

ACT 20 - 2023

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

DRAFT
IMA ON FILE

Upon a communication from the County Executive, your Committee has been advised that pursuant to sections 500-c and 500-d of the New York State Correction Law, the County 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.

The County Executive has forwarded legislation which would authorize the County to enter into an intermunicipal agreement (“IMA”) with the City of Peekskill (“Peekskill”) to reimburse to Peekskill the annual amount of \$210,000 for a total amount not to exceed \$420,000 for the term commencing January 1, 2022 and terminating December 31, 2023. This IMA will allow the County to reimburse Peekskill for the costs it incurs in transporting prisoners who have been arraigned to and from Peekskill and the Westchester County Jail, located at Valhalla, New York.

Reimbursement to Peekskill will be for round trip transportation and will be based on the per hour labor costs of police officers which range from \$54.63 to \$89.90 per hour. Reimbursement for hourly wage and fringe benefit costs will be for a maximum of four hours per officer per trip. Peekskill will also be reimbursed for vehicle usage at the current Internal Revenue Service mileage rate, multiplied by the mileage to and from the Westchester County Jail. The County will also reimburse Peekskill for the actual and reasonable cost of meals provided to post-arraignment prisoners.

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 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 pursuant to SEQRA. Your Committee concurs in this conclusion. Please refer to the

memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

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

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

Dated: .2023
White Plains, New York

January 17th, 2023

Public Safety


Margaret A. Gye


Nancy Barr


Henry


J.W.

C:DI 8/8/22


H.S.


Sta. Albert

Committee on:

January 23rd, 2023

Budget & Appropriations


Robert Galt


Samuel Zeller


Nancy Barr


J.W.


Colin


Catherine


W.M.

FISCAL IMPACT STATEMENT

SUBJECT: City of Peekskill Prisoner Transport 2022-2023

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 \$ 237,891

Total Current Year Revenue \$ _____

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount \$ _____

Describe: 2023 - \$ 237,891

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

11/4/22

If you need more space, please attach additional sheets.

ACT NO. 20 - 2023

AN ACT authorizing the County to enter into an Intermunicipal Agreement with the City of Peekskill in order to provide reimbursement for prisoner transportation to the Westchester County Jail.

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 Peekskill (“Peekskill”) in order to reimburse the municipality for the cost to transport prisoners round trip between Peekskill and the Westchester County Jail located at Valhalla, New York, at an annual cost not to exceed TWO HUNDRED TEN THOUSAND (\$210,000) DOLLARS for a total amount not to exceed FOUR HUNDRED TWENTY THOUSAND (\$420,000) DOLLARS, for the term January 1, 2022 through December 31, 2023.

§2. The County will reimburse Peekskill for the actual and reasonable costs for round trip prisoner transportation as follows:

Personnel: Reimbursement for personnel costs shall be calculated by multiplying the hourly wage that Peekskill reimburses its Police Officers, as indicated on Schedule “A” attached hereto and made a part hereof, by the number of hours, that such personnel are actually engaged in prisoner transportation duties up to a maximum of four (4) hours per round trip.

Mileage: Reimbursement for vehicle usage shall be at the current Internal Revenue Service mileage rate, between the City Court of Peekskill and the Westchester County Jail, which is agreed to be twenty (20) miles each way.

Meals: Reimbursement will be made 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 take all action necessary and appropriate to accomplish the purposes hereof.

§4. This Act shall take effect immediately.

SCHEDULE "A"

PEEKSKILL REIMBURSEMENT

HOURLY RATE
(WAGES without FRINGE)

2022:

POLICE OFFICER I \$54.63 per hour

POLICE OFFICER II \$88.14 per hour

2023:

POLICE OFFICER I \$55.72 per hour

POLICE OFFICER II \$89.90 per hour

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 20 - 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 January 23, 2023, and approved by the County Executive on January 27, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 30th day of January, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

