



George Latimer
County Executive

January 28, 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 grant agreements (the "Grant Agreements") with the New York State ("State"), acting by and through its Office for the Aging ("NYSOFA"), for a term commencing retroactive to April 1, 2021 and expiring on September 30, 2024, in order to accept grant funds made available under the American Rescue Plan Act of 2021 ("ARP Act") for the following programs: 1) SSC6 program; 2) CMC6 program; 3) HDC6 program, 4) PHC6 program; and 5) FCC6 program. These grant funds, in the total aggregate not-to-exceed amounts set forth below, will fund services to seniors in accordance with Titles III-B, III-C-1, III-C-2, III-D and III-E of the Older Americans Act of 1965, as amended ("OAA"):

Grant Amounts:

SSC6 Program (Title III-B)	CMC6 Program (Title III-C-1)	HDC6 Program (Title III-C-2)	PHC6 Program (Title III-D)	FCC6 Program (Title III-E)
\$1,105,496	\$723,377	\$1,082,705	\$111,293	\$399,612

The grant funds may be used for any eligible service as permitted by the Major Disaster Declaration ("MDD") until such time the MDD is lifted. Once the MDD is lifted, the allowable services for which grant funds may be used will be the same as the allowable services under the corresponding Title III of the OAA, which include nutrition, in-home, caregiving, health, legal and access services, to help seniors remain in their homes and community.

Additionally, the proposed Act, if adopted by your Honorable Board, would authorize the County to enter into inter-municipal agreements ("IMAS") with municipal corporations, as defined in Article 5-G of the New York State General Municipal Law, located within Westchester County, and more particularly detailed in Exhibit "A" attached to the proposed Act, for the same term as the Grant Agreements, commencing retroactively on April 1, 2021 and expiring on September 30, 2024. The IMAs are for the provision of various nutrition and nutrition-related services and transportation services,

using SSC6, CMC6 and HDC6 grant funds to be received from NYSOFA, in the total aggregate not-to-exceed amounts set forth below:

IMAs Grant Amounts:

SSC6 (Title III-B)	CMC6 (Title III-C-1)	HDC6 (Title III-C-2)
\$108,776	\$708,909	\$1,061,051

There will be one agreement with each municipality for the nutrition and nutrition-related services to be paid with funds received by the County under the CMC6 and HDC6 grant programs. These nutrition and nutrition related services (“Nutrition Services”) are groceries delivered bags/consumable supplies, meals, regional kitchen equipment, supplies; repairs, vehicle expenses and in-home contact and support services, specifically delivering consumable supplies, to help seniors remain in their homes and community. Additionally, there will be one agreement with each municipality for transportation services to be paid with funds received under the SSC6 grant program.

It should be noted that the remaining CMC6 and HDC6 grant funds in the total aggregate amount of \$36,122 will be used to enter into agreements with non-municipal entities to provide the Nutrition Services, and the remaining SSC6 grant funds in the total amount of \$996,720 will be used to enter into agreements with non-municipal entities to provide access services. These non-municipal agreements do not require the approval of your Honorable Board. In addition, there will be no services provided under the IMAs with the funds received by the County under the FCC6 and PHC6 grant programs. Instead, such funding will be used by the County to enter into agreements with non-municipal entities for the provision of caregiver and health services, respectively, and such agreements also do not require the approval of your Honorable Board.

The proposed IMAs are intended to benefit the County by assisting the County in the provision of grant-funded services to its senior residents. Accordingly, I believe the proposed IMAs are in the best interest of the County as such services would protect the health and safety of Westchester County seniors.

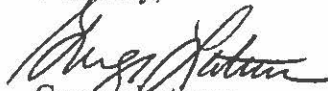
The Planning Department has advised that proposed Grant Agreement with NYSOFA and the proposed IMAs described above do not meet the definition of an “action” under the State Environmental Quality Review Act, 6 NYCRR part 617. Accordingly, no further environmental review is required. Please refer to the 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 Grant Agreements with NYSOFA do not constitute procurements, and, as such, the Grant Agreements are exempt from the requirements of the Westchester County Procurement Policy and Procedures (“County Procurement Policy”). In addition, the proposed IMAs are also exempt from the County Procurement Policy, pursuant to Section 3(a)(xix) thereof, regarding nutritional support services to seniors. Notwithstanding that the procurement for these services are exempt from the County Procurement Policy, these services are being funded with Federal grant monies, and, pursuant to Section 13 of the County Procurement Policy, are subject to the Federal procurement requirements. The

services to be provided under the IMAs are deemed non-competitive procurements in accordance with 2 CFR§ 200.320 (c)(2), in that the nutrition sites administered by the municipalities are unique local sites serving the elderly in a community heavily subsidized by such municipalities, and, as such, such services are only available from those single sources and are therefore exempt from the federal procurement requirements.

Based on the importance of these services to the seniors residing in Westchester, your favorable action on the proposed Act is respectfully requested.

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 which, if approved, would authorize the County of Westchester (the “County”), acting by and through its Department of Senior Programs and Services (the “Department”), to enter into grant agreements (the “Grant Agreements”) with the New York State (“State”), acting by and through its Office for the Aging (“NYSOFA”), for a term commencing retroactive to April 1, 2021 and expiring on September 30, 2024, in order to accept grant funds made available under the American Rescue Plan Act of 2021 (“ARP Act”) for the following programs: 1) SSC6 program; 2) CMC6 program; 3) HDC6 program, 4) PHC6 program; and 5) FCC6 program. These grant funds, in the total aggregate not-to-exceed amounts set forth below, will fund services to seniors in accordance with Titles III-B, III-C-1, III-C-2, III-D and III-E of the Older Americans Act of 1965, as amended (“OAA”):

Grant Amounts:

SSC6 Program (Title III-B)	CMC6 Program (Title III-C-1)	HDC6 Program (Title III-C-2)	PHC6 Program (Title III-D)	FCC6 Program (Title III-E)
\$1,105,496	\$723,377	\$1,082,705	\$111,293	\$399,612

Your Committee is further advised that the grant funds may be used for any eligible service as permitted by the Major Disaster Declaration (“MDD”) until such time the MDD is lifted. Once the MDD is lifted, the allowable services for which grant funds may be used will be the same as the allowable services under the corresponding Title III of the OAA, which include nutrition, in-home, caregiving, health, legal and access services, to help seniors remain in their homes and community. The Grant Agreements will be for a term commencing retroactively on April 1, 2021 and continuing through September 30, 2024.

Additionally, your Committee is advised that the proposed Act, if adopted by your Honorable Board, would authorize the County to enter into inter-municipal agreements (“IMAS”) with municipal corporations, as defined in Article 5-G of the New York State General Municipal Law, located within Westchester County, and more particularly detailed in Exhibit “A” attached to the proposed Act, for the same term as the Grant Agreements, commencing retroactively on April 1, 2021 and expiring on

September 30, 2024. The IMAs are for the provision of various nutrition and nutrition-related services and transportation services, using SSC6, CMC6 and HDC6 grant funds to be received from NYSOFA, in the total aggregate not-to-exceed amounts set forth below:

IMAs Grant Amounts:

SSC6 (Title III-B)	CMC6 (Title III-C-1)	HDC6 (Title III-C-2)
\$108,776	\$708,909	\$1,061,051

Your Committee is further advised that there will be one agreement with each municipality for the nutrition and nutrition-related services to be paid with funds received by the County under the CMC6 and HDC6 grant programs. The nutrition and nutrition related services (“Nutrition Services”) are groceries delivered bags/consumable supplies, meals, regional kitchen equipment, supplies; repairs, vehicle expenses and in-home contact and support services, specifically delivering consumable supplies, to help seniors remain in their homes and community. Additionally, there will be one agreement with each municipality for transportation services to be paid with funds received under the SSC6 grant program.

It should be noted that the remaining CMC6 and HDC6 grant funds in the total aggregate amount of \$36,122 will be used to enter into agreements with non-municipal entities to provide the Nutrition Services, and the remaining SSC6 grant funds in the total amount of \$996,720 will also be used to enter into agreements with non-municipal entities to provide access services. These non-municipal agreements do not require the approval of your Honorable Board. In addition, there will be no services provided under the IMAs with the funds received by the County under the FCC6 and PHC6 grant programs. Instead, such funding will be used by the County to enter into agreements with non-municipal entities for the provision of caregiver and health services, respectively, and such agreements also do not require the approval of your Honorable Board.

Your Committee is advised that the proposed IMAs are intended to benefit the County by assisting the County in the provision of grant-funded services to its senior residents, which are in the

best interest of the County as such services would protect the health and safety of Westchester County seniors.

Your Committee is further advised by the Planning Department that the proposed Grant Agreement with NYSOFA and the proposed IMAs 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 May 14, 2021, 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 is also advised that the Grant Agreements with NYSOFA do not constitute procurements, and, as such, the Grant Agreements are exempt from the requirements of the Westchester County Procurement Policy and Procedures (“County Procurement Policy”). In addition, your Committee has been advised that the proposed IMAs are also exempt from the County Procurement Policy, pursuant to Section 3(a)(xix) thereof, regarding nutritional support services to seniors. Notwithstanding that the procurement for these services are exempt from the County Procurement Policy, your Committee is further advised that these services are being funded with Federal grant monies, and, pursuant to Section 13 of the County Procurement Policy, are subject to the Federal procurement requirements. The services to be provided under the IMAs are deemed non-competitive procurements in accordance with 2 CFR§ 200.320 (c)(2), in that the nutrition sites administered by the municipalities are unique local sites serving the elderly in a community heavily subsidized by such municipalities, and, as such, such services are only available from those single sources and are therefore exempt from the federal procurement requirements.

Your Committee has been further 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, based on the importance of these services to the seniors residing in Westchester, the 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

FISCAL IMPACT STATEMENT

SUBJECT: FCC6 - ARP 4/1/21-9/30/24

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 \$ 399612 THREE YEAR COST

Total Current Year Revenue \$ 399612 THREE YEAR REVENUE

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-G040

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 399612 THREE YR

Describe: American Rescue Plan (ARP) funding received from the Federal Government under the Older American's Act.

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

Current Year: The Department would not be able to provide additional services that help informal caregiver provide support for their loved ones in Westchester.

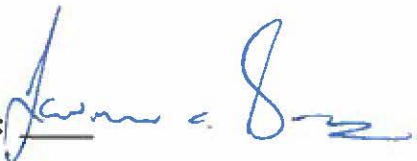
Next Four years:

Three year grant: 4/1/2021 - 9/30/2024

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

⁰¹⁰
_{1/28/22} Reviewed By: 

Budget Director

1/28/22

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: HDC6 - ARP 4/1/21-9/30/24

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 \$ 1082705 THREE YEAR COST

Total Current Year Revenue \$ 1082705 THREE YEAR REVENUE

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-G038

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 1082705 THREE YR

Describe: American Rescue Plan (ARP) funding received from the Federal Government under the Older American's Act.

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

Current Year: The Department would not be able to provide additional nutrition and nutrition-related services to Seniors in Westchester.

-

Next Four years:

Three year grant: 4/1/2021 - 9/30/2024

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

Reviewed By: [Signature]

Budget Director

If you need more space, please attach additional sheets.

1/28/22

FISCAL IMPACT STATEMENT

SUBJECT: CMC6 - ARP 4/1/21-9/30/24

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 \$ 723377 THREE YEAR COST

Total Current Year Revenue \$ 723377 THREE YEAR REVENUE

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-G037

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 723377 THREE YR

Describe: American Rescue Plan (ARP) funding received from the Federal Government under the Older American's Act.

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

Current Year: The Department would not be able to provide supplemental nutrition services to Seniors in Westchester.

-

Next Four years:

Three year grant: 4/1/2021 - 9/30/2024

Prepared by: Sandra Brown

SAB
1/28/22
Reviewed By: _____

Budget Director

Title: Director of Program Development II

Department: Senior Programs & Svcs.

1/28/22

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: PHC6 - ARP 4/1/21-9/30/24

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 \$ 111293 THREE YEAR COST

Total Current Year Revenue \$ 111293 THREE YEAR REVENUE

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-G039

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 111293 THREE YR

Describe: American Rescue Plan (ARP) funding received from the Federal Government under the Older American's Act.

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

Current Year: The Department would not be able to provide additional Health Promotion/Initiative services to Seniors in Westchester.

Next Four years:

Three year grant. 4/1/2021 - 9/30/2024

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

10/10/22
Reviewed By: 

Budget Director

1/28/22

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: SSC6 - ARP 4/1/21-9/30/24

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 \$ 1105496 THREE YEAR COST

Total Current Year Revenue \$ 1105496 THREE YEAR REVENUE

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-G036

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 1105496 THREE YR

Describe: American Rescue Plan (ARP) funding received from the Federal Government under the Older American's Act.

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

Current Year: The Department would not be able to expand a range of supportive services to Seniors in Westchester.

Next Four years:

Three year grant: 4/1/2021 - 9/30/2024

Prepared by: Sandra Brown

SXB
1/28/20

Reviewed By: _____

[Signature]

Title: Director of Program Development II


Budget Director

Department: Senior Programs & Svcs.

1/28/20

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 SEQR. 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 SEQR 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 SEQR 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 New York State Office for the Aging to accept grant funds for certain programs to be funded by the American Rescue Plan Act for the following programs: 1) SSC6 program; 2) CMC6 program; 3) HDC6 program; 4) PHC6 program; and 5) FCC6 program, and also to enter into inter-municipal agreements with local municipalities, for services to be provided under Titles III-B , III-C-1, III-C-2, III-D and III-E of the Older Americans Act.

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 grant agreements (the “Grant Agreements”) with the New York State Office for the Aging (“NYSOFA”), for a term commencing retroactive to April 1, 2021 and expiring on September 30, 2024, in order to accept grant funds made available under the American Rescue Plan Act of 2021 (“ARP Act”) for the following programs: 1) SSC6 program; 2) CMC6 program; 3) HDC6 program, 4) PHC6 program; and 5) FCC6 program. These grant funds, in the total aggregate not-to-exceed amounts set forth below, will fund services to seniors in accordance with Titles III-B, III-C-1, III-C-2, III-D and III-E of the Older Americans Act of 1965, as amended (“OAA”):

Grant Amounts:

SSC6 Program (Title III-B)	CMC6 Program (Title III-C-1)	HDC6 Program (Title III-C-2)	PHC6 Program (Title III-D)	FCC6 Program (Title III-E)
\$1,105,496	\$723,377	\$1,082,705	\$111,293	\$399,612

§2. The services under the grants may be used for any eligible service as permitted by the New York State’s Major Disaster Declaration (“MDD”) until such time the MDD is lifted. Once the MDD is lifted, the allowable services for which grant funds may be used will be the same as the allowable services under the corresponding Title III of the OAA and include nutrition and nutrition related services, in-home, caregiving, health, legal, and transportation and other access services to help seniors remain in their homes and community.

§3. The County is hereby further authorized to enter into inter-municipal agreements (“IMAs”) with the municipalities listed in Exhibit “A”, attached hereto and made a part hereof, for a term commencing retroactively on April 1, 2021 and expiring on September 30, 2024. The IMAs are for the provision of nutrition and nutrition-related services and transportation services, using SSC6, CMC6 and HDC6 grant funds to be received from NYSOFA, in the total aggregate not-to-exceed amounts set forth below:

IMAs Grant Amounts:

SSC6 (Title III-B)	CMC6 (Title III-C-1)	HDC6 (Title III-C-2)
\$108,776	\$708,909	\$1,061,051

There will be one agreement with each municipality for nutrition and nutrition-related services to be paid with funds received by the County under the CMC6 and HDC6 grant programs. These nutrition and nutrition related services (“Nutrition Services”) are groceries delivered bags/consumable supplies, meals, regional kitchen equipment, supplies; repairs, vehicle expenses and in-home contact and support services, specifically delivering consumable supplies, to help seniors remain in their homes and community.

In addition, there will be one agreement with each municipality for transportation services to be paid with funds received under the SSC6 grant program.

§4. The not to exceed amount for each IMA shall be determined at the discretion of the Commissioner of the Department of Senior Services and Programs.

§5. The remaining CMC6 and HDC6 grant funds for Nutrition Services in the total aggregate amount of \$36,122 and the remaining SSC6 grant funds for access services in the total amount of \$996,720 will be used to enter into agreements with non-municipal entities.

§6. There will be no services provided under IMAs with the funds received by the County under the FCC6 and PHC6 grant programs. Instead, such funding will be used by the County to enter into agreements with non-municipal entities for the provision of caregiver and health services, respectively.

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

§8. This Act shall take effect immediately.

[NO FURTHER TEXT ON THIS PAGE]

EXHIBIT "A"

**LIST OF SERVICES AND MUNICIPALITIES PROVIDING SUCH SERVICES
UNDER THE AMERICAN RESCUE PLAN ACT**

GRANT: CMC6 – HDC6	GRANT: SSC6
<u>NUTRITION & NUTRITION-RELATED SERVICES</u>	<u>TRANSPORTATION SERVICE</u>
Groceries Delivered Bags/Consumable Supplies, Meals, Regional Kitchen Equipment, Supplies, Repairs, Vehicle Expenses; and In-home contact and support services, specifically delivering consumable supplies	
Town of Cortlandt	Town of Cortlandt
Town of Eastchester	Town of Eastchester
Town of Greenburgh	Town of Greenburgh
Town of Mamaroneck	Town of Mamaroneck
Village/Town of Mount Kisco	Village/Town of Mount Kisco
Town of Mount Pleasant	Town of Mount Pleasant
City of Mount Vernon	City of Mount Vernon
Town of New Castle	
City of New Rochelle	City of New Rochelle
Town of Ossining	Town of Ossining
City of Peekskill	City of Peekskill
Village of Port Chester	Village of Port Chester
Town of Somers	Town of Somers
City of White Plains	City of White Plains
City of Yonkers	City of Yonkers
Town of Yorktown	Town of Yorktown