

# Environment, Energy & Climate



## BOL Meeting Minutes - Published Draft

Committee Chair: David Imamura

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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**Monday, July 24, 2023**

**10:00 AM**

**Committee Room**

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### CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Others in Attendance:

BOL: Margaret Cunzio, Ben Boykin, Jose Alvarado, Terry Clements, Damon Maher  
Catherine Parker, Erika Pierce, David Tubiolo, Tyrae Woodson-Samuels, James Silverberg  
and Jill Axelrod

GUESTS:

Commissioner Karin Hablow-Finance  
Purchasing Manager Martin Connolly- Finance, Bureau of Purchase & Supplies  
Program Coordinator Janice Duarte-Finance, Bureau of Purchase & Supplies  
Assistant Chief Deputy County Attorney Tami Altschiller-LAW  
Director of Energy Conservation and Sustainability Peter McCartt-CE's Offices  
**Present:** Committee Chair Imamura, Legislator Parker, Committee Vice-Chair Pierce,  
Legislator Tubiolo, Legislator Williams Johnson and Legislator Barr

### MINUTES APPROVAL

April 4th, 2023 10AM Minutes

May 30th, 2023 2:30 PM Minutes

June 12th, 2023 1:00 PM Minutes

On motion of Legislator Williams Johnson, seconded by Legislator Barr, the minutes were approved. The motion carried by the following vote:

**Aye:** Committee Chair Imamura, Legislator Parker, Committee Vice-Chair Pierce,  
Legislator Tubiolo, Legislator Williams Johnson and Legislator Barr

### I. ITEMS FOR DISCUSSION

[RES-2023-115](#) PH-Amend Procurement Policy

Guests:

Commissioner Karin Hablow-Finance  
Purchasing Manager Martin Connolly- Finance, Bureau of Purchase & Supplies  
Program Coordinator Janice Duarte-Finance, Bureau of Purchase & Supplies  
Assistant Chief Deputy County Attorney Tami Altschiller-LAW  
Director of Energy Conservation and Sustainability Peter McCartt-CE's Offices  
Assistant Chief Deputy County Attorney Tami Altschiller-LAW

Commissioner Hablow said this will allow the County to: 1) make changes to various monetary thresholds that do not reflect present market conditions and have not been adjusted for many years, 2) make a gift of any surplus, obsolete or unused vehicles, equipment and/or furniture to a municipality, 3) add sole source provisions consistent with case law, 4) become certified as a Green Purchasing Community by requiring use of the GreenNY purchasing specifications used by New York State, and 5) use the best value alternative to public bidding for purchase contracts pursuant to General Municipal Law § 103(1) by adding the rules and procedures utilizing the best value alternative to the Purchasing Act.

The goal is to modernize the procurement policies and allow for flexibility. The last significant changes were made in 1973. In general the procurement policies are very out of date. The changes would bring it up to date with new state laws that were updated as of 2010. Comparable counties include Rockland, Erie and Albany between 2013 and 2020.

Within the last few years there have been challenges related to purchasing, supply chain issues, sourcing and delays in receiving goods. These issues have highlighted the need for modernization of procurement policies.

Despite the challenges Westchester County has been able to produce great results by expanding opportunities with MWBE firms and other supply chain issues that they have been able to overcome.

Martin Connolly described some of the details these changes would have during the bid and purchasing processes.

Legislator Cunzio asked for clarification regarding the piggybacking option included in the new legislation.

Mr. Connolly pointed out the contract has specific criteria to allow piggybacking. The contract must be led by government in the US, piggybacking language must have been included in the bid and lastly, led to lowest responsible bidder or on the basis of best value consistent with the section.

Ms. Altschiller emphasized, we are already allowed piggybacking under the current law, this just gives more flexibility under the purchasing act and it adds the best value component.

Legislator Woodson-Samuels asked, who keeps track of the data/enforcement of our contracts for MWBE's?

Janice Duarte described the way vendors are tagged between Minority Owned, Women Owned, Veteran Owned, etc. They have began running monthly reports and is specific to

commodity purchases.

There have been efforts made to increase MWBE interactions such as looking at NYS contracts and going through the authorized resellers and start to funnel toward those MWBE's. Granger is an example where we purchase tools and supplies, for which there are 3 identified resellers that are MWBE for which the County is giving business to. The County has also began to make sure vendors on the list are aware of all the bidding opportunities. Since the institution of these policies the MWBE participation rate has increased from 12% 2021 to over 22% in 2022.

Legislator Woodson Samuels also asked about the County's ability to give unused vehicles. Mr. Connolly said DPW does maintain that list and Ms. Altschiller jumped in to discuss the way in which the County has historically gone about handling this issue. The law does not currently allow for gifting the municipality any unused vehicle. It is currently handled through lease agreements. One of the amendments would allow for more flexibility and allow the County to gift municipalities vehicles and equipment.

Legislator Cunzio asked if there were anyone in the County that help with MWBE state certification. Ms. Duarte said the department of Economic Development assists with that.

Legislator Pierce asked about tracking as it relates to service providers who are participating in our bidding process. Ms. Duarte stated the office of Economic Development does assist with that and there is a report tracked on the annual basis that is provided to the Board of Legislators. If it has not been received it can be accessed by contacting Martha Lopez.

Legislator Barr asked about the "Best Value Option" and whether its available for construction projects. It was stated that it is only an option for the purchasing process.

Legislator Maher asked about whether or not there is a point or performance system that is used or can be used in the bidding process. It was stated that apart of the Best Value criteria, it has to be defined and each category is awarded points. The one with the most points gets the contract.

On motion of Legislator Barr, seconded by Committee Vice-Chair Pierce, the above item was approved. The motion carried by the following vote:

**Aye:** Committee Chair Imamura, Legislator Parker, Committee Vice-Chair Pierce, Legislator Tubiolo, Legislator Williams Johnson and Legislator Barr

[LL-2023-306](#) **LOCAL LAW-Amend Procurement Policy**

Guests:

Commissioner Karin Hablow-Finance  
Purchasing Manager Martin Connolly- Finance, Bureau of Purchase & Supplies  
Program Coordinator Janice Duarte-Finance, Bureau of Purchase & Supplies  
Assistant Chief Deputy County Attorney Tami Altschiller-LAW  
Director of Energy Conservation and Sustainability Peter McCartt-CE's Offices  
Assistant Chief Deputy County Attorney Tami Altschiller-LAW

Please refer to item #1.

On motion of Legislator Barr, seconded by Committee Vice-Chair Pierce, the above item was approved. The motion carried by the following vote:

**Aye:** Committee Chair Imamura, Legislator Parker, Committee Vice-Chair Pierce, Legislator Tubiolo, Legislator Williams Johnson and Legislator Barr

**[ACT-2023-160](#) ACT-Amend Procurement Policy**

Guests:

Commissioner Karin Hablow-Finance  
Purchasing Manager Martin Connolly- Finance, Bureau of Purchase & Supplies  
Program Coordinator Janice Duarte-Finance, Bureau of Purchase & Supplies  
Assistant Chief Deputy County Attorney Tami Altschiller-LAW  
Director of Energy Conservation and Sustainability Peter McCart-CE's Offices  
Assistant Chief Deputy County Attorney Tami Altschiller-LAW

Please refer to item number 1.

On motion of Legislator Barr, seconded by Committee Vice-Chair Pierce, the above item was approved. The motion carried by the following vote:

**Aye:** Committee Chair Imamura, Legislator Parker, Committee Vice-Chair Pierce, Legislator Tubiolo, Legislator Williams Johnson and Legislator Barr

**II. OTHER BUSINESS**

**III. RECEIVE & FILE**

**[2023-277](#) CLERK OF THE BOARD - Lewisboro Notice of Intent to be Lead Agency**

On motion of Legislator Barr, seconded by Committee Vice-Chair Pierce, the above item was received, filed, and approved. The motion carried by the following vote:

**Aye:** Committee Chair Imamura, Legislator Parker, Committee Vice-Chair Pierce, Legislator Tubiolo, Legislator Williams Johnson and Legislator Barr

**[2023-136](#) HON. CATHERINE BORGIA - Ossining Sewer District Amendment - 1 Alexander Lane, Croton-on-Hudson**

On motion of Legislator Barr, seconded by Committee Vice-Chair Pierce, the above item was received, filed, and approved. The motion carried by the following vote:

**Aye:** Committee Chair Imamura, Legislator Parker, Committee Vice-Chair Pierce, Legislator Tubiolo, Legislator Williams Johnson and Legislator Barr

**ADJOURNMENT**

Moved by Committee Vice-Chair Pierce, seconded by Legislator Barr, the Committee adjourned at 12:21 PM by the following vote:

**Aye:** Committee Chair Imamura, Legislator Parker, Committee Vice-Chair Pierce, Legislator Tubiolo, Legislator Williams Johnson and Legislator Barr