

ACT 63 - 2023

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

DRAFT
IMAs ON FILE

Your Committee is in receipt of a communication from the County Executive recommending the approval of an act (the “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 enter into grant agreements (“Grant Agreements”) with the New York State Office for the Aging (“NYSOFA”) to accept grant funds made available to the County from New York State (“State”) under the Community Services for the Elderly Program (“CSE”), the Congregate Services Initiative Program (“CSI”), the Caregiver Resource Center Program (“CRC”), the Expanded In-home Services for the Elderly Program (“EISEP”), the New York State Transportation Program (“NYSTP”), the Wellness in Nutrition Program (“WIN”), the Nutrition Services Incentive Program (“NSIP”), the Unmet Need Program (“UNMET NEED”), and the New York Connects Expansion and Enhancement Program (“NY CONNECTS”) (collectively, the “Programs”), in the total aggregate not-to-exceed amounts set forth below. The Grant Agreements will be for a term commencing on April 1, 2023 and continuing through March 31, 2024, except for the NSIP Grant Agreement, which will be for a term commencing retroactive to October 1, 2022 and continuing through September 30, 2023. Additionally, authority is requested to enter into inter-municipal agreements (“IMAs”) with the municipal corporations listed in the attached Exhibit “A”, for services to be funded with the grant funds received from NYSOFA under the Grant Agreements for CSE, EISEP, NYSTP and WIN & NSIP, in the total aggregate not-to-exceed amounts set forth below, for terms corresponding to the term of each Grant Agreement, with specific allocations for each IMA to be determined at the discretion of the Commissioner of the Department.

Grant Amounts

CSE	CSI	CRC	EISEP	NYSTP	WIN & NSIP
\$1,620,270	\$20,806	\$19,611	\$2,536,575	\$54,074	\$1,213,575
UNMET NEED		NY CONNECTS			
\$1,036,658		\$653,982			

IMAs

CSE	CSI	CRC	EISEP	NYSTP	WIN & NSIP
\$253,019	\$0	\$0	\$97,352	\$54,074	\$903,172

UNMET NEED	NY CONNECTS
\$0	\$0

Your Committee is advised that the services to be provided under the IMAs with the grant funds received from NYSOFA under CSE, EISEP, NYSTP, and WIN & NSIP will include: case management, home-delivered meals, information, assistance, repairs & vehicle expenses and transportation. With the exception of the grants funds received from NYSOFA under NYSTP, a portion of the grant funds under these Programs will be used directly by the Department for Area Agency Administration and direct services to seniors. Additionally, with the exception of NYSTP, and WIN & NSIP, the remaining portion of the grant funds under these Programs will be allocated for various contracts with non-municipal agencies for services to seniors, noting that a portion of the CSE grant funds will also be allocated for inter-departmental agreements with Westchester Community College to provide certain services to seniors.

Your Committee is advised that no services will be provided under IMAs with the grant funds received from NYSOFA under CRC, CSI, and UNMET NEED. Instead, these funds will be allocated for contracts with non-municipal agencies to provide various services to seniors, noting that a portion of the grant funds under UNMET NEED will also be used directly by the Department for Area Agency Administration and direct services to seniors. Similarly, no services will be provided under IMAs with the grant funds received under NY CONNECTS. Instead, these funds will be allocated for information contacts services to be provided by the Department, the Westchester County Department of Social Services and the Westchester County Office for the Disabled.

Your Committee notes that this Honorable Board passed similar legislation pursuant to Act No. 39 – 2022, as amended by Act No. 157-2022. However, the existing authorization will expire on March 31, 2023 and a new authorization will be needed to enter into new agreements.

Your Committee is informed that the IMAs are exempt from the Westchester County Procurement Policy (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 based on its review, the proposed agreements with NYSOFA and the proposed IMAs do not meet the definition of an "action" under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 12, 2023, 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 has been 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: *March 27*, 2023
White Plains, New York

David J. Tubish *David J. Tubish*

C:\jpg\1-31-23

COMMITTEE ON
Budget + Appropriations

Wm. M. Melis
Calvin Parks
Samuel B. Kelly

Seniors + Youth

Samuel B. Kelly *John*

Dated: March 27, 2023
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations



Seniors & Youth



FISCAL IMPACT STATEMENT

SUBJECT: CSE 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 \$ 2262443

Total Current Year Revenue \$ 1620270

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: 101-24-4957

263-85-T047

Potential Related Operating Budget Expenses: Annual Amount \$ 642173

Describe: County Match Funds

Potential Related Revenues: Annual Amount \$ 1620270

Describe: Funding received from the New York State Office for the Aging for Community Services for the Elderly.

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

Current Year: The Department would not be able to provide Case Management, Information & Assistance; Senior Center Recreation & Education, Health Promotion, Transportation, Food Distribution, Food Stamp Counseling and volunteer programs to seniors in Westchester County.

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.

SB
Reviewed By: 
Budget Director

3/3/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: CSI 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 \$ 36000

Total Current Year Revenue \$ 20806

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 24-101-4957

263-85-T047

Potential Related Operating Budget Expenses: Annual Amount \$ 15194

Describe: County Match Funds

Potential Related Revenues: Annual Amount \$ 20806

Describe: Funding is received from the New York State Office for the Aging for the Congregate Services Initiatives Act

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

Current Year: The Department would not be able to provide Senior Center Recreation and Education programs in congregate settings to enhance and preserve the health and wellness of Westchester's seniors.

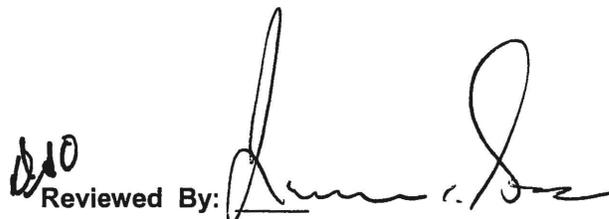
Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

 Reviewed By: _____

Budget Director

3/2/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: CRC 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 \$ 19611

Total Current Year Revenue \$ 19611

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-T927

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 19611

Describe: Funding is received from the New York State Office for the Aging for the Caregiver Resource Center

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

Current Year: The Department would not be able to provide caregiver information, assistance, counseling, support groups and training sessions to caregivers of the elderly.

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.

2/10
Reviewed By: 
Budget Director
3/3/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: EISEP 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 \$ 3595315

Total Current Year Revenue \$ 2536575

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 24-101-4957

263-85-T048

Potential Related Operating Budget Expenses:

Annual Amount \$ 1058740

Describe: County Match Funds

Potential Related Revenues: Annual Amount \$ 2536575

Describe: Funding received from the New York State Office for the Aging for Expanded In-Home 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, Personal Emergency Response Systems, In-Home Contact & Support and Adult Day Care to seniors in Westchester.

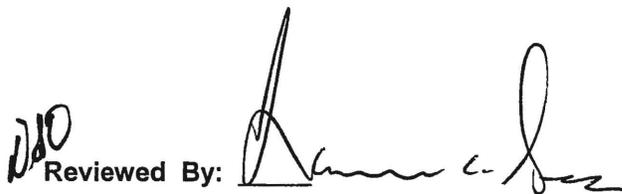
Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

 Reviewed By: _____

Budget Director

3/3/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: NYS TRANS 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 \$ 54074

Total Current Year Revenue \$ 54074

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: 263-85-T813

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 54074

Describe: Funding is received from the New York State Office for the Aging for the State Transportation Program.

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

Current Year: The Department would not be able to provide supplemental funding to expand existing nutrition site and supportive services transportation operations throughout the county.

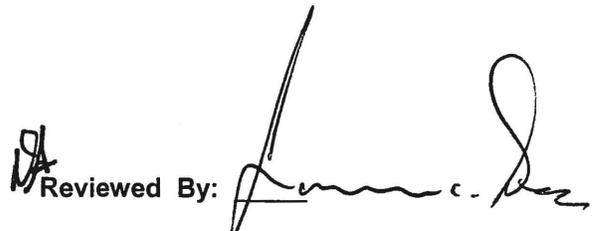
Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.


Reviewed By: _____
Budget Director

3/3/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: WIN/NSIP 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 \$ 1213575

Total Current Year Revenue \$ 1213575

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

Identify Accounts: 263-85-T928

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: _

Potential Related Revenues: Annual Amount \$ 1213575

Describe: Funding is received from the New York State Office for the Aging for the Wellness in Nutrition Program

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

Current Year: The Department would not be able to provide Home Delivered Meals and Nutrition Education and counseling to seniors in Westchester County.

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.

DAO
Reviewed By: 
Budget Director

3/3/23

If you need more space, please attach additional sheets.

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 \$ 1036658

Total Current Year Revenue \$ 1036658

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 \$ 1036658

Describe: Funding received from the New York State Office for the Aging to provide 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 Services, Case Management, Transportation, Sr. Rec and Ed, and InHome Contact & Support 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.

JD Reviewed By: 

Budget Director

3/3/23

If you need more space, please attach additional sheets.

FISCAL IMPACT STATEMENT

SUBJECT: NYConn 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 \$ 653982

Total Current Year Revenue \$ 653982

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 263-85-T079

Potential Related Operating Budget Expenses:

Annual Amount \$ 0

Describe: _____

Potential Related Revenues: Annual Amount \$ 653982

Describe: Funding is received from the New York State Office for the Aging for the New York Connects Prog.

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

Current Year: The Department would not be able to deliver Long-Term Care information options and linkages to services providing a continuum of health care to seniors.

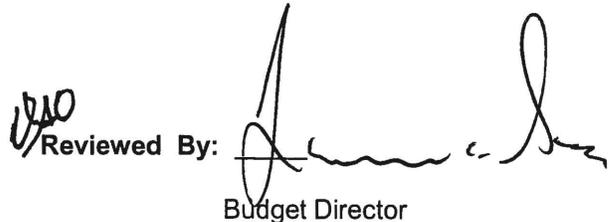
Next Four years:

Estimated to be same as above each year.

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.


Reviewed By: _____
Budget Director

3/3/23

If you need more space, please attach additional sheets.

AN ACT authorizing the County of Westchester to enter into grant agreements with the New York State Office for the Aging to accept grant funds from New York State under the Community Services for the Elderly Program, the Congregate Services Initiative Program, the Caregiver Resource Center Program, the Expanded In-home Services for the Elderly Program, the New York State Transportation Program, the Wellness in Nutrition Program, the Nutrition Services Incentive Program, the Unmet Need Program, and the New York Connects Expansion and Enhancement Program, and to also enter into inter-municipal agreements with local municipalities for services to be funded by some of said grants.

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 enter into grant agreements (the “Grant Agreements”) with the New York State Office for the Aging (“NYSOFA”) to accept grant funds made available to the County from New York State (“State”) under the Community Services for the Elderly Program (“CSE”), the Congregate Services Initiative Program (“CSI”), the Caregiver Resource Center Program (“CRC”), the Expanded In-home Services for the Elderly Program (“EISEP”), the New York State Transportation Program (“NYSTP”), the Wellness in Nutrition Program (“WIN”), the Nutrition Services Incentive Program (“NSIP”), the Unmet Need Program (“UNMET NEED”), and the New York Connects Expansion and Enhancement Program (“NY CONNECTS”) (collectively, the “Programs”), in the total aggregate not-to-exceed amounts set forth below. The Grant Agreements will be for a term commencing on April 1, 2023 and continuing through March 31, 2024, except for the NSIP Grant Agreement, which will be for a term commencing retroactive to October 1, 2022 and continuing through September 30, 2023:

Grant Amounts

CSE	CSI	CRC	EISEP	NYSTP	WIN & NSIP
\$ 1,620,270	\$20,806	\$19,611	\$2,536,575	\$54,074	\$1,213,575

UNMET NEED	NY CONNECTS
\$1,036,658	\$653,982

§2. The County be and hereby is further authorized to enter into inter-municipal agreements (“IMAs”) with the municipal corporations listed in the attached Exhibit “A”, for services to be funded with the grant funds received from NYSOFA under the Grant Agreements for CSE, EISEP, NYSTP and WIN & NSIP, in the total aggregate not-to-exceed amounts set forth below, for terms corresponding to the term of each Grant Agreement.

IMAs

CSE	EISEP	NYSTP	WIN & NSIP
\$253,019	\$97,352	\$54,074	\$903,172

§3. The amounts allocated for each IMA shall be determined at the discretion of the Commissioner of the Department.

§4. The services to be provided under the IMAs with the grant funds received from NYSOFA under CSE, EISEP, NYSTP and WIN & NSIP shall include: case management, home-delivered meals, information, assistance, repairs & vehicle expenses and transportation. With the exception of the grant funds received from NYSOFA under the NYSTP, a portion of the grant funds under these Programs will be used directly by the Department for Area Agency Administration and direct services to seniors. Additionally, with the exception of NYSTP, WIN and NSIP, the remaining portion of the grant funds under these Programs will be used to enter into various contracts with non-municipal agencies for services to seniors, noting that a portion of the CSE grant funds will also be allocated for various inter-departmental agreements with Westchester Community College to provide certain services to seniors.

§5. There will be no services provided under IMAs with the funds received under CRC, CSI and UNMET NEED. Instead, these funds will be allocated for contracts with non-municipal agencies to provide various services to seniors, noting that a portion of the grant funds under UNMET NEED will also be used directly by the Department for Area Agency Administration and direct services to seniors. Similarly, no services will be provided under IMAs with the grant funds received under NY CONNECTS. Instead, these funds will be allocated for information contacts services to seniors to be provided by the Department, the Westchester County Department of Social Services and the Westchester County Office for the Disabled.

§6. 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.

§7. This Act shall take effect immediately.

EXHIBIT "A"

LIST OF MUNICIPALITIES AND SERVICES

GRANT: CSE	GRANT: EISEP	GRANT: NYSTP	GRANTS: WIN & NSIP
<u>SERVICES</u>	<u>SERVICES</u>	<u>SERVICES</u>	<u>SERVICES</u>
Information, Assistance, Transportation and Case management	Case management	Transportation	Home-delivered Meals
Town of Eastchester	City of Yonkers	Town of Cortlandt	Town of Cortlandt
City of Yonkers*		Town of Greenburgh	Town of Eastchester
		Town of Mamaroneck	Town of Greenburgh
		Village/Town of Mount Kisco	Town of Mamaroneck
		Town of Mount Pleasant	Village/Town of Mount Kisco
		City of Mount Vernon	Town of Mount Pleasant
		City of New Rochelle	City of Mount Vernon
		Town of Ossining	Town of New Castle
		City of Peekskill	Town of Ossining
		Village of Port Chester	City of Peekskill
		Town of Somers	Village of Port Chester
		City of White Plains	Town of Somers
		Town of Yorktown	City of Yonkers
			Town of Yorktown

Note:

- BOTH municipalities listed above under CSE will provide Transportation and Case Management Services, EXCEPT that the City of Yonkers marked with an asterisk (*) will also provide Information and Assistance

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 63 - 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 April 3, 2023, and approved by the County Executive on April 4, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 5th day of April, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

