

ACT 22 - 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 Town of Greenburgh (“Greenburgh”) in order to reimburse to Greenburgh the annual amount of \$101,264 in 2022 and \$103,289 in 2023 for a total not to exceed amount of \$204,553, for the term commencing January 1, 2022 and terminating December 31, 2023. This IMA will allow the County to reimburse Greenburgh for the costs it incurs in transporting prisoners who have been arraigned to and from Greenburgh and the Westchester County Jail.

Reimbursement to Greenburgh for round trip prisoner transportation in 2022 will be at the following rates: \$275.26 per round trip for eight (8) or fewer prisoners; \$413.49 per round trip for more than eight (8) prisoners; or \$118.14 per hour per police officer where the round trip exceeds two (2) hours in duration. In 2023 Greenburgh will be reimbursed as follows: \$282.28 per round trip for eight (8) or fewer prisoners; \$424.04 per round trip for more than eight (8) prisoners; or \$121.15 per hour per police officer where the round trip exceeds two (2) hours in duration. The County will also reimburse Greenburgh for the actual and reasonable cost of meals provided to post-arraignment prisoners.

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

Therefore, your Honorable Board need take no further action on this matter pursuant to SEQRA. 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 concurs in this conclusion.

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: 2023
White Plains, New York

Committee on
January 17th, 2023
Public Safety


Margaret A. Cyo

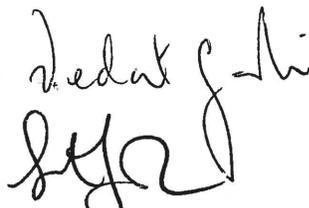
Nancy E. Barr





C:DI 5/11/22

January 23rd, 2023
Budget & Appropriations


James J. Ziller-Johns
Nancy E. Barr

Cathy Park


FISCAL IMPACT STATEMENT

SUBJECT: Town of Greenburg 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 \$ 101,264

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- \$ 103,289

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

11/10/22

If you need more space, please attach additional sheets.

ACT NO. 22 - 2023

AN ACT authorizing the County of Westchester to enter into an Intermunicipal Agreement with the Town of Greenburgh 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 Town of Greenburgh (“Greenburgh”) in order to reimburse the municipality for the cost to transport prisoners round trip between Greenburgh and the Westchester County Jail located at Valhalla, New York, an amount not to exceed \$101,264 in 2022 and an amount not to exceed \$103,289 in 2023 for a total not to exceed amount of \$204,553 for the term commencing January 1, 2022 and terminating December 31, 2023.

§2. The County will reimburse Greenburgh for prisoner transportation for the term January 1, 2022 through December 31, 2022 at the following rates: \$275.26 per round trip for eight (8) or fewer prisoners; \$413.49 per round trip for more than eight (8) prisoners; or \$118.14 per hour per police officer where the round trip exceeds two (2) hours in duration. For the term January 1, 2023 through December 31, 2023 Greenburgh will be reimbursed at the following rates: \$282.28 per round trip for eight (8) or fewer prisoners; \$424.04 per round trip for more than eight (8) prisoners; or \$121.15 per hour per police officer where the round trip exceeds two (2) hours in duration. The County will also reimburse Greenburgh 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. 22 - 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

