

**HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

**DRAFT
IMAs ON FILE**

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act authorizing the County of Westchester, acting by and through its Youth Bureau (the "County"), to execute and submit to the State of New York (the "State") a resource allocation plan (the "Plan"), which would qualify the County to receive certain State reimbursements through the State's Office of Children and Family Services ("OCFS"). The Plan will allocate funds for certain youth services programs and related administrative activities, for a program year commencing January 1, 2021 and terminating December 31, 2021.

Your Committee is advised that the total aggregate reimbursement the County would receive under the Plan would be Nine Hundred Twenty Nine Thousand, Seven Hundred Sixty and 00/100 (\$929,760.00) Dollars. Pursuant to the Plan, the County would administer the funds on behalf of the OCFS under the following funding streams: Youth Development Program funds and Runaway and Homeless Youth Act funding. Your Committee is further advised that OCFS requires the approval of this Honorable Board in order for the County to enter into the Plan.

In addition, your Committee is advised that the proposed Act would further authorize the County to enter into inter-municipal agreements ("IMAs") with the indicated municipalities (the "Municipalities") set forth below, for the provision of positive youth development programs listed below (individually, the "Program," and, collectively, the "Programs"), for the period from January 1, 2021 through December 31, 2021, for a total aggregate amount not to exceed Two Hundred Ninety-Three Thousand Four Hundred Fifty-Six and 00/100 Dollars (\$293,456.00). The funding will be allocated as follows:

Municipality	Program Name	CT #	CT Amt
Ardsey (Village)	Ardsey Teen Center	YTH2119	1,642
Bedford (Town)	Day Camp/Day Camp Employment	YTH2120	3,241
Briarcliff (Village)	Summer Youth Employment	YTH2121	2,207

Cortlandt (Town)	Youth Employment Services	YTH2123	9,093
Dobbs Ferry (Village)	Youth Officer Program	YTH2124	2,285
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Greenburgh (Town)	TYCC Cornerstone	YTH2126	5,570
	TYCC Crossroads	YTH2127	5,000
Harrison (Town)	Harrison Youth Council	YTH2128	4,649
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Tuckahoe (Village)	Tuckahoe Youth Services	YTH2150	2,375
White Plains (City)	Comprehensive Youth Alternative Projects	YTH2151	30,519
Yonkers (City)	Teen Recreation Center Program	YTH2152	21,384

	Yonkers Camp Pride/Youth Employment	YTH2153	23,727
	Enhanced Youth and Police Initiative Plus	YTH2157	28,314
Yorktown (Town)	Recreation Project	YTH2154	4,870
	Youth Officer - Yorktown	YTH2155	4,871

Since the Plan does not constitute a procurement of goods or services, your Committee is advised that the Plan is not subject to the provisions of the County Procurement Policy and Procedures. In addition, your Committee is advised that the IMAs are exempt from the Westchester County Procurement Policy and Procedures pursuant to section 3(a) xviii thereof, regarding programs and services for the prevention of delinquency and youth crime and the advancement of the moral, physical, mental and social well-being of the youth of Westchester County.

Your Committee is further advised that pursuant to the Plan, OCFS reserves the right to modify the services or budget at its discretion or when required by the State Comptroller. In addition, pursuant to the Plan, OCFS may withhold approval for reimbursement for certain youth programs included in the event of noncompliance with the Plan or rules and regulations of OCFS or if the County does not have a County Child and Family Services Plan approved by OCFS. Your Committee is advised that the County has a County Child and Family Services Plan that was approved by OCFS on April 8, 2021 for the for the 2018 – 2022 plan.

The Programs use positive youth development models to focus on providing opportunities for youth to actively acquire the skills and abilities needed to grow up to be competent, caring and healthy adults. The Programs will implement service, opportunities and supports that target specific areas of positive youth development. The Programs will administer internal controls to collect and analyze qualitative and quantitative outcomes to measure the efficacy of Program goals and their ability to increase positive youth development. Program outcomes will be tracked and monitored by evaluation of the Programs' data, and annual reports submitted to the County Youth Bureau, and through site visits by the County Youth Bureau Program monitor. The Programs anticipate outcomes of positive skills attainment, social competencies and an increased measure of positive youth development across all measurable areas.

The Planning Department has advised that neither the Plan nor the IMAs meet the definition of an “action” under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR, Part 617. Please refer to the Memorandum from the Department of Planning dated May 14, 2021, which is on file with the clerk of your Honorable Board, and, therefore no further environmental review is required. Your Committee concurs with this conclusion.

Your Committee believes that the County’s participation in the Plan and entering into the IMAs will benefit youth by providing funding for certain programs that target specific areas of positive youth development. Therefore, your Committee recommends adoption of the proposed Act. It should be noted that an affirmative vote of a majority of the members of your Honorable Board is required in order to adopt the attached Act. Accordingly, your Committee recommends the annexed proposed Act for adoption.

Dated: August 25, 2021

White Plains, New York

COMMITTEE ON

Manuelpau
Ruth Walker
Benjamin Boyfina
J. H. A.
David Tubiolo

Budget & Appropriations

Sealant
Benjamin Boyfina
J. H. A.
David Tubiolo

Seniors, Youth & Intergenerational Services

FISCAL IMPACT STATEMENT

SUBJECT: Act for Resource Allocation Plan/State Reimburse't

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 \$ 963,971

Total Current Year Revenue \$ 929,760

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: Operating Acct: 101-11-0400-OBJ 1010, 101-11-0400-OBJ 4380,

& 4436 Rev Source 9734

Potential Related Operating Budget Expenses: Annual Amount \$ 193,541

Describe: Youth Bureau Staff Salary Exp for YDP and required match for RHY Programs: \$115,550 under 101-11-0400-1010; RHY Prog Exp as reqd local match \$27,991 under 101-11-0400-4436 and West Cty Park & Rec Staff salary exp \$50,000.

Potential Related Revenues: Annual Amount \$ 929,760

Describe: Reimbursements by State to YB Non Profit Orgs & Rec Dept \$736,456 (263-11-530W-9584) RHY \$83,974 (263-11-108W-9584); Reimbursement of YB Staff Salary by State \$109,330;

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

Current Year: \$34,211 Youth Bureau

Next Four years: Same as above

Prepared by: Bernie Dean *BD*


Title: Financial Coordinator

Department: CEO/Youth Bureau

8/23/21 Reviewed By: *[Signature]* *8/23/21*
Budget Director

If you need more space, please attach additional sheets.

TO: George Latimer, County Executive
Kenneth Jenkins, Deputy County Executive
John Nonna, County Attorney

FROM: David Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: May 14, 2021

SUBJECT: **ACTIVITIES NOT SUBJECT TO STATE ENVIRONMENTAL QUALITY
REVIEW**

As required by the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 (“SEQR”), the Board of Legislators (“BOL”) is the body that must assess the environmental significance of all actions that the BOL has discretion to approve, fund or directly undertake. The Planning Department has historically conducted the necessary environmental review for the BOL to undertake its responsibility under SEQR. Additionally, contracts going before the Board of Acquisition and Contracts (“BAC”) must be reviewed for conformance with SEQR.

Pursuant to Section 617.2(b) of SEQR, “Actions” are defined as:

- (1) projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that:
 - (i) are directly undertaken by an agency; or
 - (ii) involve funding by an agency; or
 - (iii) require one or more new or modified approvals from an agency or agencies;
- (2) agency planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions;
- (3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and
- (4) any combinations of the above.

As part of the Planning Department’s ongoing review of its processes, we are streamlining the process for SEQR review and related document preparation for the BOL and BAC. The most effective method to achieve a more timely SEQR review is to create a list of categories of activities **that do not meet the definition of an “action”** as defined in SEQR. This list will reference activities that are routine and which do not change the use, appearance or condition of any natural resource or structure, nor do they involve policies or regulations that may affect the environment. The creation of this list in no way eliminates the BOL’s or BAC’s responsibilities

Activities not Subject to SEQR
May 14, 2021
Page 2

under SEQR. Rather, it establishes a workflow for items that are routine and do not, under the law, require environmental review.

Accordingly, the Planning Department advises that no environmental review is required and no SEQR documentation is necessary for submission with BOL legislation or with resolutions or contracts requiring BAC approval regarding activities on the attached list.

County departments and agencies may reference this memorandum in the legislation in order to document compliance with SEQR for actions listed herein. As such, this memorandum should be kept on file with the Clerk of the Board of Legislators. Legislation should include a statement similar to the following: "The proposed project does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated May 14, 2021, which is on file with the Clerk of the Board of Legislators."

This memorandum will be distributed to all Commissioners as part of County operations.

Please contact me if you have any questions.

Att.

cc: Malika Vanderberg, Clerk and Chief Administrative Officer to the Board of Legislators
Joan McDonald, Director of Operations
Andrew Ferris, Chief of Staff
Steve Bass, Director of Intergovernmental Relations
Paula Friedman, Assistant to the County Executive
Stacey Dolgin-Kmetz, Chief Deputy County Attorney
Tami Altschiller, Assistant Chief Deputy County Attorney
Norma Drummond, Commissioner of Planning

**ACTIVITIES THAT DO NOT MEET THE DEFINITION OF AN “ACTION”
PURSUANT TO SEQR AND ARE, CONSEQUENTLY, NOT SUBJECT TO SEQR**

1. **BUDGETS AND AMENDMENTS**

- Municipal budgets and amendments to them – The budgeting process merely sets aside funds without a commitment to their expenditure. Operating expenditures are typically for government-related activities that would also not meet the definition of an action. Even the establishment of the Capital Budget is not subject to SEQR because many of the capital projects are usually not definitive enough with respect to potential impacts to be reviewable at the time the budget is adopted. However, any subsequent authorization, such as bonding, to undertake a particular capital project is an action that requires SEQR compliance before it may be approved.
- The transfer of funds within the County operating and capital budgets for the purpose of balancing accounts – It is understood that these actions are purely budgetary, where accounts with excess funds are moved to accounts with existing or anticipated deficits. It is further understood that the activities covered by these accounts have either already occurred or been reviewed in accordance with SEQR, are Type II actions or actions that are not subject to SEQR, or are actions that will require future approval prior to being undertaken, at which time further SEQR review may be appropriate.
- Rescissions or reduction of bond acts to cancel unspent funds.

2. **SERVICES**

- Consultant services – Contracts or agreements that provide for administrative services, training, reports for Boards and Commissions, but not including studies or design of physical improvements, which has been listed under SEQR as Type II.
- Social Services – Actions or agreements that provide services to persons in need, such as employment assistance, family/domestic intervention and respite care.
- Youth services – Actions or agreements that provide for youth services, such as a Resource Allocation Plan, Invest-in-Kids Program, after-school programs, camp programs and head-start programs.
- Senior programs & services – Actions or agreements that provide for services to seniors, such as provision of information/education, home care, nutrition & transportation assistance, caregiver support, and acceptance of federal and state grants providing for such services (e.g., OAA Title III grants and NYSOFA grants, including CSE, CSI, CRC, EISEP, NYSTP, WIN & NSIP).
- Public Safety services – programs that promote public safety, such as STOP-DWI, Police Night Out, and intermunicipal agreements (IMAs) for shared training, equipment and response to emergencies.
- Fire services – Fire district IMAs for shared training, equipment and response to emergencies.
- Legal services – Contracts for outside counsel, litigation or associated monetary settlements.
- Medical Services – Contracts with medical providers for medical examinations, testing or vaccinations of County employees or the public.

3. PERSONNEL MATTERS

- Actions related to employment or employees.
- Contracts for temporary staff assistance.
- Legislation pertaining to establishment and membership of boards and commissions.

4. FINANCES

- Tax Anticipation Notes.
- Bond acts to finance tax certiorari payments.
- Banking contracts/agreements for money management services.
- Mortgage tax receipts disbursements (County Clerk).
- Refinancing of affordable housing mortgages.
- Payment in Lieu of Taxes (PILOT) agreements.

5. LAWS

- New laws or amendments of existing laws that regulate the sale or use of products for the protection of public health.
- New laws or amendments of existing laws that regulate businesses for the protection of consumers.
- Pertaining to consumer protection, not including professional licensing, which have been classified as Type II.
- Pertaining to animal welfare, excluding regulations involving habitat management.
- Pertaining to public safety.
- Pertaining to taxation, such as establishment of new taxes or tax exemptions.
- Pertaining to establishment or modification of fees.
- Pertaining to notices, publications and record keeping.
- Pertaining to hiring or contracting procedures.
- Pertaining to the functioning of County government, such as term limits, board appointments, etc. that do not impact the environment.

6. MISCELLANEOUS

- Amendments to existing agreements for changes in name or consultants.
- Prisoner Transport IMAs.
- Tourism Promotion Agency designation.
- Software licenses.
- IMAs for temporary housing in existing facilities (homeless, inmate, troubled youths, domestic violence victims).

WCDP
5/14/2021

AN ACT authorizing the County of Westchester to execute and submit to the State of New York a Resource Allocation Plan which will provide State reimbursement for certain youth services programs and enter into inter-municipal agreements with various municipalities to implement such programs.

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

Section 1. The County of Westchester, acting by and through its Youth Bureau (the “County”), is hereby authorized to execute and submit to the State of New York (“State”) a Resource Allocation Plan (the “Plan”) which will qualify the County to receive certain State reimbursements through the State’s Office of Children and Family Services (“OCFS”), in the total aggregate amount of Nine Hundred Twenty Nine Thousand, Seven Hundred Sixty (\$929,760.00) Dollars. The Plan will allocate funds for certain youth services programs and related administrative activities, for the program year commencing January 1, 2021 and terminating December 31, 2021.

§2. The County, is hereby further authorized to enter into inter-municipal agreements (“IMAs”) with the indicated municipalities (the “Municipalities”) set forth below, located in Westchester County, for the provision of the programs listed below, for the period from January 1, 2021 through December 31, 2021, in a total aggregate amount not to exceed Two Hundred Ninety-Three Thousand Four Hundred Fifty-Six and 00/100 Dollars (\$293,456.00). The funding will be allocated as follows:

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§3. The County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents appropriate and necessary to effectuate 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. 160 - 2021, 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 September 20, 2021, and approved by the County Executive on September 21, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 22nd day of September, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

