

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER****DRAFT
AGREEMENT
ON FILE**

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which, if adopted, would authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), to: 1) amend a grant agreement with the New York State Office for the Aging ("NYSOFA") which provided the County with \$951,658 in funding for the Unmet Need Program for a term commencing on April 1, 2020 and continuing through March 31, 2021, by extending the term thereof through September 30, 2021; and 2) enter into inter-municipal agreements ("IMAs") with the City of New Rochelle and the City of Yonkers (the "Municipalities"), to provide services funded under the Unmet Need Program, in a total aggregate amount not-to-exceed \$130,000, for a term commencing on April 1, 2021 and continuing through September 30, 2021.

Your Committee is advised that on July 13, 2020, your Honorable Board approved Act No. 118-2020 which, *inter alia*, authorized the County to enter into a grant agreement with the NYSOFA to accept grant funds made available to the County under the Unmet Need Program in an amount not-to-exceed of \$951,658, for a term commencing on April 1, 2020 and continuing through March 31, 2021 (the Unmet Need Grant Agreement"). Funding received under the Unmet Need Grant Agreement was used to provide various services to seniors through contracts with non-municipal agencies.

NYSOFA recently informed the Department that it has extended the Unmet Need Program through September 30, 2021 in order to optimize utilization of the grant funds that were unexpended due to the COVID-19 pandemic. Accordingly, authority is respectfully requested to amend the Unmet Need Grant Agreement with NYSOFA for the limited purpose of extending the term thereof from April 1, 2021 through September 30, 2021.

Additionally, the Department has determined that it would like to use a portion of the unexpended grant funds received under the Unmet Need Grant Agreement to enter into IMAs with the Municipalities to provide various services to seniors. Accordingly, authority is also respectfully requested to enter into IMAs with the City of New Rochelle and the City of Yonkers for services to be funded under the Unmet Need Grant Agreement in the total aggregate amount

not-to-exceed of \$130,000.00, in individual not-to-exceed amounts to be determined by the Commissioner of the Department, for a term commencing on April 1, 2021 and continuing through September 30, 2021.

Your Committee is advised that the services to be provided under the IMAs with the grant funds received from NYSOFA shall include: livable community regional host services, which assist seniors in remaining in their homes and community; and vehicle expenses.

Your Committee notes that the Unmet Need Grant Agreement does not constitute a procurement of goods or services and as such is not subject to the Westchester County Procurement Policy and Procedures (the "Policy"). The IMAs are exempt from the Policy pursuant to section 3(a) iii thereof which exempts contracts with ". . . any State and any political subdivision, agency or instrumentality thereof." They are also exempt pursuant to section 3(a) xix of the Policy which exempts "any procurement for the purpose of entering into a contract with persons to provide direct services to senior citizens."

The Planning Department has advised that the proposed amendment to the Unmet Need Grant Agreement and the IMAs do not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required. 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.

Your Committee has been advised that the passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board. Your Committee is further advised that adoption of the proposed Act is necessary to effectively carry out this worthwhile program. Accordingly, after due consideration, your Committee recommends adoption of the annexed Act.

Dated: June 7, 2021
White Plains, New York

Benjamin Bayliff
Chair

Benjamin Bayliff

Arthur K.
Ruth Water

COMMITTEE ON

Budget & Appropriations

Seniors Youth
& Intergenerational
Services.

Dated: June 7, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget and Appropriations

Vedat Dadin
Margaret A. Cunzio
Nancy E. Barr
Catherine F. Parker
Alfreda Willis
David A. Jubilo
Kameron R. Maher

Seniors, Youth and Intergenerational Services

Joe Plunk
Alfreda Willis
David A. Jubilo

FISCAL IMPACT STATEMENT

SUBJECT: UNMET 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 \$ 951658

Total Current Year Revenue \$ 951658

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-T1006

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 951658

Describe: Funding received from the New York State Office for the Aging for Unmet Need Services to the Elderly.

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

Current Year: The Department would not be able to provide In Home Personal Care Services, Case Management, Meals, Vehicle expense, InHome Contact & Support, Telehealth, Public Information, and Outreach: Livable Communities Program to seniors in Westchester.

Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

9/10
6/2/21
Reviewed By: [Signature]
Budget Director
6/2/21

If you need more space, please attach additional sheets.

ACT NO. 110 – 2021

AN ACT authorizing the County of Westchester to amend a grant agreement with the New York State Office for the Aging (“NYSOFA”) under the Unmet Need Program by extending the term thereof through September 30, 2021; and to enter into inter-municipal agreements with the City of New Rochelle and the City of Yonkers to provide various services to seniors to be funded with the Unmet Need grant.

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

Section 1. The County of Westchester (the “County”) acting by and through its Department of Senior Programs and Services (the “Department”), be and hereby is authorized to amend a grant agreement with the NYSOFA (the “Unmet Need Grant Agreement”) which provided the County with \$951,658 in funding for the Unmet Need Program for a term commencing on April 1, 2020 and continuing through March 31, 2021, by extending the term thereof from April 1, 2021 through September 30, 2021.

§2. The County, through the Department, is hereby further authorized to enter into inter-municipal agreements (“IMAs”) with the City of New Rochelle and the City of Yonkers for services to be funded under the Unmet Need Grant Agreement, in a total aggregate amount not-to-exceed \$130,000, in individual not-to-exceed amounts to be determined by the Commissioner of the Department, for a term commencing on April 1, 2021 and continuing through September 30, 2021.

§3. The services to be provided under the IMAs with the Unmet Need grant funds received from NYSOFA shall include: livable community regional hosts to help seniors remain in their homes and community; and vehicle expenses.

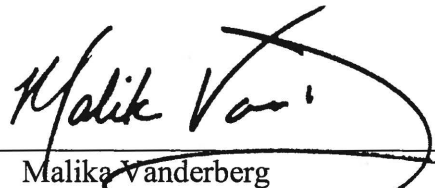
§4. The County Executive or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effectuate the purposes hereof.

§5. 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. 110 - 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 June 7, 2021, and approved by the County Executive on June 10, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 15th day of June, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

