

68306

Date: March 4, 2019

To: The Honorable Board of Acquisition and Contract

From: Vincent F. Kopicki, P.E.
Commissioner of Environmental Facilities

Re: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, the procurement of an agreement with Steven T. Sledzik, Esq., pursuant to which Mr. Sledzik provide hearing officer services to the County and hold hearings on an “as needed” basis in connection with violations of the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester to the County of Westchester.

Authority is hereby requested from your Honorable Board to exempt from the application of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)(xxi) thereof, the procurement of an agreement between the County of Westchester (the “County”), acting by and through the Westchester County Department of Environmental Facilities (“DEF”), and Steven T. Sledzik, Esq., pursuant to which Mr. Sledzik will provide hearing officer services to the County and hold hearings on an “as needed” basis in connection with violations of the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester, for the period from May 1, 2019 through April 30, 2020.

Mr. Sledzik has led a distinguished legal career since he began practicing law in 1990, following his graduation from the Georgetown University School of Law. Mr. Sledzik is admitted to practice in the states of New York and Connecticut, as well as before the United States Court of Appeals for the Second Circuit and the United States District Courts for Connecticut and the Southern and Eastern Districts of New York. He has represented clients in complex matters in both State and Federal Courts, including cases involving issues of civil rights, employment discrimination, commercial litigation and contract disputes.

Mr. Sledzik has served as an arbitrator in a variety of employment disputes and administrative hearings, and has served as a hearing officer in Administrative hearings conducted by the Westchester County Solid Waste Commission (“Commission”) for matters involving violations of Chapter 826-a. of the Laws of Westchester County (the

“Solid Waste and Recyclables Collection Licensing Law”). He is currently an attorney at the law firm of Morrison Law Firm, P.C., which has office in the City of White Plains, Westchester County, New York.

Ordinarily, under Section 5 of the Procurement Policy, the County is required to solicit written or oral quotations from no fewer than three persons customarily providing such services. However, Mr. Sledzik already possesses substantive knowledge of the laws, rules and regulations governing Commission hearings and the daily practices and procedures of the solid waste and recycling industry (the “Industry”) within the County. This knowledge and experience enables Mr. Sledzik to conduct hearings and to render recommendation reports to the Commission with far greater competency and nuanced insight than individuals who have not previously served as a Commission hearing officer. Furthermore, this acquired insight is integral to the Commission’s obligation to provide and regulate Industry licensees within a fair legal forum, while simultaneously pursuing its legislative mandate to eliminate unlawful conduct within the Industry.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of an Agreement with Steven Sledzik from the County Procurement Policy.

Accordingly, a resolution to exempt the procurement of agreements with the hearing officers set forth on the attached schedule is hereby submitted for your consideration.

VFK/ljv/jrc

R E S O L U T I O N

Upon a communication from the Commissioner of Environmental Facilities, be it hereby

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of an agreement with Steven T. Sledzik, Esq., pursuant to which Mr. Sledzik will provide hearing officer services to the County and hold hearings on an "as needed" basis in connection with violations of the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester, for the period May 1, 2019 through April 30, 2020.

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/01/2019 - LISA MURRAY, SECRETARY