

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

**DRAFT
IMA ON FILE**

The County Executive has forwarded legislation which would authorize the County of Westchester to amend an intermunicipal Agreement with the City of White Plains (“White Plains”) dated August 6, 2019 to provide prisoner transportation between the Westchester County Jail and White Plains for the term January 1, 2019 through December 31, 2020, with reimbursement to White Plains at the flat rate of \$247,872 in 2019 and \$255,312 in 2020, for a total aggregate amount of \$503,184 (the “IMA”) in order to extend the IMA through 2021 and effective as of April 1, 2020 to reduce the monthly payments to White Plains from \$21,276 per month to \$10,638 per month for the months of April, May, June and July 2020 and to eliminate the flat rate payment system from August 1, 2020 through December 31, 2021 and make payments per round trip at the following rates:

<u>Number of Police Officers Required</u>	<u>Rate per Round Trip</u>
Two	\$210
Three	\$315
Four	\$420

The new total amount of the IMA for the term January 1, 2019 through December 31, 2020 will be reduced to \$380,872 and the amount of the IMA for 2021 shall be \$105,720 for a total aggregate amount not to exceed \$486,592 for the extended term of the IMA.

Your Committee has been advised that one of the results of the Covid-19 pandemic has been extremely low prisoner transportation numbers, as a result of the closure of local courthouses for in-person proceedings and a reduction in the number of arrests. Because White Plains has a flat rate IMA which reimburses them at a flat rate regardless of the number of prisoners transported, the Department of Correction was able to negotiate a reduction in the IMA as detailed above, which more fairly represents the costs to White Plains to transport prisoners. White Plains has agreed to these terms.

Your Committee has been further advised that the proposed amendment to the IMA will result in a reduction in the cost of the IMA in the amount 122,312 for the 2019 through 2020 term.

The Department of Planning has advised that pursuant to 6 NYCRR 617.2(b) of the New York State Environmental Quality Review Act (“SEQRA”) Regulations, the proposed prisoner transportation amendment does not meet the definition of an “action” and therefore, no further environmental review is required. Therefore, your Honorable Board need take no further action on this matter regarding SEQRA. Your Committee concurs with this conclusion.

Your Committee has been advised that a majority of the voting strength of the Board of Legislators is required to adopt the annexed Act.

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

Dated: April 24, 2021
White Plains, New York

K. J. Scovill
Benjamin Boyfrost

Benjamin Boyfrost
Colum E

COMMITTEE ON

C/DI 2/25/21

Public Safety

Budget & Appropriations

Dated: April 26, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations

Vedat Galin
Margaret A. Cunzio
Nancy E. Pan
Wasson R. Maher
Ruth Walter
Alfreda Willis
Cheryl
Ty H
David Q. Iuliano

Public Safety

Colin J. [Signature]
Margaret A. Cunzio
Mary Jane Skimble
Nancy E. Pan
Cheryl
Ty H

FISCAL IMPACT STATEMENT

SUBJECT: Pris. Trans. White Plains 2019-2021 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 \$ 105,720

Total Current Year Revenue \$ -

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

Additional Appropriations Other (explain)

Identify Accounts: 35-1000-1000-4445

Potential Related Operating Budget Expenses: Annual Amount _____

Describe: 2019-2020_\$380,872 (reimburse City of White plains for transporting Prisoners)

2021 - \$105,720 (reimburse City of White plains for transporting Prisoners)

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: N/A

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

Current Year: \$122,312 (2019-2020)

Next Four Years: _____

Prepared by: William Fallon *WF*

Title: Director of Administrative Services

Department: Correction

Date: March 15, 2021

Reviewed By: *[Signature]*
Budget Director

Date: 3/22/21

TO: Daniela Infield, Senior Assistant County Attorney
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM
Director of Environmental Planning



DATE: February 2, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR PRISONER
TRANSPORTATION INTERMUNICIPAL AGREEMENTS**

PROJECT/ACTION: Intermunicipal agreements between the County and local municipalities, whereby the County will reimburse the local municipality for costs incurred associated with the transport of prisoners to and from the local courthouse and the Westchester County Jail.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:

- DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)():**

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Norma Drummond, Commissioner
Claudia Maxwell, Associate Environmental Planner

ACT NO. 65 - 2021

AN ACT authorizing the County to amend an Intermunicipal Agreement with the City of White Plains to provide reimbursement for prisoner transportation to the Westchester County Jail in order to extend the term of the IMA through December 31, 2021 and to reduce the monthly payments to the City of White Plains for the months of April, May, June and July 2020 and to reimburse on a per trip basis beginning August 1, 2020.

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

Section 1. The County of Westchester (the “County”) be and hereby is authorized to amend an Intermunicipal Agreement (“IMA”) with the City of White Plains (“White Plains”) dated August 6, 2019 in the aggregate amount of \$503,184 for the term January 1, 2019 through December 31, 2020 to reimburse White Plains for the cost to transport prisoners round trip between White Plains and the Westchester County Jail located in Valhalla, New York, in order to extend the term of the IMA and to reduce the monthly payments to White Plains from \$21,276 per month to \$10,638 per month for the months of April, May, June and July 2020 and to eliminate the flat rate payment system from August 1, 2020 through December 31, 2021 and make payments per round trip at the following rates:

<u>Number of Police Officers Required</u>	<u>Rate per Round Trip</u>
Two	\$210
Three	\$315
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The new total amount of the IMA for the 2019 through 2020 term will be reduced to \$380,872 and the amount of the IMA for 2021 shall be \$105,720 for a total aggregate amount not to exceed \$486,592 for the extended term of the IMA.

§2. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and take all action necessary and appropriate to accomplish the purposes hereof.

§3. This Act shall take effect immediately.

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 65 - 2021, 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 April 26, 2021, and approved by the County Executive on April 29, 2021.

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 May, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

