

ACT 122 - 2024

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

DRAFT  
IMA ON FILE

Your Committee has been advised that pursuant to sections 500-c and 500-d of the New York State Correction Law, the County of Westchester (“County”) is required at its own expense to transport prisoners between local municipalities and the Westchester County Jail located at Valhalla, New York. In addition, the County must provide meals to such prisoners.

Your Committee is in receipt of a communication from the County Executive, recommending approval of an Act, which, if adopted, would authorize the County to enter into an intermunicipal agreement (“IMA”) with the City of New Rochelle (“New Rochelle”) in order to reimburse New Rochelle in an amount not to exceed \$337,758.00 in 2024 and \$351,269.00 in 2025 for a total amount not to exceed \$689,027.00 for the term commencing on January 1, 2024 and expiring on December 31, 2025. This IMA will allow the County to reimburse New Rochelle for the costs incurred by New Rochelle to transport prisoners who have been arraigned to and from New Rochelle and the Westchester County Jail.

Your Committee is further advised that reimbursement to New Rochelle for hourly wage and fringe benefit costs for round trip prisoner transportation will be at the following rates:

2024	Police Officer	\$91.83 per hour
	Community Service Officer	\$53.87per hour

2025	Police Officer	\$94.58 per hour
	Community Service Officer	\$55.49 per hour

Reimbursement for hourly wage and fringe benefit costs will be for a maximum of five hours per officer per trip. New Rochelle will also be reimbursed for vehicle usage at the rate of sixty-seven cents (\$.67) per mile, or at the then current Internal Revenue Service mileage reimbursement rate, and for the actual and reasonable cost of meals provided to post-arraignment prisoners.

The Department of Planning has advised that the proposed IMA does not meet the definition of an “action” under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR, Part 617. Please refer to the Memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators. Therefore, no environmental review is required. Your Committee concurs with this recommendation.

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

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

Dated: June 10<sup>th</sup>, 2024

White Plains, New York

COMMITTEE ON

C:MB 4/22/24

James B. Johnson

J. W.

James B.

David J. Tubitt

David J. Tubitt

J. W.

Michelle

Margaret A. Gioia

J. W.

Benjamin Boyfield

David J. Tubitt

Budget & Appropriations

Public Safety

Dated: June 10, 2024  
White Plains, New York

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

Committee(s) on:

**Budget & Appropriations**



**Public Safety**



# FISCAL IMPACT STATEMENT

SUBJECT: City of New Rochelle Prisoner Transport 2024-2025

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      \$ 337,758

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: 2025 - \$ 351,269.

Potential Related Revenues:      Annual Amount \$ \_\_\_\_\_

Describe: \_\_\_\_\_

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

Current Year: \_\_\_\_\_

Next Four years: \_\_\_\_\_

Prepared by: William Fallon

Title: Director Of Administrative Services

Department: Correction

Reviewed By: 

Budget Director

5/22/24

If you need more space, please attach additional sheets.

**ACT NO. 2024- 122**

**AN ACT** authorizing the County of Westchester to enter into an Intermunicipal Agreement with the City of New Rochelle in order to provide reimbursement for prisoner transportation to the Westchester County Jail within the period from January 1, 2024 through December 31, 2025, for a total amount not to exceed \$689,027.00.

**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 enter into an Intermunicipal Agreement (“IMA”) with the City of New Rochelle (“New Rochelle”) in order to reimburse the municipality for the cost to transport prisoners round trip between New Rochelle and the Westchester County Jail located at Valhalla, New York, in the amount not to exceed \$337,758.00 in 2024 and \$351,269.00 in 2025 for a total amount not to exceed SIX HUNDRED EIGHTY-NINE THOUSAND, TWENTY-SEVEN (\$689,027.00) DOLLARS. The IMA will be for the term commencing January 1, 2024 and expiring December 31, 2025.

**§2.** The County will reimburse New Rochelle for hourly wage and fringe benefit costs for prisoner transportation at the following rates:

2024	Police Officer	\$91.83 per hour
	Community Service Officer	\$53.87 per hour
2025	Police Officer	\$94.58 per hour
	Community Service Officer	\$55.49 per hour

Reimbursement for hourly wage and fringe benefit costs will be for a maximum of five hours per officer per trip. The County will also reimburse New Rochelle for vehicle usage at the rate of sixty-seven cents (\$.67) per mile, or at the then current Internal Revenue Service mileage

reimbursement rate, and for the actual and reasonable costs of meals provided to post-arraignment prisoners.

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

§4. 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. 122 - 2024, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on June 17, 2024, and approved by the County Executive on June 18, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 19<sup>th</sup> day of June, 2024.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

