

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, SEPTEMBER 29, 2016 @ 11:00 A.M.**

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

Kevin Plunkett
Michael Kaplowitz
Lawrence Soule
Jim Robertson
AnnMarie Berg
Pat Haggerty
Katy Delgado
Carl Pagano
Allie Restiano
Greg Casciato
Gary Friedman
Lisa Mrijaj
Joan Cocciardi

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 this conference room?"

Ms. Mrijaj confirmed that she had done so.

Mr. Plunkett said, "I understand that the Budget Director wishes to make a motion."

Mr. Soule said, "I move to add item 8 (OnBase ID #52831) to the agenda. The resolution would authorize the County of Westchester to enter into an intermunicipal agreement with the cities of Yonkers, Mount Vernon and New Rochelle for the administration of the Edward Byrne Memorial Justice Assistance Grant for 2014 from the U.S. Department of Justice; for a term from October 1, 2013 through September 30, 2017, and for the County to receive the amount of \$8,064.00."

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

Mr. Kaplowitz said, "For the record we do have an IMA so put the traditional and customary IMA language until hopefully sometime in collective lifetime this will be resolved but until that time I get to have some input into the Board of Acquisition and Contract."

Mr. Plunkett said, "The Chairman has placed on the record his position that IMA's that we are approving at the Board of Acquisition and Contract are not within the jurisdiction of the Board of Acquisition and Contract they are in the jurisdiction of the Board of Legislators. That matter has been litigated for some years and as the Chairman says we are awaiting a decision from the Appellate Court until that time we've agreed to proceed on both the BOL and A&C Board approving these resolutions."

Acquisition & Contract. Minutes of the meeting 9/22/16 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. (52715) **CE/Human Resources** - Enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct a Civil Service Examination on 11/19/16, in an amount not to exceed \$5,200, under the listed terms and conditions.

M. Mahon

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

2. (52640) **Social Services** - Enter into an agreement with Westchester Jewish Community Services, Inc. to provide comprehensive trauma treatment to child victims of sexual abuse and their families from 1/1/16 – 12/31/16, for an amount not to exceed \$60,000.

K. McGuire

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

3. (52808) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to ratify a lease agreement with Lucky M's Inc. to lease the premises located at 101 North Broadway, Yonkers and utilized as a homeless shelter known as Broadway Manor from 9/23/16 – 1/31/17 for a total rent of \$46,666.64 payable monthly at the rate of \$11,666.66, under the listed terms and conditions.

M. McGuire

4. (52674) **Public Safety** - Enter into a grant agreement with New York State Division of Criminal Justice Services in an amount not to exceed \$2,300,000 in State reimbursement for the Department of Public Safety to operate the Westchester County Policing Program from 10/1/16 – 9/30/17.

G. Longworth

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

5. (52713) **DPW/Transportation** – Contract No. 13-219 with MVM Construction LLC, for Exterior Sealant and Waterproofing, Westchester County Center, White Plains, New York. Completed work and Final Contract Amount of \$613,767.50.

T. Lauro

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

6. (52714) **DPW/Transportation** – Contract No. 14-508 with MVM Construction LLC, for Roadway Resurfacing and Fencing Improvements, Lenoir Park, Yonkers, New York. Completed work and Final Contract Amount of \$387,152.

T. Lauro

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

7. (52810) **DPW/Transportation** – Enter into a second amendment to the 12/17/98 Lease and Agreement with the Dormitory Authority of the State of New York (“DASNY”) for the Daronco Courthouse property in order to allow DASNY to refinance its Court Facilities Lease Revenue Bonds, Series 2006A and 2006B and apply the resulting debt service savings to reduce the Basic Rent paid by the County pursuant to the Lease.

Lauro/Rodriguez

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

8. (52831) **Probation** – Enter into an IMA with the cities of Yonkers, Mount Vernon and New Rochelle for the administration of the Edward Byrne Memorial Justice Assistance Grant for 2014 from the U.S. Department of Justice, from 10/1/13 – 9/30/17, and for the County to receive the amount of \$8,064.

R. Pozzi

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.

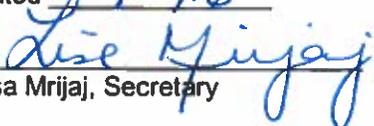


Lisa Mrijaj, Secretary

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

Dated

9/30/16



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.