

**TO THE COUNTY BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

**DRAFT
IMAs ON FILE**

Upon a communication from the County Executive, your Committee has been advised that pursuant to sections 500-c and 500-d of the New York State Correction Law, the County is required at its own expense to transport prisoners between local municipalities and the Westchester County Jail located at Valhalla, New York. In addition, the County must provide meals to such prisoners.

The County Executive has forwarded legislation which would authorize the County to enter into intermunicipal agreements (“IMAs”) with twenty-one (21) municipalities for prisoner transportation. The term of the IMAs will commence January 1, 2021 and terminate December 31, 2022 and the annual reimbursement to the municipalities will not exceed \$695,563 in 2021 and 2022 for a total aggregate amount not to exceed \$1,391,126. These IMAs will allow the County to reimburse the municipalities for the costs they incur in transporting prisoners, who have been arraigned in local courts, between each municipality and the Westchester County Jail.

Reimbursement to the municipalities will be pursuant to four zone rates which are fixed fees plus the mileage to and from the Westchester County Jail multiplied by the then current Internal Revenue Service mileage rate. The County will also reimburse the municipalities for the actual and reasonable cost of meals provided to post-arraignment prisoners.

Your Committee is advised by the Department of Planning that pursuant to 6 NYCRR 617.2(b) of the New York State Environmental Quality Review Act (“SEQRA”) Regulations, the proposed prisoner transportation does not meet the definition of an “action” and therefore, no further environmental review is required. Your Committee concurs with this conclusion.

Your Committee has been advised that a majority of the voting strength of the Board of Legislators is required in order to adopt the annexed Act.

After review and careful consideration, your Committee recommends favorable action upon the proposed legislation.

Dated: May 17, 2021
White Plains, New York

Dr. M. M.
Benjamin Boyfante
Redat Jorhi
Coburn

Benjamin Boyfante
Kit Scoville

COMMITTEE ON

C/DI 4/27/21

Budget & Appropriations

Public Safety

Dated: May 17, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations

Margaret A. Cunzio

Nancy E. Parr

Catherine F. Parker

Ruth Walker

Alfreda Willis

Ty H. C.

David A. Tubrio

Public Safety

Colin J. Smith

Margaret A. Cunzio

Mary Jane Skomsky

Nancy E. Parr

Ty H. C.

FISCAL IMPACT STATEMENT

SUBJECT: Pris. Transport Zones 2021-2022

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 695,563

Total Current Year Revenue \$ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 35-1000-1000-4445

Potential Related Operating Budget Expenses: Annual Amount _____

Describe: 2021- \$695,563(to reimburse the municipalities for transporting prisoners and reimbursement will be based on approved zone rates)

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: _____

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

Current Year: N/A

Next Four Years: 2022- \$695,563

Prepared by: William Fallon *WF*

Title: Director of Administrative Services

Department: Correction

Date: April 20, 2021

Reviewed By: *ABK*
[Signature]
Budget Director

Date: 4/30/21

TO: Daniela Infield, Senior Assistant County Attorney
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM
Director of Environmental Planning



DATE: February 2, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR PRISONER
TRANSPORTATION INTERMUNICIPAL AGREEMENTS**

PROJECT/ACTION: Intermunicipal agreements between the County and local municipalities, whereby the County will reimburse the local municipality for costs incurred associated with the transport of prisoners to and from the local courthouse and the Westchester County Jail.

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 SECTION 617.5(c)():**

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Norma Drummond, Commissioner
Claudia Maxwell, Associate Environmental Planner

ACT NO. 90 - 2021

AN ACT authorizing the County to enter into Intermunicipal Agreements with twenty-one (21) municipalities in order to provide reimbursement for prisoner transportation to the Westchester County Jail.

BE IT ENACTED, by the Board of Legislators of the County of Westchester, State of New York as follows:

Section 1. The County of Westchester (the “County”) is hereby authorized to enter into Intermunicipal Agreements (“IMAs”) with the twenty-one (21) municipalities indicated in Appendix “A”, which is attached hereto and made a part hereof, in order to reimburse the municipalities for the cost to transport prisoners round trip between each municipality and the Westchester County Jail located at Valhalla, New York.

§2. The County will reimburse each municipality for the costs for round trip prisoner transportation at the rates indicated in Appendix “A”. Reimbursement will also be made for the actual and reasonable costs of meals provided to post-arraignment prisoners. Reimbursement pursuant to the IMAs annually will not exceed \$695,563 in 2021 and 2022 for a total aggregate amount not to exceed \$1,391,126.

§3. The term of these IMAs shall be for the period January 1, 2021 through December 31, 2022.

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

§5. This Act shall take effect immediately.

APPENDIX A

**ZONE PLAN REIMBURSEMENT RATES
WITH DISTANCE TRAVELED TO AND FROM**

WESTCHESTER COUNTY DEPARTMENT OF CORRECTION

(Effective Term: January 1, 2021 through December 31, 2022)

POLICE AGENCY

ZONE #1 (1 - 10 Miles)	ROUND TRIP REIMBURSEMENT
1/1/21 - 12/31/22	\$219.38
Elmsford, Village	6 miles
Pleasantville, Village	8 miles
Sleepy Hollow, Village	8 miles
Tarrytown, Village	10 miles

ROUND TRIP DISTANCE

ZONE #3 (21 - 30 Miles)	ROUND TRIP REIMBURSEMENT
1/1/21 - 12/31/22	\$241.31
Port Chester, Village	28 miles
Mamaroneck, Village	30 miles
Pelham Village	30 miles
Rye Brook, Village	23 miles
Tuckahoe, Village	25 miles
Rye, City	25 miles
Eastchester, Town	25 miles

ZONE #2 (11 - 20 Miles)	ROUND TRIP REIMBURSEMENT
1/1/21 - 12/31/22	\$230.37
Ardsley, Village	18 miles
Briarcliff Manor, Village	14 miles
Dobbs Ferry, Village	17 miles
Hastings-on-Hudson, Village	20 miles
Irvington, Village	12 miles
New Castle, Town	16 miles
North Castle	16 miles
Ossining, Village	20 miles
Scarsdale, Village	19 miles

ZONE #4 (31 - 40 Miles)	ROUND TRIP REIMBURSEMENT
1/1/21 - 12/31/22	\$252.32
Pelham Manor	35 miles

The above Zone Rates will be reimbursed plus mileage to be reimbursed at \$.56 (or the then current IRS mileage rate) times distance.

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 90 - 2021, 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 May 24, 2021, and approved by the County Executive on May 28, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 2nd day of June, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

