignment of lease agreements with Panorama Flight Service, Inc. and Piedmont Hawthorne Aviation, LLC at Westchester County Airport. It should be noted that the Board of Legislators adopted a local law last Monday authorizing these assignments."

Mr. Plunkett said, "Correct. This is a matter that has to be considered and hopefully voted on and approved by June 30th, so I want to thank the Board of Legislators for their prompt action on this matter when it came to them. So we had put this on as an added starter."

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

Mr. Kaplowitz said, "The IMA language for item 6."

Mr. Plunkett said, "Let the record reflect that the Chairman of the Board of Legislators has asked that the typical language objecting to the Board of Acquisition and Contract considering IMA's with local municipalities be included in the record the matter is in litigation we are awaiting a decision from the court."

Mr. Plunkett said, "Let's take up a matter of schedule. First I want to thank everyone we had to call the meeting at 10:00 a.m. I want to thank everyone for adjusting your schedules accordingly. The Secretary has handed out a list of the A&C meetings in July and August and I think we just want to consider what would work for everybody during that period of time. Mr. Chairman I will open it up to you. Is there any dates that your team and staff would think would be problematic."

Mr. Kaplowitz said, "Sure. I think the process we went through last year, Mr. Deputy County Executive, was very productive and realistic where we did in part of the summer two weeks in one. For example, in August the 11th and the 18th there are some scheduling issues in particular I don't have them I have the board any other issues with any other days but those two at the moment are problematic.

Mr. Plunkett said, "The meetings in July 7, 14, 21, and 28. We are set with those?"

Mr. Kaplowitz said, "Those are fine."

Mr. Plunkett said, "So July dates will remain the same. You said August 11th and 18th are problematic. Why don't we do August 4 and August 25th with the thought that we will not have a meeting on August 11th and 18th but we will reserve the right if we have to have a special meeting called we would have somebody fill in for you. Please put these dates out to the public. The meetings will be at 11:00 a.m. If we need to fill in those dates that gap we will do that. Now you know maybe that will enable you to adjust your schedule for the summer holiday. I want to thank all of our interns. We have our Director of Real Estate Adam Rodriguez, who is that with you Adam?"

Mr. Rodriguez said, "Sam Kanusher one of our interns who will be starting law school in the fall."

Mr. Plunkett said, "Welcome."

Acquisition & Contract. Minutes of the meeting 6/16/16 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. (52257) **CE/Economic Development** – Amend an agreement with Emerge212 125 LLC in order to extend the term for a six month period commencing June 1, 2016 in an amount not to exceed \$15,000 to continue to utilize space at 125 Park Avenue, Suite 2524, New York, New York, under the listed terms and conditions.

Astorino/Mooney

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

2. (52212) **Planning** – Enter into **1)** any and all agreements necessary to purchase +/-0.12 acre of real property located at 20 Tighe Road, Town of Somers from the current owner(s) of record for a not to exceed amount of \$229,000, plus an additional \$6,000 in expected settlement costs for a total amount not to exceed \$235,000, and to accept and/or release any and all property rights in connection therewith; **2)** any and all agreements necessary to convey the Property to an eligible buyer, in order to create an affordable ownership home that will Affirmatively Further Fair Housing 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, under the listed terms and conditions.

Boroughs/Rodriguez

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

3. (52101) **Senior Programs** - Renew an agreement with YWCA of Yonkers to provide various nutrition programs for the elderly under Titles IIIC-1 and the Nutrition Services Incentive Program of the Older Americans Act for an amount not to exceed \$25,640 in Federal funds to be paid pursuant to an approved budget, in the individual amounts listed in Schedule A, from 1/1/16 – 12/31/16, with the Contractor contributing an aggregate amount not to exceed \$6,665 in matching funds, and amend the agreement with the Contractors by adding certain “Standard Assurances”, including but not limited to, certain contract provisions applicable to the program and to replace the existing list of federal and state statutes, regulations, policies and certain contract provisions as mandated by the New York State Office for the Aging, under the listed terms and conditions.
- M. Carpenter
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
4. (52113) **Senior Programs** - Enter into an agreement with the New York State Office for the Aging to accept a one-time grant in an amount not to exceed \$163,091 in Federal funding to provide the Balancing Incentive Program Caregiver Support Program for caregivers and their Medicaid-eligible loved ones, from 4/1/15 – 6/30/17.
- M. Carpenter
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
5. (52151) **Senior Programs** - Enter into an agreement with Westchester Jewish Community Services, Inc. to provide Case Management Services for Home-Delivered Meals Assessments under the Community Services for the Elderly Program in an amount not to exceed \$115,000, comprised of \$85,000 in State funds and \$30,000 in County funds, from 4/1/16 – 3/31/17, under the listed terms and conditions.
- M. Carpenter
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
6. (52152) **Senior Programs - a)** Amend IMA’s with the Town of Eastchester and the City of Yonkers, in order to exercise the first of its three (3) options to renew the IMA’s to provide Transportation Services for the elderly under the Community Services for the Elderly Program from 4/1/16 – 3/31/17, for a total aggregate amount not to exceed \$37,054 in State funding, in the individual amounts listed in Schedule “A”, **b)** Further amend the IMAs with the Contractors by adding certain “Standard Assurances”, including a revised list of federal and state statutes, regulations, policies and certain contract provisions as mandated by the New York State Office for the Aging, under the listed terms and conditions.
- M. Carpenter
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
7. (52153) **Senior Programs** - Enter into an agreement with the New York State Office for the Aging to accept a grant in an amount not to exceed \$168,267 in State funds to provide funding for the NY Connects: Choices for Long Term Care Service program from 10/1/16 – 9/30/17.
- M. Carpenter
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**

14. (52149) **DPW/Transportation** – Contract No. 16-521, for Plant Enhancements, New Rochelle Wastewater Treatment Plant, New Rochelle, New York. Advertise for bids.

J. Pisco

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

15. (52148) **DPW/Transportation** - Enter into lease agreements with 375 Executive LLC for space located at 375 Executive Boulevard, Elmsford from 9/1/16 – 12/31/19, for a rental amount of \$806,667. (Lease Agreement No. 16-916)

Pisco/Rodriguez

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

16. (52096) **DEF** - Amend Agreement No. EF-1511 with Mace Contracting Corporation for modifications to the south control structure Yonkers Joint Wastewater Treatment Plant, Yonkers, by extending the term until 11/30/16.

T. Lauro

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

17. (52278) **DPW/Transportation** – Execute all documents necessary to consent to the assignment of lease agreements with Panorama Flight Service, Inc. and Piedmont Hawthorne Aviation, LLC (Hangar D) at Westchester County Airport.

Pisco/Rodriguez

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

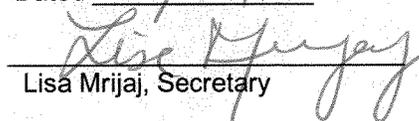
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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 6/24/16


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.