

ACT 21 - 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 Mount Vernon (“Mount Vernon”) in order to reimburse not to exceed amount of \$283,971 in 2021 and \$289,650 in 2022 for a total aggregate amount not to exceed \$573,621 for the term commencing retroactive to January 1, 2021 and extending through December 31, 2022. This IMA will allow the County to reimburse Mount Vernon for the costs it incurs in transporting prisoners between Mount Vernon and the Westchester County Jail.

Reimbursement to Mount Vernon will be for round trip transportation and will be based on the per trip labor costs of police officers and for vehicle usage.

Reimbursement to Mount Vernon for prisoner transportation in 2021 will be at the following rates: \$221.00 per round trip with two police officers; \$330.00 per round trip with three police officers. In 2022 Mount Vernon will be reimbursed as follows: \$225.00 per round trip with two police officers; \$337.00 per round trip with three police officers. Mount Vernon will also be reimbursed for vehicle usage at the rate of fifty-

eight and one-half cents (\$.585) per mile, or at the then current Internal Revenue Service mileage reimbursement rate multiplied by the mileage between the City Court of Mount Vernon and the Westchester County Jail which is agreed to be 16 miles each way. The County will also reimburse Mount Vernon for the actual and reasonable cost of meals provided to post-arraignment prisoners.

Your Committee has also been advised by the Department of Planning 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 no further environmental review is required.

Therefore, no further action by your Honorable Board pursuant to the Environmental Conservation Law is required. Your Committee concurs with 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.

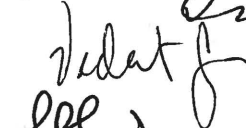
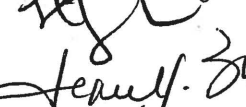



Your Committee has been advised that a majority of the voting strength of the Board of Legislators is required to adopt the annexed Act.

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

Dated: January 17<sup>th</sup>, 2023  
White Plains, New York

Committee on January 23<sup>rd</sup>, 2023

Public Safety  
  
Margaret A. Cyo  
C/DI 5/6/22  
  
  


Budget & Appropriations  
  
  
Henry Zell  
  
  
Catherine Bar  


# FISCAL IMPACT STATEMENT

SUBJECT: City of Mount Vernon Prisoner Transport 2021-2022

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      \$ 289,650

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

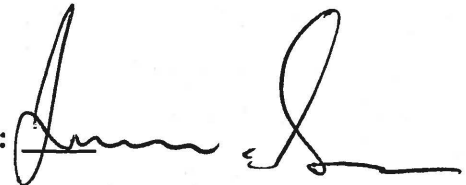
Prepared by: William Fallon



Title: Director Of Administrative Services

Department: Correction

Reviewed By:



Budget Director

11/10/02

If you need more space, please attach additional sheets.

**ACT NO. 21 - 2023**

**AN ACT** authorizing the County of Westchester to enter into an Intermunicipal Agreement with the City of Mount Vernon 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 Mount Vernon (“Mount Vernon”) in order to reimburse Mount Vernon for the cost to transport prisoners round trip between Mount Vernon City Court and the Westchester County Jail located at Valhalla, New York, in the not to exceed amount of \$283,971 in 2021 and \$289,650 in 2022 for a total aggregate amount not to exceed \$573,621 for the term retroactive to January 1, 2021 and extending through December 31, 2022.

**§2.** The County will reimburse Mount Vernon for prisoner transportation for the term January 1, 2021 through December 31, 2021 at the following rates: \$221.00 per round trip with two police officers; \$330.00 per round trip with three police officers. The County will reimburse Mount Vernon for prisoner transportation for the term January 1, 2022 through December 31, 2022 at the following rates: \$225.00 per round trip with two police officers; \$337.00 per round trip with three police officers. Mount Vernon will also be reimbursed for vehicle usage between the City Court of Mount Vernon and the Westchester County Jail, which is agreed to be sixteen (16) miles each way, at the rate of fifty-eight and one-half cents (\$.585), or at the then current Internal Revenue Service mileage reimbursement rate for the term of the IMA. Mount Vernon

will also be reimbursed 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.

STATE OF NEW YORK            )  
  )    ss.  
WESTCHESTER COUNTY        )

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 21 - 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 30<sup>th</sup> day of January, 2023.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

