

11170



**Memorandum  
Department of Public Safety**

DATE: May 4, 2010

TO: Board of Acquisition and Contract

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

RE: Authority to enter into inter-municipal agreements with one or more of the municipalities located in Westchester County for the use of the County's Firing Range located at the County's Police Academy in Valhalla, New York for firearms training, and also to amend previously executed inter-municipal agreements in order to revise the fee charged to municipalities for the use of the Firing Range.

Authorization is requested for the County of Westchester ("County"), acting by and through its Department of Public Safety Services (the "Department"), to enter into intermunicipal agreements ("IMAs") with one or more Westchester County municipal corporations as defined in Article 5-G of the New York State General Municipal Law ("Municipality") in order to have public safety employees from such Municipalities utilize the County's Firing Range located at the County's Police Academy in Valhalla, New York ("Firing Range") for firearms training. The IMAs will have five (5) year terms commencing upon execution and both parties will have the right to terminate the agreement on thirty (30) days notice to the other.

In exchange for the use of the Firing Range, which will be staffed by a Department safety officer, the Municipality shall pay a flat fee of Six Hundred and Thirty (\$630.00) Dollars per eight hour tour, for a maximum number of 36 officers in attendance. This charge is based solely on a blended hourly rate for the Department's safety officer that accommodates straight time and overtime costs. The flat fee shall be effective for firearms training that takes place on or after April 1, 2010. The Firing Range shall be operated under the direction of the safety officer. The Municipality shall adhere to all instructions issued by the Department's safety officer.

In the event that police officers from a Municipality provide instruction at the County's Police Academy under separate agreement between the County and the Municipality, the Commissioner of the Department or his designee may provide such Municipality with a credit equal to one eight hour tour at the Firing Range for each seven (7) hours of instruction at the Police Academy.

Authorization is also requested for the County to amend any IMAs that were previously executed under the authority of Act No. 96-2008 adopted by the Westchester County Board of

Legislators on June 16, 2008, in order to revise the fee structure for firearms training. Such amendments shall provide that Municipalities shall pay a flat fee of Six Hundred and Thirty (\$630.00) Dollars per eight hour tour, for a maximum number of 36 officers in attendance. The flat fee shall be effective for firearms training that takes place on or after April 1, 2010. All other terms and conditions of the IMAs that were previously executed will remain in full force and effect.

The Westchester County Board of Legislators authorized these agreements at a meeting duly held on April 26, 2010 by Act No. 33-2010, subject to the stipulation that the Act would only be effective through December 31, 2011. As such the authority to execute these IMAs will end on December 31, 2011.

The goals and objectives of this program are to ensure that the Westchester County local municipal police departments have available to them this state of the art firing range. The proposed IMAs are in the public's best interest and will promote the safety and general welfare of the public by ensuring that the Westchester County law enforcement officers are trained and recertified in a suitable environment.

The Department will monitor these agreements as Public Safety staff manage the facility and are present during all training sessions.

Based upon the foregoing, I most respectfully recommend approval of the attached Resolution.

GNL/TSA/cs  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 5-20-2010 - JIMMY VILLY SECRETARY

## RESOLUTION

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

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its Department of Public Safety Services ("Department"), is hereby authorized to enter into intermunicipal agreements ("IMAs") with one or more Westchester County municipal corporations as defined in Article 5-G of the New York State General Municipal Law ("Municipalities") in order to have public safety employees from such Municipalities utilize the County's Firing Range located at the County's Police Academy in Valhalla, New York ("Firing Range") for firearms training for a five year term commencing upon execution, with a mutual right to terminate the agreement on thirty (30) days notice to the other; and, be it further

**RESOLVED**, that in exchange for the use of the Firing Range, which will be staffed by a Department safety officer, the Municipality shall pay a flat fee of Six Hundred and Thirty (\$630.00) Dollars per eight hour tour, for a maximum number of 36 officers in attendance. This charge is based solely on a blended hourly rate for the Department's safety officer that accommodates straight time and overtime costs. The flat fee shall be effective for firearms training that takes place on or after April 1, 2010. The Firing Range shall be operated under the direction of the safety officer. The Municipality shall adhere to all instructions issued by the Department's safety officer; and, be it further

**RESOLVED**, that in the event that police officers from a Municipality provide instruction at the County's Police Academy located in Valhalla, New York, under separate agreement between the County and the Municipality, the Commissioner of the Department or his designee may provide such Municipality with a credit equal to one eight hour tour at the Firing Range for each seven (7) hours of instruction at the Police Academy; and, be it further

**RESOLVED**, that the County is hereby authorized to amend any IMAs that were previously executed under the authority of Act No. 96-2008 adopted by the Westchester County Board of Legislators on June 16, 2008, in order to revise the fee structure for firearms training. Such amendments shall provide that Municipalities shall pay a flat fee of Six Hundred and Thirty (\$630.00) Dollars per eight hour tour, for a maximum number of 36 officers in attendance. The flat fee shall be effective for firearms training that takes place on or after April 1, 2010. All other terms and conditions of the IMAs that were previously executed will remain in full force and effect; 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 from the date of adoption of this resolution through December 31, 2011.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object or Revenue	Dollars
2010 (Estimate)	101	38	3000	9230	\$39,000
2011 (Estimate)	101	38	3000	9230	\$78,120
2012 (Estimate)	101	38	3000	9230	\$78,120
2013 (Estimate)	101	38	3000	9230	\$78,120
2014 (Estimate)	101	38	3000	9230	\$78,120
2015 (Estimate)	101	38	3000	9230	\$19,530

Budget Funding Year(s) 2010-2015 Start Date upon execution End Date 5 years  
 (must match resolution)

Funding Source Tax Dollars \$371,010  
 State Aid \_\_\_\_\_  
 \$ 371,010 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 5-20-2010 - JOMARY VIEIRA, SECRETARY