


June 1, 2023

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

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **IMA (Amend) – Cortlandt – Addition of County Police Officer.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators June 5, 2023 Agenda.

Attached for your consideration is an Act which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to further amend its inter-municipal agreement (the "IMA") with the Town of Cortlandt to add an additional County Police Officer to serve as a traffic safety officer for the Town.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for June 5, 2023 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

June 1, 2023

Westchester County Board of Legislators  
800 Michaelian Office Building  
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Attached for your consideration is an Act which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to further amend its inter-municipal agreement (the "IMA") with the Town of Cortlandt (the "Town"), whereby the County, acting through its Department of Public Safety ("WCDPS"), provides police services to the Town for a term commencing February 1, 2020 and expiring January 31, 2025, in order to add the services of another County Police Officer to provide community policing and traffic safety officer services, 40-hours per week, effective as of July 1, 2023.

As your Honorable Board may be aware, the Town abolished its police force effective January 1, 1999, and has since had an arrangement with the New York State Police (the "State Police") to provide primary police coverage for the Town. Since March, 1999, the County has been providing supplemental police services (the "Supplemental Police Services") pursuant to IMAs with the Town. By Act No. 2019-240, approved by your Honorable Board on December 3, 2019, the County was authorized to enter into the current IMA to provide Supplemental Police Services to the Town for a term commencing February 1, 2020 and terminating on January 31, 2025 (the "Term"). Thereafter, by Act No. 2022-62, approved by your Honorable Board on May 23, 2022, the County was authorized to amend the IMA in order to add the services of a County Police Officer specially trained as a Community Resource Officer, to be assigned to the Cortlandt Precinct on a 40-hour work week schedule, effective as of February 1, 2022 (the "CRO Services").

Under the terms of the IMA, as amended, the County currently provides two 8-hour patrol car tours daily to the Town to supplement those provided by the State Police. The County also provides the CRO Services to the Cortlandt Precinct on a 40-hour work week schedule. In addition, the Town permits the County to have use of part of the former police facility at the Cortlandt Town Hall at no charge to the County. The Town pays the County a sum equal to the County's actual costs as determined by the County at the end of each year, which costs include salary, overtime, holiday pay, shift differential, and fringe benefits as well as vehicles, equipment and maintenance.

The Town now seeks to add another County Police Officer to provide community policing and traffic safety officer services for the Town. The new officer will supplement existing patrols by working in partnership with the precinct's supervisor, patrol officers, and community resource officer on traffic safety campaigns and enforcement details throughout the Town. The new officer will serve 40-hours per week, with flexible scheduling for day and evening tour coverage. The services will become effective on July 1, 2023 and will continue for the balance of the Term.

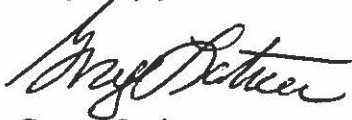
In addition to the costs the Town pays under the existing IMA, as amended, for the Supplemental Police Services and CRO Services, the Town shall pay the County a sum equal to the County's actual costs for the services of the additional community policing and traffic safety officer, which costs include salary, overtime, holiday pay, shift differential, and fringe benefits payable under the same contractual structure it pays for the existing services under the IMA. The estimated increase in the amount that the Town will pay the County under the proposed amendment for the remaining term of the IMA will be as follows:

<u>Under Current IMA, as amended</u>	<u>Under Proposed 2<sup>nd</sup> Amendment to the IMA</u>
2023/2024 - \$1,371,720	2023/2024 - \$1,500,186 - Increase of \$128,466
2024/2025 - \$1,401,431	2024/2025 - \$1,663,671 - Increase of \$262,240

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 12, 2023, which is on file with the Clerk of the Board of Legislators.

I believe that amendment of the IMA with the Town, on the terms set forth above, is in the best interests of the County. Therefore, I recommend your favorable action on the annexed proposed Act.

Very truly yours,



George Latimer  
County Executive

DL/TR/jpg  
Attachment

HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive requesting that your Honorable Board authorize the County of Westchester ("County") to further amend its inter-municipal agreement (the "IMA") with the Town of Cortlandt (the "Town"), whereby the County, acting through its Department of Public Safety ("WCDPS"), provides police services to the Town for a term commencing February 1, 2020 and expiring January 31, 2025, in order to add the services of another County Police Officer to provide community policing and traffic safety officer services, 40-hours per week, effective as of July 1, 2023.

As your Committee may know, the Town abolished its police force effective January 1, 1999, and has since had an arrangement with the New York State Police (the "State Police") to provide primary police coverage for the Town. Since March, 1999, the County has been providing supplemental police services (the "Supplemental Police Services") pursuant to IMAs with the Town. By Act No. 2019-240, approved by your Honorable Board on December 3, 2019, the County was authorized to enter into the current IMA to provide Supplemental Police Services to the Town for a term commencing February 1, 2020 and terminating on January 31, 2025 (the "Term"). Thereafter, by Act No. 2022-62, approved by your Honorable Board on May 23, 2022, the County was authorized to amend the IMA in order to add the services of a County Police Officer specially trained as a Community Resource Officer, to be assigned to the Cortlandt Precinct on a 40-hour work week schedule, effective as of February 1, 2022 (the "CRO Services").

As your Committee may know, under the terms of the IMA, as amended, the County currently provides two 8-hour patrol car tours daily to the Town as a supplement to those provided by the State Police. The County also provides the CRO Services to the Cortlandt Precinct on a 40-hour work week schedule. In addition, the Town permits the County to have use of part of the former police facility at the Cortlandt Town Hall at no charge to the County. In consideration for these services, the Town pays the County a sum equal to the County's actual costs as determined by the County at the end of each year, which costs include salary, overtime, holiday pay, shift differential, and fringe benefits as well as vehicles, equipment and maintenance.

Your Committee is advised that the Town now seeks to add another County Police Officer to provide community policing and traffic safety officer services for the Town. The new officer will supplement existing patrols by working in partnership with the precinct's supervisor, patrol officers,

and community resource officer on traffic safety campaigns and enforcement details throughout the Town. The new officer will serve 40-hours per week, with flexible scheduling for day and evening tour coverage. The services will become effective on July 1, 2023 and will continue for the balance of the Term.

Your Committee is advised that, in addition to the costs the Town pays under the existing IMA for the Supplemental Police Services and CRO Services, the Town shall pay the County a sum equal to the County's actual costs for the services of the additional community policing and traffic safety officer, which costs include salary, overtime, holiday pay, shift differential, and fringe benefits payable under the same contractual structure it pays for the existing services under the IMA. The estimated increase in the amount that the Town will pay the County under the proposed amendment for the remaining term of the IMA will be as follows:

<u>Under Current IMA, as amended</u>	<u>Under Proposed 2<sup>nd</sup> Amendment to the IMA</u>
2023/2024 - \$1,371,720	2023/2024 - \$1,500,186 - Increase of \$128,466
2024/2025 - \$1,401,431	2024/2025 - \$1,663,671 - Increase of \$262,240

Your Committee is advised that 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 12, 2023, which is on file with the Clerk of the Board of Legislators.

An affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of the attached Act.

Your Committee has carefully considered the proposed Act and recommends your Honorable Board's favorable action on the annexed proposed Act.

Dated: \_\_\_\_\_, 2023  
White Plains, New York

COMMITTEE ON



ACT NO. 2023 - \_\_\_\_\_

An Act authorizing the County of Westchester, to further amend its inter-municipal agreement with the Town of Cortlandt, whereby the County, acting by and through its Department of Public Safety Services, provides police services to the Town for a term commencing February 1, 2020 and expiring January 31, 2025, in order to add the services of an additional County Police Officer to serve as a full time community policing and traffic safety officer for the Town

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

**Section 1.** The County of Westchester (the "County") is hereby authorized to further amend its inter-municipal agreement (the "IMA") with the Town of Cortlandt (the "Town"), whereby the County, acting through its Department of Public Safety ("WCDPS"), provides supplemental police services to the Town for a term which commenced February 1, 2020 and will expire January 31, 2025, as well as the services of a community resource officer for a term which commenced on February 1, 2022 and will expire on January 31, 2025, in order to add the services of an additional County Police Officer to provide community policing and traffic safety officer services, 40-hours per week, with flexible scheduling for day and evening tour coverage, effective July 1, 2023 and continuing until January 31, 2025.

§2. In addition to the costs the Town pays under the existing IMA, as amended, the Town shall pay the County a sum equal to the County's actual costs for the services of the additional community policing and traffic safety officer, which costs include salary, overtime, holiday pay, shift differential, and fringe benefits payable under the same contractual structure it pays for the existing services under the IMA. Pending a year-end determination by the County as to the County's actual costs for the services provided, the Town will pay the following estimated costs for the remaining term of the IMA:

2023/2024 - \$1,500,186

2024/2025 - \$1,663,671

§3. The County Executive or his authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§4. This Act shall take effect immediately.

**SECOND AMENDMENT** made this \_\_\_ day of \_\_\_\_\_, 2023 by and between:

**THE COUNTY OF WESTCHESTER**, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 (hereafter the "County"),

and

**THE TOWN OF CORTLANDT**, a municipal corporation of the State of New York, having an office and place of business located at 1 Heady Street, Cortlandt Manor, New York (hereafter the "Town").

**WITNESSETH:**

**WHEREAS**, the County, acting through its Department of Public Safety Services (the "Department"), has been providing supplemental police coverage (the "Supplemental Policing Services") to the Town since February 1, 1999 under various inter-municipal agreements with the Town, with the latest one to expire on January 31, 2020; and

**WHEREAS**, by Act No. 2019-240, approved by the Westchester County Board of Legislators on December 3, 2019, the County was authorized to enter into a new agreement (the "Agreement") to provide the Supplemental Policing Services to the Town for a term commencing February 1, 2020 and expiring January 31, 2025; and

**WHEREAS**, the Agreement was fully executed on or about February 7, 2020; and

**WHEREAS**, by Act No. 2022-62, approved by the Westchester County Board of Legislators on May 23, 2022, the County was authorized to amend the Agreement (the "First Amendment") to provide the services of an additional County Police Officer, specially trained as a Community Resource Officer (the "CRO"), to be assigned to the Cortlandt Precinct on a 40-hour work week schedule, effective February 1, 2022 and for the balance of the term of the IMA (the "CRO Services"), in addition to the Supplemental Policing Services; and

**WHEREAS**, the First Amendment was executed on or about May 17, 2023.



**WHEREAS**, in addition to the Supplemental Policing Services and the CRO Services, the Town now desires to receive, and the County desires to provide, the services of an additional County Police Officer to provide community policing and traffic safety officer services, 40-hours per week, effective July 1, 2023 and for the balance of the term of the IMA (the “Community Policing and Traffic Safety Officer Services”); and

**WHEREAS**, by Act No. 2023 - \_\_\_\_, approved by the Westchester County Board of Legislators on \_\_\_\_\_, 2023, the County was authorized to further amend the Agreement in order to add the Community Policing and Traffic Safety Officer Services to the Agreement.

**NOW, THEREFORE**, in consideration of the terms and conditions herein contained, the parties agree as follows:

1. The above recitals are incorporated herein as if restated at length.
2. In addition to the Supplemental Policing Services and the CRO Services already provided pursuant to the Agreement, beginning on July 1, 2023, the Department shall provide the Community Policing and Traffic Safety Officer Services, as more particularly described in Schedule “A-1” attached hereto and made part of the Agreement. Accordingly, Section “FIRST” of the Agreement is hereby deleted in its entirety and replaced with the following:

**“FIRST:** The Department shall provide, on a daily basis, two eight-hour patrol car tours for the purpose of providing police services to the Town to supplement the services provided by the New York State Police, which is the police agency responsible for patrolling the Town and responding to emergency calls. Beginning on February 1, 2022 and throughout the remainder of the term of this Agreement, the Department shall also provide the services of a County Police Officer, specially trained as a Community Resource Officer (the “CRO”) who will be assigned to the Cortlandt Precinct on a 40-hour work week schedule (the “CRO Services”). The CRO Services are more particularly described in Schedule “A” attached hereto and made part of this Agreement. In addition, beginning on July 1, 2023 and throughout the remainder of the term of this Agreement, the Department shall also provide the services of a County Police Officer to provide community policing and traffic safety officer services, 40-hours per week, with flexible scheduling for day and evening tour coverage (the “Community Policing and Traffic Safety Officer Services”). The Community Policing and Traffic Safety Officer Services are more particularly described in Schedule “A-1” attached hereto and made part of this Agreement.”

3. In addition to the costs the Town pays under the existing Agreement, as amended, for the Supplemental Policing Services and the CRO Services, the Town shall also pay the County a sum equal to the County's actual costs for the Community Policing and Traffic Safety Officer Services. The cost for the Community Policing and Traffic Safety Officer Services is estimated to be an additional \$128,466.00 for the year 2023-2024, and \$262,240.00 for the year 2024-2025. Accordingly, the cost-per-year chart following the second paragraph of Section "SECOND" of the Agreement, as previously amended, is hereby further amended by deleting it in its entirety and replacing it with the following:

"2020/2021 - \$1,043,761  
2021/2022 - \$1,066,613  
2022/2023 - \$1,342,532  
2023/2024 - \$1,500,186  
2024/2025 - \$1,663,671"

4. Except as otherwise specifically provided herein, all other terms and conditions of the Agreement, as previously amended, shall remain unchanged and in full force and effect.

5. This Second Amendment shall not be enforceable until signed by all parties and approved by the Office of the County Attorney and the Town Attorney of Cortlandt.

**IN WITNESS WHEREOF**, the parties hereto have executed this Second Amendment.

**THE COUNTY OF WESTCHESTER**

By: \_\_\_\_\_  
Terrance Raynor  
Commissioner – Sheriff  
Department of Public Safety

**TOWN OF CORTLANDT**

By: \_\_\_\_\_  
Name:  
Title:

Authorized and approved by the Westchester County Board of Legislators, at a meeting duly held on the \_\_\_\_ day of \_\_\_\_\_, 2023.

Authorized and approved by the Town Board of the Town of Cortlandt, at a meeting duly held on the \_\_\_\_ day of \_\_\_\_\_, 2023.

Approved

Approved as to form

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Sr. Assistant County Attorney  
The County of Westchester  
*s/con/jpg/dps/cortlandt police ima 2<sup>nd</sup> amendt*

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Town Attorney  
Town of Cortlandt

DRAFT

**MUNICIPALITY'S ACKNOWLEDGMENT**

STATE OF NEW YORK        )  
  ) ss.:  
COUNTY OF WESTCHESTER)

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2023 before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**CERTIFICATE OF AUTHORITY**  
(Municipality)

I, \_\_\_\_\_, certify that I am the  
*(Officer other than officer signing contract)*

\_\_\_\_\_ of the \_\_\_\_\_  
*(Title) (Name of Municipality)*

(the "Municipality"), a corporation duly organized in good standing under the \_\_\_\_\_

\_\_\_\_\_,  
*(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)*

named in the foregoing agreement that \_\_\_\_\_ who signed said  
*(Person executing agreement)*

agreement on behalf of the Municipality was, at the time of execution \_\_\_\_\_ of  
*(Title of such person),*

the Municipality, that said agreement was duly signed for on behalf of said Municipality by

authority of its \_\_\_\_\_ thereunto duly authorized,  
*(Town Board, Village Board, City Council)*

and that such authority is in full force and effect at the date hereof.

\_\_\_\_\_  
(Signature)

STATE OF NEW YORK )

ss.:  
COUNTY OF WESTCHESTER)

On this \_\_\_ day of \_\_\_\_\_ 2023, before me personally came \_\_\_\_\_  
\_\_\_\_\_, whose signature appears above, known to me to be the  
\_\_\_\_\_ of \_\_\_\_\_,  
*(Title)*

the municipal corporation described in and which executed the above certificate, who being by  
me duly sworn did depose and say that he, the said \_\_\_\_\_

resides at \_\_\_\_\_, and that  
he/she is the \_\_\_\_\_ of said municipal corporation.

*(Title)*

\_\_\_\_\_  
Notary Public

**SCHEDULE "A-1"**

DRAFT



**TOWN OF CORTLANDT  
COMMUNITY AND PRECISION POLICING  
CREATIVE PATROL STRATEGY**

**2023 / 2024**

**Submitted November 11, 2022**



## **PATROL DIVISION**

### **COMMUNITY POLICING**



The Westchester County Department of Public Safety continually assesses our patrol strategies and specialized support services we provide to our contracted policing municipalities and the County at large. This is an ongoing process as a component of our New York State accreditation. We have also been actively engaged with the Town's Police Reform Task Force and the Westchester County Police Reform and Reimagining Task Force established by County Executive George Latimer as a working group to reinvent and modernize police strategies and programs.



The Westchester County Police strives to enhance the successful policing relationship for the Town of Cortlandt that has been built in collaboration with Town officials over the past 23 years.

The Town's leadership, in collaboration with our patrol and precinct command staff, are fully engaged in supporting the public safety and community policing needs of our Town in the most proactive, responsive and dynamic means possible.

As the community has grown over the past 23 years, so has the increase in vehicular and pedestrian traffic. Over the past year our Community Resource Officer has been in daily contact and collaboration with the Town Supervisor's office and neighborhood groups regarding quality-of-life concerns throughout the community of which most are rooted in an escalation of traffic and pedestrian safety concerns.

Through our policing assessment initiatives, the department respectfully puts forth this community and precision policing strategy to supplement the current contracted policing model for the Town in 2023.

We extend our gratitude for your continued partnership and collaboration as we pride ourselves in serving the Town of Cortlandt as your community focused public safety and law enforcement provider.





**PROPOSAL:** In partnership with the Town of Cortlandt leadership, further enhance the community policing and public safety services in Cortlandt by adding a traffic safety officer to supplement the contracted patrol officers assigned to the Cortlandt precinct.

**OBJECTIVE:** Through a multi-faceted, flexible and community driven strategy, enhance the daily patrol efforts of our Cortlandt Precinct officers with a traffic unit that has a greater ability and time to help mitigate the most significant quality of life and safety concerns of the community at large.

**BENEFITS:** The overarching benefit of the specialized traffic safety officer assigned to the Cortlandt Precinct will be a traffic safety approach designed to enhance overall safety and quality of life in the community through public education, technology, precision policing, and increased enforcement strategies.

The primary goals of the precinct's traffic unit will include:

- ▶ Create deterrence and change unlawful traffic behaviors when it comes to reckless and distracted driving.
- ▶ Reduce accidents and increase enforcement at accident prone locations.
- ▶ Reduce impaired driving.
- ▶ Promote voluntary compliance with traffic laws for the safety of vehicular and pedestrian traffic within the Town.

The activity of the traffic safety officer will be consistent with similar models utilized in other municipalities, and guided by the needs and input of the community in partnership with Town officials and the many diverse segments and stakeholders in our community.

The assigned traffic safety officer will assist in coordinating and work in partnership with the precinct's supervisor, patrol officers, and community resource officer on traffic safety campaigns and enforcement details throughout the Town.

The traffic unit will add an additional layer of proactive and responsive patrol coverage to support public safety for the community at large with a primary focus on priority roadway safety issues.

The traffic unit will also combine resources and efforts with partnering agencies, neighboring jurisdictions, Town leaders and community stakeholders. This multi-jurisdictional approach is a critical measure in traffic safety. When multiple entities are involved, it creates a general deterrence and a sense of community unity.

**COVERAGE:** The traffic safety officer will work a 40-hour work week schedule on a day and evening rotation that is flexible to best meet the needs of the community, precinct and seasonal conditions, and special outreach initiatives.

**TRAINING:** The traffic safety officer will be afforded diverse training in community policing, tactical perception, procedural justice and implicit bias, crisis intervention, de-escalation techniques, drug and alcohol impaired driving enforcement, pursuit mitigation technology, and be certified in radar, lidar and child passenger safety technician.

**PATROL VEH:** The Department will assign a specialized "ghost style" enforcement vehicle to the Cortlandt Precinct to incorporate a balance as a low-profile patrol car with Cortlandt Precinct stealth markings. The specialized enforcement patrol vehicle will include traffic enforcement and pursuit mitigation technology.

**IMPLEMENTATION**

**AND COST:** The cost of adding a traffic safety officer is based on the current contractual structure for policing services by the WCPD with the Town of Cortlandt.

**Implementation target: March 1, 2023.**

- March 1, 2023 – December 31, 2023 / Cost: \$214,357
- January 1, 2024 – December 31, 2024 / Cost: \$262,571

The cost of the traffic safety officer may be offset in part through the increased enforcement activity and associated fines as well as assignment to traffic court duties.

At such time that this initiative may be approved by the Town Board, correspondence will be needed to Police Commissioner Terrance Raynor requesting that the current policing contract with the County Police be amended to add an additional police officer for the primary duties as the precinct's traffic safety officer as a component of the Town's community policing strategy.

**SUPPORT:** The traffic safety officer will be supported and supervised by a community policing Sergeant and Lieutenant.

The traffic safety officer will be an integral component of the WCPD Cortlandt Precinct and community and will work closely with officers assigned to the precinct, our larger patrol force, and partnering agencies, to help achieve the community policing and traffic safety objectives for the Town.

The Community Policing Unit supervisors will collaborate and partner with the Town's dynamic leadership on a continual basis in the custom implementation of this community policing strategy.



If you have any further questions, please don't hesitate to contact:



Sgt. Jim Dress  
WCPD Patrol Division – Community Policing Unit  
Community Affairs / Schools / Ceremonial  
Office: 914-864-7880 / Personal Cell: 845-406-0350

[Jzd2@westchestergov.com](mailto:Jzd2@westchestergov.com)