

ACT 210 - 2023

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

DRAFT
IMAs ON FILE

Your Committee is in receipt of a transmittal from the County Executive recommending approval of an act (the “Act”), which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”) to enter into intermunicipal agreements (“IMAs”) with municipal corporations as defined in Article 5-G of the New York State General Municipal Law and located both within and outside of the physical boundaries of Westchester County (collectively, the “Municipalities”), whereby the County will provide mobile radios to the Municipalities for installation into their municipal police vehicles, which will enable the parties to share their respective radio communication systems during mutual aid events.

Your Committee has been informed that, pursuant to Local Law No. 13-2020 adopted on September 14, 2020, your Honorable Board authorized the County to enter into intermunicipal agreements with the Municipalities concerning the Mutual Aid and Rapid Response Plan for police mutual aid.

Your Committee has been further informed that, the County currently operates public safety radio communication systems for the County Department of Public Safety (“DPS”), the Department of Emergency Services (“DES”), and the Department of Public Works and Transportation (“DPWT”) Bee-Line transit operations, as well as for communication between the County and emergency first responders throughout Westchester County and the surrounding jurisdictions (the “County Radio Systems”). However, there is currently no unified system in

place with regard to local police radio communication in police cars. In addition, the various local police departments operate on different frequencies (UHF, VHF, 700/800 MHz) and, as a result, some police cars are unable to communicate with other police cars while responding to mutual aid events.

The County wishes to provide each Municipality with mobile radios; which the Municipality will be responsible to install in its police vehicles.

The County, in its sole discretion, will determine the number and type of mobile radios to be provided to each Municipality and will also provide the initial radio programming for the mobile radios.

The County will initially program such mobile radios with channels on the County Radio Systems, as well as channels on the Municipalities' local radio communication systems, so that they can communicate with each other, as well as with other law enforcement, fire and EMS agencies, for mutual aid purposes. Any reprogramming by the Municipalities will require prior County written approval, which approval will be in the County's sole discretion.

Under the proposed IMAs, the Municipalities are responsible to install, operate, maintain, repair, reprogram and use the mobile radios at their sole cost and expense. The Municipalities are also responsible, at their sole cost and expense, to maintain the mobile radios in good working order and condition, and repair or replace the mobile radios if damaged following the mobile radios' warranty period, if any. The Municipalities are also required to participate in

testing and training on the new equipment.

Your Committee is informed that there are numerous benefits to entering into the IMAs, including the following:

(1) The County will be able to share Countywide law enforcement interoperability channel(s) on the trunked County Radio Systems to coordinate real time communications during mutual aid events.

(2) The County will be able to share County trunked radio channels that will allow local police in the police cars to communicate with local fire and EMS agencies during mutual aid events.

(3) The County will be able to share access to existing national radio interoperability channels available in Westchester County.

(4) The Municipalities will share their local radio communication systems with the County and allow the County, local law enforcement, fire and EMS to communicate on the Municipality's local radio communication systems during mutual aid events.

(5) The unified system will be used for the County's Real Time Crime Center to allow the local police in the police cars to communicate with DPS and other local police cars, especially in situations where the response requires crossing jurisdictional lines and setting up

perimeters.

Your Honorable Board may recall that funding for the mobile radios was authorized by Bond Act No. 111-2018 (BIT32), which was adopted on July 16, 2018, as amended by Bond Act No. 203-2020, which was adopted on November 9, 2020.

The term of each IMAs will be five (5) years commencing on January 1, 2024.

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 (“SEQR”) 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 the Board of Legislators. Therefore, no further environmental review is required. Your Committee concurs with this recommendation.

An affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of the attached Act.

Your Committee has carefully considered the proposed legislation and recommends your Honorable Board's favorable action on the annexed Act.

Dated: September 27th 2023
White Plains, New York

Handwritten signatures on the left side of the page:
1. *James John Jones*
2. *James Jones*
3. *John Park*
4. *John*
5. *Redat for i*

Handwritten signatures on the right side of the page:
1. *Redat for i*
2. *James Jones*
3. *James Jones*

COMMITTEE ON

Cran 8.4.23

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. [Signature]

Clayton R. Maher

David [Signature]

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: IMA-Mobile Radios for Police Vehicles NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

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

Additional Appropriations

Other (explain)

Identify Accounts: N/A

The term of the IMA shall be 5 years commencing January 1, 2024.

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: Authorizing the County to enter into Intermunicipal Agreements with municipalities for the County to furnish the municipalities with mobile radio for their municipal police vehicles for the purpose of the parties sharing their respective radio communication systems for mutual aid purposes.

Potential Related Operating Budget Revenues: Annual Amount N/A

Describe: _____

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

Current Year: N/A

Next Four Years: N/A

Prepared by: Patricia Haggerty

Title: Sr. Budget Analyst

Department: Budget

Date: September 18, 2023

Reviewed By: 
PH

Budget Director

Date: 9/16/23

ACT NO. 2023 - 210

AN ACT authorizing the County of Westchester to enter into Intermunicipal Agreements with municipalities for the County to furnish the municipalities with mobile radio for their municipal police vehicles for the purpose of the parties sharing their respective radio communication systems for mutual aid purposes.

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

Section 1. The County of Westchester ("County") be and hereby is authorized to enter into inter-municipal agreements ("IMAs") with municipal corporations as defined in Article 5-G of the New York State General Municipal Law and located both within and outside of the physical boundaries of Westchester County (collectively the "Municipalities"), for the County to furnish the Municipalities with mobile radios for the Municipalities to install in their municipal police vehicles for the purpose of the County and the Municipalities sharing their respective radio communication systems for mutual aid purposes.

§ 2. The County in its sole discretion shall determine the number and type of mobile radio to be furnished to the Municipalities.

§ 3. The County, in its sole discretion, shall provide the initial radio programming for the mobile radios. Any reprogramming by the Municipalities will require prior County written approval, which approval shall be in the County's sole discretion.

§ 4. The Municipalities shall be responsible for installation, operation, maintenance, repair, reprogramming and use of the mobile radios at their sole cost and expense.

§ 5. The Municipalities shall, at their sole cost and expense, maintain the mobile radios in good working order and condition, and shall be responsible for the repair or replacement of the

mobile radios if damaged following the mobile radios warranty period, if any.

§ 6. The term of the IMAs shall be five (5) years commencing January 1, 2024.

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

§ 8. This Act shall take effect immediately.

SCHEDULE "A"

SUBSCRIBER EQUIPMENT LIST

| Subscriber Equipment Description | Serial Number | Unit Assigned/First Line Apparatus (Police Vehicle Identification) | Alias |
|----------------------------------|---------------|--|---------|
| EXAMPLE | | | |
| Motorola APX8500 | 681CUD1621 | | Car2021 |
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STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 210 - 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

