

**MINUTES OF THE MEETING OF THE  
COUNTY OF WESTCHESTER  
BOARD OF ACQUISITION AND CONTRACT  
HELD ON THURSDAY, OCTOBER 6, 2016 AT 11:00 A.M.**

County Executive  
Chairman, Board of Legislators  
Budget Director  
Deputy County Attorney  
Commissioner of Finance  
County Executive's Office  
Commissioner, Public Works/Transportation  
Budget  
Board of Legislators  
Board of Legislators  
Board of Legislators  
Acting Secretary BAC  
Assistant Secretary

Robert P. Astorino  
Michael Kaplowitz  
Lawrence Soule  
Jim Robertson  
AnnMarie Berg  
Katy Delgado  
Vincent Kopicki  
Mark Medwid  
Dante Daly  
Gary Friedman  
Allie Restiano  
Joan Cocciardi  
Valerie Rodriguez

**Mr. Astorino presided.**

**Mr. Astorino 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. Cocciardi confirmed that she had done so.**

**Mr. Kaplowitz said, "As per request from Legislator Jenkins he asked that item #1 52808 be held over exclusive within the jurisdiction of the County Executive because the Board of Legislators has had one opportunity to hold over. The request is to hold over for the opportunity to have further discussion to allow for the 10/11/16 Committee on Community Services to meet with Commissioner McGuire on this particular item."**

**Mr. Astorino said, "I would say no because it has already been held over. It was an emergency situation, and because the commissioner is going down on Tuesday, the entire Board will have the opportunity to ask about it, so I would keep it on the agenda. Any other items?"**

**Mr. Kaplowitz said, "The IMA language that we request be put on there. If I could then, since it will be voted on today, then item #1 52808 for the record if I might Mr. County Executive, the legislature has concerns. I think for the following reasons I will be in support of the item. One is again, because the Commissioner is coming down we will have an opportunity to have a detailed discussion with him on the very real concerns that all the legislature has and Mr. Jenkins has laid out in his memos dealing with the occupancy. Second, this is a four month extension, if it was a five year extension I think it would be held to a different standard because of the length of time. Three, given the fact that we do have an obligation to house, and that is an important consideration; we need to house individuals in the safest way possible. That certainly plays to my decision to be supportive. Finally, the court did in fact, as I understand it, rule and came down on the side of the county relative to this issue and that could be changed in the near future if circumstance changes. Certainly the judiciary will weigh in as requested and as appropriate but at this time we all share Mr. Jenkins concerns about this issue. I believe that public policy would best be served by going forward in a positive way in this matter. Allowing for the discussion and then allow for a deliberative and thoughtful process that will make adjustments as appropriate sort out whose investment is necessary. Is it a county expense? Is this a landlord expense? These are all very real**

questions and good questions but the bigger public policy is that we have places for people going into the winter season to be sheltered and obligation to the law.”

Mr. Astorino said, “I agree with you.”

Mr. Kaplowitz said, “The final thing if I might, under the agreement it does indicate, this is page 2 52808 item before us, under the shelter lease the county will be responsible for etcetera, it does state the county will be responsible for maintaining the premises, the systems and equipment as well as structural repairs to the premises. It does underscore our responsibilities and many of the things that were alleged, in fact, things such as a fire suppression system that we did install for health and safety reasons. One could certainly argue, but nonetheless, that will have to be sorted out and I look forward to the resolution of that.”

**Acquisition & Contract.** Minutes of the meeting 9/29/16 and the SEQR Review for agenda items.

L. Mrijaj

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

1. (52808) **Social Services – 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

**Held Over By Board of Legislators – 9/29/16**

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

2. (52720) **Information Technology - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Oracle Americas, Inc.**

J. McCaffrey

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

3. (52721) **Information Technology - Amend a 8/25/16 resolution (Agreement IT-1399) with Oracle America, Inc. to provide on-site technical support services by modifying, A) The first “RESOLVED” clause by replacing the text to read: payable pursuant to an approved budget, the rates for which shall not exceed those specified in New York State Office of General Services Contract Number PM20940 for such services; and be it further,” B) The cover memo by replacing its final paragraph with the following: “Authority to exempt the proposed agreement from the requirements of the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, will be submitted to your Honorable Board by a separate resolution.”**

J. McCaffrey

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

4. (52546) **County Attorney - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Westchester Institute for Human Development, Inc.**

R. Meehan

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

5. (52547) **County Attorney** - Amend a grant agreement with the New York Office of Children and Family Services to facilitate the operation of the County's Child Fatality Review Team, in an amount not to exceed \$322,048, from 2/1/11 – 7/31/16, in order to, extend the termination date to 7/31/17, and increase the amount an additional \$52,066, for a new not to exceed amount of \$374,114; and amend an agreement with Westchester Institute for Human Development, Inc. to extend the termination date to 7/31/17, and increase the amount an additional \$52,066, for a new not to exceed amount of \$374,114.

R. Meehan

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

6. (52601) **County Attorney** - Renew an agreement with Municipal Code Corporation for the provision of codification and supplementation services to update the Laws of Westchester County and maintenance of the Laws on the internet, in an amount not to exceed \$10,000 from 1/1/17 – 12/31/17.

R. Meehan

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

7. (52731) **County Attorney** - Settle the lawsuit of Daijon Burroughs by his f/n/q Derron Burroughs and/or Derron Burroughs Individually v. Westchester County Department of Parks, Recreation and Conservation and The County of Westchester, by payment from the County of Westchester in an amount not to exceed \$75,000.

R. Meehan

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

8. (52722) **Social Services** - Enter into an agreement with the Youth Shelter Program of Westchester, Inc. for the provision of an aftercare program to afford support and resources to those youth who have completed their periods of detention, from 1/1/16 – 12/31/16 for an amount not to exceed \$75,000.

K. McGuire

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

9. (52724) **Social Services** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures to exempt from procurement an agreement with Child Care Council of Westchester, Inc.

K. McGuire

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

10. (52725) **Social Services** - Enter into an agreement with Child Care Council of Westchester, Inc. to provide the services of a Subsidy Support Specialist who will help identify and assist eligible families with successful navigation through the Child Care Subsidy System from 2/1/16 – 12/31/16 in an amount not to exceed \$60,000.

K. McGuire

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

11. (52750) **Senior Programs** - Amend Resolution #52113 which authorized the County to enter into 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 funds to provide the Balancing Incentive/Caregiver Support Program for caregivers and their Medicaid-eligible loved ones, from 4/1/15 – 6/30/17 for the limited purpose of correcting the grant Trust Account number to reflect T662.

M. Carpenter

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

12. (52717) **College** - Amend an Agreement No. WCC-12-909 with C&F Consulting Engineers for engineering services in connection with the Electrical mechanical Upgrades of various buildings at WCC by providing engineering services in connection with the construction of the extension of the gas main throughout the Campus for a fee of \$9,950 increasing the total maximum fee to \$208,450 and extending the completion date to 12/31/18.

B. Miles

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

13. (52743) **Public Safety** - Enter into an MOU with the Federal Bureau of Investigation to participate in the New York Cyber Task Force to coordinate, integrate and share pertinent information related to cyber threat investigations for a term commencing upon full execution of the MOU and continuing for the duration of the Task Force's operation, contingent upon approval of necessary funding, and enter into a Cost Reimbursement Agreement, under the listed terms and conditions.

G. Longworth

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

14. (52719) **Parks** – Contract No. PRC-874 with AAA Carting & Rubbish Removal, Inc. for Solid Waste Removal Services, as needed, at locations operated by the Westchester County Department of Parks, Recreation and Conservation. Approved Change Order No. 1 in the amount of \$180,000.

K. O'Connor

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

15. (52665) **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 a parcel of County-owned property situated in the Town of Ossining adjacent to Croton Dam Road/Route 134, for the purpose of rehabilitating a culvert for a sum of \$10,600, under the listed terms and conditions.

O'Connor/Rodriguez

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

16. (52747) **DPW/Transportation** – Contract No., WCA 16009 for Jet Bridge Service and Maintenance, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Advertise for bids.

V. Kopicki

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

17. (52744) **DPW/Transportation - Authority to 1)** enter into IMA's with municipalities located within the County in connection with the County-wide bus shelter program for a three (3) month term from 4/1/16 – 6/30/16; **2)** enter into IMA's with municipalities located within the County for a five (5) year term from 7/1/16 – 6/30/21, in connection with the county-wide bus shelter program for an amount of \$1,721,875. (Agreement No. DOTOP12-16)

Kopicki/Rodriguez

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

18. (52745) **DPW/Transportation – Contract No. 12-536** with ELQ Industries, Inc. for Resurfacing and Related Improvements, Mill Road From Route 22 to the Eastchester/New Rochelle Line, A Distance of 0.75 Miles, Town of Eastchester, New York. Completed work and Final Contract Amount of \$732,490.

V. Kopicki

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

19. (52746) **DPW/Transportation – Amend Agreement No. 15-960** with Peter F. Gaito Architecture, LLC d/b/a Peter F. Gaito & Associates, for Interior Rehabilitation, Westchester County Center, White Plains, New York. Approved TSF Engineering, PC, NYC, as a subconsultant.

V. Kopicki

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

20. (52748) **DPW/Transportation – Contract No. 15-527** with Bilotta Construction Corp. for Roadway Resurfacing and Related Improvements, Playland Parkway Access Road, Between Theodore Fremd Avenue and North Street, A Distance of 0.31 Miles, and Lighting Improvements, Playland Parkway, City of Rye, New York. Approved the four (4) listed subcontractors.

V. Kopicki

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

21. (52749) **DPW/Transportation – Contract No. 15-548** with ELQ Industries, Inc. for Roadway Resurfacing and Related Improvements, Halstead Avenue, From the Mamaroneck Village/Harrison Line to Haviland Street, A Distance of 0.93 Miles, Town of Harrison, New York. Approved Paladino Concrete Creations Corp. (WBE), Mount Vernon, and Verde Electric Maintenance Corp., Mount Vernon, as subcontractors.

V. Kopicki

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

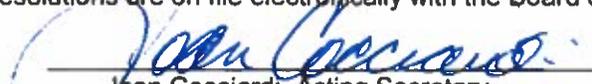
22. (52711) **DEF – Contract No. EF-1601-R** for Inspection and Maintenance Service of Blowers at the Mamaroneck & Ossining WWTP's. Awarded to Sole Bidder, Siemens Demag Delaval Turbomachinery, Inc., Hamilton, NJ, in the amount of \$188,864. (1 bid)

T. Lauro

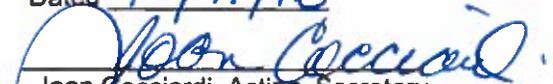
**Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.**

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.

  
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Joan Cocciardi, Acting Secretary

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

Dated 10/11/16  
  
\_\_\_\_\_  
Joan Cocciardi, Acting 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.**