

27668

June 19, 2012

TO: Board of Acquisition and Contract

FROM: George N. Longworth  
Commissioner-Sheriff, Department of Public Safety

RE: Authority to enter into an inter-municipal agreement with the Village of Tuckahoe pursuant to which the Village, through its police department, will assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code and its implementing regulations for a term of one (1) year from the date of execution thereof

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By Act No 2012-71, approved on June 18, 2012, the Westchester County Board of Legislators authorized the County to enter into an inter-municipal agreement ("IMA") with the Village of Tuckahoe (the "Village") pursuant to which the Village, through its police department, will assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code, for a one (1) year term commencing upon the date of execution thereof. Under section 161.11(1) of the Laws of Westchester County, the authority of your Honorable Board is also required.

As your Honorable Board may know, the County, by Local Law No. 9-1998, added Chapter 270 to the Laws of Westchester County. Chapter 270 regulates the business of transporting passengers in for-hire vehicles in the county, including the licensing of for-hire vehicles, drivers and base stations by the Westchester County Taxi and Limousine Commission (the "Commission"). Chapter 270, *inter alia*, authorizes the Commission, or its designee, to issue summons and notices to any one alleged to have violated Chapter 270. Pursuant to section 800.02 of the Commission's rules and regulations, the Commission may designate officers of any local police jurisdiction within Westchester County to enforce Chapter 270 through the issuance of appearance tickets.

Pursuant to the terms of the IMA, the Village will assist the County by having its police issue appearance tickets to any person, partnership, corporation, or other entity violating the County For-Hire Vehicle Law. The County will prosecute, hear and determine the appearance tickets issued by the Village in accordance with the terms of the IMA and the For-Hire Vehicle Law. For the services rendered by the Village, the Village will be paid a fee equal to twenty-five percent (25%) of the total penalties collected by the County from the enforcement of appearance tickets issued by the Village. The term of the IMA will be for a period of one (1) year from the date of execution thereof and may be terminated on sixty (60) days written notice upon mutual

consent of the parties. In addition, the IMA may only be modified or terminated by the County upon the recommendation of the County Executive and subsequent approval of the Board of Legislators.

This Agreement will serve a public purpose by enhancing the County's enforcement of the For-Hire Vehicle Law.

The goals and objectives of the IMA will be to have the Village police department assist the County in enforcing the For-Hire Vehicle Law by issuing appearance tickets for violations of the law in its jurisdiction.

The goals and objectives are in the best interests of the County in terms of public safety because there will more police officers dedicated to issuing appearance tickets to violators of the law. The goals and objectives are also in the County's best interests in terms of fiscal responsibility because of the increased revenue the County will receive as a result of the enhanced enforcement efforts.

The goals and objectives of this program will be tracked and monitored by the Commissioner-Sheriff and by the Commission.

This agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) iii thereof.

A Resolution for your Honorable Board's consideration is annexed hereto.

GNL/jpg  
Attachment

## RESOLUTION

Upon a communication from the Commissioner-Sheriff of Public Safety, be it hereby

**RESOLVED**, that the County of Westchester, acting by and through its Department of Public Safety, is authorized to enter into an inter-municipal agreement ("IMA") with the Village of Tuckahoe (the "Village") pursuant to which the Village, through its police department, will assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code, for a one (1) year term commencing upon the date of execution thereof; and be it further

**RESOLVED**, that in consideration for services rendered by the Village, the Village will be paid a fee equal to twenty-five percent (25%) of the total penalties collected by the County from the enforcement of appearance tickets issued by the Village; and be it further

**RESOLVED**, that the IMA may be terminated on sixty (60) days written notice upon mutual consent of the parties and may only be modified or terminated by the County upon the recommendation of the County Executive and subsequent approval by the Board of Legislators; and be it further

**RESOLVED**, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Agency	Major Program, Program & Phase or Unit	Revenue	Dollars
2012	101	38	4000	9581	\$ 7,920.
2013	101	38	4000	9581	\$10,800.

Budget Funding Year(s) 2012-2013 Start Date Upon Execution End Date 1 Year Term  
 (must match resolution)

Funding Source            Tax Dollars \_\_\_\_\_  
    State Aid \_\_\_\_\_  
\$18,720.                    Federal Aid \_\_\_\_\_  
 (must match resolution) Other Revenue \$18,720. \_\_\_\_\_