


September 14, 2023

TO: Hon. Vedat Gashi, Chair
Hon. Nancy Barr, Vice Chair
Hon. Jose Alvarado, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: Act – Amend Various Grant Agreements – NYSOFA.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 18, 2023 Agenda.

Transmitted herewith for your review and approval is an act (the “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 NYSOFA – CSE, etc.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 18, 2023 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

Westchester County

George Latimer
County Executive

September 11, 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 (the "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 (individually the "Grant Agreement" and collectively the "Grant Agreements") with New York State, through its Office for the Aging ("NYSOFA"), for the following programs: the Community Services for the Elderly Program ("CSE"), the New York Connects Expansion and Enhancement Program ("NY CONNECTS"), the Wellness in Nutrition Program ("WIN") and the Nutrition Service Incentive Program ("NSIP"). The proposed Act will: (i) retroactively authorize the County to amend the Grant Agreements to increase funding under the CSE Program by \$197,620, under the NY CONNECTS Program by \$67,580, and under the combined WIN/NSIP Programs by \$199,202; and (ii) authorize the County to amend Act No. 63-2023 to increase the funding allocations for inter-municipal agreements ("IMAs") with the municipal corporations listed in Exhibit "A", attached to Act No. 63-2023 (the "Municipalities"), by \$34,214 for CSE, by \$13,182 for the Expanded In-home Services for the Elderly Program ("EISEP"), and by \$119,349 for the combined WIN/NSIP Programs, for the term from April 1, 2023 through March 31, 2024, except for NSIP, which is for the term from October 1, 2022 through September 30, 2023.

By way of background, on April 3, 2023, by Act No. 63-2023, your Honorable Board authorized the County to enter into various Grant Agreements with NYSOFA to accept grant funds made available to the County from NYSOFA under, *inter alia*, the CSE, EISEP, NY CONNECTS and WIN/NSIP programs. Act No. 63-2023 further authorized the County to enter into IMAs with the Municipalities.

NYSOFA recently informed the Department that it has increased funding under the Grant Agreements for the CSE Program, for the NY CONNECTS Program, and for the combined WIN/NSIP Programs. In order for the County to receive this additional funding, it will be necessary to retroactively amend the Grant Agreements, as set forth below:

Grant Amounts:

	CSE	NY CONNECTS	WIN/NSIP
Original Grant Amount	\$1,620,270	\$653,982	\$1,213,575
Amount of increase	+\$197,620	+\$67,580	+\$199,202
Total Amended Grant Amount	\$1,817,890	\$721,562	\$1,412,777

Additionally, authority is requested to amend Act No. 63-2023 to increase the funding allocated for IMAs with the Municipalities, as follows:

IMAs

	CSE	EISEP	WIN/NSIP
Original Grant Amount	\$253,019	\$97,352	\$903,172
Amount of increase	+\$34,214	+\$13,182	+\$119,349
Amended Grant Amount	\$287,233	\$110,534	\$1,022,521

It should be noted that a portion of the additional CSE funding will be utilized to increase the funding allocations for agreements with various agencies, with the balance of the CSE funding to be utilized by the Department for direct services. The additional combined WIN/NSIP funding will be utilized by the Department for direct services. It should be noted that there will be no IMAs funded with the additional NY CONNECTS Program funds; instead, the additional funds will be utilized by the Department for information contacts services.

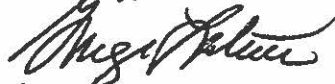
Except as specifically amended hereby, all remaining terms and conditions contained in the Grant Agreements shall remain in full force and effect upon the parties. In addition, all remaining terms and conditions set forth in Act No. 63-2023 shall remain in full force and effect.

The Department has complied with the Westchester County Procurement Policy and Procedures (the "Policy"), noting that the Grant Agreements do not constitute a procurement, and that the IMAs to be funded with the additional Grant Agreement funds are exempt from the Policy pursuant to section 3(a) iii thereof which exempts contracts with ". . . any State and any political subdivision, agency or instrumentality thereof." They are also exempt pursuant to section 3(a) xix of the Policy which exempts "any procurement for the purpose of entering into a contract with persons to provide direct services to senior citizens."

The Planning Department has advised that based on its review, the proposed amendments to the Grant Agreements and the proposed amendment to Act No. 63-2023 to increase the funding allocations for the IMAs, do not meet the definition of an "action" under the State Environmental Quality Review Act, 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.

The proposed Grant Agreements and the IMAs with the Municipalities are intended to benefit the County by assisting in the provision of grant-funded services to its residents. Accordingly, I believe amending the Grant Agreements and Act No. 63-2023 to increase funding is in the best interest of the County and, therefore, recommend your favorable action on the annexed proposed Act.

Sincerely,



George Latimer
County Executive

GL/MC/SJ/jpg

**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 (the “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 (individually the “Grant Agreement” and collectively the “Grant Agreements”) with New York State, through its Office for the Aging (“NYSOFA”), for the following programs: the Community Services for the Elderly Program (“CSE”), the New York Connects Expansion and Enhancement Program (“NY CONNECTS”), the Wellness in Nutrition Program (“WIN”) and the Nutrition Service Incentive Program (“NSIP”). The proposed Act will: (i) retroactively authorize the County to amend the Grant Agreements to increase funding under the CSE Program by \$197,620, under the NY CONNECTS Program by \$67,580, and under the combined WIN/NSIP Program by \$199,202; and (ii) authorize the County to amend Act No. 63-2023 to increase the funding allocations for inter-municipal agreements (“IMAs”) with the municipal corporations listed in Exhibit “A”, attached to Act No. 63-2023 (the “Municipalities”), by \$34,214 for CSE, by \$13,182 for the Expanded In-home Services for the Elderly Program (“EISEP”), and by \$119,349 for the combined WIN/NSIP Programs, for the term from April 1, 2023 through March 31, 2024, except for NSIP which is for the term from October 1, 2022 through September 30, 2023.

Your Committee is advised that on April 3, 2023 by Act No. 63-2023, your Honorable Board authorized the County to enter into various Grant Agreements with NYSOFA to accept grant funds made available to the County from NYSOFA under, *inter alia*, the CSE, EISEP, NY CONNECTS, and the combined WIN/NSIP programs. Act No. 63-2023 further authorized the County to enter into IMAs with the Municipalities.

Your Committee is advised that NYSOFA recently informed the Department that it has increased funding under the Grant Agreements for the CSE Program, for the NY CONNECTS Program, and for the combined WIN/NSIP Programs. In order for the County to receive this additional funding, it will be necessary to retroactively amend the Grant Agreements, as set forth below:

Grant Amounts:

	CSE	NY CONNECTS	WIN/NSIP
Original Grant Amount	\$1,620,270	\$653,982	\$1,213,575
Amount of increase	+\$197,620	+\$67,580	+\$199,202
Total Amended Grant Amount	\$1,817,890	\$721,562	\$1,412,777

Additionally, the County seeks authority from your Honorable Board to amend Act No. 63-2023 to increase the funding allocated for IMAs with the Municipalities, as follows:

IMAs

	CSE	EISEP	WIN/NSIP
Original Grant Amount	\$253,019	\$97,352	\$903,172
Amount of increase	+\$34,214	+\$13,182	+\$119,349
Amended Grant Amount	\$287,233	\$110,534	\$1,022,521

Your Committee is advised that a portion of the additional CSE funding will be utilized to increase funding allocations for agreements with various agencies, with the balance of the CSE funding to be utilized by the Department for direct services. The additional combined WIN/NSIP funding will be utilized by the Department for direct services. It should be noted that there will be no IMAs funded with the additional NY CONNECTS Program funds; instead, the additional funds will be utilized by the Department for information contacts services.

Except as specifically amended hereby, all remaining terms and conditions contained in the Grant Agreements shall remain in full force and effect upon the parties. In addition, all remaining terms and conditions set forth in Act No. 63-2023 shall remain in full force and effect.

Your Committee is informed that the Department has complied with the Westchester County Procurement Policy and Procedures (the “Policy”), noting that the Grant Agreements with NYSOFA do not constitute a procurement, and that the IMAs to be funded with the additional Grant Agreement funds are exempt from the Policy pursuant to section 3(a) iii thereof which exempts contracts with “. . . any State and any political subdivision, agency or instrumentality thereof.” They are also exempt pursuant to section 3(a) xix of the Policy which exempts “any procurement for the purpose of entering into a contract with persons to provide direct services to senior citizens.

The Planning Department has advised that based on its review, the proposed amendments to the CSE and WIN & NSIP Grant Agreements with NYSOFA and the proposed amendments to increase the funding allocations in Board Act No. 63-2023 for the IMAs do not meet the definition of an “action” under the State Environmental Quality Review Act, 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 believes that amending the Grant Agreements and Act No. 63-2023 to increase funding is in the best interest of the County and, therefore, recommends your Honorable Board's favorable action on the annexed proposed Act.

Dated: _____, 2023
White Plains, New York

C/jpg

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: CSE 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 \$ 2460063

Total Current Year Revenue \$ 1817890

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: 101-24-4957

263-85-T047

Potential Related Operating Budget Expenses: Annual Amount \$ 642173

Describe: County Match Funds required in order to receive CSE State funding.

Potential Related Revenues: Annual Amount \$ 1817890

Describe: Funding received from the New York State Office for the Aging for Community Services for the Elderly.

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

Current Year: Without these funds, the Department would not be able to provide Case Management, Information & Assistance, Senior Center Recreation & Education, Health Promotion, Transportation, Food Distribution, Food Stamp Counseling and volunteer programs to seniors in Westchester County.

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.

DFD
Reviewed By: 
Budget Director

9/12/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: NYConn 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 \$ 721562

Total Current Year Revenue \$ 721562

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: 263-85-T079

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 721562

Describe: Funding is received from the New York State Office for the Aging for the New York Connects Prog.

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

Current Year: Without these funds, the Department would not be able to deliver Long-Term Care information options and linkages to services providing a continuum of health care to seniors.


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.

Reviewed By: 
Budget Director
9/12/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: WIN/NSIP 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 \$ 1412777

Total Current Year Revenue \$ 1412777

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: 263-85-T928

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: _

Potential Related Revenues: Annual Amount \$ 1412777

Describe: Funding is received from the New York State Office for the Aging for the Wellness in Nutrition Program

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

Current Year: Without these funds, the Department would not be able to provide Home Delivered Meals and Nutrition Education and counseling to seniors in Westchester County.

Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Reviewed By: 

Budget Director

Title: Director of Program Development II

Department: Senior Programs & Svcs.

9/12/23

If you need more space, please attach additional sheets.

AN ACT authorizing the County of Westchester to retroactively amend grant agreements with the New York State Office for the Aging to increase funding under the 2023-24 CSE and NY CONNECTS programs, and under the 2022-2024 combined WIN/NSIP programs and to amend Act No. 63-2023 to increase funding allocated for inter-municipal agreements with local municipalities funded by CSE, EISEP and WIN/NSIP grants.

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 & Services (the “Department”), is hereby authorized to retroactively amend grant agreements (individually the “Grant Agreement” and collectively the “Grant Agreements”) with New York State, through its Office for the Aging (“NYSOFA”), for the following programs: the Community Services for the Elderly Program (“CSE”), the New York Connects Expansion and Enhancement Program (“NY CONNECTS”), the Wellness in Nutrition Program (“WIN”) and the Nutrition Service Incentive Program (“NSIP”), in order to increase funding under the CSE Program by \$197,620, under the NY CONNECTS Program by \$67,580, and under the combined WIN/NSIP Programs by \$199,202, for the term from April 1, 2023 through March 31, 2024, except for the NSIP Program, which is for the term from October 1, 2022 through September 30, 2023, as follows:

Grant Amounts:

	CSE	NY CONNECTS	WIN/NSIP
Original Grant Amount	\$1,620,270	\$653,982	\$1,213,575
Amount of increase	+\$197,620	+\$67,580	+\$199,202
Total Amended Grant Amount	\$1,817,890	\$721,562	\$1,412,777

§2. The County is hereby further authorized to amend Act No. 63-2023 to increase the funding allocations for inter-municipal agreements (“IMAs”) with the municipal corporations listed in Exhibit “A”, attached to Act No. 63-2023 (“Municipalities”), by \$34,214 for CSE, by \$13,182 for the Expanded In-home Services for the Elderly Program (“EISEP”), and by \$119,349 for WIN/NSIP combined, for the term from April 1, 2023 through March 31, 2024, except for the NSIP Program, which is for the term from October 1, 2022 through September 30, 2023, as follows:

IMAs

	CSE	EISEP	WIN/NSIP
Original Grant Amount	\$253,019	\$97,352	\$903,172
Amount of increase	+\$34,214	+\$13,182	+\$119,349
Amended Grant Amount	\$287,233	\$110,534	\$1,022,521

§3. A portion of the additional CSE funding will be utilized to increase funding allocations for agreements with various agencies, with the balance of the funding to be utilized by the Department for direct services. The additional combined WIN/NSIP funding will be utilized by the Department for direct services. There will be no IMAs funded with the additional NY CONNECTS Program funds; instead, the additional funds will be utilized by the Department for information contacts services.

§4. Except as specifically amended hereby, all remaining terms and conditions contained in the Grant Agreements with NYSOFA shall remain in full force and effect upon the parties, and all remaining terms and conditions set forth in Act No. 63-2023 shall remain in full force and effect.

§5. This Act shall take effect immediately.