

ACT 18 - 2023

**TO THE COUNTY BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

DRAFT
IMA ON FILE

Upon a communication from the County Executive, your Committee has been advised that pursuant to sections 500-c and 500-d of the New York State Correction Law, the County is required at its own expense to transport prisoners between local municipalities and the Westchester County Jail located at Valhalla, New York. In addition, the County must provide meals to such prisoners.

The County Executive has forwarded legislation which would authorize the County to enter into an intermunicipal agreement (“IMA”) with the City of New Rochelle (“New Rochelle”) in order to reimburse New Rochelle an amount not to exceed \$300,000 in 2022 and \$310,000 in 2023 for a total amount not to exceed \$610,000 for the term commencing on January 1, 2022 and terminating on December 31, 2023. This IMA will allow the County to reimburse New Rochelle for the costs it incurs in transporting prisoners who have been arraigned to and from New Rochelle and the Westchester County Jail.

Reimbursement to New Rochelle for hourly wage and fringe benefit costs for round trip prisoner transportation will be at the following rates:

2022	Police Officer	\$86.50 per hour
	Community Service Officer	\$51.28 per hour
2023	Police Officer	\$88.30 per hour
	Community Service Officer	\$52.30 per hour

Reimbursement for hourly wage and fringe benefit costs will be for a maximum of five hours per officer per trip. New Rochelle will also be reimbursed for vehicle usage at the rate of fifty-eight and one-half cents (\$.585) per mile, or at the then current Internal Revenue Service mileage reimbursement rate, and for the actual and reasonable cost of meals provided to post-arraignment prisoners.


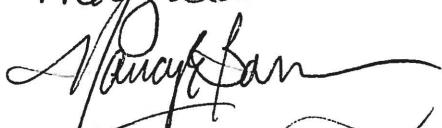

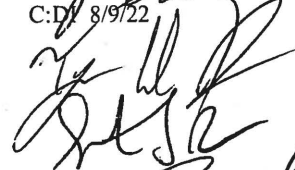

Your Committee is advised by the Department of Planning has advised that pursuant to 6 NYCRR 617.2(b) of the New York State Environmental Quality Review Act ("SEQRA") Regulations, the proposed prisoner transportation does not meet the definition of an "action" and therefore, no further environmental review is required. Therefore, your Honorable Board need take no further action on this matter pursuant to SEQRA. Your Committee concurs in this conclusion. 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 a majority of the voting strength of the Board of Legislators is required in order to adopt the attached Act.




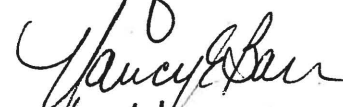
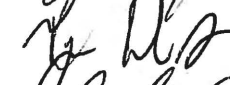
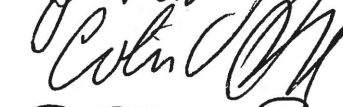

After review and careful consideration, your Committee recommends favorable action upon the proposed legislation.

Dated: 2023
White Plains, New York

January 17th, 2023
Public Safety


Margaret A. Cigno

Nancy Pan

C:DV 8/9/22



Committee on

January 23rd, 2023
Budget & Appropriations



Jewel-Zell Jones

Nancy Pan




FISCAL IMPACT STATEMENT

SUBJECT: City of New Rochelle Prisoner Transport 2022-2023

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 \$ 300,000

Total Current Year Revenue \$ _____

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount \$ _____

Describe: 2023 - \$ 310,000.

Potential Related Revenues: Annual Amount \$ _____

Describe: _____

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

Current Year: _____

Next Four years: _____

Prepared by: William Fallon



Title: Director Of Administrative Services

Department: Correction

Reviewed By:



Budget Director

11/4/22

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If you need more space, please attach additional sheets.

ACT NO. 18 - 2023

AN ACT authorizing the County of Westchester to enter into an Intermunicipal Agreement with the City of New Rochelle in order to provide reimbursement for prisoner transportation to the Westchester County Jail.

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

Section 1. The County of Westchester (the “County”) be and hereby is authorized to enter into an Intermunicipal Agreement (“IMA”) with the City of New Rochelle (“New Rochelle”) in order to reimburse the municipality for the cost to transport prisoners round trip between New Rochelle and the Westchester County Jail located at Valhalla, New York, in the amount not to exceed \$300,000 in 2022 and \$310,000 in 2023 for a total amount not to exceed SIX HUNDRED TEN THOUSAND (\$610,000) DOLLARS for the term commencing January 1, 2022 and terminating December 31, 2023.

§2. The County will reimburse New Rochelle for hourly wage and fringe benefit costs for prisoner transportation at the following rates:

2022	Police Officer	\$86.50 per hour
	Community Service Officer	\$51.28 per hour
2023	Police Officer	\$88.30 per hour
	Community Service Officer	\$52.30 per hour

Reimbursement for hourly wage and fringe benefit costs will be for a maximum of five hours per officer per trip. The County will also reimburse New Rochelle for vehicle usage at the rate of fifty-eight and one-half cents (\$.585) per mile, or at the then current Internal Revenue Service mileage reimbursement rate, and for the actual and reasonable costs of meals provided to post-arraignment prisoners.

§3. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and to take any and all action necessary and appropriate to accomplish the purposes hereof.

§4. This Act shall take effect immediately.

**City of New Rochelle
New York**

SCHEDULE "A"

**REIMBURSEMENT
PRISONER TRANSPORTATION
YEAR 2022 - 2023**

2022	Police Officer	\$86.50 per hour
	Community Service Officer	\$51.28 per hour
2023	Police Officer	\$88.30 per hour
	Community Service Officer	\$52.30 per hour

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 18 - 2023, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on January 23, 2023, and approved by the County Executive on January 27, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 30th day of January, 2023.

Malika Vanderberg

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

