

ACT 86 - 2024

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

DRAFT
IMA ON FILE

Your Committee is in receipt of a communication from the County Executive wherein he requests that your Honorable Board authorize the County of Westchester ("County"), acting by and through its Department of Social Services ("Department"), to enter into an inter-municipal agreement ("IMA") with the City of Mount Vernon ("City"), pursuant to which the City will operate a newly created Financial Empowerment Center Initiative ("FEC Initiative" or "FECI") in order to provide professional financial counseling and coaching services to all County residents.

Your Committee is advised that the FEC Initiative will be conducted at 130 Mount Vernon Avenue, Mount Vernon, New York, where the County leases space located on the first and second floor of a building from 130 Modern Commercial LLC, pursuant to a lease dated December 7, 2017, and amended by First Amendment to Lease Agreement dated January 18, 2018 and by Second Amendment to Lease Agreement dated August 2019 (collectively, the "Lease"). The County leases this space for the purpose, among other things, of housing one of the County's One Stop Employment Centers ("Mount Vernon Career Center"). The Mount Vernon Career Center is primarily staffed by Westchester County, Putnam County and New York State Department of Labor employees but it also includes staff from partner agencies, such as the Westchester-Putnam Workforce Development Board ("WPWDB"), which assists the County with the operation of the Mount Vernon Career Center and other County's One Stop Employment Centers throughout Westchester County, in order to meet the needs for a skilled workforce in Westchester and Putnam counties.

Your Committee is further advised that the County, City and WPWDB desire to implement and operate the FEC Initiative at the Mount Vernon Career Center in order to provide professional financial counseling and coaching services to all County residents.

Pursuant to the proposed IMA, the City will be responsible for the implementation and operation of the program at the Mount Vernon Career Center during the term of the IMA,

as set forth below, including soliciting and contracting for the financial literacy services and managing FECI staff at its own cost and expense. In addition, the City will reimburse the County for security staff costs in an amount of \$28,651.00 per year, for a total not-to-exceed amount of \$57,302.00 during the term of the IMA. The term of the IMA will be two years, commencing on March 1, 2024 and expiring on February 28, 2026.

Your Committee is also advised that, in consideration for the financial literacy services to be provided by the City to all County residents, the County will: (i) provide cubicle space ("Designated Space") estimated to cost the County \$24,978.00 per year, for a total not-to-exceed amount of \$49,956.00; (ii) make available County personnel, at the County's discretion, which personnel is estimated to cost the County \$14,112.00 per year, for a total not-to-exceed amount of \$28,224.00, for overtime costs related to the operation of the FEC Initiative; and (iii) make available or provide the following for the City's use (x) County equipment estimated to cost the County up to an aggregate amount of \$5,000.00 per year, for a total not-to-exceed amount of \$10,000.00; and (y) County office supplies, estimated to cost the County up to \$2,500 per year, for a total not-to-exceed amount of \$5,000.00, in order to assist the City with the implementation and operation of the FEC Initiative.

The proposed IMA will also authorize the City to enter into a sub-license agreement with Mercy University for the provision of professional financial literacy services to all County residents within the Designated Space under the FEC Initiative operated by the City.

The Department of Planning has advised your Committee 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 your Honorable Board. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

Your Committee has been advised that approval of the attached Act authorizing the County to enter into the IMA requires an affirmative vote of a majority of the members of your Honorable Board.

Your Committee believes that this IMA is in the best interest of the County. Therefore, your Committee recommends adoption of the annexed proposed legislation.

Dated: May 6th, 2024

White Plains,
New York

Handwritten signatures:
Joseph Ziller John
Nancy Pan
John W.
John W.
John W.
David John

COMMITTEE ON:

C/cmc/04.25.2024

Handwritten signatures:
Joseph Ziller John
Nancy Pan
John W.
David John

Budget & Appropriations

Human Services

Dated: May 6th, 2024
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget and Appropriations



Human Services



FISCAL IMPACT STATEMENT

SUBJECT: IMA with Mount Vernon for
Financial Empowerment Center at
the Mount Vernon Career Center

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 \$ 28,651

Total Current Year Revenue \$ 28,651

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

Additional Appropriations

Other (explain)

Identify Accounts: Revenue Trust- T911, Unit- 9119, Object- 9856

Expense- T911, Unit-9119, Object- 4531

Potential Related Operating Budget Expenses: Annual Amount \$ 28,651

Describe: 1. In-kind contribution by the County for space and occupancy costs estimated at \$46,590. 2. Security Staff related to overtime, costs not to exceed = \$28,651 per year with a projected total of \$57,302 for the term of two (2) years.

Potential Related Operating Budget Revenues: Annual Amount \$ 28,651

Describe: The City of Mount Vernon will reimburse the WPWDB for security staff overtime costs related to the the operation of the Financial Empowerment Center at the estimated rate of \$28,651 for one (1) year, and an estimated total of \$57,302 for the term of two (2) years

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

No savings or impact. This Act will authorize the County to enter into an IMA with the City of Mount Vernon to implement and operate the FEC Initiative at the Mount Vernon Career Center to provide professional financial counseling and coaching services to all County residents commencing on March 1, 2024 and expiring on February 28, 2026.

Current Year:

Next Four Years: No savings or impact.

Prepared by: Thom Kleiner

Reviewed By: *Jessica...*
Budget Director

Title: Executive Director


Westchester-Putnam Workforce

Department: Development Board

Date: April 26, 2024

Date: 4/24/25

TO: George Latimer, County Executive
Kenneth Jenkins, Deputy County Executive
John Nonna, County Attorney

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

DATE: January 8, 2024

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 SEQ 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 SEQ 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 8, 2024, 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
Andrew Ferris, Chief of Staff
Steve Bass, Director of Intergovernmental Relations
Paula Friedman, Assistant to the County Executive
Stacey Dolgin-Kmetz, Chief Deputy County Attorney
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca Lopez, Commissioner, Department 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, 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.
- New laws or amendments of existing laws that regulate businesses for the protection of consumers.
- Pertaining to consumer protection, not including professional licensing, which have been classified as Type II.
- Pertaining to animal welfare, excluding regulations involving habitat management.
- Pertaining to public safety.
- Pertaining to taxation, such as establishment of new taxes or tax exemptions.
- Pertaining to establishment or modification of fees.
- Pertaining to notices, publications and record keeping.
- Pertaining to hiring or contracting procedures.
- Pertaining 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 2024

ACT NO. 2024 - 86

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the City of Mount Vernon for the implementation of the Financial Empowerment Center Initiative at the County's One Stop Employment Center located in Mount Vernon.

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

Section 1. The County of Westchester ("County") is hereby authorized to enter into an inter-municipal agreement ("IMA") with the City of Mount Vernon ("City"), pursuant to which the City will operate a newly created Financial Empowerment Center Initiative ("FEC Initiative" or "FECI"), in order to provide professional financial counseling and coaching services to all County residents; and be it further

§2. The FECI Initiative will be conducted at 130 Mount Vernon Avenue, Mount Vernon, New York ("Mount Vernon Career Center"), where the County leases space located on the first and second floor of a building from 130 Modern Commercial LLC, pursuant to a lease dated December 7, 2017, and amended by First Amendment to Lease Agreement dated January 18, 2018 and by Second Amendment to Lease Agreement dated August 2019 (collectively, the "Lease"); and be it further

§3. Pursuant to the IMA, the City will be responsible for the implementation and operation of the program at the Mount Vernon Career Center during the term of the IMA, as set forth below, including soliciting and contracting for the financial literacy services and managing FECI staff at its own cost and expense. In addition, the City will reimburse the County for security staff costs in an amount of \$28,651.00 per year, for a total not-to-exceed amount of \$57,302.00 during the term of the IMA.

§4. The County shall: (i) provide cubicle space (“Designated Space”) estimated to cost the County \$24,978.00 per year, for a total not-to-exceed amount of \$49,956.00; (ii) make available County personnel, at the County’s discretion, which personnel is estimated to cost the County \$14,112.00 per year, for a total not-to-exceed amount of \$28,224.00, for overtime costs related to the operation of the FEC Initiative; and (iii) make available or provide the following for the City’s use (x) County equipment estimated to cost the County up to an aggregate amount of \$5,000.00 per year, for a total not-to-exceed amount of \$10,000.00; and (y) County office supplies, estimated to cost the County up to \$2,500 per year, for a total not-to-exceed amount of \$5,000.00, in order to assist the City with the implementation and operation of the FEC Initiative.

§5. The proposed IMA shall permit the City to enter into a sub-license agreement with Mercy University for the provision of professional financial literacy services to all County residents within the Designated Space under the FEC Initiative operated by the City.

§6. The term of the IMA shall be two years, commencing on March 1, 2024 and expiring on February 28, 2026.

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

§8. 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. 86 - 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 May 6, 2024, and approved by the County Executive on May 9, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 10th day of May, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

