



Budget & Appropriations Meeting Agenda

Committee Chair: Vedat Gashi

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, October 24, 2022

10:00 AM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Law & Major Contracts and Parks & Recreation

Please note: This meeting will be held in person at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 in the McPoland Conference Room # 824 and also remotely via WebEx. Legislators may participate in person or via video conferencing through WebEx. Members of the public are invited to attend the meeting in person at any of its locations or view it online at the Westchester Legislators website: <<https://westchestercountyny.legistar.com/Calendar.aspx>> This website also has links to the Agenda Packets containing documents to be discussed at the meeting.

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Albany Post Road, Briarcliff, NY 10510.

MINUTES APPROVAL

Wednesday, October 19, 2022 at 10:00 AM Minutes

Wednesday, October 12, 2022 at 10:00 AM Minutes

I. ITEMS FOR DISCUSSION

1. [2022-508](#) **ACT - Action to Eject from Certain County Real Property**

AN ACT authorizing the County Attorney to commence an action, if necessary, on behalf of the County against Bronxville Scout Committee, Inc., (the "BSC") and/or any other necessary and appropriate parties, to eject the BSC and/or any other said parties, from County real property comprised of a cabin, and a designated land area immediately surrounding it.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, LAW & MAJOR CONTRACTS AND PARKS & RECREATION

Joint with LMC and PR.

Guests: County Attorney John Nonna-LAW

2. [2022-510](#) ACT-Resource Allocation Plan 2022-Youth Services

AN ACT authorizing the County of Westchester to execute and submit to the State of New York a Resource Allocation Plan which will provide State reimbursement for certain youth services programs.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

B&A Only.

Guests: Youth Bureau

Dr. DaMia Harris-Madden, Executive Director

Financial Administrator Bernie Dean

3. [2022-516](#) ACT-Enter into Grant Agreements-NYSOFA-HIICAP and MIPPA

AN ACT authorizing the County of Westchester to enter into grant agreements with the State of New York, acting by and through its Office for the Aging, to accept grant funds under the Health Insurance Information, Counseling and Assistance Program ("HIICAP") and the Medicare Improvements for Patients and Providers Act ("MIPPA"), noting that both grants are comprised of federal and New York State funds.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

B&A Only.

Guests: Department of Senior Programs & Services

Commissioner Mae Carpenter

Deputy Commissioner Jeanne Pici

Director of Program Development Sandra Brown

Director of Program Development Agnieszka Nowak

4. [2022-519](#) ACT-Amending Grant Agreements-NYSOFA-CSE & UNMET NEED

AN ACT authorizing the County of Westchester to retroactively amend 2022-2023 grant agreements with the New York State Office for the Aging under the Community Services for the Elderly Program ("CSE") and the Unmet Need Program ("UNMET NEED") by increasing the CSE funding by FORTY-FOUR THOUSAND, NINE HUNDRED FIFTY ONE (\$44,951) DOLLARS and the UNMET NEED funding by EIGHTY-FIVE THOUSAND (\$85,000) DOLLARS.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

B&A Only.

Guests: Department of Senior Programs & Services

Commissioner Mae Carpenter

Deputy Commissioner Jeanne Pici

Director of Program Development Sandra Brown

Director of Program Development Agnieszka Nowak

5. [2022-520](#) ACT-Tourist Promotion Agency-2023

AN ACT designating the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County for the period from January 1, 2023 through December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guest: Director Natasha Caputo-Tourism & Film

6. [2022-521](#) RES-Tourist Promotion Agency-2023

A RESOLUTION designating the Westchester County Office of Tourism and Film as the Tourists Promotion Agency for Westchester County for the period January 1, 2023 through December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guest: Director Natasha Caputo-Tourism & Film

II. OTHER BUSINESS**III. RECEIVE & FILE****ADJOURNMENT**

George Latimer
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

October 11, 2022

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601

Re: Legislation authorizing the County of Westchester (the "County") to commence an action, if necessary, against the Bronxville Scout Committee, Inc. (the "BSC") and/or any other necessary and appropriate parties, to eject it and/or any other said parties, from possession of certain County real property, which includes a cabin and a designated land area immediately surrounding it.

Dear Honorable Members of the Board:

This request, if enacted, would authorize the County, to commence an action, if necessary, against the BSC and/or any other necessary and appropriate parties, to eject it and/or any other said parties, from possession of certain County real property, which includes a cabin and a designated land area immediately surrounding it (the "subject premises").

The subject premises exists within a larger portion of County real property lying in the City of Yonkers and comprising part of the Bronx River Land Reservation informally known as Scout Field. The County real property within which the subject premises is located, has a City of Yonkers tax parcel designation of Section 1.9; Block 9005, Lot 50.

The County and the BSC have no written agreements between them regarding the cabin or any other part of the subject premises.

By letter from the County to the BSC dated June 3, 2020, the County informed the BSC that the County owned Scout Field, and that the BSC was only a licensee of the subject premises.

The County informed the BSC that its actions impinged on the County's rights as Scout Field's owner, and interfered with, if not damaged, other areas within Scout Field by violating the licensed area's conditions of use; specifically, that the BSC violated County Ordinance No. 5 by performing construction work without a permit, and erecting private property signs.

Michaelian Office Building
148 Martine Avenue, 6th Floor
White Plains, New York 10601

Telephone: 914-995-3630

Fax: 914-995-3132*

*Please be advised that service by facsimile is not accepted.



The County demanded that the BSC remove the private property signs, and schedule a fire and safety inspection with it, and that the BSC correct any identified code violations, and “remove and/or remedy any improvements and conditions posing an increased risk to the County and park patrons.”

By letter from the BSC to the County dated June 16, 2020, the BSC claimed ownership in perpetuity of the subject premises. The BSC objected to the County’s demands, and asserted that the County could not unilaterally impose restrictions on its past and continued use of the subject premises.

On December 23, 2021, the BSC commenced an action against the County in the Supreme Court of the State of New York, County of Westchester, titled *Bronxville Scout Committee v. County of Westchester* [*BSC v. County*] Index No. 67854 / 2021, seeking a determination that it owned the subject premises, and enjoining the County from entering it, or interfering with the BSC’s possession, use and enjoyment of it.

By Decision and Order dated July 29, 2022, and entered August 1, 2022 [Zuckerman, J.], the Court dismissed the BSC’s action in its entirety.

By letter from the County to the BSC dated August 5, 2022, the County informed the BSC that it was willing to negotiate a written license agreement for the BSC’s continued use of the cabin, which is located within the subject premises.

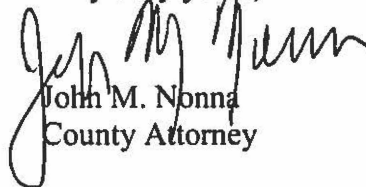
On August 12, 2022, the BSC filed a Notice of Appeal in the *BSC v. County* action, and to date, has not responded to the County’s August 5, 2022 letter.

By letter from the County to the BSC dated September 20, 2022, the County notified the BSC that it was an unlawful occupant of the subject premises, and demanded that it vacate the subject premises, and remove all of its personal property therefrom, by October 20, 2022. To date, the BSC has failed to vacate, or remove its personal property from the subject premises.

As the County is the owner in fee of the subject premises, the County is entitled to immediate possession of it.

In order to protect the County’s real property interests, and upon the recommendation of Katherine O’Connor, Commissioner of the Department of Parks, Recreation and Conservation, authority to initiate legal action, if necessary, against the BSC and/or any other necessary and appropriate parties, is requested.

Very truly yours,


John M. Nonna
County Attorney

JMN/cji

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the County of Westchester (the "County"), to commence an action, if necessary, against the BSC and/or any other necessary and appropriate parties, to eject it and/or any other said parties, from possession of certain County real property, which includes a cabin and a designated land area immediately surrounding it (the "subject premises").

The subject premises exists within a larger portion of County real property lying in the City of Yonkers and comprising part of the Bronx River Land Reservation informally known as Scout Field. The County real property within which the subject premises is located, has a City of Yonkers tax parcel designation of Section 1.9; Block 9005, Lot 50.

The County and the BSC have no written agreements between them regarding the cabin or any other part of the subject premises.

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The County informed the BSC that its actions impinged on the County's rights as Scout Field's owner, and interfered with, if not damaged, other areas within Scout Field by violating the licensed area's conditions of use; specifically, that the BSC violated County Ordinance No. 5 by performing construction work without a permit, and erecting private property signs.

The County demanded that the BSC remove the private property signs, and schedule a fire and safety inspection with it, and that the BSC correct any identified code violations, and "remove and/or remedy any improvements and conditions posing an increased risk to the County and park patrons."

By letter from the BSC to the County dated June 16, 2020, the BSC claimed ownership in perpetuity of the subject premises. The BSC objected to the County's demands, and asserted that the County could not unilaterally impose restrictions on its past and continued use of the subject premises.

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By letter from the County to the BSC dated August 5, 2022, the County informed the BSC that it was willing to negotiate a written license agreement for the BSC's continued use of the cabin, which is located within the subject premises.

On August 12, 2022, the BSC filed a Notice of Appeal in the *BSC v. County* action, and to date, has not responded to the County's August 5, 2022 letter.

By letter from the County to the BSC dated September 20, 2022, the County notified the BSC that it was an unlawful occupant of the subject premises, and demanded that it vacate the subject premises, and remove all of its personal property therefrom, by October 20, 2022.

To date, the BSC has failed to vacate, nor remove its personal property from the subject premises.

As the County is the owner in fee of the subject premises, the County is entitled to immediate possession of it.

In order to protect the County's real property interests, and upon the recommendation of Katherine O'Connor, Commissioner of the Department of Parks, Recreation and Conservation, authority to initiate legal action, if necessary, against the BSC and/or any other necessary and appropriate parties, is requested.

Your Committee has carefully considered the subject matter and the accompanying Act, and recommends authorizing the County to commence an action, if necessary, against the BSC and/or any other necessary and appropriate parties.

Dated: White Plains, New York
October , 2022

l:cji

COMMITTEE ON

ACT NO.

- 2022

AN ACT authorizing the County Attorney to commence an action, if necessary, on behalf of the County against the Bronxville Scout Committee, Inc., (the "BSC") and/or any other necessary and appropriate parties, to eject the BSC and/or any other said parties, from County real property comprised of a cabin, and a designated land area immediately surrounding it.

BE IT ENACTED by the Board of Legislators of the County of Westchester, as follows:

Section 1. The County Attorney is hereby authorized on behalf of the County to initiate legal action, if necessary, against the BSC, and/or any other necessary and appropriate parties, to eject the BSC and/or any other said parties, from possession of certain County real property, which includes a cabin, and a designated land area immediately surrounding it.

Section 2. The County Attorney or his duly designated representative is hereby authorized to undertake such legal proceedings and prepare all documents necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Action to Eject from Certain County Real Property

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 0

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 0

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: Risk of County Liability will be Mitigated

Next Four years: Same as Above

Prepared by: Christopher J. Inzero

Title: Senior Assistant County Attorney

Department: Law

Reviewed By: _____

Budget Department

10/11/02

If you need more space, please attach additional sheets.



Office of the County Executive
George Latimer

October 4, 2022

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith is an Act which, if approved by your Honorable Board, would authorize the County of Westchester, acting by and through its Youth Bureau (the "County"), to execute and submit to the State of New York (the "State") a resource allocation plan (the "Plan") which will qualify the County for certain State reimbursement through its Office of Children and Family Services ("OCFS"). The Plan will authorize the County to allocate funds to administer certain youth services programs to be provided by certain municipalities and not-for-profit corporations and to related administrative activities, for a program year retroactively commencing on January 1, 2022 and terminating on December 31, 2022.

The total aggregate reimbursement amount the County will receive under the Plan will be Nine Hundred Seventy Thousand, Nine Hundred Seventy-Four and 00/100 (\$970,974.00) Dollars ("Funds"). Pursuant to the Plan, the County will administer the Funds on behalf of OCFS under the following funding streams: (i) Youth Development Programming; (ii) Runaway and Homeless Youth Act, and (iii) the newly created program entitled "Youth Sports and Education Opportunity Funding." It should be noted that OCFS requires approval by your Honorable Board in order for the County to accept the Funds under the Plan.


As a way of background, on May 23, 2022, your Honorable Board approved Act No. 63-2022, which authorized the County to enter into inter-municipal agreements with certain municipalities listed therein to provide certain Positive Youth Development Programs, for the period from January 1, 2022 through December 31, 2022, in a total aggregate amount not to exceed Two Hundred Ninety-Seven Thousand Four Hundred Eighty-Nine and 00/100 (\$297,489.00) Dollars.

Pursuant to the Plan, OCFS reserves the right to modify the services or budgets at its discretion or when such modification may be required by the State Comptroller. In addition, pursuant to the Plan, OCFS may withhold approval for reimbursement for certain youth programs in the event of (i) noncompliance with the Plan or OCFS's rules and regulations or (ii) if the County does not have a separate County Child and Family Services Plan approved by OCFS. Please note that the County has a County Child and Family Services Plan which was already approved by OCFS on June 1, 2022.

The Planning Department has advised that the proposed Plan does not meet the definition of an “action” under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

As the County’s participation in this Plan will permit reimbursement by the State for the administration of important youth services programs, I strongly recommend that your Honorable Board adopt the annexed Act.

Sincerely,



George Latimer
County Executive
DHM/mkc/

**HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act, which if approved by your Honorable Board, would authorize the County of Westchester (the “County”) to execute and submit to the State of New York (the “State”) a resource allocation plan (the “Plan”) which will qualify the County for certain State reimbursement through its Office of Children and Family Services (“OCFS”). The Plan will authorize the County to allocate funds to administer certain youth services programs to be provided by certain municipalities and not-for-profit corporations and to related administrative activities, for a program year retroactively commencing on January 1, 2022 and terminating on December 31, 2022.

Your Committee is advised that the total aggregate reimbursement amount the County will receive under the Plan will be Nine Hundred Seventy Thousand, Nine Hundred Seventy-Four and 00/100 (\$970,974.00) Dollars (“Funds”). Pursuant to the Plan, the County will administer the Funds on behalf of OCFS under the following funding streams: (i) Youth Development Programming; (ii) Runaway and Homeless Youth Act, and (iii) the newly created program entitled “Youth Sports and Education Opportunity Funding.” It should be noted that OCFS requires approval by your Honorable Board in order for the County to accept the Funds under the Plan.

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Your Committee is further advised that pursuant to the Plan, OCFS reserves the right to modify the services or budgets at its discretion or when such modification may be required by the State Comptroller. In addition, pursuant to the Plan, OCFS may withhold approval for reimbursement for certain youth programs in the event of (i) noncompliance with the Plan or OCFS’s rules and regulations or (ii) if the County does not have a separate County Child and Family Services Plan

approved by OCFS. Please note that the County has a County Child and Family Services Plan which was already approved by OCFS on June 1, 2022.

The Planning Department has advised that the proposed Plan does not meet the definition of an “action” under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators. Your Committee concurs with this conclusion.

Your Committee is advised that an affirmative vote of a majority of the voting strength of this Honorable Board is required for approval of the attached Act to authorize the County to execute the Plan and submit it to the State.

Your Committee believes that the County’s participation in the Plan will benefit youth by providing State reimbursement for certain youth programs. Therefore, your Committee recommends adoption of the proposed Act.

Dated: _____, 20__.

White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: Act for Resource Allocation Plan/State Reimburse't

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 1,005,185

Total Current Year Revenue \$ 970,974

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: Operating Acct: 101-11-0400-OBJ 1010, 101-11-0400-OBJ 4380,

& 4436 Rev Source 9734

Potential Related Operating Budget Expenses: Annual Amount \$ 193,541

Describe: Youth Bureau Staff Salary Exp for YDP and required match for RHY Programs: \$115,550 under 101-11-0400-1010; RHY Prog Exp as reqd local match \$27,991 under 101-11-0400-4436 and West City Park & Rec Staff salary exp \$50,000.

Potential Related Revenues: Annual Amount \$ 970,974

Describe: Reimbursements by State to YB Non Profit Orgs & Rec Dept \$736,456 (263-11-530X-9584) RHY \$83,974 (263-11-108X-9584); Reimbursement of YB Staff Salary by State \$109,330; YB NFP Youth Sports \$41,214 (101-11-0400-9734)

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \$34,211 Youth Bureau

Next Four years: Same as above

Prepared by: Bernie Dean *BD*

Title: Financial Administrator

Department: CEO/Youth Bureau

Reviewed By: *[Signature]*

Budget Director

10/6/02

If you need more space, please attach additional sheets.

ACT NO. 2022 - ____

AN ACT authorizing the County of Westchester to execute and submit to the State of New York a Resource Allocation Plan which will provide State reimbursement for certain youth services programs.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:


Section 1. The County of Westchester (the “County”) is hereby authorized to execute and submit to the State of New York a Resource Allocation Plan (the “Plan”) which will qualify the County to receive certain State reimbursements through its Office of Children and Family Services (“OCFS”), for certain youth services programs and related administrative activities, in the total aggregate amount of Nine Hundred Seventy Thousand, Nine Hundred Seventy Four and 00/100 (\$970,974.00) Dollars, for the program year retroactively commencing on January 1, 2022 and terminating on December 31, 2022.

§2. The County Executive or his authorized designee is hereby authorized and empowered to execute all instruments and to take all actions reasonably necessary to effectuate the purposes of this Act.

§3. This Act shall take effect immediately.

October 14, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: Act – Enter into Grant Agreements with NYSOFA: HIICAP and MIPPA.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 17, 2022 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”), acting by and through its Department of Senior Programs and Services (the “Department”) to enter into two (2) grant agreements with NYSOFA: HIICAP and MIPPA.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 17, 2022 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

October 6, 2022

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department") to enter into two (2) grant agreements (individually referred to as the "Grant Agreement," and collectively as the "Grant Agreements") with the State of New York, acting by and through its Office for the Aging ("NYSOFA"), to accept grant funds made available to the County under the Health Insurance Information, Counseling and Assistance Program ("HIICAP") and the Medicare Improvements for Patients and Providers Act ("MIPPA"), noting that both grants are comprised of federal and New York State funds, in the total aggregate not-to-exceed amounts set forth below:

Grant Amounts

HIICAP	MIPPA
\$55,244	\$52,972

There will be no inter-municipal agreements ("IMAs") for any services to be funded with the grants received from NYSOFA under the Grant Agreements. The HIICAP funding will be used by the Department to provide Information Contacts services. Similarly, the MIPPA funding will be used by the Department to provide Medicare Counseling services. Any necessary contracts will be submitted to the Board of Acquisition and Contract for approval.

The Grant Agreement for HIICAP will be for a term deemed to commence retroactively on April 1, 2022 and continuing through March 31, 2023, and the Grant Agreement for MIPPA will be for a term commencing retroactively on September 1, 2022 and continuing through August 31, 2023.

It should be noted that your Honorable Board has previously authorized the County to enter into similar agreements to accept federal and state grant funds made available to the County under the HIICAP and MIPPA pursuant to Act No. 91 – 2021, which was approved by your Honorable Board on May 24, 2021.

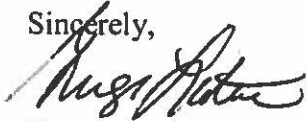
The Planning Department has advised that proposed Grant Agreement with NYSOFA described above do not meet the definition of an "action" under the State Environmental Quality Review Act, 6 NYCRR

part 617. Accordingly, no further environmental review is required. Please refer to the annexed memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators. As you know, your Honorable Board may use such expert advice to make its own conclusion.

The proposed Grant Agreements with NYSOFA are intended to benefit the County by assisting the County in the provision of grant-funded services to educate its residents about Medicare, Medicare Advantage plans and other health insurance issues. Accordingly, I believe the proposed Grant Agreements with NYSOFA are in the best interest of the County as it will save residents of Westchester County money by helping them access “Extra Help” programs.

Based on the foregoing, your favorable action on the annexed proposed Act is recommended.

Sincerely,



George Latimer
County Executive

GL/MC/SJ/CMC

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the approval of an act (the “Act”) which would authorize the County of Westchester (the “County”), acting by and through its Department of Senior Programs and Services (the “Department”), to enter into two (2) grant agreements (individually referred to as the “Grant Agreement,” and collectively as the “Grant Agreements”) with the State of New York, acting by and through its Office for the Aging (“NYSOFA”), to accept grant funds made available to the County under the Health Insurance Information, Counseling and Assistance Program (“HIICAP”) and the Medicare Improvements for Patients and Providers Act (“MIPPA”), noting that both grants are comprised of federal and New York State funds, in the total aggregate not-to-exceed amounts set forth below:

Grant Amounts

HIICAP	MIPPA
\$55,244	\$52,972

Your Committee has been advised that there will be no inter-municipal agreements (“IMAs”) for any services to be funded with the grants received from NYSOFA under the Grant Agreements. The HIICAP funding will be used by the Department to provide Information Contacts services. Similarly, the MIPPA funding will be used by the Department to provide Medicare Counseling services. Any necessary services contracts will be submitted to the Board of Acquisition and Contract for approval.

Your Committee has been further advised that the Grant Agreement for HIICAP will be for a term deemed to commence retroactively on April 1, 2022 and continuing through March 31, 2023, and the Grant Agreement for MIPPA will be for a term commencing retroactively on September 1, 2022 and continuing through August 31, 2023.

Your Committee notes that this Honorable Board has previously authorized the County enter into similar grant agreements to accept federal and state grant funds made available to the County under the HIICAP and MIPPA pursuant to Act No. 91 – 2021, which was approved by your Honorable Board on May 24, 2021.

Your Committee is further advised by the Planning Department that the proposed Grant Agreements with NYSOFA described above do not meet the definition of an “action” under the State Environmental Quality Review Act, 6 NYCRR part 617. Please refer to the annexed memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators. Accordingly, the Planning Department recommends that no further environmental review is required, and your Committee concurs with this conclusion.

Your Committee has been advised that the passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board.

Your Committee has been advised that adoption of the proposed Act is necessary to effectively carry out these worthwhile programs. Accordingly, after due consideration, your Committee recommends adoption of the annexed Act.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

C: cmc/10.06.2022

FISCAL IMPACT STATEMENT

SUBJECT: MIPPA NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 52972

Total Current Year Revenue \$ 52972

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-T-962

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 52972

Describe: Funding received from NYS and the Federal Government for Medicare Improvements for Patients and Providers Act.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: The Department would not be able to provide outreach and assistance to Medicare beneficiaries with limited incomes who may be eligible for the Medicare Part D Subsidy Program or the Medicare Savings Program.

Next Four years: _____

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

D/O

Reviewed By: _____

Budget Director

10/11/22

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: HIICAP NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 55244

Total Current Year Revenue \$ 55244

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: 263-85-T945

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 55244

Describe: Funding received from the Federal Government for the Health Insurance Information, Counseling and Assistance Program

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: The Department would not be able to provide counseling and information on all health insurance programs for seniors including Medicare and HMOs.

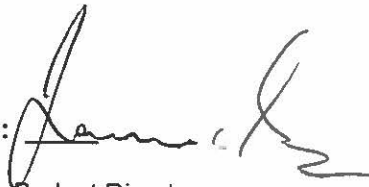
Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II


Department: Senior Programs & Svcs.

DL
Reviewed By: 
Budget Director

10/11/22

If you need more space, please attach additional sheets.

TO: George Latimer, County Executive
Kenneth Jenkins, Deputy County Executive
John Nonna, County Attorney

FROM: David Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: January 14, 2022

SUBJECT: **ACTIVITIES NOT SUBJECT TO STATE ENVIRONMENTAL QUALITY
REVIEW**

As required by the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 (“SEQR”), the Board of Legislators (“BOL”) is the body that must assess the environmental significance of all actions that the BOL has discretion to approve, fund or directly undertake. The Planning Department has historically conducted the necessary environmental review for the BOL to undertake its responsibility under SEQR. Additionally, contracts going before the Board of Acquisition and Contracts (“BAC”) must be reviewed for conformance with SEQR.

Pursuant to Section 617.2(b) of SEQR, “Actions” are defined as:

- (1) projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that:
 - (i) are directly undertaken by an agency; or
 - (ii) involve funding by an agency; or
 - (iii) require one or more new or modified approvals from an agency or agencies;
- (2) agency planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions;
- (3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and
- (4) any combinations of the above.

As part of the Planning Department’s ongoing review of its processes, we are streamlining the process for SEQR review and related document preparation for the BOL and BAC. The most effective method to achieve a more timely SEQR review is to create a list of categories of activities **that do not meet the definition of an “action”** as defined in SEQR. This list (attached) references activities that are routine and which do not change the use, appearance or condition of any natural resource or structure, nor do they involve policies or regulations that may affect the environment. The creation of this list in no way eliminates the BOL’s or BAC’s

responsibilities under SEQ. Rather, it establishes a workflow for items that are routine and do not, under the law, require environmental review.

Accordingly, the Planning Department advises that no environmental review is required and no SEQ documentation is necessary for submission with BOL legislation or with resolutions or contracts requiring BAC approval regarding activities on the attached list.

County departments and agencies may reference this memorandum in the legislation in order to document compliance with SEQ for actions listed herein. As such, this memorandum should be kept on file with the Clerk of the Board of Legislators. Legislation should include a statement similar to the following: "The proposed project does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators."

This memorandum will be distributed to all Commissioners as part of County operations.

Please contact me if you have any questions.

Att.

cc: Malika Vanderberg, Clerk and Chief Administrative Officer to the Board of Legislators
Joan McDonald, Director of Operations
Andrew Ferris, Chief of Staff
Steve Bass, Director of Intergovernmental Relations
Paula Friedman, Assistant to the County Executive
Stacey Dolgin-Kmetz, Chief Deputy County Attorney
Tami Altschiller, Assistant Chief Deputy County Attorney
Norma Drummond, Commissioner of Planning

**ACTIVITIES THAT DO NOT MEET THE DEFINITION OF AN “ACTION”
PURSUANT TO SEQR AND ARE, CONSEQUENTLY, NOT SUBJECT TO SEQR**

1. BUDGETS AND AMENDMENTS

- Municipal budgets and amendments to them – The budgeting process merely sets aside funds without a commitment to their expenditure. Operating expenditures are typically for government-related activities that would also not meet the definition of an action. Even the establishment of the Capital Budget is not subject to SEQR because many of the capital projects are usually not definitive enough with respect to potential impacts to be reviewable at the time the budget is adopted. However, any subsequent authorization, such as bonding, to undertake a particular capital project is an action that requires SEQR compliance before it may be approved.
- The transfer of funds within the County operating and capital budgets for the purpose of balancing accounts – It is understood that these actions are purely budgetary, where accounts with excess funds are moved to accounts with existing or anticipated deficits. It is further understood that the activities covered by these accounts have either already occurred or been reviewed in accordance with SEQR, are Type II actions or actions that are not subject to SEQR, or are actions that will require future approval prior to being undertaken, at which time further SEQR review may be appropriate.
- Rescissions or reduction of bond acts to cancel unspent funds.

2. SERVICES

- Consultant services – Contracts or agreements that provide for administrative services, training, reports for Boards and Commissions, but not including studies or design of physical improvements, which has been listed under SEQR as Type II.
- Social Services – Actions or agreements that provide services to persons in need, such as employment assistance, family/domestic intervention and respite care.
- Youth services – Actions or agreements that provide for youth services, such as a Resource Allocation Plan, Invest-in-Kids Program, after-school programs, camp programs and head-start programs.
- Senior programs & services – Actions or agreements that provide for services to seniors, such as provision of information/education, home care, nutrition & transportation assistance, caregiver support, and acceptance of federal and state grants providing for such services (e.g., OAA Title III grants and NYSOFA grants, including CSE, CSI, CRC, EISEP, NYSTP, WIN & NSIP).
- Public Safety services – programs that promote public safety, such as STOP-DWI, Police Night Out, and intermunicipal agreements (IMAs) for shared training, equipment and response to emergencies.
- Fire services – Fire district IMAs for shared training, equipment and response to emergencies.
- Legal services – Contracts for outside counsel, litigation or associated monetary settlements.

- Medical Services – Contracts with medical providers for medical examinations, testing, vaccinations or medical treatment of County employees or the public.
- Mental Health Services – Contracts with agencies to provide treatment, services or education related to mental health.

3. PERSONNEL MATTERS

- Actions related to employment or employees.
- Contracts for temporary staff assistance.
- Legislation pertaining to establishment and membership of boards and commissions.

4. FINANCES

- Tax Anticipation Notes.
- Bond acts to finance tax certiorari payments.
- Banking contracts/agreements for money management services.
- Mortgage tax receipts disbursements (County Clerk).
- Refinancing of affordable housing mortgages.
- Payment in Lieu of Taxes (PILOT) agreements.

5. LAWS

- New laws or amendments of existing laws that regulate the sale or use of products for the protection of public health.
- New laws or amendments of existing laws that regulate businesses for the protection of consumers.
- Pertaining to consumer protection, not including professional licensing, which have been classified as Type II.
- Pertaining to animal welfare, excluding regulations involving habitat management.
- Pertaining to public safety.
- Pertaining to taxation, such as establishment of new taxes or tax exemptions.
- Pertaining to establishment or modification of fees.
- Pertaining to notices, publications and record keeping.
- Pertaining to hiring or contracting procedures.
- Pertaining to the functioning of County government, such as term limits, board appointments, etc. that do not impact the environment.

6. MISCELLANEOUS

- Amendments to existing agreements for changes in name or consultants.
- Education/training programs, contracts for clinical instruction.
- Prisoner Transport IMAs.
- Tourism Promotion Agency designation.
- Software licenses.

- IMAs for temporary housing in existing facilities (homeless, inmate, troubled youths, domestic violence victims).

WCDP
JAN 2022

ACT NO. 2022 --

AN ACT authorizing the County of Westchester to enter into grant agreements with the State of New York, acting by and through its Office for the Aging, to accept grant funds under the Health Insurance Information, Counseling and Assistance Program (“HIICAP”) and the Medicare Improvements for Patients and Providers Act (“MIPPA”), noting that both grants are comprised of federal and New York State funds.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester (the “County”) be and hereby is authorized to enter into two (2) grant agreements (individually referred to as the “Grant Agreement,” and collectively as the “Grant Agreements”) with the State of New York, acting by and through its Office for the Aging (“NYSOFA”), to accept grant funds made available to the County under the Health Insurance Information, Counseling and Assistance Program (“HIICAP”) and the Medicare Improvements for Patients and Providers Act (“MIPPA”), noting that both grants are comprised of federal and New York State funds, in the total aggregate not-to-exceed amounts set forth below:

Grant Amounts

HIICAP	MIPPA
\$55,244	\$52,972

The HIICAP funding will be used by the Department to provide Information Contacts services. The MIPPA funding will be used by the Department to provide Medicare Counseling services.

§2. The Grant Agreement for HIICAP will be for a term deemed to commence retroactively on April 1, 2022 and continuing through March 31, 2023, and the Grant Agreement for MIPPA will be for a term commencing on September 1, 2022 and continuing through August 31, 2023.

§3. The County Executive or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effect the purposes hereof

§4. This Act shall take effect immediately.

ACT NO. 2022 --

AN ACT authorizing the County of Westchester to enter into grant agreements with the State of New York, acting by and through its Office for the Aging, to accept grant funds under the Health Insurance Information, Counseling and Assistance Program (“HIICAP”) and the Medicare Improvements for Patients and Providers Act (“MIPPA”), noting that both grants are comprised of federal and New York State funds.

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\$55,244	\$52,972

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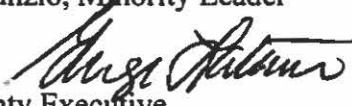
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§3. The County Executive or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effect the purposes hereof

§4. This Act shall take effect immediately.

October 14, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: Act - Amending Grant Agreements with NYSOFA.

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 17, 2022 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), to retroactively amend grant agreements (the "Grant Agreements") with the New York State Office for the Aging ("NYSOFA"), which provided the County with funding under the Community Services for the Elderly Program ("CSE") and the Unmet Need Program ("UNMET NEED").

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 17, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

October 12, 2022

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), to retroactively amend grant agreements (the "Grant Agreements") with the New York State Office for the Aging ("NYSOFA"), which provided the County with funding under the Community Services for the Elderly Program ("CSE") and the Unmet Need Program ("UNMET NEED"), for a term commencing retroactive to April 1, 2022 and continuing through March 31, 2023, by increasing the amount of CSE funding by \$44,951 and the amount of UNMET NEED funding by \$85,000.

By way of background, on April 25, 2022 by Act No. 39-2022, your Honorable Board authorized the County, *inter alia*, to enter into various grant agreements with NYSOFA to accept grant funds made available to the County from New York State under the CSE and UNMET NEED programs, among others. NYSOFA recently informed the Department that it has increased funding for the April 1, 2022 through March 31, 2023 term for the CSE grant by \$44,951 and for the UNMET NEED grant by \$85,000. In order for the County to receive the additional funding, it will be necessary to retroactively amend the CSE and UNMET NEED Grant Agreements, as follows:

	CSE	UNMET NEED
Original Grant Amount	\$1,575,319	\$951,658
Amount of increase	+\$44,951	+\$85,000
Amended Grant Amount	\$1,620,270	\$1,036,658

The additional funds under the CSE grant will be retained by the Department for direct services to seniors. Of the \$85,000 in additional UNMET NEED funds, \$43,222 will be utilized to increase funding under existing agreements with various home-care agencies, which agreements are not IMAs and as such do not require approval by your Honorable Board to amend. The additional \$41,778 in UNMET NEED funds will be retained by the Department to provide direct services to seniors.

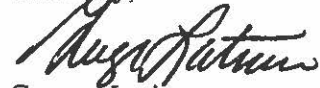
Except as specifically amended hereby, all remaining terms and conditions contained in the CSE and UNMET NEED Grant Agreements shall remain in full force and effect upon the parties.

The Planning Department has advised that based on its review, the proposed amendments to the CSE and UNMET NEED Grant Agreements with NYSOFA do not meet the definition of an "action" under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no

environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

The proposed Grant Agreements with NYSOFA are intended to benefit the County by assisting in the provision of grant-funded services to its residents. Accordingly, I believe amending these Grant Agreements to increase funding is in the best interest of the County and, therefore, recommend your favorable action on the annexed proposed Act.

Sincerely,



George Latimer
County Executive

GL/MC/SJ/jg
Attachments

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which, if adopted, would authorize the County of Westchester (the “County”), acting by and through its Department of Senior Programs and Services (the “Department”), to retroactively amend grant agreements (the “Grant Agreements”) with the New York State Office for the Aging (“NYSOFA”) which provided the County with funding under the Community Services for the Elderly Program (“CSE”) and the Unmet Need Program (“UNMET NEED”), for a term commencing retroactive to April 1, 2022 and continuing through March 31, 2023, by increasing funding under the CSE grant by \$44,951 and under the UNMET NEED grant by \$85,000

Your Committee is advised that on April 25, 2022 by Act No. 39-2022 (the “Act”), your Honorable Board authorized the County, *inter alia*, to enter into various grant agreements with NYSOFA to accept grant funds made available to the County from New York State under the CSE and UNMET grant programs, among others. NYSOFA recently informed the Department that it has increased funding for the April 1, 2022 through March 31, 2023 term for the CSE grant by \$44,951 and for UNMET NEED grant by \$85,000. In order for the County to receive the additional funding, it will be necessary to retroactively amend the CSE and UNMET NEED Grant Agreements, as follows:

	CSE	UNMET NEED
Original Grant Amount	\$1,575,319	\$951,658
Amount of increase	+\$44,951	+\$85,000
Amended Grant Amount	\$1,620,270	\$1,036,658

Your Committee is advised that the additional funds under CSE will be retained by the Department to provide direct services to seniors. Of the \$85,000 in additional UNMET NEED funds, \$43,222 will be utilized to increase funding under existing agreements with various home-care agencies, which agreements are not IMAs and as such do not require approval by your Honorable Board to amend. The additional \$41,778 in UNMET NEED funds will be retained by the Department to provide direct services to seniors.

Except as specifically amended hereby, all remaining terms and conditions contained in the Grant Agreements shall remain in full force and effect upon the parties.

The Planning Department has advised that based on its review, the proposed amendments to the CSE and UNMET NEED Grant Agreements with NYSOFA do not meet the definition of an “action” under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that the passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board.

Your Committee believes that amending the Grant Agreements to increase funding is in the best interest of the County and, therefore, recommends your Honorable Board’s favorable action on the annexed proposed Act.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

C.jpg/9-16-2022

FISCAL IMPACT STATEMENT

SUBJECT: CSE NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 2155439

Total Current Year Revenue \$ 1620270

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: 101-24-4957

263-85-T047

Potential Related Operating Budget Expenses: Annual Amount \$ 535169

Describe: County Match Funds

Potential Related Revenues: Annual Amount \$ 1620270

Describe: Funding received from the New York State Office for the Aging for Community Services for the Elderly.

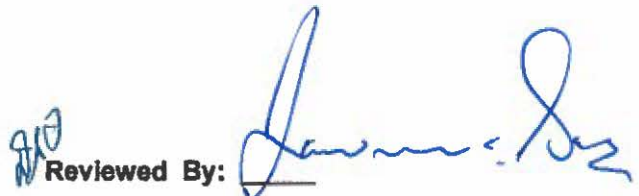
Anticipated Savings to County and/or Impact on Department Operations:

Current Year: The Department would not be able to provide Case Management, Information & Assistance; Senior Center Recreation & Education, Health Promotion, Transportation, Food Stamp, Counseling and volunteer programs to seniors in Westchester County.

Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

 Reviewed By: _____

Title: Director of Program Development II

Budget Director

Department: Senior Programs & Svcs.

10/4/22

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: UNMET NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 1036658

Total Current Year Revenue \$ 1036658

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: 263-85-T1006

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 1036658

Describe: Funding received from the New York State Office for the Aging to provide unmet need services to the Elderly.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: The Department would not be able to provide In Home Services, Case Management, Sr. Rec and Ed, Transportation, and InHome Contact & Support to seniors in Westchester.


Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

Reviewed By: 

Budget Director

10/12/22

If you need more space, please attach additional sheets.

ACT NO. – 2022

AN ACT authorizing the County of Westchester to retroactively amend 2022 - 2023 grant agreements with the New York State Office for the Aging under the Community Services for the Elderly Program (“CSE”) and the Unmet Need Program (“UNMET NEED”) by increasing the CSE funding by \$44,951 and the UNMET NEED funding by \$85,000.

NOW, THEREFORE, BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester (the “County”), acting by and through its Department of Senior Programs & Services, is hereby authorized to retroactively amend grant agreements (the “Grant Agreements”) with the New York State Office for the Aging (“NYSOFA”) which provided the County with funding under the Community Services for the Elderly Program (“CSE”) and the Unmet Need Program (“UNMET NEED”), for a term commencing retroactive to April 1, 2022 and continuing through March 31, 2023, by increasing the CSE funding by \$44,951 and the UNMET NEED funding by \$85,000, as set forth below:

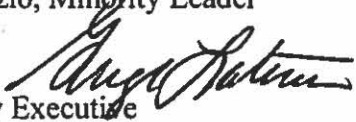
	CSE	UNMET NEED
Original Grant Amount	\$1,575,319	\$951,658
Amount of increase	+\$44,951	+\$85,000
Amended Grant Amount	\$1,620,270	\$1,036,658

§2. Except as specifically amended hereby, all remaining terms and conditions set forth in the Grant Agreements shall remain in full force and effect upon the parties.

§3. This Act shall take effect immediately.

October 14, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: Act & Resolution –
Tourist Promotion Agency – 2023.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 17, 2022 Agenda.

Transmitted herewith for your consideration and approval are an Act and a Resolution designating the Office of Tourism and Film as the County's official Tourist Promotion Agency for 2023.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 17, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

October 12, 2022

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

For the 2023 calendar year, as in previous years, the Westchester County Office of Tourism and Film is required by the New York State Division of Tourism to submit a County resolution that designates the Office of Tourism and Film as the County's official Tourist Promotion Agency ("TPA").

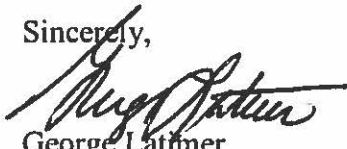
This TPA designation will allow the Office of Tourism and Film to receive a matching funds grant from New York State which will be used to market Westchester County as a tourism destination.

I have been advised that the New York State Tourist Promotion Act specifically requires the designation of a tourist promotion agency by the County's governing body and that such approval be in the form of a Resolution. As you are aware, Section 209.91(4) of the Laws of Westchester County requires approval by your Honorable Board for such matters by way of an Act. To satisfy the requirements of both the County and the State, your Honorable Board has been presented with a proposed Act and Resolution for your consideration and approval. Your Honorable Board has passed similar legislation, most recently by Act No. 209-2021 and Resolution No. 193-2021 for the calendar year 2022.

The Planning Department has advised that the proposed designation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Accordingly, I recommend and urge your Honorable Board to adopt the proposed Act and Resolution naming the Westchester County Office of Tourism and Film as Westchester County's official "TPA" for the period January 1, 2023 through December 31, 2023.

Sincerely,



George Latimer
County Executive

GL/NCC/jpg

**HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive requesting that the Westchester County Office of Tourism and Film be designated as the County's official Tourist Promotion Agency ("TPA") for the period from January 1, 2023 through December 31, 2023.

This TPA designation will allow the Office of Tourism and Film to receive a matching funds grant from New York State which will be used to market Westchester County as a tourism destination.

Your Committee has been advised that the New York State Tourist Promotion Act specifically requires the designation of a tourist promotion agency by the County's governing body and that such approval be in the form of a Resolution. As you are aware, Section 209.91(4) of the Laws of Westchester County requires approval by your Honorable Board for such matters by way of an Act. To satisfy the requirements of both the County and the State, your Honorable Board has been presented with a proposed Act and Resolution for your consideration and approval. Your Honorable Board has passed similar legislation, most recently by Act No. 209-2021 and Resolution No. 193-2021 for the calendar year 2022.

The Planning Department has advised that that the proposed designation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required.

Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that passage of the attached Act and Resolution requires an affirmative vote of a majority of the members of your Honorable Board.

Accordingly, your Committee recommends adoption of the proposed Act and Resolution.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

C: JPG 10.03.2022

FISCAL IMPACT STATEMENT

SUBJECT: Tourist Promotion Agency 2023 NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND AIRPORT FUND SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 55,000

Total Current Year Revenue \$ 55,000

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations Other (explain)

Identify Accounts: Expense:101-11-0720-4912; Revenue: 263-11-432Y-9854

Potential Related Operating Budget Expenses: Annual Amount \$55,000

Describe: An Act designating the Westchester County Office of Tourism as the Tourist Promotion Agency for Westchester County for the period from January 1, 2023 through December 31, 2023.

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Debra Ogden

Title: Sr. Budget Analyst

Department: Budget

Date: October 6, 2022

Reviewed By: [Signature]

Budget Director

Date: 10/12/22

ACT NO. _____ - 2022

AN ACT designating the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County for the period from January 1, 2023 through December 31, 2023.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Board of Legislators of the County of Westchester hereby designates the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County, as such an agency is defined in the New York State Tourist Promotion Act, for the period from January 1, 2023 through December 31, 2023.

§2. The attached Resolution, designating the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County, is hereby adopted.

§3. This Act shall take effect immediately.

RESOLUTION NO. - 2022

WHEREAS, the State of New York has made available to its counties “matching funds” for the promotion of tourism; and

WHEREAS, the New York State Tourist Promotion Act requires the legislature of each county to designate a Tourist Promotion Agency as the applicant for and the recipient of such funds; and

WHEREAS, the Westchester County Office of Tourism and Film is charged with the duty to promote tourism within Westchester County.

NOW, THEREFORE, be it hereby:

RESOLVED, that the Board of Legislators of the County of Westchester hereby designates the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County, as such an agency is defined in the New York State Tourist Promotion Act, for the period from January 1, 2023 through December 31, 2023.