



Office of the District Attorney
County of Westchester

MEMORANDUM

13809

September 1, 2010

To: HONORABLE MEMBERS
BOARD OF ACQUISITION AND CONTRACT

From: JANET DiFIORE
DISTRICT ATTORNEY

GRANT MITCHELL, MD
COMMISSIONER COMMUNITY MENTAL HEALTH

Re: **RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO 1) AMEND A RESOLUTION APPROVED ON APRIL 22, 2010 WHICH AUTHORIZED THE COUNTY TO ENTER INTO A GRANT AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND TO SUBCONTRACT WITH SHAUN LEVINE, LCSW, THE MENTAL HEALTH ASSOCIATION OF WESTCHESTER COUNTY, INC., WESTHAB, INC., AND FAMILY SERVICES OF WESTCHESTER, TO PROVIDE VARIOUS SERVICES UNDER THE REENTRY TASK FORCE AND ENHANCED SERVICES GRANT, IN ORDER TO CORRECT CERTAIN INCONSISTENCIES CONTAINED IN SAID RESOLUTION; AND 2) AMEND AN AGREEMENT WITH THE MENTAL HEALTH ASSOCIATION OF WESTCHESTER COUNTY INC. FOR THE PROVISION OF VARIOUS EMERGENCY SERVICES FOR OFFENDERS TRANSITIONING BACK INTO THE COMMUNITY IN AN AMOUNT NOT TO EXCEED \$19,900, BY INCREASING THE NOT-TO-EXCEED AMOUNT BY AN ADDITIONAL \$4,466.**

By resolution approved on April 22, 2010 (the "April 22nd Resolution"), your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with the New York State Division of Criminal Justice Services ("DCJS") in the amount of \$300,387 in grant funds for the District Attorney's Office to operate the Reentry Task Force and Enhanced Services Grant (the "Grant Agreement") for a term commencing on July 1, 2009 and continuing through June 30, 2010. The April 22nd Resolution further authorized the County to subcontract with Shaun Levine, LCSW ("Shaun Levine"), the Mental Health Association of Westchester County, Inc. ("MHA"), Westhab, Inc. ("Westhab") and Family Services of Westchester ("FSW"), to provide various support services for offenders transitioning back into the community. All of the aforesaid agreements have been executed and have since expired.

It was recently discovered that, due to a typographical error, the April 22nd Resolution contained several inconsistencies between the cover memorandum and the resolution with respect to the amount authorized under two of the four aforementioned subcontracts. Specifically, the cover memo provided that the amount not-to-exceed under the contract with Shaun Levine would be \$56,060. However, the second RESOLVED

clause of the resolution authorized an amount not-to-exceed of only \$52,600. Similarly, the cover memo provided that the contract with MHA would be in an amount not-to-exceed \$19,900. However, the resolution authorized an amount not-to-exceed of \$44,763. As it turns out, the not-to-exceed amounts contained in the cover memo were correct and were the same amounts set forth in the contracts subsequently executed between the County and Shaun Levine and MHA. It should be noted that the not-to-exceed amounts set forth on the resolution page for the contracts with Westhab and FSW, \$20,000 and \$2,530 respectively, reflected the correct amounts.

In order to correct the discrepancies between the cover memorandum and the resolution with respect to the amounts authorized under the contracts with Shaun Levine and MHA, it will be necessary to retroactively amend the April 22nd Resolution for the limited purpose of reflecting the correct not-to-exceed amounts. Accordingly, authority is respectfully requested to amend the April 22nd Resolution which authorized the County to enter into an agreement with the DCJS in the amount of \$300,387 in grant funds and to subcontract with Shaun Levine, MHA, Westhab, and FSW, to provide various support services for offenders transitioning back into the community, by changing the second RESOLVED clause of the resolution to authorize an amount not-to-exceed \$56,060 for the contract with Shaun Levine and an amount not-to-exceed \$19,900 for the contract with MHA.

In addition, the District Attorney's Office would like to allocate \$4,466 in unspent Grant funds to cover additional expenses incurred under the agreement with MHA. Accordingly, authority is respectfully requested to retroactively amend the Agreement with MHA whereby MHA agreed to provide various emergency services for offenders transitioning back into the community for the period July 1, 2009 through June 30, 2010 in an amount not-to-exceed \$19,900, by increasing the not-to-exceed amount by an additional \$4,466, from \$19,900 to \$24,366, to cover additional expenses incurred under the agreement.

Except as specifically amended hereby, all remaining terms and conditions as set forth in the April 22nd Resolution shall remain in full force and effect. Except as specifically amended hereby, all remaining terms and conditions set forth in the agreement with MHA shall remain in full force and effect.

These agreements serve a public purpose by meeting the reentry needs of offenders returning into the community thereby reducing recidivism and helping them to become productive citizens.

The goals and objectives of the Agreement are to provide various emergency services for offenders transitioning back into the community, such as transportation; clothing; personal care items and food.

The goals and objectives are in the best interest of the County because meeting the reentry needs of this returning population will promote the safety and best interests of the people of Westchester County.

The goals and objectives will be monitored by the Westchester County Department of Mental Health and quarterly reports will be submitted to DCJS for their review and approval.

An appropriate resolution is herewith attached for your Honorable Board's approval.

JD/GM/jpg/sw
Att.

RESOLUTION

Upon communication from District Attorney Janet DiFiore and Commissioner Grant Mitchell, MD,

RESOLVED, that the resolution approved on April 22, 2010 (the “April 22nd Resolution”) which authorized the County to enter into an agreement with the New York State Division of Criminal Justice Services in the amount of \$300,387 in grant funds and to subcontract with Shaun Levine, LCSW (“Shaun Levine”), the Mental Health Association of Westchester County, Inc. (“MHA”), Westhab, Inc., and Family Services of Westchester, to provide various support services for offenders transitioning back into the community, is hereby amended by amending the second RESOLVED clause to reflect an amount not-to-exceed \$56,060 for the contract with Shaun Levine and an amount not-to-exceed \$19,900 for the contract with MHA; and be it further

RESOLVED, that the County is hereby authorized to retroactively amend the agreement with MHA pursuant to which MHA agreed to provide various support services for offenders transitioning back into the community for the period from July 1, 2009 through June 30, 2010 in an amount not-to-exceed \$19,900, by increasing the total not-to-exceed amount by an additional \$4,466, from \$19,900 to \$24,366, to cover additional expenses incurred under the agreement; and it is further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions as set forth in the April 22nd Resolution shall remain in full force and effect; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the agreement with MHA shall remain in full force and effect; and it is further

RESOLVED, that the County Executive or his duly authorized designee be authorized and empowered to execute this renewal for the County of Westchester.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	26	836J	4380	T-836	\$4,466
	263	26	836J	Various	T-836	-\$4,466

Budget Funding Year(s) Start Date: 7/1/2009 End Date: 6/30/2010
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 \$ 0 Federal Aid _____
 (must match resolution) Other _____