

## ACT 173 - 2024

### **HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER, NEW YORK**

DRAFT  
AGREEMENT  
ON FILE

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which would authorize the County of Westchester (the "County"), acting by and through its Department of Emergency Services ("Department"), to enter into a Regional Partnership Agreement ("RPA") with Dutchess County and Putnam County (collectively "Regional Partners") in order to receive funding from the New York State Division of Homeland Security and Emergency Services ("DHSES") under the FY2022 Hazardous Materials ("HazMat") Grant Program. As this Honorable Board is aware, Section 119-o of the New York State General Municipal Law requires this Honorable Board's approval whenever the County enters into intermunicipal agreements ("IMAs") with other municipalities which involve shared services or performing services one for the other.

Your Committee is advised that DHSES is awarding One Hundred Twenty-Two Thousand, Five Hundred (\$122,500.00) Dollars to the County and its Regional Partners will be used for HazMat training, and to purchase equipment for the HazMat team. This program will build sustainable Chemical, Biological, Radiological, Nuclear, and Explosives ("CBRNE") detection, response and decontamination capabilities in the region. In addition, the RPA will promote the development of regional partnerships among the State HazMat community and enhance the standing of the State's HazMat teams within the Federal Emergency Management Agency typing system.

Your Committee is advised that funding for this initiative is provided by the federal Department of Homeland Security's State Homeland Security Program. The RPA will commence upon execution and remain in effect for a period of five (5) years.

The Department has informed your Committee that pursuant to the HazMat Grant Program, DHSES will provide funding to the 18 designated Regional HazMat Teams that provide coverage across the State outside of New York City via a non-competitive process. The State has designated the counties of Westchester, Putnam and Dutchess as a Regional Team for the Lower Hudson Valley Region. The County will receive the funds and administer the grant.

Your Committee is advised that this grant opportunity builds on progress made by New York State through the FY2008-FY2020 iterations of the HazMat Grant Program.

For FY2022, the State will provide funds to all 18 regional HazMat Teams that provide coverage across the State outside of New York City via a non-competitive process. The FY2022 HazMat Grant will serve as a resource for regional HazMat Teams to maintain the existing equipment on their WMD Trailer and/or to build new capabilities.

The Department of Planning has advised your Committee that based on its review, the authorization of the proposed RPA may be classified as a "Type II" action pursuant the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQR"). Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

Your Committee has been advised that a majority of the voting strength of the Board of Legislators is required to adopt the annexed Act. After review and careful consideration, your Committee recommends favorable action upon the proposed legislation.

Dated: September 23<sup>rd</sup>, 2024  
White Plains, New York

September 24<sup>th</sup>, 2024

*[Handwritten signatures]*  
Dedat fashi  
MB 7/19/24

*[Handwritten signatures]*  
Benjamin Boylston

Budget & Appropriations

Public Safety

Dated: September 24<sup>th</sup>, 2024  
White Plains, New York

***The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

**Public Safety**

A handwritten signature in black ink, appearing to read "Colin J. Smith". The signature is written in a cursive style with a large, stylized initial "C".

# FISCAL IMPACT STATEMENT

SUBJECT: RPA     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: N/A

Potential Related Operating Budget Expenses:    Annual Amount \$ 0

Describe: An Act authorizing the County of Westchester, acting by and through its Department of Emergency Services to enter into a Regional Partnership Agreement with Dutchess County and Putnam County in order to receive funding from the New York State Division of Homeland Security and Emergency Services under the FY 2022 Hazardous Materials Grant Program..

Potential Related Revenues:    Annual Amount \$ 0

Describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Current Year:    0

\_\_\_\_\_

\_\_\_\_\_

Next Four years: 0

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Prepared by: Julia Criscitelli

Title:    Budget Specialist III

Department: Emergency Services

Reviewed By: 

Budget Director

8/8/24

If you need more space, please attach additional sheets.

TO: Maria Baratta, Assistant County Attorney  
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM  
Assistant Commissioner



DATE: July 17, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR  
REGIONAL PARTNERSHIP AGREEMENT FOR  
HAZARDOUS MATERIALS GRANT FY2022**

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**PROJECT/ACTION:** Entrance of the County, acting by and through its Department of Emergency Services, into a regional partnership agreement with the counties of Dutchess and Putnam in order to receive grant funding from the New York State Division of Homeland Security and Emergency Services under the FY2022 Hazardous Materials (HazMat) Grant Program. This funding will be used to purchase equipment (such as interoperable communication equipment, plug and patch kits, pressure gauges, probes, meter, flare kits and related items) and to provide training for the HazMat teams in order to maintain and/or build chemical, biological, radiological, nuclear and explosive detection, response and decontamination capabilities in the lower Hudson Valley region.

**With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:**

- DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTIONS:**
- **617.5(c)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
  - **617.5(c)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

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**COMMENTS:** The County has been partnering with the counties of Putnam and Dutchess for a number of years in order to participate in this grant program.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Lindy Luddy, Department of Emergency Services  
Claudia Maxwell, Principal Environmental Planner

**ACT NO. 2024- 173**

**AN ACT** authorizing the County of Westchester to enter into a Regional Partnership Agreement with Dutchess County and Putnam County in order to receive funding from the New York State Division of Homeland Security and Emergency Services under the FY2022 Hazardous Materials Grant Program.

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

**Section 1.** The County of Westchester (“County”), acting by and through its Department of Emergency Services, is hereby authorized to enter into a Regional Partnership Agreement (“RPA”) with Dutchess County and Putnam County (collectively “Regional Partners”) in order to receive funding from the New York State Division of Homeland Security and Emergency Services (“DHSES”) under the FY2022 Hazardous Materials Grant Program. DHSES is awarding One Hundred Twenty-Two Thousand, Five Hundred (\$122,500.00) Dollars to the County and its Regional Partners will be used for HazMat training, and to purchase equipment for the County’s Hazardous Materials team.

§2. The RPA will commence upon execution and remain in effect for a period of five (5) years.

§3. The County Executive or his authorized designee be and hereby is authorized and empowered to execute any and all instruments and to take all action necessary and appropriate 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. 173 - 2024, 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 30, 2024, and approved by the County Executive on October 1, 2024.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 2<sup>nd</sup> day of October, 2024.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

