

ACT 201 - 2023

**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 of Westchester (the "County") is required at its own expense to transport prisoners between local municipalities and the Westchester County Jail located in 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 commence January 1, 2023 and terminate December 31, 2024, and the annual reimbursement to the municipalities will not exceed \$715,000 annually for a total aggregate amount not to exceed \$1,430,000. 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 zone rates represent an increase of 2.75% each year. 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.

Please refer to the memorandum of the Department of Planning dated January 12, 2023, which is on file with the Clerk of the Board of Legislators. 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: *September 27th*, 2023
White Plains, New York

Louise Ziller Jones
LLJ

Vedat Fadhi
Cathy Paris
Nancy Barr

Vedat Fadhi
Nancy Barr
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COMMITTEE ON

C/DI 7/12/23

Budget & Appropriations

Public Safety

Dated: September 27, 2023
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

Committee(s) on:

Budget & Appropriations

Colin J. Smith

Clasmon R. Maher WOP

David Duman

Dated: September 27th, 2023
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

PUBLIC SAFETY COMMITTEE



FISCAL IMPACT STATEMENT

SUBJECT: Pris. Transport Zones 2023-2024

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 \$ 715,000

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: 2023 - \$715,000.00 (to reimburse the municipalities for transporting prisoners and reimbursement will be based on approved zone rates).

Potential Related Revenues: Annual Amount \$ _____

Describe: _____

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

Current Year: N/A

Next Four years: 2024 - \$715,000.00

Prepared by: Robert Priore

Title: Asst. Director of Admin Services

Department: Corrections

Date: 8/14/23

Reviewed By:

Budget Director

8/31/23

If you need more space, please attach additional sheets.

ACT NO. 201 - 2023

AN ACT authorizing the County of Westchester 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 will not exceed \$715,000 annually for a total aggregate amount not to exceed \$1,430,000.

§3. The term of these IMAs shall be for the period January 1, 2023 through December 31, 2024.

§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, 2023 through December 31, 2024)

2023 / 2024 ZONES RATES

ZONE #1	ROUND TRIP REIMBURSEMENT
1/1/23 - 12/31/23	\$225.41
1/1/24 - 12/31/24	\$231.61
Elmsford, Village	
Pleasantville, Village	
Sleepy Hollow, Village	
Tarrytown, Village	

ZONE #3	ROUND TRIP REIMBURSEMENT
1/1/23 - 12/31/23	\$247.95
1/1/24 - 12/31/24	\$254.75
Port Chester, Village	
Mamaroneck, Village	
Pelham Town	
Rye Brook, Village	
Tuckahoe, Village	
Rye, City	
Eastchester, Town	

ZONE #2	ROUND TRIP REIMBURSEMENT
1/1/23 - 12/31/23	\$236.71
1/1/24 - 12/31/24	\$243.21
Ardsley, Village	
Briarcliff Manor, Village	
Dobbs Ferry, Village	
Hastings-on-Hudson, Village	
Irvington, Village	
New Castle, Town	
North Castle	
Ossining, Village	
Scarsdale, Village	

ZONE #4	ROUND TRIP REIMBURSEMENT
1/1/23 - 12/31/23	\$259.25
1/1/24 - 12/31/24	\$266.39
Pelham Manor (Village)	

The above Zone Rates will be reimbursed plus mileage to be reimbursed at \$.655 (or the then current IRS mileage rate) times distance.

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 201 - 2023, 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 October 2, 2023, and approved by the County Executive on October 4, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 5th day of October, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

