

Seniors & Youth Meeting Agenda



Committee Chair: José Alvarado

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Wednesday, April 12, 2023

10:00 AM

Committee Room

CALL TO ORDER

Joint with Budget & Appropriations

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Albany Post Road, Briarcliff, NY, 10510

MINUTES APPROVAL

March 27, 2023 @ 10AM Minutes

I. ITEMS FOR DISCUSSION

[2023-128](#) **ACT-Amend Grant Agreements-NYSOFA-EISEP & Unmet Need**

AN ACT authorizing the County of Westchester to retroactively amend grant agreements with the New York State Office for the Aging under the EISEP and Unmet Need programs by extending the terms thereof through December 31, 2022.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

Guests: Dept. of Senior Programs & Services: Commissioner Mae Carpenter; Sandra Brown, Director of Program Development (Budget and Finance) and Agnes Nowak, Director of Program Development (Client Services)

[2023-132](#) **ACT-Resource Allocation Plan 2023-Youth Services**

AN ACT authorizing the County of Westchester to execute and submit to the State of New York a Resource Allocation Plan which will provide State reimbursement for certain youth services programs and to enter into inter-municipal agreements with various municipalities to

implement certain of those programs.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

Guest: County Youth Bureau: Bernie Dean, Financial Administrator

[2023-133](#) **ACT-Sexual Risk Avoidance Education Program**

AN ACT authorizing the County of Westchester to enter into (i) a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program and (ii) to enter into inter-municipal agreements with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers for services to be funded with the grant funds.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

Guest: County Youth Bureau: Bernie Dean, Financial Administrator

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

George Latimer
County Executive

March 28, 2023

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), to retroactively amend grant agreements with the New York State Office for the Aging ("NYSOFA") which provided funding for the Expanded In-home Services for the Elderly Program ("EISEP") and for the Unmet Need Program ("Unmet Need") for terms commencing on April 1, 2021 and continuing through March 31, 2022 (the "Grant Agreements"), by extending the terms thereof through December 31, 2022.

By way of background, on May 10, 2021 by Act No. 81-2021, your Honorable Board authorized the County, *inter alia*, to enter into Grant Agreements with the NYSOFA to accept grant funds made available to the County under the EISEP program in an amount not-to-exceed \$2,517,305, and under the Unmet Need program in an amount not-to-exceed \$951,658, for terms commencing retroactive to April 1, 2021 and continuing through March 31, 2022. Funds received under the Grant Agreements were used to provide various services to seniors through contracts with municipal and with non-municipal agencies.

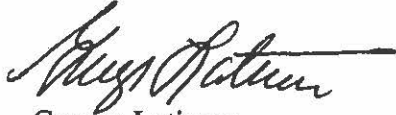
Due to delays caused by the COVID-19 pandemic, the Department was unable to expend all of the funding made available under the Grant Agreements by the March 31, 2022 expiration date. As such, the Department requested and NYSOFA agreed to allow the County to retroactively extend the term of the Grant Agreements through December 31, 2022, in order to optimize utilization of the unused grant funds. Accordingly, authority is respectfully requested to amend the Grant Agreements for the limited purpose of retroactively extending the terms thereof through December 31, 2022.

It should be noted that a portion of the unspent funds under the Grant Agreements were used to pay for homecare services provided by homecare agencies for the 2022- 2023 program period. In addition, a portion of the Unmet Need funds were retained by the Department for Area Agency Administration. As such, no IMAs are required.

The proposed amendments to the Grant Agreements do not meet the definition of an action under New York State Environmental Quality Review Act 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 12, 2023, which is on file with the Clerk of the Board of Legislators.

I believe that extending the term of the Grant Agreements is in the best interest of the County as it will allow the County to maximize use of unspent funds to support various worthwhile services to County seniors. Therefore, I most respectfully recommend your favorable action on the annexed proposed Act.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Latimer", with a long horizontal flourish extending to the right.

George Latimer
County Executive

GL/MC/SJ
Attachments

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

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which, if adopted, would authorize the County of Westchester (the “County”), acting by and through its Department of Senior Programs and Services (the “Department”), to retroactively amend grant agreements with the New York State Office for the Aging (“NYSOFA”) which provided the County with funding for the Expanded In-home Services for the Elderly Program (“EISEP”) and for the Unmet Need Program (“Unmet Need”), for terms commencing on April 1, 2021 and continuing through March 31, 2022 (the “Grant Agreements”), by extending the terms thereof through December 31, 2022.

Your Committee is advised that on May 10, 2021, your Honorable Board approved Act No. 81-2021 which, *inter alia*, authorized the County to enter into the Grant Agreements with NYSOFA to accept grant funds made available to the County under the EISEP program in an amount not-to-exceed \$2,517,305, and under the Unmet Need program in an amount not-to-exceed \$951,658, for terms commencing on April 1, 2021 and continuing through March 31, 2022. Funds received under the Grant Agreements were used to provide various services to seniors through contracts with municipal and non-municipal agencies.

Your Committee is advised that due to delays caused by the COVID-19 pandemic, the Department was unable to expend all of the funding made available under the Grant Agreements by the March 31, 2022 expiration date. As such, the Department requested and NYSOFA agreed to allow the County to retroactively extend the terms of the Grant Agreements through December 31, 2022, in order to optimize utilization of the unused grant funds. Accordingly, authority is respectfully requested to amend the Grant Agreements with NYSOFA for the limited purpose of retroactively extending the terms thereof through December 31, 2022.

Your Committee is advised that a portion of the unspent funds under the Grant Agreements were used to pay for homecare services provided by homecare agencies for the 2022-2023 program period. In addition, a portion of the Unmet Need funds were retained by the Department for Area Agency Administration. As such, no IMAs are required.

Your Committee notes that the Grant Agreements do not constitute a procurement of goods or services and as such are not subject to the Westchester County Procurement Policy and Procedures.

The Planning Department has advised that the proposed amendments to the Grant Agreements do not meet the definition of an action under New York State Environmental Quality Review Act 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 12, 2023, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that the passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board. Your Committee is further advised that adoption of the proposed Act is necessary to effectively carry out the worthwhile programs to be funded under the Grant Agreements. Accordingly, after due consideration, your Committee recommends adoption of the annexed Act.

Dated: _____, 2023
White Plains, New York

COMMITTEE ON

1G/3-03-23

FISCAL IMPACT STATEMENT

SUBJECT: EISEP 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 \$ 3514032

Total Current Year Revenue \$ 2517305

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 24-101-4957

263-85-T048

Potential Related Operating Budget Expenses:

Annual Amount \$ 996727

Describe: County Match Funds

Potential Related Revenues: Annual Amount \$ 2517305

Describe: Funding received from the New York State Office for the Aging for Expanded In-Home Services to the Elderly.

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

Current Year: The Department would not be able to provide In-Home Personal Care Services, Case Management; Personal Emergency Response Systems; In-Home Contact & Support, Adult Day Care, and Information and Assistance to seniors in Westchester.

Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

DAO
Reviewed By: 
Budget Director 3/27/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: UNMET 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 \$ 951658

Total Current Year Revenue \$ 951658

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-T1006

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 951658

Describe: Funding received from the New York State Office for the Aging for the Unmet needs for in-Home Services to the Elderly.

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

Current Year: The Department would not be able to provide In Home Personal Care Services, Case Management, and InHome Contact & Support to senior in Westchester.

Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

2/0 Reviewed By: 

Budget Director

3/27/23

If you need more space, please attach additional sheets.

ACT NO. 2023 - _____

AN ACT authorizing the County of Westchester to retroactively amend grant agreements with the New York State Office for the Aging under the EISEP and Unmet Need programs by extending the terms thereof through December 31, 2022

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

Section 1. The County of Westchester (the “County”) acting by and through its Department of Senior Programs and Services (the “Department”), be and hereby is authorized to retroactively amend grant agreements (the “Grant Agreements”) with the New York State Office for the Aging which provided the County with \$2,517,305 in funding under the Expanded In-home Services for the Elderly Program and \$951,658 in funding under the Unmet Need Program, for terms commencing on April 1, 2021 and continuing through March 31, 2022, by extending the terms of the grant Agreements from April 1, 2022 through December 31, 2022.


§2. That except as specifically amended hereby, all remaining terms and conditions set forth in the Grant Agreements shall remain in full force and effect.

§3. The County Executive or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effectuate the purposes hereof.

§4. This Act shall take effect immediately.

March 30, 2023

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Act – Resource Allocation Plan.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators April 3, 2023 Agenda.

Transmitted herewith is an Act which, if approved by your Honorable Board, will authorize the County of Westchester, acting by and through its Youth Bureau (the "County"), to execute and submit to the State of New York (the "State") a resource allocation plan.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for April 3, 2023 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

March 30, 2023

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, NY 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith is an Act which, if approved by your Honorable Board, will authorize the County of Westchester, acting by and through its Youth Bureau (the “County”), to execute and submit to the State of New York (the “State”) a resource allocation plan (the “Plan”), which will qualify the County to receive certain State reimbursements through the State’s Office of Children and Family Services (“OCFS”). The Plan will authorize the County to allocate funds for certain youth services programs and related administrative activities, for a program period of nine (9) months, commencing January 1, 2023 and terminating September 30, 2023.

The total aggregate reimbursement the County will receive under the Plan will be Eight Hundred Seventy-Three Thousand, Nine Hundred Three and 00/100 (\$873,903.00) Dollars (“Funds”). Pursuant to the Plan, the County will administer the Funds on behalf of the OCFS under the following funding streams: (i) Youth Development Program funds; (ii) Runaway and Homeless Youth Act funding; and (iii) the newly created program entitled “Youth Sports and Education Opportunity Funding.” It should be noted that OCFS requires approval by your Honorable Board in order for the County to enter into the Plan.

In addition, if approved by your Honorable Board, the Act will further authorize the County to enter into inter-municipal agreements (“IMAs”) with the indicated municipalities (the “Municipalities”) for the provision of positive youth development programs listed below (individually, the “Program,” and, collectively, the “Programs”), under the OCFS’s Youth Development Program, for the period of nine (9) months, from January 1, 2023 through September 30, 2023. The IMAs will be for a total aggregate amount not to exceed Two Hundred Forty-Four Thousand, Eight Hundred Forty-Two and 00/100 (\$244,842.00) Dollars, allocated per Program as follows:

YOUTH DEVELOPMENT PROGRAMS			
Vendor	Locations/Program	CT#	CT Amt
Ardsley, Village of	Ardsley Teen Center	YTH2319	\$ 1,351.00
Bedford, Town of	Summer Employment Camp	YTH2320	\$ 2,667.00

Briarcliff, Village of	Summer Youth Employment	YTH2321	\$ 1,816.00
Cortlandt, Town of	Youth Employment Services	YTH2323	\$ 7,484.00
Eastchester, Town of	Youth Employment	YTH2325	\$ 6,790.00
Greenburgh, Town of	TYCC Crossroads	YTH2327	\$ 8,699.00
Harrison, Town of	Youth Council	YTH2328	\$ 3,826.00
Mamaroneck, Village of	Summer Youth Employment	YTH2329	\$ 7,414.00
Mount Kisco, Village of	Lifeguard Youth Employment	YTH2330	\$ 1,843.00
Mount Pleasant, Town of	Youth Officer	YTH2333	\$ 5,811.00
Mount Vernon, City of	Fun Filled Summer	YTH2331	\$ 7,273.00
	Youth Services	YTH2332	\$ 16,935.00
New Castle, Town of	Youth Officer	YTH2334	\$ 2,797.00
New Rochelle, City of	Potential Candidates Juvenile	YTH2335	\$ 18,015.00
	Youth Recreation	YTH2336	\$ 8,479.00
Ossining, Town of	ZUMBA	YTH2337	\$ 2,492.00
Ossining, Village of	Rec Jobs 101	YTH2338	\$ 3,026.00
Peekskill, City of	Build a Boat	YTH2339	\$ 4,947.00
	LIFT	YTH2340	\$ 10,410.00
Port Chester, Village of	Summer Camp Youth Employment	YTH2341	\$ 6,841.00
	Youth Community Forum	YTH2342	\$ 2,415.00
Rye, City of	Youth Council	YTH2343	\$ 2,600.00
Rye Brook, Village of	Youth Officer	YTH2344	\$ 1,697.00
Scarsdale, Village of	Community Youth Service Project	YTH2345	\$ 2,813.00
	Youth Sports Program	YTH2346	\$ 3,035.00
Sleepy Hollow, Village of	Summer Program	YTH2347	\$ 1,882.00
	Summer Youth Employment	YTH2358	\$ 2,233.00
Tarrytown, Village of	Camp Summer Employment	YTH2348	\$ 3,727.00
Tuckahoe, Village of	Youth Services	YTH2350	\$ 1,955.00
White Plains, City of	Comprehensive Youth Alternative Projects	YTH2351	\$ 25,118.00
Yonkers, City of	Teen Recreation Center Program	YTH2352	\$ 17,600.00
	Camp Pride/Youth Employment	YTH2353	\$ 19,528.00
	Youth-Community Affairs Development (Y-CAD)	YTH2357	\$ 23,303.00
Yorktown, Town of	Recreation Project	YTH2354	\$ 4,008.00
	Youth Officer	YTH2355	\$ 4,012.00

It should be noted that in addition to the IMAs, the County will enter into numerous agreements with various not-for-profit corporations, pursuant to which said entities will provide various other youth programs designed to provide opportunities for youth to actively acquire the technical, educational, cultural, social and emotional skills and abilities needed to grow up to be competent, caring and healthy adults as well as respite services to runaway and homeless youth through the operation of a 14 bed 24 x 7 shelter program entitled "Sanctuary Program," subject to all necessary legal approvals.

Since the Plan does not constitute a procurement of goods or services, it is not subject to the provisions of the Westchester County Procurement Policy. In addition, the IMAs are exempt from the Westchester County Procurement Policy pursuant to section 3(a) xviii thereof, regarding programs and services for the

prevention of delinquency and youth crime and the advancement of the moral, physical, mental and social well-being of the youth of Westchester County.

Pursuant the Plan, OCFS reserves the right to modify the services or budgets at its discretion or when required by the State Comptroller. In addition, pursuant to the Plan, OCFS may withhold approval for reimbursement for certain youth programs included in the event of noncompliance with the Plan or rules and regulations of OCFS or if the County does not have a County Child and Family Services Plan approved by OCFS. Please note that the County anticipates to submit a County Child and Family Services Plan in May of this year, which is expected to be approved by OCFS shortly thereafter.

The Programs use positive youth development models to focus on providing opportunities for youth to actively acquire the skills and abilities needed to grow up to be competent, caring and healthy adults. The Programs will implement service, opportunities and supports that target specific areas of positive youth development. The Programs will administer internal controls to collect and analyze qualitative and quantitative outcomes to measure the efficacy of Program goals and their ability to increase positive youth development. The Programs anticipate outcomes of positive skills attainment, social competencies and an increased measure of positive youth development across all measurable areas.

Program outcomes will be tracked and monitored by evaluation of the Programs' data; monthly, quarterly, and annual reports submitted to the County Youth Bureau, and through site visits by the County Youth Bureau Program monitor.

The Planning Department has advised that neither the proposed Plan nor the proposed IMAs do not meet the definition of an action under the 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 12, 2023, which is on file with the Clerk of your Honorable Board. Therefore, no further environmental review is required. As you know, your Honorable Board may use expert advice to reach its own conclusions.

As the County's participation in this Plan will permit reimbursement by the State for the administration of important youth services programs, I strongly recommend that your Honorable Board adopt the annexed Act.

Sincerely,



George Latimer
County Executive
Attachments

**HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act, which if approved by your Honorable Board, will authorize the County of Westchester (the “County”) to execute and submit to the State of New York (the “State”) a resource allocation plan (the “Plan”) which will qualify the County for certain State reimbursement through its Office of Children and Family Services (“OCFS”). The Plan will authorize the County to allocate funds to administer certain youth services programs to be provided by certain municipalities and not-for-profit corporations and to related administrative activities, for a program period of nine (9) months, commencing January 1, 2023 and terminating September 30, 2023.

Your Committee is advised that the total aggregate reimbursement amount the County will receive under the Plan will be Eight Hundred Seventy-Three Thousand, Nine Hundred Three and 00/100 (\$873,903.00) Dollars (“Funds”). Pursuant to the Plan, the County will administer the Funds on behalf of OCFS under the following funding streams: (i) Youth Development Programming; (ii) Runaway and Homeless Youth Act, and (iii) the newly created program entitled “Youth Sports and Education Opportunity Funding.” It should be noted that OCFS requires approval by your Honorable Board in order for the County to accept the Funds under the Plan.

In addition, your Committee is advised that the proposed Act will further authorize the County to enter into inter-municipal agreements (“IMAs”) with the indicated municipalities (the “Municipalities”) for the provision of positive youth development programs listed below (individually, the “Program,” and, collectively, the “Programs”), under the OCFS’s Youth Development Program, for the period of nine (9) months, from January 1, 2023 through September 30, 2023. The IMAs will be for a total aggregate amount not to exceed Two Hundred Forty-Four Thousand, Eight Hundred Forty-Two and 00/100 (\$244,842.00) Dollars, allocated per Program as follows:

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Yorktown, Town of	Recreation Project	YTH2354	\$ 4,008.00
	Youth Officer	YTH2355	\$ 4,012.00

Your Committee is advised that in addition to the IMAs, the County will enter into numerous agreements with various not-for-profit corporations, pursuant to which said entities will provide various other youth programs designed to provide opportunities for youth to actively acquire the technical, educational, cultural, social and emotional skills and abilities needed to grow up to be competent, caring and healthy adults as well as respite services to runaway and homeless youth through the operation of a 14 bed 24 x 7 shelter program entitled "Sanctuary Program," subject to all necessary legal approvals.

Since the Plan does not constitute a procurement of goods or services, your Committee is advised that the Plan is not subject to the provisions of the Westchester County Procurement Policy. In addition,

your Committee is advised that the IMAs are exempt from the Westchester County Procurement Policy pursuant to section 3(a) xviii thereof, regarding programs and services for the prevention of delinquency and youth crime and the advancement of the moral, physical, mental and social well-being of the youth of Westchester County.

Your Committee is further advised that pursuant to the Plan, OCFS reserves the right to modify the services or budget at its discretion or when required by the State Comptroller. In addition, pursuant to the Plan, OCFS may withhold approval for reimbursement for certain youth programs included in the event of noncompliance with the Plan or rules and regulations of OCFS or if the County does not have a County Child and Family Services Plan approved by OCFS. Please note that the County anticipates to submit a County Child and Family Services Plan in May of this year, which is expected to be approved by OCFS shortly thereafter.

Your Committee is also advised that the Programs use positive youth development models to focus on providing opportunities for youth to actively acquire the skills and abilities needed to grow up to be competent, caring and healthy adults. The Programs will implement service, opportunities and supports that target specific areas of positive youth development. The Programs will administer internal controls to collect and analyze qualitative and quantitative outcomes to measure the efficacy of Program goals and their ability to increase positive youth development. The Programs anticipate outcomes of positive skills attainment, social competencies and an increased measure of positive youth development across all measurable areas.

Your Committee is further advised that the Program outcomes will be tracked and monitored by evaluation of the Programs' data; monthly, quarterly, and annual reports submitted to the County Youth Bureau, and through site visits by the County Youth Bureau Program monitor.

The Planning Department has advised your Committee that neither the proposed Plan nor the proposed IMAs do not meet the definition of an action under the 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 12, 2023, which is on file with the Clerk of your Honorable Board. Your Committee concurs with this conclusion.

Your Committee believes that the County's participation in the Plan and entering into the IMAs will benefit youth by providing funding for certain programs that target specific areas of positive youth development. Therefore, your Committee recommends adoption of the proposed Act. It should be noted that an affirmative vote of a majority of the members of your Honorable Board is required in order to adopt the attached Act. Accordingly, your Committee recommends the annexed proposed Act for adoption.

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

C/CMC.03.28.2023

FISCAL IMPACT STATEMENT

SUBJECT: NYS OCFS 2023 Allocation/Municipalities

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 \$ 899561

Total Current Year Revenue \$ 873,903

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: Operating Acct: 101-11-0400-OBJ 1010, 165-42-4750-OBJ 1010, 101-0400-OBJ 4436, 263-11-530Y-OBJ 4380, 263-11-108Y-OBJ 4380, Rev Source 9734

Potential Related Operating Budget Expenses: Annual Amount \$ 145,156

Describe: Youth Bureau Staff Salary Exp for YDP and required match for RHY Programs: \$86,663 under 101-11-0400-1010; RHY Prog Exp as reqd local match \$20,993 under 101-11-0400-4436 and under 165-42-4575-1010 West Cty Park & Rec Staff salary exp \$37,500.

Potential Related Revenues: Annual Amount \$ 873,903

Describe: Reimbursements by State to YB Non Profit Orgs \$270,000 (263-11-530Y-9584) Municipalities \$244,842 (263-11-530Y-9584) RHYA Program \$62,980 (263-11-108Y-9584) YDP & RHYA Admin \$81,998 (101-11-0400-9734) NY Sports \$176,583 (263-11-530Y-9584) and WCPRF \$37,500 (165-42-4750-9734)

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

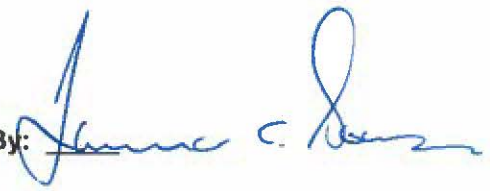
Current Year: \$25,658 Youth Bureau

Next Four years: NA

Prepared by: Bernie Dean


Title: Financial Administrator

Department: CEO/Youth Bureau

Reviewed By: 
Budget Director
3/29/23

If you need more space, please attach additional sheets.

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

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

DATE: January 12, 2023

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 part of the Planning Department’s ongoing review of its processes, we are streamlining the process for SEQR review and related document preparation for the BOL and BAC. The most effective method to achieve a more timely SEQR review is to create 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 SEQ. 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. 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 12, 2022, 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
Norma Drummond, 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, 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, Police Night Out, and intermunicipal agreements (IMAs) for shared training, equipment and response to emergencies, including E-911.
- Fire services – Fire district IMAs for shared training, equipment and response to emergencies.
- Legal services – Contracts for outside counsel, litigation or associated monetary settlements.

- 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 2023

ACT NO. 2023 - _____

AN ACT authorizing the County of Westchester to execute and submit to the State of New York a Resource Allocation Plan which will provide State reimbursement for certain youth services programs and to enter into inter-municipal agreements with various municipalities to implement certain of those programs.

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

Section 1. The County of Westchester, acting by and through its Youth Bureau (the “County”), is hereby authorized to execute and submit to the State of New York (“State”) a Resource Allocation Plan (the “Plan”) which will qualify the County to receive certain State reimbursements through the State’s Office of Children and Family Services (“OCFS”), in the total aggregate amount of Eight Hundred Seventy-Three Thousand, Nine Hundred Three and 00/100 (\$873,903.00) Dollars (“Funds”). The Plan will allocate the Funds for certain youth services programs and related administrative activities, for the program period of nine (9) months, commencing January 1, 2023 and terminating September 30, 2023, under the following funding streams: (i) Youth Development Programming; (ii) Runaway and Homeless Youth Act, and (iii) the Youth Sports and Education Opportunity Funding.

§2. The County, is hereby further authorized to enter into inter-municipal agreements (“IMAs”) with the indicated municipalities (the “Municipalities”) set forth below, for the provision of positive youth development programs listed below (individually, the “Program,” and, collectively, the “Programs”), under the OCFS’s Youth Development Program, for the period of nine (9) months, from January 1, 2023 through September 30, 2023, in a total aggregate amount not to exceed Two Hundred Forty-Four Thousand, Eight Hundred Forty-Two and 00/100 (\$244,842.00) Dollars, allocated per Program as follows:

YOUTH DEVELOPMENT PROGRAMS			
Vendor	Locations/Program	CT#	CT Amt
Ardsey, Village of	Ardsey Teen Center	YTH2319	\$ 1,351.00
Bedford, Town of	Summer Employment Camp	YTH2320	\$ 2,667.00
Briarcliff, Village of	Summer Youth Employment	YTH2321	\$ 1,816.00
Cortlandt, Town of	Youth Employment Services	YTH2323	\$ 7,484.00

Eastchester, Town of	Youth Employment	YTH2325	\$ 6,790.00
Greenburgh, Town of	TYCC Crossroads	YTH2327	\$ 8,699.00
Harrison, Town of	Youth Council	YTH2328	\$ 3,826.00
Mamaroneck, Village of	Summer Youth Employment	YTH2329	\$ 7,414.00
Mount Kisco, Village of	Lifeguard Youth Employment	YTH2330	\$ 1,843.00
Mount Pleasant, Town of	Youth Officer	YTH2333	\$ 5,811.00
Mount Vernon, City of	Fun Filled Summer	YTH2331	\$ 7,273.00
	Youth Services	YTH2332	\$ 16,935.00
New Castle, Town of	Youth Officer	YTH2334	\$ 2,797.00
New Rochelle, City of	Potential Candidates Juvenile	YTH2335	\$ 18,015.00
	Youth Recreation	YTH2336	\$ 8,479.00
Ossining, Town of	ZUMBA	YTH2337	\$ 2,492.00
Ossining, Village of	Rec Jobs 101	YTH2338	\$ 3,026.00
Peekskill, City of	Build a Boat	YTH2339	\$ 4,947.00
	LIFT	YTH2340	\$ 10,410.00
Port Chester, Village of	Summer Camp Youth Employment	YTH2341	\$ 6,841.00
	Youth Community Forum	YTH2342	\$ 2,415.00
Rye, City of	Youth Council	YTH2343	\$ 2,600.00
Rye Brook, Village of	Youth Officer	YTH2344	\$ 1,697.00
Scarsdale, Village of	Community Youth Service Project	YTH2345	\$ 2,813.00
	Youth Sports Program	YTH2346	\$ 3,035.00
Sleepy Hollow, Village of	Summer Program	YTH2347	\$ 1,882.00
	Summer Youth Employment	YTH2358	\$ 2,233.00
Tarrytown, Village of	Camp Summer Employment	YTH2348	\$ 3,727.00
Tuckahoe, Village of	Youth Services	YTH2350	\$ 1,955.00
White Plains, City of	Comprehensive Youth Alternative Projects	YTH2351	\$ 25,118.00
Yonkers, City of	Teen Recreation Center Program	YTH2352	\$ 17,600.00
	Camp Pride/Youth Employment	YTH2353	\$ 19,528.00
	Youth-Community Affairs Development (Y-CAD)	YTH2357	\$ 23,303.00
Yorktown, Town of	Recreation Project	YTH2354	\$ 4,008.00
	Youth Officer	YTH2355	\$ 4,012.00

§3. The County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents appropriate and necessary to effectuate the purposes hereof.

§4. This Act shall take effect immediately.

March 30, 2023

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: Act – Sexual Risk
Avoidance Education Program.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators April 3, 2023 Agenda.

Transmitted herewith for your review and approval is an Act which if adopted by your Honorable Board, would authorize the County of Westchester (“County”), acting by and through its Youth Bureau, to:

1) enter into a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program; and

2) enter into inter-municipal agreements (“IMAs”) with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for April 3, 2023 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

March 30, 2023

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, NY 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted by your Honorable Board, would authorize the County of Westchester ("County"), acting by and through its Youth Bureau, to:

1) enter into a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program (the "Program") to address the need for teen pregnancy prevention, promoting healthy choices and lifestyle and youth engagement in the seven highest need cities in Westchester, which includes Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers, and related administrative activities in the total aggregate amount of \$225,000, for a term commencing on March 1, 2023 and continuing through August 31, 2023 (the "Grant Agreement"); and

2) enter into inter-municipal agreements ("IMAs") with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers (the "Municipalities"), for services to be funded with the grant funds, in the total aggregate not-to-exceed amount of \$191,982, comprised of an amount not to exceed \$27,426 per Municipality, for a term commencing retroactively on March 1, 2023 and continuing through August 31, 2023.

Pursuant to the IMAs, the Municipalities will each deliver services, to at least 15 youth, on sexual risk avoidance education, healthy relationships and lifestyle choices and youth engagement work readiness skills development. The Programs will operate during after school hours in person.

In addition to the IMAs, the remainder of the funds will be used to enter into agreement with a not-for-profit agency, which agreement will be individually processed subject to all necessary legal approvals, pursuant to which said entity will provide workshops on topics including but not limited to healthy relationships, communicating, practicing consent designed to promote awareness about healthy choices and lifestyle among youth. Funds will also be used for a community-wide youth-centric event to highlight related issues, raise awareness and involve youth in conversation.

The Planning Department has advised that the proposed IMAs do not meet the definition of an action under the 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 12, 2023, which is on file with the Clerk of your Honorable Board.

Based on the importance of the Programs to the County, your favorable action on the proposed Act is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

Attachments

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

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which would authorize the County of Westchester (the “County”), acting by and through its Youth Bureau (the “Youth Bureau”), to: 1) enter into a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program (the “Program”) to address the need for teen pregnancy prevention, promoting healthy choices and lifestyle and youth engagement in the seven highest need cities in Westchester, which includes Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers, and related administrative activities in the total aggregate amount of \$225,000, for a term commencing on March 1, 2023 and continuing through August 31, 2023 (the “Grant Agreement”) and 2) enter into inter-municipal agreements (“IMAs”) with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers (the “Municipalities”), for services to be funded with the grant funds, in the total aggregate not-to-exceed amount of \$191,982, comprised of an amount not to exceed \$27,426 per Municipality, for a term commencing retroactively on March 1, 2023 and continuing through August 31, 2023.

Pursuant to the IMAs, the Municipalities will each deliver services to at least 15 youth on sexual risk avoidance education, healthy relationships and lifestyle choices, and youth engagement work readiness skills development. The Programs will operate during after school hours in person.

The Planning Department has advised that the proposed IMAs do not meet the definition of an action under the 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 12, 2023, which is on file with the Clerk of your Honorable Board. Therefore, no further environmental review is required. Your Committee concurs with this conclusion.

Your Committee has carefully considered this matter and has concluded that it is in the best interest of the County to adopt an Act to authorize the County to enter into these IMAs. It should be noted that an affirmative vote of a majority of the members of your Honorable Board is required in order to adopt the attached Act. Accordingly, your Committee recommends the annexed proposed Act for adoption.

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: SEXUAL RISK AVOIDANCE EDUCATION PROGRAM

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 \$ 225000

Total Current Year Revenue \$ 225000

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: Salaries 101-11-0400-1010, Trust 263-11-T02Y-4380

Potential Related Operating Budget Expenses: Annual Amount \$ 225,000

Describe: SRAEP Grant expenditures incurred by the Youth Bureau, salaries, contract services and contractual services with 7 Youth Bureaus.

Potential Related Revenues: Annual Amount \$ 225,000

Describe: Reimbursement by the New York State Office of Children and Family Services

Account: 263-11-T02Y-9854; 101-11-0400-9734

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

Current Year: \$ 4,914


Salaries \$4,914

Next Four years: \$ na

Prepared by: Bernie Dean

Title: Financial Administrator

Department: CEO/Youth Bureau

 Reviewed By: _____

Budget Director

3/29/23

If you need more space, please attach additional sheets.

AN ACT authorizing the County of Westchester to enter into (i) a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program and (ii) to enter into inter-municipal agreements with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers for services to be funded with the grant funds.

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

Section 1. The County of Westchester (the “County”) be and hereby is authorized to enter into a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program (the “Program”) to address the need for teen pregnancy prevention, promoting healthy choices and lifestyle and youth engagement in the seven highest need cities in Westchester, which includes Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers, and related administrative activities in the total aggregate amount of \$225,000.00, for a term commencing retroactively on March 1, 2023 and continuing through August 31, 2023 (the “Grant Agreement”).

§2. The County be and hereby is authorized to enter into inter-municipal agreements (“IMAs”) with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers (the “Municipalities”), for services to be funded with the grant funds, in the total aggregate not-to-exceed amount of \$191,982, comprised of an amount not to exceed \$27,426 per Municipality, for a term commencing on March 1, 2023 and continuing through August 31, 2023.

§3. In addition to the IMAs, the remainder of the funds will be used to enter into agreement with other a not-for-profit agency, which agreement will be individually processed

subject to all necessary legal approvals. Funds will also be used for a community-wide youth-centric event to highlight related issues, raise awareness and involve youth in conversation.

§4. Pursuant to the IMAs, the Municipalities will each deliver services, to at least 15 youth, on sexual risk avoidance education, healthy relationships and lifestyle choices and youth engagement work readiness skills development. The Programs will operate during after school hours in person.

§5. The County Executive or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effectuate the purposes hereof.

§6. This Act shall take effect immediately.

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT, made the ____ day of _____, 2023 by and between

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601, (hereinafter referred to as the “County”),

and

MUNICIPALITY, ACTING BY AND THROUGH ITS YOUTH BUREAU, a municipal corporation of the State of New York, having an office and place of business at Address (hereinafter referred to as the “Municipality”).

WITNESSETH:

WHEREAS, the County has been awarded a New York State Legislative grant to continue a sexual risk avoidance education services and youth engagement work readiness skills (the “Program”); and

WHEREAS, the Contractor desires to conduct the Program upon the terms and conditions hereinafter set forth, and the County desires the Municipality to provide the Programs upon such terms and conditions.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and agreements contained herein, the parties agree as follows:

FIRST: The County shall reimburse the Municipality an amount not to exceed Twenty-Seven Thousand Four Hundred Twenty-Six (\$27,426.00) Dollars, payable quarterly, which the Municipality shall use to provide the Sexual Risk Avoidance Education Program as more particularly described in Schedule “A” and as budgeted in Schedule “B,” both of which are attached hereto and made a part hereof (the “Work”), payable upon full contract execution and approval of the same by the Office of the Westchester County Attorney.

Except as otherwise expressly stated in this Agreement, no payment shall be made by the County to the Municipality for out of pocket expenses or disbursements made in connection with the services rendered or the work to be performed hereunder.

The Municipality shall provide the County with a report to be submitted within thirty (30) days of the expiration of this Agreement which shall set forth in detail the services performed under the Agreement, the activities, progress and accomplishments under the Agreement, the amount of funds

expended for each task performed and the extent and manner in which the goals, objectives and standards established for the Agreement have been met by the Municipality. The above report shall be certified by an officer or director of the Municipality.

The County shall have the right, at its option and at its sole cost and expense, to audit such books and records of the Municipality as are reasonably pertinent to this Agreement to substantiate the basis for payment. The County may withhold payment of funds hereunder for cause found in the course of an audit or because of failure of the Municipality to cooperate with an audit. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one (1) year following termination of this Agreement, and to perform random audits during the term of this Agreement. In the event an audit performed by the County reflects overpayment by the County or that monies were not fully expended or that monies were improperly expended, then the Municipality shall reimburse to the County the cost of such audit (if the audit was done by the County or on the County's behalf) and the amount of such overpayment, underpayment or improper payment, within thirty (30) days of notice from the County.

The Municipality further agrees to permit designated employees or agents of the County reasonable on-site inspection of the work being performed by the Municipality under this Agreement, its books, accounts, financial audits and records and agrees to keep records necessary to disclose fully the receipt and disposition of funds received under this agreement. Unless the County shall, in writing, advise the Municipality to the contrary, the Municipality shall retain all financial records related to this Agreement for a period of ten years after the expiration or termination of this Agreement.

In no event shall final payment be made to the Municipality prior to completion of all services, the submission of reports and the approval of same by the County Executive or his duly authorized designee.

SECOND: The Municipality agrees to procure and maintain insurance naming the County as additional insured, as provided and described in Schedule "C," entitled "Standard Insurance Provisions," which is attached hereto and made a part hereof. In addition to, and not in limitation of the insurance provisions contained in Schedule "C," the Municipality agrees:

(a) that except for the amount, if any, of damage contributed to, caused by, or resulting from the sole negligence of the County, the Municipality shall indemnify and hold harmless the County, its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the

performance or failure to perform hereunder by the Municipality or third parties under the direction or control of the Municipality; and

(b) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto; and

(c) In the event the Municipality does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of this provision, then the Municipality shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this provision of the Agreement.

THIRD: The term of this Agreement will commence March 1, 2023 and terminate August 31, 2023 unless terminated earlier as provided herein.

FOURTH: (a) The County reserves the right to cancel this Agreement on Thirty (30) days' prior written notice to the Municipality when it deems it to be in its best interests to do so. In such event, the Municipality shall be compensated and the County shall be liable only for payment for services already rendered under this Agreement prior to the effective date of termination at the rates specified in Schedule "B."

In the event of a dispute as to the value of the services rendered by the Municipality prior to the date of termination, it is understood and agreed that the County shall determine the value of such services rendered by the Municipality. Such reasonable and good faith determination shall be accepted by the Municipality as final.

(b) In the event the County determines that there has been a material breach by the Municipality of any of the terms of the Agreement and such breach remains uncured for ten (10) days after service on the Municipality of written notice thereof, the County, in addition to any other right or remedy it might have, may terminate this Agreement and the County shall have the right, power and authority to complete the services provided for in this Agreement, or contract for their completion, and any additional expense or cost of such completion shall be charged to and paid by the Municipality. Notice hereunder shall be effective on the date of receipt.

FIFTH: The Agreement shall not be enforceable unless signed by the parties and approved by the Office of the County Attorney.

SIXTH: The parties recognize and acknowledge that the obligations of the County under this Agreement are subject to annual appropriations by its Board of Legislators pursuant to the Laws of Westchester County. Therefore, this Agreement shall be deemed executory only to the extent of the monies appropriated and available. The County shall have no liability under this Agreement beyond funds appropriated and available for payment pursuant to this Agreement. The parties understand and intend that the obligation of the County hereunder shall constitute a current expense of the County and shall not in any way be construed to be a debt of the County in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the County, nor shall anything contained in this Agreement constitute a pledge of the general tax revenues, funds or moneys of the County. The County shall pay amounts due under this Agreement exclusively from legally available funds appropriated for this purpose. The County shall retain the right, upon the occurrence of the adoption of any County Budget by its Board of Legislators during the term of this Agreement or any amendments thereto, and for a reasonable period of time after such adoption(s), to conduct an analysis of the impacts of any such County Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates set forth herein. If the County subsequently offers to pay a reduced amount to the Municipality, then the Municipality shall have the right to terminate this Agreement upon reasonable prior written notice.

This Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Municipality, then the Municipality shall have the right to terminate this Agreement upon reasonable prior written notice.

Schedule "E" is a form entitled, "Westchester County Youth Bureau Corrective Action Request". This is a sample form that the Municipality can expect to receive if one or more areas where corrective action is required have been identified.

SEVENTH: All notices given pursuant to this agreement shall be in writing and effective on mailing. All notices shall be sent by registered or certified mail, return receipt requested and mailed to the following addresses:

To the County: Executive Director – Youth Bureau
112 E. Post Road, 3rd floor
White Plains, New York 10601

with a copy to: County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

to the Municipality: Executive Director
Municipality
Address
Address

or to such other addresses as may be specified by the parties hereto in writing.

EIGHTH: This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, comments and writings. It shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

NINTH: This Agreement is entered into solely between, and may be enforced only by, the County and the Municipality and shall not be deemed to create any rights in third parties, or to create any obligations of a party to any such third parties.

TENTH: The Municipality shall not delegate any duties or assign any of its rights under this Agreement without the prior express written consent of the County. The Municipality shall not subcontract any part of the Work without the express written consent of the County, subject to any necessary legal approvals. Any purported delegation of duties, assignment of rights or subcontracting of Work under this Agreement without the prior express written consent of the County is void. All subcontracts that have received such prior written consent shall provide that subcontractors are subject to all terms and conditions set forth in this Agreement. It is recognized and understood by the Municipality that for the purposes of this Agreement, all Work performed by a County-approved subcontractor shall be deemed Work performed by the Municipality and the Municipality shall insure

that such subcontracted work is subject to the material terms and conditions of this Agreement. All subcontracts for the Work shall expressly reference the subcontractor's duty to comply with the material terms and conditions of this Agreement and shall attach a copy of the County's contract with the Municipality. The Municipality shall obtain a written acknowledgement from the owner and/or chief executive of subcontractor or his/her duly authorized representative that the subcontractor has received a copy of the County's contract, read it and is familiar with the material terms and conditions thereof. The Municipality shall include provisions in its subcontracts designed to ensure that the Municipality and/or its auditor has the right to examine all relevant books, records, documents or electronic data of the subcontractor necessary to review the subcontractor's compliance with the material terms and conditions of this Agreement.

ELEVENTH: The Municipality expressly agrees that neither it nor any contractor, subcontractor, employee, or any other person acting on its behalf shall discriminate against or intimidate any employee or other individual on the basis of race, creed, religion, color, gender, age, national origin, ethnicity, alienage or citizenship status, disability, marital status, sexual orientation, familial status, genetic predisposition or carrier status during the term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County. The Municipality acknowledges and understands that the County maintains a zero tolerance policy prohibiting all forms of harassment or discrimination against its employees by co-workers, supervisors, vendors, contractors, or others.

TWELFTH: This Agreement shall be construed and enforced in accordance with the Laws of the State of New York.

IN WITNESS WHEREOF, the County and the Municipality have caused this Agreement to be executed:

THE COUNTY OF WESTCHESTER

By: _____
Name:
Title:

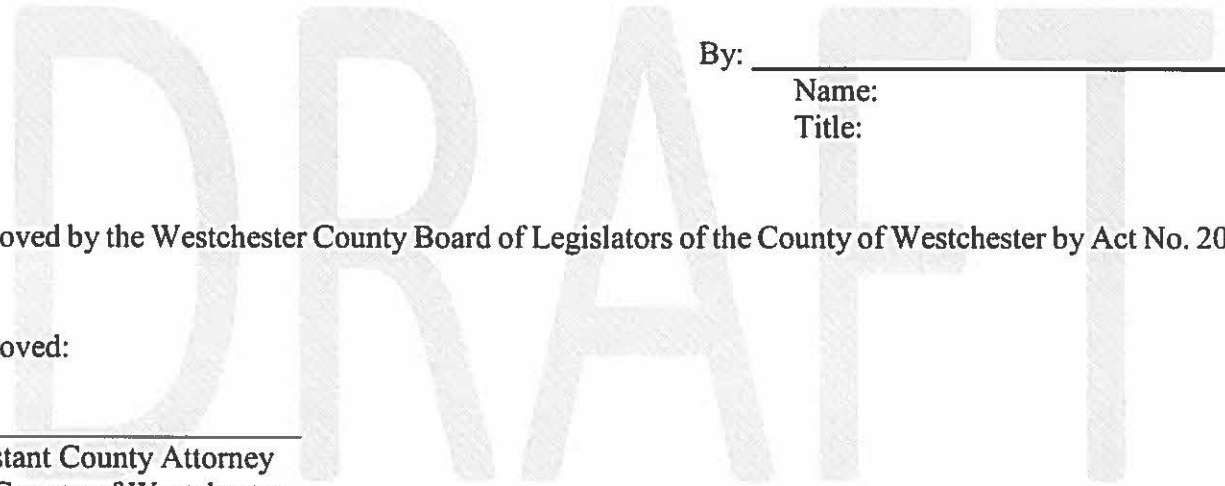
THE MUNICIPALITY

By: _____
Name:
Title:

Approved by the Westchester County Board of Legislators of the County of Westchester by Act No. 2023

Approved:

Assistant County Attorney
The County of Westchester



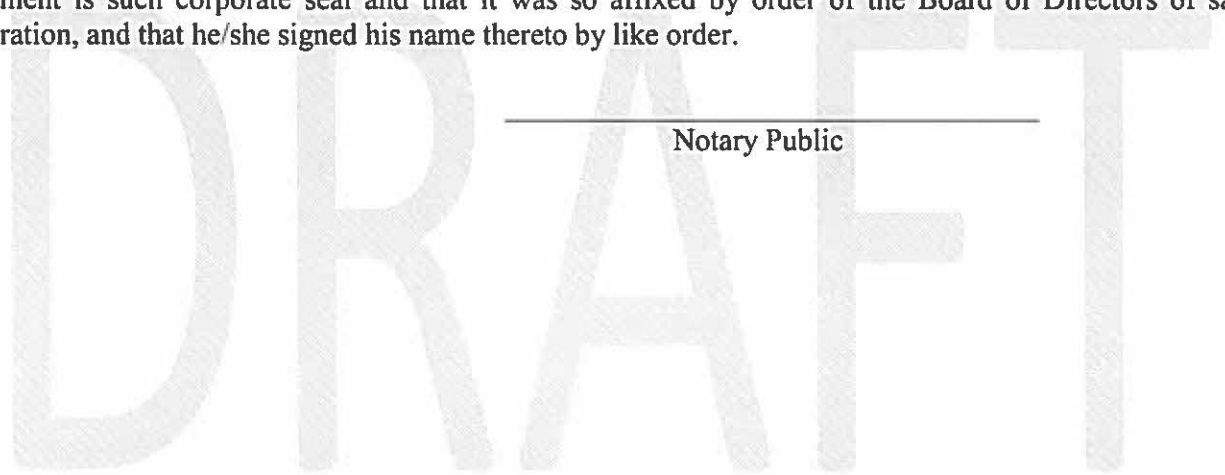
MUNICIPALITY ACKNOWLEDGMENT
(Municipal Corporation)

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On this _____ day of _____, 20_____, before me personally came _____ to me known, and known to me to be the _____ of _____, the corporation described in and which executed the within instrument, who being by me duly sworn did depose and say that he/she, the said _____ resides at _____ and that he/she is

_____ of said corporation and knows the corporate seal of the said corporation; that the seal affixed to the within instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his name thereto by like order.

Notary Public



CERTIFICATE OF AUTHORITY
(Municipality)

I, _____, certify that I am the
(Officer other than officer signing contract)

_____ of the _____
(Title) (Name of Municipality)

(the "Municipality") a corporation duly organized in good standing under the _____

_____ *(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)*

named in the foregoing agreement that _____
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution

_____ of the Municipality,
(Title of such person),

that said agreement was duly signed for on behalf of said Municipality by authority of its

_____ thereunto duly authorized,
(Town Board, Village Board, City Council)

and that such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

ss.:

On this ___ day of _____, 20___, before me personally came _____
_____ whose signature appears above, to me known, and know to be the
_____ of _____,
(Title)

the municipal corporation described in and which executed the above certificate, who being by me duly sworn did depose and say that he, the said _____

resides at _____, and that he/she is the
_____ of said municipal corporation.
(Title)

Notary Public County

SCHEDULE "A"
SCOPE OF WORK

DRAFT

SCHEDULE "B"
BUDGET

DRAFT

WESTCHESTER COUNTY YOUTH BUREAU
FISCAL REQUIREMENTS AND POLICIES

Westchester County Youth Bureau funds many different programs in each budget year. This material is designed to clarify the Bureau's fiscal requirements and policies regarding these programs. If questions arise, please contact the Youth Bureau at (914) 995-2755.

Below is a list of current funding categories:

All expenditures must be made in accordance with an approved budget, including any budget amendments. Programs funded by the Youth Bureau must file listings of all program expenses paid prior to receiving funds. A Program Expenditure Summary and applicable Program Expenditure Reports must be filed for each program. Listed below is a summary of the forms, which make up completed claim forms for reimbursement of program expenses:

<u>Type of Funding</u>	<u>Name of Form</u>	<u>Form Number</u>
NYS OCFS	Program Expenditure Summary	OCFS3125
	Salaries Report	OCFS3126
	Fringe Benefits Report	OCFS3127
	Consultants, Contracted Services & Stipends Report	OCFS3128
	Miscellaneous	OCFS3129
	Travel	OCFS3130

All claims should be submitted in original and must have original signature. The Contract Number must be entered on all the claim forms for Local Tax Levy Programs. The Executive Director or another authorized official of the agency must make the certification on the Program Expenditure Summary report.

All claims should be prepared and submitted quarterly. These quarterly claims should be submitted not later than the 20th date of the month following the end of the quarter, except the 4th quarter which is due on January 10th of the following year.

Copies of back-up documents should be submitted with the expenditure reports. Listed below is a summary of the back-up documents for various expenses:

<u>Type of Expense</u>	<u>Back-up Documents</u>
Salary & Wages	Payroll Register and Proof of Payment
Fringe Benefits	Invoice from the Vendor and Proof of Payment
Consultant/Contracted Services	Signed Agreement, Invoice and Proof of Payment
OTPS/Misc.	Invoice from the Vendor and Proof of Payment
Employee Exp. Reimbursement	Employee Exp. Request Form, Receipt, and Proof of Payment.

The Youth Bureau audits each claim against appropriate Westchester County and NY State Finance Law, Rules & Regulations, Fiscal Policies & Procedures, and the approved budget of each program and any approved budget amendments. Claims with calculation errors, and not submitted in accordance with Fiscal Policies & Procedures and approved budget will be returned. All claims must be sent to:

Westchester County Youth Bureau
112 East Post Road, 3rd Floor
White Plains, NY 10601

SCHEDULE "C"
STANDARD INSURANCE PROVISIONS
(Youth & Human Services)

1. Prior to commencing work, and throughout the term of the Agreement, the Municipality shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. The Municipality shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Municipality's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Municipality maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Municipality. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2. The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):

a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State

Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: <http://www.wcb.ny.gov>.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

- i. Premises - Operations.
- ii. Broad Form Contractual.
- iii. Independent Contractor and Sub-Contractor.
- iv. Products and Completed Operations.

c) Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:

- i. Owned automobiles.
- ii. Hired automobiles.
- iii. Non-owned automobiles.

e) Abuse and Molestation Liability, either by separate policy of insurance or through endorsement to the General Liability Policy or Professional Liability Policy. (Limits of \$1,000,000.00 per occurrence/2,000,000 aggregate). This insurance shall include coverage for the following, including coverage for client on client, counselor client, and third parties:

- i. Misconduct
- ii. Abuse (including both physical and sexual)
- iii. Molestation

3. All policies of the Municipality shall be endorsed to contain the following clauses:

a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.

c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.

DRAFT

SCHEDULE "D"
ELECTRONIC FUNDS TRANSFER (EFT)

	Westchester County • Department of Finance • Treasury Division Electronic Funds Transfer (EFT) Vendor Direct Payment Authorization Form	Authorization is: (check one) <input type="checkbox"/> New <input type="checkbox"/> Change <input type="checkbox"/> No Change
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INSTRUCTIONS: Please complete both sections of this Authorization form and attach a voided check. See the reverse for more information and instructions. If you previously submitted this form and there is no change to the information previously submitted, **ONLY** complete lines 1 through 6 of section 1.

Section I - Vendor Information

1. Vendor Name:												
2. Taxpayer ID Number or Social Security Number:	<table border="1" style="width:100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table>											
3. Vendor Primary Address												
4. Contact Person Name:	Contact Person Telephone Number:											
5. Vendor E-Mail Addresses for Remittance Notification:												
6. Vendor Certification: <i>I have read and understand the Vendor Direct Payment Program and hereby authorize payments to be received by electronic funds transfer into the bank that I designate in Section II. I further understand that in the event that an erroneous electronic payment is sent, Westchester County reserves the right to reverse the electronic payment. In the event that a reversal cannot be implemented, Westchester County will utilize any other lawful means to retrieve payments to which the payee was not entitled.</i>												
_____ Authorized Signature	_____ Print Name/Title	_____ Date										

Section II- Financial Institution Information

7. Bank Name:												
8. Bank Address:												
9. Routing Transit Number:	<table border="1" style="width:100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> </table>											10. Account Type: (check one)
		<input type="checkbox"/> Checking	<input type="checkbox"/> Savings									
11. Bank Account Number:	12. Bank Account Title:											
13. Bank Contact Person Name:												
		Telephone Number:										
14. FINANCIAL INSTITUTION CERTIFICATION (required ONLY if directing funds into a Savings Account OR if a voided check is not attached to this form): <i>I certify that the account number and type of account is maintained in the name of the vendor named above. As a representative of the named financial institution, I certify that this financial institution is ACH capable and agrees to receive and deposit payments to the account shown.</i>												
_____ Authorized Signature	_____ Print Name / Title	_____ Date										

(Leave Blank - to be completed by Westchester County) - Vendor number assigned

--	--	--	--	--	--	--	--	--	--

Electronic Funds Transfer (EFT) Vendor Direct Payment Authorization Form

GENERAL INSTRUCTIONS

Please complete both sections of the Vendor Direct Payment Authorization Form and forward the completed form (along with a voided check for the account to which you want your payments credited) to:

Section I - VENDOR INFORMATION

1. Provide the name of the vendor as it appears on the W-9 form.
2. Enter the vendor's Taxpayer ID number or Social Security Number as it appears on the W-9 form.
3. Enter the vendor's complete primary address (not a P.O. Box).
4. Provide the name and telephone number of the vendor's contact person.
5. Enter the business e-mail address for the remittance notification. **THIS IS VERY IMPORTANT.** This is the e-mail address that we will use to send you notification and remittance information two days prior to the payment being credited to your bank account. We suggest that you provide a group mailbox (if applicable) for your e-mail address. You may also designate multiple e-mail addresses.
6. Please have an authorized Payee/Company official sign and date the form and include his/her title.

Section II - FINANCIAL INSTITUTION INFORMATION

7. Provide bank's name.
8. Provide the complete address of your bank.
9. Enter your bank's 9 digit routing transit number.
10. Indicate the type of account (check one box only).
11. Enter the vendor's bank account number.
12. Enter the title of the vendor's account.
13. Provide the name and telephone number of your bank contact person.
14. If you are directing your payments to a Savings Account OR you can not attach a voided check for your checking account, this line needs to be completed and signed by an authorized bank official. **IF YOU DO ATTACH A VOIDED CHECK FOR A CHECKING ACCOUNT, YOU MAY LEAVE THIS LINE BLANK.**

SCHEDULE "E"
SAMPLE CORRECTIVE ACTION REQUEST FORM



George Latimer, County Executive
Dr. DaMia Harris-Madden, Executive Director
Youth Bureau

**Westchester County Youth Bureau
Corrective Action Request**

The purpose of this form sent on _____ (date) is to notify _____ (agency name) of action needed regarding _____ (program name).

Monitoring of the abovementioned program has identified one or more areas where corrective action is needed. Please see the item(s) checked below along with monitor notes for the appropriate plan of action. All request for corrective action(s) must be addressed within 30 days of the notice.

- Monthly Statistical Report(s) are outstanding. Please see monitor notes below for action and correction details.
- Quarterly Statistical Report(s) are outstanding. Please see monitor notes below for action and correction details.
- Annual Report is outstanding. Please see monitor notes below for action and correction details.
- Failure to respond to site visit request(s). Please see monitor notes below for action and correction details.
- Failure to submit fiscal claim(s). Please see monitor notes below for action and correction details.

Monitor Notes:

Thank you for your immediate attention to this matter and for your cooperation with making the appropriate action and/or corrections. Questions or concerns can be sent to the Program Monitor at the contact listed below.

_____ Program Monitor Name _____

_____ Program Monitor Email _____

112 East Post Road 3rd fl.
White Plains, New York 10601

Telephone (914) 995-2745
Fax (914) 995-3871

Website: www.westchestergov.com/youth