



George Latimer
County Executive

April 16, 2024

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 review and approval is an Act which, if adopted, would authorize the County of Westchester (the "County"), acting by and through its Department of Public Safety (the "Department"), to gift the following surplus motor vehicles to the municipalities listed below, for use by their respective police departments in connection with their participation in the Drug Enforcement Agency Westchester County Task Force (the "Task Force"):

Vehicle Make	Model	Year	VIN	Municipality
Toyota	Highlander	2023	5TDKBRCH6PS589765	City of Mount Vernon
Toyota	Camry	2021	4T1FZ1AK5MU047492	City of Yonkers
Nissan	Murano	2016	5N1AZ2MH9GN153927	City of White Plains
Jeep	Grand Cherokee	2018	1C4RJFAG5JC250742	Village of Port Chester
Jeep	Grand Cherokee	2017	1C4RJFAG6HC765307	Town/Village of Harrison
Ford	Explorer	2012	1FMHK8D89CGA74195	City of New Rochelle

As your Honorable Board may know, the Task Force, comprised of various federal and local law enforcement agencies, including the Department, is charged with combatting illicit drug trafficking in the Westchester County area by immobilizing targeted violators and trafficking organizations.

Pursuant to a long standing Equitable Sharing Agreement, assets seized in Task Force operations, and forfeited under federal law, have been shared by members of the Task Force commensurate with each agency's relative participation in the Task Force, as determined by the United States Department of Justice ("USDOJ"). One of the Department's contributions has been to purchase various vehicles for use by Task Force members and to pay the repair/maintenance costs for such vehicles. In exchange for this service, the Department has been receiving a higher than average percentage of the forfeited assets.

The Department was recently notified by the USDOJ that beginning this year, the asset forfeiture percentages are being adjusted so that the Department will receive a much lower percentage of forfeiture assets for the vehicle purchases and maintenance services it provides. As a result, the Department no longer wishes to provide this service. Instead, it would like to transfer ownership of the vehicles to the various Task Force members who are currently using them, thereby relieving the County of the burden of owning and maintaining the vehicles.

Pursuant to Chapter 836, Section 836.31(9) of the Laws of Westchester County, the County is authorized to “make a gift of any surplus, obsolete or unused vehicles . . . to a municipality located within the County of Westchester that does not have any outstanding bonds used to finance the purchase of said [vehicles] or is subject to any grant restrictions that would prohibit such gift in a grant used to purchase such [vehicles]. Such gifts shall be made in a form approved by the County Attorney and subject to the approval of the Board of Legislators.”

The vehicle Bill of Sale shall provide that the vehicle is being transferred “AS IS” and that the County makes no warranties, express or implied, as to the vehicle’s condition.

For the reasons set forth above, the authority of your Honorable Board is respectfully requested to adopt the attached Act that would authorize the County to gift the surplus motor vehicles to the municipalities listed above, for use by their respective police departments in connection with their participation in the Task Force.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written over a printed name.

George Latimer
Westchester County Executive

GL/TR/jpg/nn

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive forwarding for your Honorable Board’s consideration an Act which, if approved, would authorize the County of Westchester (the “County”), acting by and through its Department of Public Safety (the “Department”), to gift the following surplus motor vehicles to the municipalities listed below, for use by their respective police departments in connection with their participation in the Drug Enforcement Agency Westchester County Task Force (the “Task Force”):

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Ford	Explorer	2012	1FMHK8D89CGA74195	City of New Rochelle

As your Honorable Board may know, the Task Force, comprised of various federal and local law enforcement agencies, including the Department, is charged with combatting illicit drug trafficking in the Westchester County area by immobilizing targeted violators and trafficking organizations.

Your Committee is advised that assets seized in Task Force operations, and forfeited under federal law, have been shared by members of the Task Force commensurate with each agency's relative participation in the Task Force, in accordance with an equitable sharing agreement. One of the Department’s contributions has been to purchase various vehicles for use by Task Force members and to pay the repair/maintenance costs for such vehicles. In exchange for this service, the Department has been receiving a higher than average percentage of the forfeited assets.

Your Committee is advised that the Department was recently notified by the USDOJ that beginning this year, the asset forfeiture percentages are being adjusted so that the Department will receive a much lower percentage of forfeiture assets for the vehicle purchases and maintenance services it provides. As a result, the Department no longer wishes to provide this service. Instead, it

would like to transfer ownership of the vehicles to the various Task Force members who are currently using them, thereby relieving the County of the burden of owning and maintaining the vehicles.

Pursuant to Chapter 836, Section 836.31(9) of the Laws of Westchester County, the County is authorized to “make a gift of any surplus, obsolete or unused vehicles . . . to a municipality located within the County of Westchester that does not have any outstanding bonds used to finance the purchase of said [vehicles] or is subject to any grant restrictions that would prohibit such gift in a grant used to purchase such [vehicles]. Such gifts shall be made in a form approved by the County Attorney and subject to the approval of the Board of Legislators.”

Your Committee is advised that the vehicle Bill of Sale shall provide that the vehicle is being transferred “AS IS” and that the County makes no warranties, express or implied, as to the vehicle’s condition.

For the reasons set forth above, the authority of your Honorable Board is respectfully requested to adopt the attached Act that would authorize the County to gift the surplus motor vehicles to the municipalities listed above, for use by their respective police departments in connection with their participation in the Task Force.

The Department of Planning has advised your Committee that based on its review, the gifting of the vehicles may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

An affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of the attached Act.

Your Committee has carefully considered the proposed Act and believes it to be in the best interest of the County and, therefore, recommends your Honorable Board's favorable action on the annexed proposed Act.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

C/jpg/3.26.24

FISCAL IMPACT STATEMENT

SUBJECT: GIFT OF TASK FORCE VEHICLES TO LOC 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 \$ -

Total Current Year Revenue \$ -

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

Additional Appropriations

Other (explain)

Identify Accounts: An Act authorizing the County to gift surplus vehicles to local municipalities

in connection with their participation in the DEA Westchester County Task Force.

Potential Related Operating Budget Expenses: Annual Amount \$0.00

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$0.00

Describe: _____

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

Current Year: \$0.00

Next Four Years: \$0.00

Prepared by: Siva Gopalkrishna

Title: Director of Administrative Services

Department: Department of Public Safety

Date: March 28, 2024

Reviewed By: 

Budget Director

Date: 4/9/24

TO: Siva Gopalkrishna, Director of Administrative Services
Department of Public Safety

FROM: David S. Kvinge, AICP, RLA, CFM
Assistant Commissioner



DATE: April 16, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR TRANSFER
OF DRUG ENFORCEMENT AGENCY TASK FORCE VEHICLES**

PROJECT/ACTION: Transfer of ownership of motor vehicles, originally purchased and maintained by the County and provided to municipalities for use by their respective police departments in connection with their participation in the Drug Enforcement Agency Westchester County Task Force, to the participating municipalities for continued use for the same purpose.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required because the project/action may be classified as a TYPE II action pursuant to section(s):

- **617.5(c)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

COMMENTS: None

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Jeffrey Goldman, Senior Assistant County Attorney
Claudia Maxwell, Principal Environmental Planner

ACT NO. 2024-_____

AN ACT authorizing the County of Westchester to make gifts of various surplus motor vehicles to various local municipalities for use by their respective police departments in connection with their participation in the Drug Enforcement Agency Westchester County Task Force.

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

Section 1. In accordance with Chapter 836, Section 836.31(9) of the Laws of Westchester County, the County of Westchester (the “County”), acting by and through its Department of Public Safety (the “Department”), is hereby authorized to gift the following surplus motor vehicles to the municipalities listed below, for use by their respective police departments in connection with their participation in the Drug Enforcement Agency Westchester County Task Force:

Vehicle Make	Model	Year	VIN	Municipality
Toyota	Highlander	2023	5TDKBRCH6PS589765	City of Mount Vernon
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Ford	Explorer	2012	1FMHK8D89CGA74195	City of New Rochelle

§2. The vehicle Bill of Sale shall provide that the vehicle is being transferred “AS IS” and that the County makes no warranties, express or implied, as to the vehicle’s condition.

§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.