

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

**DRAFT
IMA ON FILE**

Your Committee is in receipt of a communication from the County Executive recommending the adoption of an Act which, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an inter-municipal agreement ("IMA") with Putnam Northern Westchester BOCES ("BOCES"), pursuant to which BOCES will coordinate a portion of the Bureau of Justice Assistance's STOP School Violence Prevention and Mental Health Training Program (aka Project BRIGHT), for a 15 month term commencing on July 1, 2021 and continuing through September 30, 2022.

Your Committee is advised that Project BRIGHT, funded through a grant from the U.S. Department of Justice ("DOJ"), is designed to improve school security by providing students and teachers with the tools they need to recognize, respond quickly to, and help prevent acts of violence. This is accomplished through the use of multidisciplinary school threat assessment trainings and mental health first aid trainings. BOCES will help to coordinate the threat assessment training portion of Project BRIGHT by: 1) hiring and overseeing the supervision of coaches and trainers; 2) setting up threat assessment trainings at 20 public, private, parochial and charter schools throughout the County; 3) providing technical assistance and reporting services; and 4) working with the project coordinator and evaluator to ensure that the trainings are coordinated. In consideration for providing these services, the County will pay BOCES a total amount not-to-exceed Two Hundred Fifty Thousand (\$250,000.00) Dollars, payable in five (5) installments of \$50,000.00 each, in accordance with an approved payment schedule.

Your Committee is advised that because the definition of "municipal corporation" under New York General Municipal Law § 119-n includes "boards of cooperative education services," the proposed agreement constitutes an IMA requiring your Honorable Board's approval.

Your Committee is further advised that the proposed IMA is exempt from the requirements of the Westchester County Procurement Policy pursuant to section 3(a)xviii thereof, which exempts any procurement for the creation and support of youth service projects. In addition, these services are funded with Federal grant monies and are, pursuant to Section 13

of the County Procurement Policy, subject to Federal procurement requirements. The Federal procurement regulations (2 CFR§ 200.320) require that contracts in amounts equal to or less than \$250,000, be procured competitively, unless such contracts are deemed to be “non-competitive” procurements. In accordance with 2 CFR§ 200.320(c)(4), the County’s STOP DWI Office contacted the DOJ requesting that it authorize a non-competitive proposal in this case. The DOJ subsequently approved BOCES as one of the sub awardees under the grant.

In addition, the proposed IMA 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 May 14, 2021, which is on file with the Clerk of the Board of Legislators.

Your Committee has carefully considered this matter and has concluded that it is in the best interest of the County to adopt an Act to authorize the County to enter into this IMA. It should be noted that an affirmative vote of a majority of the members of your Honorable Board is required in order to adopt the attached Act. Accordingly, your Committee recommends approval of the annexed proposed Act.

Dated: August 25, 2021

White Plains, New York

COMMITTEE ON

Catherine Borgio

Marcy Bar

Ruth Weber

Donna (w/o preside)

Benjamin Boykin II
Z. H. (WOP)

David Tubols

Benjamin Boykin II
Z. H. (WOP)

Joe Al

David Tubols

Colin Smith

Marcy Bar

Benjamin Boykin II
Z. H. (WOP)
M. J.

Budget & Appropriations

Seniors, Youth & Intergenerational Services

Public Safety

FISCAL IMPACT STATEMENT

SUBJECT: STOP-DWI Contract with PNW BOCES to help coordinate BJA (Bureau of Justice Assistance) STOP School Violence Prevention & Mental Health Training Program (aka Project Bright)
 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: Fund: 711; Dept. 71; Trust Account: T16V; Object: 4380
(July 1, 2021-September 30, 2022)

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: No impact to the Operating Budget

Potential Related Revenues: Annual Amount \$ 0

Describe: No impact to the Operating Budget. Funding received from Department of Justice BJA (Bureau of Justice Assistance) STOP School Violence Prevention and Mental Health Training Program Grant. The total amount of the 3 year grant (10/2019-9/2022) is \$500,000 which will be accounted for in Department 71, Fund 711. This contract with PNW BOCES is for \$250,000 for 15 months (July 1, 2021-September 30, 2022)

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

Current Year: \$ 0

No impact to the Operating Budget

Next Four years: \$0

Prepared by: Patricia McCarthy Tomassi

Title: Program Administrator

Department: Public Safety
Office of Drug Abuse Prevention & STOP DWI

Reviewed By: 

Budget Director
4/14/21

If you need more space, please attach additional sheets.

ACT NO. 2021 - 150

AN ACT authorizing the County of Westchester to enter into an inter-municipal Agreement with Putnam Northern Westchester BOCES (the "BOCES") pursuant to which BOCES will coordinate a portion of the Bureau of Justice Assistance's STOP School Violence Prevention and Mental Health Training Program

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

Section 1. The County of Westchester (the "County") is hereby authorized to enter into an inter-municipal agreement (the "IMA") with Putnam Northern Westchester BOCES ("BOCES"), in substantially the form attached hereto, pursuant to which BOCES will coordinate a portion of the Bureau of Justice Assistance's STOP School Violence Prevention and Mental Health Training Program (aka Project BRIGHT), at various public, private, parochial and charter schools throughout Westchester County, for a 15 month term commencing on July 1, 2021 and continuing through September 30, 2022.

§2. In consideration for services rendered, the County shall pay BOCES a total amount not-to-exceed Two Hundred Fifty Thousand (\$250,000.00) Dollars, payable in five (5) installments of \$50,000.00 each, in accordance with an approved payment schedule.

§3. The County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents appropriate and necessary to effectuate the purposes hereof.

§4. This Act shall take effect immediately.

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 150 - 2021, 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 September 20, 2021, and approved by the County Executive on September 21, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 22nd day of September, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

