

ACT 121 - 2024

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

DRAFT
IMA ON FILE

Your Committee has been advised that pursuant to sections 500-c and 500-d of the New York State Correction Law, the County of Westchester ("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.

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act, which, if adopted, would authorize the County to enter into an intermunicipal agreement ("IMA") with the City of Yonkers ("Yonkers") in order to reimburse Yonkers an amount not to exceed \$320,000.00 in 2024 and \$326,400.00 in 2025, for a total aggregate amount not to exceed \$646,400.00, for the term commencing January 1, 2024 and expiring December 31, 2025. This IMA will allow the County to reimburse Yonkers for the costs incurred by Yonkers to transport prisoners who have been arraigned to and from Yonkers and the Westchester County Jail located at Valhalla, New York.

Your Committee is further advised that reimbursement to Yonkers will be for round trip transportation and will be based on the per trip labor costs of detention officers and for vehicle usage. Reimbursement to Yonkers for prisoner transportation in 2024 will be at the following rates: \$214.33 per round trip with two detention officers; \$321.50 per round trip with three detention officers, and \$428.66 per round trip with four detention officers. In 2025, Yonkers will be reimbursed as follows: \$218.62 per round trip with two detention officers; \$327.92 per round trip with three detention officers, and

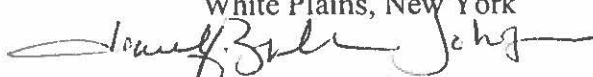
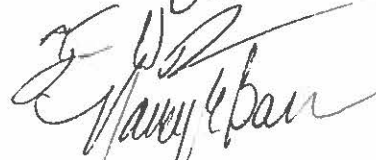

\$437.23 per round trip with four detention officers. Yonkers will also be reimbursed for vehicle usage at the rate of sixty-seven cents (\$.67) per mile, or at the then current Internal Revenue Service mileage reimbursement rate multiplied by the mileage to and from the Westchester County Jail which is agreed to be 16 miles each way. The County will also reimburse Yonkers for the actual and reasonable cost of meals provided to post-arraignment prisoners.

The Department of Planning has advised that the proposed IMA does not meet the definition of an "action" under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617. Please refer to the Memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators. Therefore, no environmental review is required. Your Committee concurs with this recommendation.

Your Committee has been advised that adoption of the annexed Act requires an affirmative vote of a majority of the voting strength of the Board.

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

Dated: June 10th, 2024
White Plains, New York




C:MB 4/2/24





Budget & Appropriations

Public Safety

FISCAL IMPACT STATEMENT

SUBJECT: City of Yonkers Prisoner Transport 2024-2025

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 \$ 320,000

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: 2025- \$ 326,400

To reimburse the municipality for transporting prisoners. Rates will be based on contract rates.

Potential Related Revenues: Annual Amount \$ _____

Describe: _____

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

Current Year: N/A

Next Four years: _____

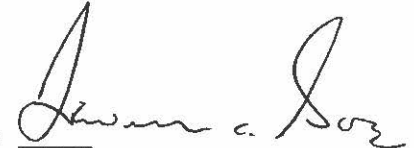
Prepared by: William Fallon



Title: Director Of Administrative Services

Department: Correction

Reviewed By: _____



Budget Director

5/20/24

If you need more space, please attach additional sheets.

AN ACT authorizing the County of Westchester to enter into an Intermunicipal Agreement with the City of Yonkers in order to provide reimbursement for prisoner transportation to the Westchester County Jail within the period from January 1, 2024 through December 31, 2025, for a total amount not to exceed \$646,400.00.

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

Section 1. The County of Westchester (the “County”) be and hereby is authorized to enter into an Intermunicipal Agreement (“IMA”) with the City of Yonkers (“Yonkers”) in order to reimburse Yonkers for the cost to transport prisoners round trip between Yonkers City Court and the Westchester County Jail located at Valhalla, New York, in an amount not to exceed \$320,000.00 in 2024 and \$326,400.00 in 2025, for a total aggregate amount not to exceed \$646,400.00. The IMA will be for the term commencing January 1, 2024 and expiring December 31, 2025.

§2. The County will reimburse Yonkers for prisoner transportation for the term January 1, 2024 through December 31, 2024 at the following rates: \$214.33 per round trip with two detention officers; \$321.50 per round trip with three detention officers, and \$428.66 per round trip with four detention officers. The County will reimburse Yonkers for prisoner transportation for the term January 1, 2025 through December 31, 2025 at the following rates: \$218.62 per round trip with two detention officers; \$327.92 per round trip with three detention officers, and \$437.23 per round trip with four detention officers. Yonkers will also be reimbursed for vehicle usage between the City Court of Mount Vernon and the Westchester County Jail, which is agreed to be sixteen (16) miles each way, at the rate of sixty-seven cents (\$.67), or at the then current

Internal Revenue Service mileage reimbursement rate for the term of the IMA. Yonkers will also be reimbursed for the actual and reasonable costs of meals provided to post-arraignment prisoners.

§3. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and take any and all action necessary and appropriate to accomplish 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. 121 - 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 June 17, 2024, and approved by the County Executive on June 18, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 19th day of June, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

