

ACT 19 -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 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.

The County Executive has forwarded legislation, which would authorize the County to enter into an intermunicipal agreement ("IMA") with the City of Yonkers ("Yonkers") in order to reimburse an amount not to exceed \$276,058 in 2022 and \$276,058 in 2023 for a total aggregate amount not to exceed \$552,116 to Yonkers for the term commencing January 1, 2022 and terminating December 31, 2023. This IMA will allow the County to reimburse Yonkers for the costs it incurs in transporting prisoners who have been arraigned to and from Yonkers and the Westchester County Jail located at Valhalla, New York.

Reimbursement to Yonkers will be for round trip transportation and will be based on the per trip labor costs of detention officers and for vehicle usage, with a maximum of two hours per round trip. Reimbursement to Yonkers for prisoner transportation in 2022 will be at the following rates: \$205.00 per round trip with two detention officers; \$307.50 per round trip with three detention officers and \$410.00 per round trip with four detention officers. In 2023 Yonkers will be reimbursed as follows: \$210.13 per round trip with two detention officers; \$315.19 per round trip with three detention officers and \$420.25 per round trip with four detention officers. Yonkers 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 to and from the Westchester County Jail which is agreed to be 16 miles each way. The

County will also reimburse Yonkers for the actual and reasonable cost of meals provided to post-arraignment prisoners.


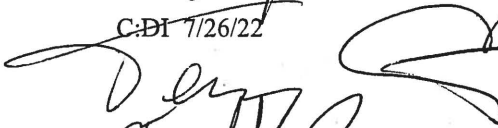

Your Committee is advised by the Department of Planning that pursuant to 6 NYCRR 617.2(b) of the New York State Environmental Quality Review Act ("SEQRA") Regulations, the proposed prisoner transportation does not meet the definition of an "action" and no further environmental review is required. Therefore, 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 adoption of the annexed Act requires an affirmative vote of a majority of the voting strength of the Board.

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

Dated: January 17th, 2023
White Plains, New York

Committee on January 23rd 2023

Public Safety

Margaret A. Cypriano
Nancy Pan
C:DI 7/26/22


Joe Alamo

Budget & Appropriations
Budget for
Sofia
Jennifer Keller
Nancy Pan

Colin
Celia
W. N. Miller

FISCAL IMPACT STATEMENT

SUBJECT: City of Yonkers 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 \$ 276,058

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 - \$ 276,058

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

If you need more space, please attach additional sheets.

ACT NO. 19 - 2023

AN ACT authorizing the County to enter into an Intermunicipal Agreement with the City of Yonkers 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 Yonkers (“Yonkers”) in order to reimburse Yonkers for the cost to transport prisoners round trip between Yonkers City Court and the Westchester County Jail located at Valhalla, New York, in an amount not to exceed \$276,058 in 2022 and \$276,058 in 2023 for a total aggregate amount not to exceed \$552,116 for the term commencing January 1, 2022 and terminating December 31, 2023

§2. The County will reimburse Yonkers for prisoner transportation for the term January 1, 2022 through December 31, 2022 at the following rates: \$205.00 per round trip with two detention officers; \$307.50 per round trip with three detention officers and \$410.00 per round trip with four detention officers. The County will reimburse Yonkers for prisoner transportation for the term January 1, 2023 through December 31, 2023 at the following rates: \$210.13 per round trip with two detention officers; \$315.19 per round trip with three detention officers and \$420.25 per round trip with four detention officers. Each round trip prisoner transport will be for a maximum of two hours. Yonkers 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. Yonkers 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 any and all action necessary and appropriate to accomplish the purposes hereof.

§4. This Act shall take effect immediately.

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 19 - 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

