

ACT 129 - 2025

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending that your Honorable Board adopt an Act which, if adopted would authorize the County of Westchester ("County"), acting by and through its Department of Social Services ("Department"), to enter into an intermunicipal agreement ("IMA") with the County of Putnam ("Putnam"). Pursuant to the proposed IMA, the County and Putnam will agree to continue to organize and implement programs and activities in accordance with the Workforce Innovation and Opportunity Act of 2014 ("WIOA"), in order to maintain the designation of Westchester-Putnam Local Workforce Development Area as a Local Workforce Development Area, as required under the WIOA, to cover Westchester County (exclusive of the City of Yonkers) and Putnam County. The proposed IMA would be for a term commencing on July 1, 2025 and continuing until: either 1.) both the County and Putnam act to rescind the IMA, 2.) federal or state authority ceases for the Westchester-Putnam Local Workforce Development Area to serve as the local implementation means for job-training programs, or 3.) June 30, 2030; whichever comes first.

Your Committee is advised that on July 22, 2014, the WIOA was signed into law, as successor to the Workforce Investment Act of 1998, as amended ("WIA"), and became effective on July 1, 2015. With the implementation and administration of WIOA, the then existing Local Workforce Investment Areas ("LWIAs") under the prior WIA were subsequently designated as Local Workforce Development Areas ("LWDAs"), upon the submission by local entities of a request for initial designation of their local areas as LWDAs, as required by WIOA.

Your Committee is further advised that, on April 14, 2015, the New York State Department

of Labor (“NYSDOL”), on behalf of the Governor of New York State, issued a technical advisory entitled the “Workforce Development System Technical Advisory #15-5” (the “Technical Advisory”) which established policies and procedures necessary for the initial designation of said LWDAs. The local entities’ requests for initial designation had to satisfy three (3) specific criteria set forth in the WIOA. One of the three (3) specific criteria was that an agreement would have to be in place between the chief elected officials of a single or multi-jurisdictional LWDA, such as the Westchester-Putnam Local Workforce Development Area. It should be noted that under WIA, there had been a multi-jurisdictional LWIA covering Westchester County (exclusive of the City of Yonkers, which has had its own LWIA) and Putnam County. Pursuant to the WIOA, the NYSDOL would then approve such requests for LWDA designation in consultation with the State Workforce Investment Board, in order for such LWDA to receive federal funds. It should be noted that under the prior WIA, there had been a multi-jurisdictional LWIA covering Westchester County (exclusive of the City of Yonkers, which has had its own LWIA) and Putnam County.

In connection with the foregoing, your Committee is also advised that on July 13, 2015, pursuant to Act 2015-126, your Honorable Board approved an intermunicipal agreement between the County and Putnam for the initial designation of the Westchester-Putnam Workforce Development Area (“WPWDA”) as a LWDA for the purposes of WIOA, to continue to cover Westchester County (exclusive of the City of Yonkers) and Putnam County. Such inter-municipal agreement subsequently executed by the County and Putnam (“2015 IMA”).

Your Committee is also advised that, on May 18, 2020, pursuant to Act No. 2020-88, your Honorable Board approved a subsequent intermunicipal agreement between the County and

Putnam for the County and Putnam to continue to organize and implement WPWDA programs and activities pursuant to WIOA (the “2020 IMA”) for the continued designation of WPWDA as LWDA to cover Westchester County (exclusive of the City of Yonkers) and Putnam County.

Your Committee is advised that the 2020 IMA is set to expire on June 30, 2025 and the County and Putnam desire to enter into the IMA to continue to organize and implement WPWDA programs and activities pursuant to WIOA.

The Department of Planning has advised that the actions under the IMA do not meet the definition of an “action” under the State Environmental Quality Review Act (“SEQR”) 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 14, 2025, which is on file with the Clerk of the Board of Legislators.

Your Committee believes that the proposed IMA with Putnam is in the best interests of the County because it not only promotes economic development and reduces unemployment within the regions, but it will also permit WPWDA to continue to organize and implement WPWDA programs and initiatives to the benefit of its residents.

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

Dated: 6/24, 2025
White Plains, New York

James J. Ziller, Jr.
Emiliana Ullay
[Signature]

Marcus Bar
James J. Ziller, Jr.
[Signature]

COMMITTEE ON:

Labor and
Human Rights

Human
Services

FISCAL IMPACT STATEMENT

SUBJECT: IMA InterMunicipal Agreement with Putnam County

☒ 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 \$ _____

Describe: N/A

Potential Related Revenues: Annual Amount \$ _____

Describe: N/A

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

Current Year: No Fiscal Impact

Next Four years: No Fiscal Impact

Prepared by: Mary Skirchak

Title: Accountant III

Department: Social Services

Reviewed By: [Signature]

Budget Director

If you need more space, please attach additional sheets.

5/9/25

TO: Kenneth Jenkins, County Executive
John Nonna, County Attorney

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

DATE: January 14, 2025

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 has been done in prior years, the Planning Department, in an attempt to streamline the process for SEQR review and related document preparation for the BOL and BAC, has created 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. This memorandum should be considered in effect until rescinded or replaced, with replacements typically occurring annually in mid-January. 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, 2025, 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
Stacey Dolgin-Kmetz, Chief Deputy County Attorney
Tami Altschiller, Assistant Chief Deputy County Attorney
Andrew Ferris, Chief of Staff
Steve Bass, Director of Intergovernmental Relations
Paula Friedman, Assistant to the County Executive
Emily Saltzman, Deputy Director of Operations
Blanca Lopez, 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, financial counseling, 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 and Police Night Out; intermunicipal agreements (IMAs) for shared training, equipment and response to emergencies, including E-911; acceptance and administration of grants for law enforcement programs (e.g., JAG).
- Fire services – Fire district IMAs for shared training, equipment and response to emergencies.
- Legal services – Contracts for outside counsel, litigation or associated monetary settlements and collections.

- 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.
- Regulate businesses for the protection of consumers.
- Pertain to consumer protection, not including professional licensing, which have been classified as Type II.
- Pertain to animal welfare, excluding regulations involving habitat management.
- Pertain to public safety.
- Pertain to taxation, such as establishment of new taxes or tax exemptions.
- Pertain to establishment or modification of fees.
- Pertain to notices, publications and record keeping.
- Pertain to hiring or contracting procedures.
- Pertain 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).

- Naming or renaming of streets, buildings, parks or other public facilities.

WCDP
JAN 2025

ACT NO. 129 - 2025

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the County of Putnam, pursuant to which Westchester and Putnam will agree to organize and implement activities pursuant to the Workforce Innovation and Opportunity Act of 2014, for the continued designation of the Westchester-Putnam Local Workforce Development Area as a Local Workforce Development Area, to cover Westchester County (exclusive of the City of Yonkers) and Putnam County.

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

Section 1. The County of Westchester (the "County") is hereby authorized to enter into an intermunicipal agreement ("IMA") with the County of Putnam ("Putnam"), pursuant to which the County and Putnam will agree to organize and implement programs and activities pursuant to the Workforce Innovation and Opportunity Act of 2014 ("WIOA"), for the continued designation of the Westchester-Putnam Local Workforce Development Area as a Local Workforce Development Area, to cover Westchester County (exclusive of the City of Yonkers) and Putnam County. The IMA shall be for a term commencing on July 1, 2025 and continuing until either: 1.) both the County and Putnam act to rescind the IMA, 2.) federal or state authority ceases for the Westchester-Putnam Local Workforce Development Area to serve as the local implementation means for job-training programs, or 3.) June 30, 2030; whichever comes first.

§2. The County Executive or his authorized designee is hereby authorized to execute and deliver all documents and take such actions as he deems necessary or desirable to accomplish the purposes hereof.

§3. This Act shall take effect immediately.

Multi Jurisdictional Chief Elected Officials Inter-Municipal Agreement

Local Workforce Development Area Westchester-Putnam

The County Executive of Westchester and the County Executive of Putnam, acting on their authority as the Chief Elected Officials entered into this inter-municipal agreement on the last date set forth below ("Agreement") in accordance with the Workforce Innovation and Opportunity Act (herein referred to as "WIOA") § 107 [c] [1] [B] in order to organize and implement initiatives and activities pursuant to WIOA and otherwise as proposed by the Governor of the State of New York for the purpose of administering and implementing WIOA in Westchester and Putnam counties.

Part 1- Designation of the Chief Elected Officials

1. For purposes of administering WIOA and for entering into and implementing agreements in accordance with that Act, the Chief Elected Officials, as defined in WIOA § 3 [9], shall be designated from the respective counties in the following manner: The County Executive of Westchester and the County Executive of Putnam.
2. Non-concurrence between the Counties shall be resolved as expeditiously as possible. Representatives of the two Counties shall meet and confer with one another to resolve issues of non-concurrence. If concurrence cannot be reached within a reasonable amount of time, steps shall be taken towards resolution through the State.

Part 2- Designation of Grant Recipient and Local Governmental Grant Sub recipient/ Fiscal Agent

1. The Chief Elected Officials recognize they are jointly responsible for WIOA Funds and agree to the appointment of Westchester County Executive, as the grant recipient ("Grant Recipient") who bears the fiduciary responsibility for these funds with the New York State Department of Labor.
2. The Grant Recipient designates Westchester County Department of Social Services ("DSS" or "local governmental grant sub recipient/fiscal agent"), to be the local grant sub recipient/fiscal agent to assist the Grant Recipient with the administration of the grant funds.
3. The local grant sub recipient/fiscal agent shall disburse such funds for grant activities at the direction of the Local Board (as defined below).
4. The Chief Elected Officials agree that the designated local governmental grant sub recipient/fiscal agent has reliable internal controls for financial management and disbursement of funds.
5. The name of the area is the "Westchester-Putnam Workforce Development Area."
6. This Agreement becomes effective on July 1, 2025. This Agreement (including any subsequent amendments) shall stay in effect until such time as: 1) both parties act to rescind the Agreement; 2) federal or state authority ceases for the Westchester-Putnam Workforce Development Area to serve as the local implementation means for job-training

programs; or 3.) June 30, 2030, whichever comes first. Should either party wish to rescind this Agreement, formal action seeking a rescission must be taken at least six months prior to the conclusion of the then current program year. The effective date of the rescission would then be the close of the then current program year.

6. No unilateral alteration of this Agreement shall be made. Modification to the Agreement by either county must be mutually negotiated and all requests to modify the Agreement must be presented in writing to the Chief Elected Officials.

Part 3- Composition of and Designation of Workforce Development Board

1. The Chief Elected Officials, as set forth in Part 1.1 above, will establish and appoint members to The Westchester-Putnam Workforce Development Board ("LWDB" or "Local Board" or "Workforce Development Board") to assist and carry out provisions of WIOA §§107 [a] & [b].
2. Every effort will be made to balance the selection geographically throughout the Westchester-Putnam Workforce Development Area as well as balance the selection of large and small business, and other related factors to as accurately as possible reflect the landscape of the Westchester-Putnam Workforce Development Area.

Modification of membership may be completed at any time by the LWDB once established subject to the confirmation and concurrence of the Chief Elected Officials, as set forth in Part 1.1 above.

Part 4 – Designation of One Stop Services and other responsibilities

1. As required by Section 121 (a) of WIOA, the Chief Elected Officials in cooperation with the Workforce Development Board, shall develop, administer, and approve the appropriate Memoranda of Understanding in establishing no less than one facility known as One Stop Center in the Westchester-Putnam Workforce Development Area.
2. The Chief Elected Officials shall also:
 - Review and approve the 4-year local plan developed by the Local Board, as required by WIOA § 108(a);
 - Review and approve actions taken by the Local Board to designate One Stop Operators as required by WIOA § 121 (d) (1);
 - Review and approve monitoring activities by the Local Board as required by WIOA § 121 (a)(3);
 - Review and approve the budget of the Local Board, as required by WIOA § 107(d)(12)(A); and
 - Negotiate and reach agreement on local performance accountability measures with the Local Board and the Governor of the State of New York as required under WIOA § 107(d) (9).
 - Comply, at their own expense, with the provisions of all applicable local, state and federal laws, rules and regulations relating to this Agreement. This Agreement shall be construed and enforced in accordance with the laws of the State of New York. In

- This Agreement is subject to the approval of the Westchester County Board of Legislators and the governing legislative body of Putnam County.

Kenneth W. Jenkins
Westchester County Executive

Approved by the Westchester County Board of Legislators by Act No. 2025-_____ on the _____ day of _____, 2025.

Approved:

Approved:

Assistant County Attorney
The County of Westchester

The County of Putnam

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 129 - 2025, 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 June 30, 2025, and approved by the County Executive on July 1, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 1st day of July, 2025.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

