

George Latimer
County Executive

March 28, 2023

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 with the New York State Office for the Aging ("NYSOFA") which provided funding for the Expanded In-home Services for the Elderly Program ("EISEP") and for the Unmet Need Program ("Unmet Need") for terms commencing on April 1, 2021 and continuing through March 31, 2022 (the "Grant Agreements"), by extending the terms thereof through December 31, 2022.

By way of background, on May 10, 2021 by Act No. 81-2021, your Honorable Board authorized the County, *inter alia*, to enter into Grant Agreements with the NYSOFA to accept grant funds made available to the County under the EISEP program in an amount not-to-exceed \$2,517,305, and under the Unmet Need program in an amount not-to-exceed \$951,658, for terms commencing retroactive to April 1, 2021 and continuing through March 31, 2022. Funds received under the Grant Agreements were used to provide various services to seniors through contracts with municipal and with non-municipal agencies.

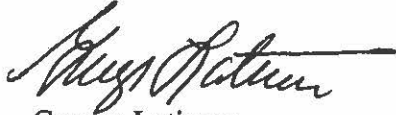
Due to delays caused by the COVID-19 pandemic, the Department was unable to expend all of the funding made available under the Grant Agreements by the March 31, 2022 expiration date. As such, the Department requested and NYSOFA agreed to allow the County to retroactively extend the term of the Grant Agreements through December 31, 2022, in order to optimize utilization of the unused grant funds. Accordingly, authority is respectfully requested to amend the Grant Agreements for the limited purpose of retroactively extending the terms thereof through December 31, 2022.

It should be noted that a portion of the unspent funds under the Grant Agreements were used to pay for homecare services provided by homecare agencies for the 2022- 2023 program period. In addition, a portion of the Unmet Need funds were retained by the Department for Area Agency Administration. As such, no IMAs are required.

The proposed amendments to the Grant Agreements do 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 12, 2023, which is on file with the Clerk of the Board of Legislators.

I believe that extending the term of the Grant Agreements is in the best interest of the County as it will allow the County to maximize use of unspent funds to support various worthwhile services to County seniors. Therefore, I most respectfully recommend your favorable action on the annexed proposed Act.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Latimer", with a long horizontal flourish extending to the right.

George Latimer
County Executive

GL/MC/SJ
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 with the New York State Office for the Aging (“NYSOFA”) which provided the County with funding for the Expanded In-home Services for the Elderly Program (“EISEP”) and for the Unmet Need Program (“Unmet Need”), for terms commencing on April 1, 2021 and continuing through March 31, 2022 (the “Grant Agreements”), by extending the terms thereof through December 31, 2022.

Your Committee is advised that on May 10, 2021, your Honorable Board approved Act No. 81-2021 which, *inter alia*, authorized the County to enter into the Grant Agreements with NYSOFA to accept grant funds made available to the County under the EISEP program in an amount not-to-exceed \$2,517,305, and under the Unmet Need program in an amount not-to-exceed \$951,658, for terms commencing on April 1, 2021 and continuing through March 31, 2022. Funds received under the Grant Agreements were used to provide various services to seniors through contracts with municipal and non-municipal agencies.

Your Committee is advised that due to delays caused by the COVID-19 pandemic, the Department was unable to expend all of the funding made available under the Grant Agreements by the March 31, 2022 expiration date. As such, the Department requested and NYSOFA agreed to allow the County to retroactively extend the terms of the Grant Agreements through December 31, 2022, in order to optimize utilization of the unused grant funds. Accordingly, authority is respectfully requested to amend the Grant Agreements with NYSOFA for the limited purpose of retroactively extending the terms thereof through December 31, 2022.

Your Committee is advised that a portion of the unspent funds under the Grant Agreements were used to pay for homecare services provided by homecare agencies for the 2022-2023 program period. In addition, a portion of the Unmet Need funds were retained by the Department for Area Agency Administration. As such, no IMAs are required.

Your Committee notes that the Grant Agreements do not constitute a procurement of goods or services and as such are not subject to the Westchester County Procurement Policy and Procedures.

The Planning Department has advised that the proposed amendments to the Grant Agreements do 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 12, 2023, 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 is further advised that adoption of the proposed Act is necessary to effectively carry out the worthwhile programs to be funded under the Grant Agreements. Accordingly, after due consideration, your Committee recommends adoption of the annexed Act.

Dated: _____, 2023
White Plains, New York

COMMITTEE ON

1G/3-03-23

FISCAL IMPACT STATEMENT

SUBJECT: EISEP 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 \$ 3514032

Total Current Year Revenue \$ 2517305

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 24-101-4957

263-85-T048

Potential Related Operating Budget Expenses:

Annual Amount \$ 996727

Describe: County Match Funds

Potential Related Revenues: Annual Amount \$ 2517305

Describe: Funding received from the New York State Office for the Aging for Expanded In-Home 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 Personal Care Services, Case Management; Personal Emergency Response Systems; In-Home Contact & Support, Adult Day Care, and Information and Assistance 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.

DAO
Reviewed By: 
Budget Director 3/27/23

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 \$ 951658

Total Current Year Revenue \$ 951658

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 \$ 951658

Describe: Funding received from the New York State Office for the Aging for the Unmet needs for in-Home 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 Personal Care Services, Case Management, and InHome Contact & Support to senior 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.

DL
Reviewed By: 

Budget Director

3/27/23

If you need more space, please attach additional sheets.

ACT NO. 2023 - _____

AN ACT authorizing the County of Westchester to retroactively amend grant agreements with the New York State Office for the Aging under the EISEP and Unmet Need programs by extending the terms thereof through December 31, 2022

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 and Services (the “Department”), be and hereby is authorized to retroactively amend grant agreements (the “Grant Agreements”) with the New York State Office for the Aging which provided the County with \$2,517,305 in funding under the Expanded In-home Services for the Elderly Program and \$951,658 in funding under the Unmet Need Program, for terms commencing on April 1, 2021 and continuing through March 31, 2022, by extending the terms of the grant Agreements from April 1, 2022 through December 31, 2022.

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

§3. 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.

§4. This Act shall take effect immediately.