

November 14, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer
Westchester County Executive



RE: Message Requesting Immediate Consideration: **Amend IMA – Hendrick Hudson School District – School Resource Officer.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 14, 2022 Agenda.

Transmitted herewith for your consideration and approval is an Act which, if adopted, would authorize the County of Westchester (“County”), acting by and through its Department of Public Safety Services (“Department”), to amend an intermunicipal agreement (“IMA”) with the Hendrick Hudson School District (“District”), whereby the County agreed to assign one (1) regularly employed uniformed police officer to act as a School Resource Officer (“SRO”).

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 14, 2022 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

November 7, 2022

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your consideration and approval is an Act which, if adopted, would authorize the County of Westchester ("County"), acting by and through its Department of Public Safety Services ("Department"), to amend an intermunicipal agreement ("IMA") with the Hendrick Hudson School District ("District"), whereby the County agreed to assign one (1) regularly employed uniformed police officer to act as a School Resource Officer ("SRO") at the District's Hendrick Hudson High School (hereinafter the "School"), for a five (5) year term commencing upon the opening day of school in September, 2018 and continuing through the last day of school in June, 2023 (the "IMA Term"), by assigning one (1) additional SRO to the District's Blue Mountain Middle School and Furnace Woods Elementary School beginning in September, 2022 and for the remainder of the IMA Term.

By Act No. 2018-144, your Honorable Board authorized the County, through the Department, to enter into an IMA with the District pursuant to which the County would assign one (1) regularly employed uniformed police officer to act as an SRO for the District at the School for the IMA Term. Act No. 2018-144 further authorized the SRO assigned to the School to provide services eight (8) hours per day on the days that school is in session for the period commencing upon the opening of school in September through the last day of school in June (the "School Term") in accordance with the District's annual school calendar, for each year of the IMA Term. In consideration for services rendered, the District agreed to pay the County as follows:

- (i) For the 2018/2019 School Term, a total amount of One Hundred Forty-Five Thousand Four Hundred Twenty-Eight (\$145,428.00) Dollars, payable in two installments of \$72,714.00 each.
- (ii) For the 2019/2020 School Term, a total amount of One Hundred Forty-Nine Thousand Four Hundred Twenty-Seven (\$149,427.00) Dollars, payable in two installments of \$74,713.50 each.
- (iii) For the 2020/2021 School Term, a total amount of One Hundred Fifty-Three Thousand Five Hundred Thirty-Six (\$153,536.00) Dollars, payable in two installments of \$76,768.00 each.
- (iv) For the 2021/2022 School Term, a total amount of One Hundred Fifty-Seven Thousand Seven Hundred Fifty-Eight (\$157,758.00) Dollars, payable in two installments of \$78,879.00 each.
- (v) For the 2022/2023 School Term, a total amount of One Hundred Sixty-Two Thousand Ninety-Seven (\$162,097.00) Dollars, payable in two installments of \$81,048.50 each.

Due to rising public safety concerns, the District has requested and the Department has agreed to add one (1) additional SRO to be assigned to the District's Blue Mountain Middle School and Furnace Woods Elementary School during the School Term beginning in September, 2022 and for the remainder of the IMA Term. In consideration for services to be rendered by the original SRO as well as the one (1) new SRO for the remainder of the IMA Term, the District has agreed to pay the County as follows:

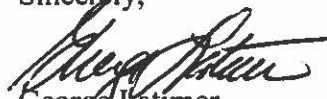
For the 2022/2023 School Term, an additional sum of \$162,096.50, thereby increasing the total amount payable by the District to the County from \$162,097.00 to \$324,193.50, payable in two equal installments of \$162,096.75 each.

Except as specifically amended hereby, all remaining terms and conditions of the IMA shall remain in full force and effect.

The Planning Department has advised that based on its review, the proposed amendment to the IMA does not meet the definition of an "action" under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. 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.

I believe the proposed amendment to the IMA with the District is in the best interests of the County and, therefore, recommend your favorable action on the annexed proposed Act.

Sincerely,


George Latimer
County Executive

GL/TR/jpg
Attachments

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

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which would authorize the County of Westchester (“County”) acting by and through its Department of Public Safety Services (“Department”), to amend an intermunicipal agreement (“IMA”) with the Hendrick Hudson School District (“District”) whereby the County agreed to assign one (1) regularly employed uniformed police officer to act as the School Resource Officer (“SRO”) at the District’s Hendrick Hudson High School (hereinafter the “School”) for a five (5) year term commencing upon the opening day of school in September, 2018 and continuing through the last day of school in June, 2023 (the “IMA Term”), by assigning one (1) additional SRO to the District’s Blue Mountain Middle School and Furnace Woods Elementary School beginning in September, 2022 for the remainder of the IMA Term.

Your Committee is advised that by Act No. 2018-144, your Honorable Board authorized the County, through the Department, to enter into an IMA with the District pursuant to which the County would assign one (1) regularly employed uniformed police officer to act as the SRO for the District at the School for the IMA Term. Act No. 2018-144 further authorized the SRO assigned to the School to provide services eight (8) hours per day on the days that school is in session for the period commencing upon the opening of school in September through the last day of school in June (the “School Term”) in accordance with the District’s annual school calendar, for each year of the IMA Term. In consideration for services rendered, the District agreed to pay the County as follows:

- (i) For the 2018/2019 School Term, a total amount of One Hundred Forty-Five Thousand Four Hundred Twenty-Eight (\$145,428.00) Dollars, payable in two installments of \$72,714.00 each.
- (ii) For the 2019/2020 School Term, a total amount of One Hundred Forty-Nine Thousand Four Hundred Twenty-Seven (\$149,427.00) Dollars, payable in two installments of \$74,713.50 each.
- (iii) For the 2020/2021 School Term, a total amount of One Hundred Fifty-Three Thousand Five Hundred Thirty-Six (\$153,536.00) Dollars, payable in two installments of \$76,768.00 each.
- (iv) For the 2021/2022 School Term, a total amount of One Hundred Fifty-Seven Thousand Seven Hundred Fifty-Eight (\$157,758.00) Dollars, payable in two installments of \$78,879.00 each.
- (v) For the 2022/2023 School Term, a total amount of One Hundred Sixty-Two Thousand Ninety-Seven (\$162,097.00) Dollars, payable in two installments of \$81,048.50 each.

Your Committee is advised that due to rising public safety concerns, the District has requested and the Department has agreed to add one (1) additional SRO to be assigned to the District's Blue Mountain Middle School and Furnace Woods Elementary School during the School Term beginning in September, 2022 and for the remainder of the IMA Term. In consideration for services to be rendered by the original SRO as well as the one (1) new SRO for the remainder of the IMA Term, the District has agreed to pay the County as follows:

For the 2022/2023 School Term, an additional sum of \$162,096.50, thereby increasing the total amount payable by the District to the County from \$162,097.00 to \$324,193.50, payable in two equal installments of \$162,096.75 each.

Except as specifically amended hereby, all remaining terms and conditions of the IMA shall remain in full force and effect.

The Planning Department has advised that based on its review, the proposed amendment to the IMA does not meet the definition of an "action" under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. 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 passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board.

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

Dated: _____, 2022

White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: School Resource Officer - Hendrick Hur 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 \$ 162,097

Total Current Year Revenue \$ 162,097

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

Additional Appropriations

Other (explain)

Identify Accounts: 38-2000-1010/9230. Amended to assign one additional uniformed police officer to ac
Resource Officers for the District

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$ 0

Describe: \$0

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

Current Year: \$0

Next Four Years: _____

Prepared by: Siva Gopalkrishna

Title: Director of Administrative services

Department: Public Safety

Date: October 20, 2022

Reviewed By: 

Budget Director

Date: 11/8/22

ACT NO. 2022 - _____

An ACT authorizing the County of Westchester to amend an intermunicipal agreement with the Hendrick Hudson School District whereby the County agreed to assign one (1) regularly employed uniformed police officer to act as the School Resource Officer for the District for a five (5) year term commencing in September, 2018, by assigning one (1) additional School Resource Officer to the District beginning in September, 2022 and for the remainder of the IMA term.

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

Section 1. The County of Westchester (“County”), acting by and through its Department of Public Safety Services (“Department”), is hereby authorized to amend an intermunicipal agreement (“IMA”) with the Hendrick Hudson School District (“District”) whereby the County agreed to assign one (1) regularly employed uniformed police officer to act as the School Resource Officer (“SRO”) for the District at the District’s Hendrick Hudson High School for a term commencing on the first day of school in September, 2018 and continuing through the last day of school in June, 2023 (the “IMA Term”) at agreed upon annual rates, by assigning one (1) additional SRO to the District beginning in September, 2022 and for balance of the IMA Term, thereby increasing the total number of SROs for this period from one (1) to two (2).

§2. Beginning in September, 2022 and for balance of the IMA Term, one (1) SRO shall continue to be assigned to the District’s Hendrick Hudson High School and one (1) SRO shall be assigned to the District’s Blue Mountain Middle School and Furnace Woods Elementary School.

§3. Both SROs shall provide services eight (8) hours per day on the days that school is in session for the period commencing upon the opening day of school in September through the last day of school in June (the “School Term”) in accordance with the District’s annual school calendar, for the remaining year of the IMA Term.

§4. In consideration for services to be rendered by the original SRO as well as the one (1) new SRO, the District has agreed to pay the County as follows:

For the 2022/2023 School Term, an additional sum of \$162,096.50, thereby increasing the total amount payable by the District to the County from \$162,097.00 to \$324,193.50, payable in two equal installments of \$162,096.75 each.

§5. Except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the IMA shall remain in full force and effect upon the parties.

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

§7. This Act shall take effect immediately.

THIS AMENDMENT made this ___ day of _____, 2022 by and between:

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 (hereinafter referred to as the “County”) acting by and through the Westchester County Department of Public Safety Services (hereinafter referred to as the “Department”)

and

HENDRICK HUDSON SCHOOL DISTRICT, having an office and place of business at 61 Trolley Road, Montrose, New York 10548 (hereinafter referred to as the “District”)

WHEREAS, pursuant to New York State Education Law Section 2801-a, a school district is required to develop a comprehensive school safety plan and as part of such a plan include prevention and intervention strategies such as entering into collaborative arrangements with state and local law enforcement officers designed to ensure school safety officers and other security personnel are trained to, among other things, de-escalate potentially violent situations; and

WHEREAS, on or about September 26, 2018, the County and the District entered into an intermunicipal agreement (the “IMA”) pursuant to which the County, through the Department, agreed to provide the services of one (1) regularly employed uniformed County Police Officer to act as the School Resource Officer (“SRO”) for the District at the District’s Hendrick Hudson High School for a five (5) year term commencing upon the opening of school in September, 2018 and continuing through the last day of school in June, 2023 (the “IMA Term”); and

WHEREAS, the parties now desire to amend the IMA in order to add one (1) additional SRO to the District beginning in September, 2022 for the balance of the IMA Term.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the IMA is hereby amended as follows:

1. Beginning in September, 2022 and for the remainder of the IMA Term (the “Balance of the IMA Term”), the County agrees to assign one (1) additional SRO to the District, thereby increasing the total number of SROs during this period from one (1) to two (2) (the “Additional Services”).
2. During the Balance of the IMA Term, one (1) SRO shall continue to be assigned to the District’s Hendrick Hudson High School and one (1) SRO shall be assigned to both the District’s Blue Mountain Middle School and Furnace Woods Elementary School.
3. The Additional Services shall be performed by the County beginning on the opening day of school in September through the last day of school in June (the “School Term”) in accordance with the District’s annual school calendar, for the Balance of the IMA Term.

4. In consideration for the Additional Services to be rendered by the County to the District during the Balance of the IMA Term, the District agrees to pay the County as follows:

For the 2022/2023 School Term, an additional sum of \$162,096.50, thereby increasing the total amount payable by the District to the County from \$162,097.00 to \$324,193.50, payable in two equal installments of \$162,096.75 each.

5. Except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the IMA shall remain in full force and effect upon the parties.

6. This Amendment shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day and year first above written.

THE COUNTY OF WESTCHESTER

By _____
Terrance Raynor
Acting Commissioner – Sheriff
Department of Public Safety

HENDRICK HUDSON SCHOOL DISTRICT

By _____
Name:
Title:

Approved by the Westchester County Board of Legislators by Act No _____ - 2022 at a meeting duly held on the _____ day of _____, 2022

Approved by the Hendrick Hudson Central School District Board of Education at a meeting duly held on the ____ day of _____, 2022

Approved:

Sr. Assistant County Attorney Date
County of Westchester
S:\G\DPS\HENDRICK HUDSON SRO Amendment 10-24-22.doc

DISTRICT'S ACKNOWLEDGEMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On this ____ day of _____, 2022, before me personally came _____, to
me known, and known to me to be the _____ of _____
_____, the municipal corporation described in and which executed the within instrument, who
being by me duly sworn did depose and say that he/she, the said _____ resides at
_____ and that he/she is the _____ of said
municipal corporation.

Notary Public Westchester County

DRAFT

CERTIFICATE OF AUTHORITY

(District)

I, _____, certify that I am the
(Officer other than officer signing contract)

_____ of the _____
(Title) (Name of District)

(the "District") a corporation duly organized in good standing under the _____

(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)

named in the foregoing agreement that _____ who signed said
(Person executing agreement)

agreement on behalf of the District was, at the time of execution _____ of
(Title of such person),

the District, that said agreement was duly signed for on behalf of said District by
authority of its _____ thereunto duly authorized,
(Town Board, Village Board, City Council)

and that such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On this ___ day of _____, 2022, before me personally came _____

_____ whose signature appears above, to me known, and know to be the
_____ of _____,

(Title)

the municipal corporation described in and which executed the above certificate, who being by
me duly sworn did depose and say that he, the said _____
resides at _____, and that
he/she is the _____ of said municipal corporation.

(Title)

Notary Public County