

20762

DATE: August 2, 2011
TO: Board of Acquisition and Contract
FROM: Grant Mitchell, M.D.
Commissioner of Community Mental Health
RE: **Authority to:**

- I. Amend a resolution approved on December 22nd 2010 which authorized the County of Westchester (“County”) to enter into agreements with local municipalities and Putnam County whereby the County would provide employee assistance program services in accordance with Article 25 and Article 41 of the New York Mental Hygiene Law, by 1) removing the Westchester County Medical Center from the list of agencies with whom the County will enter into such agreements; 2) adding the Town of Rye and Lake Mohegan Fire District to the list of local municipalities with whom the County will enter into such agreements; and 3) changing the rate per employee for the agreements with the City of White Plains and the County of Putnam for years 2012 through 2014; and**
- II. Amend an inter-municipal agreement with the City of New Rochelle for the provision of employee assistance program services in accordance with Article 25 and Article 41 of the New York Mental Hygiene Law, to change the rate per employee for years 2012 through 2014.**

By resolution approved on December 22, 2010 (the “December 22nd Resolution”), your Honorable Board authorized the County of Westchester (the “County”), acting by and through its Department of Community Mental Health (the “Department”) to enter into inter-municipal agreements (“IMAs”) with local municipalities and Putnam County (the “Municipalities”) whereby the County would provide services under Article 25 (Funding For Substances Abuse Services) and Article 41 (Local and Unified Services) of the New York Mental Hygiene Law as well as Employee Assistance Program services for a term of three years, with two one year options, commencing January 1, 2010 and expiring on December 31, 2014 at the rates set forth in Schedule “A” attached to the Resolution. The IMA’s with the City of White Plains and County of Putnam have not yet been executed.

Following approval of the December 22nd Resolution, the Department realized that the County already had an existing contract with the Westchester County Medical Center, one of the agencies authorized to receive services, which contract is not due to expire until 2012. Since there would be no reason to authorize a second agreement with the same agency, the Department would like to amend the December 22nd Resolution to remove the Medical Center from the list of agencies authorized to receive such services. In addition, due to an administrative oversight, the Department failed to include in the December 22nd Resolution two (2) additional agencies which will also be receiving services under this program. These agencies are: the Town of Rye and Lake Mohegan Fire District. Furthermore, following the approval of the December 22nd Resolution, two of the agencies approved by the December 22nd Resolution to enter into contracts with the County, the City of White Plains and Putnam County, advised my office that they would not accept the proposed fee increases for years 2012 through 2014 and told us that unless we agreed to lower the fees, they would look for other options. Since the Department could not afford to lose two of the largest agencies in the program, my office, in consultation with the program directors and administrative staff, decided to offer a new reduced fee schedule for all agencies with 400 or more employees, since these agencies offer a higher volume of clients.

Accordingly, the County now respectfully requests that your Honorable Board amend the December 22nd Resolution in order to 1) remove Westchester Medical Center from the list of municipalities authorized to receive services; 2) add the Town of Rye and Lake Mohegan Fire District to the list of agencies authorized to receive services at the rates set forth in the attached schedule; and 3) change the rate per employee for the agreements with the City of White Plains and the County of Putnam as follows: for year 2012 the rate per employee shall be changed from \$40 to \$35; for year 2013 the rate per employee shall be changed from \$45 to \$35 and 2014 the rate per employee shall be changed from \$45 to \$40.

In addition, since the IMA with the City of New Rochelle, an agency with 400 or more employees, has already been executed, the County also requests that your Honorable Board amend the IMA with the City of New Rochelle to reflect the change in the rate per employee as follows: for year 2012 the rate per employee shall be changed from \$40 to \$35; for year 2013 the rate per employee shall be changed from \$45 to \$35 and 2014 the rate per employee shall be changed from \$45 to \$40.

Except as specifically amended hereby, all other terms and conditions of the December 22nd Resolution shall remain in full force and effect and unchanged.

Except as specifically amended hereby, all other terms and conditions of the IMA with the City of New Rochelle shall remain in full force and effect and unchanged.

The public purpose of this program is to provide training, intervention, short term counseling and referral service to employees. The goals and objectives of this program are to enable these employees to better perform and fulfill their job duties and functions. This agreement will be tracked and monitored by the Department of Community Mental Health to evaluate the success or failure of the program by tracking the number of trainings provided and the number of clients served which are reported on an annual basis.

A Resolution for your consideration is annexed hereto. Accordingly, I recommend your favorable consideration of the annexed proposed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/18/2011 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Community Mental Health, be it hereby

RESOLVED, that the Resolution approved on December 22, 2010 (the "December 22nd Resolution"), which authorized the County of Westchester ("County") to enter into inter-municipal agreements ("IMA's") with local municipalities and Putnam County (the "Municipalities") to carry out the purposes of Article 25 and Article 41 of the New York Mental Hygiene Law to provide employee assistance programs for which the Municipalities shall pay the County the rates specified in Schedule "A" for these services, for the term January 1, 2010 through December 31, 2014, is hereby amended to 1) remove the Westchester County Medical Center from the list of municipalities authorized to receive such services; 2) add the Town of Rye and Lake Mohegan Fire District to the list of municipalities authorized to receive such services at the rates set forth in the attached schedule; and 3) change the rate per employee for the agreements with the City of White Plains and the County of Putnam as follows: For year 2012 the rate per employee shall be changed from \$40 to \$35; for year 2013 the rate per employee shall be changed from \$45 to \$35 and 2014 the rate per employee shall be changed from \$45 to \$40; and be it further

RESOLVED, that the County is hereby authorized to amend the IMA with the City of New Rochelle to carry out the purposes of Article 25 and Article 41 of the New York Mental Hygiene Law to provide employee assistance programs for the term January 1, 2010 through December 31, 2014, in order to reflect the change in the rate per employee as follows: for year 2012 the rate per employee shall be changed from \$40 to \$35; for year 2013 the rate per employee shall be changed from \$45 to \$35 and 2014 the rate per employee shall be changed from \$45 to \$40; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the December 22nd Resolution shall remain in full force and effect and unchanged; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the IMA with the City of New Rochelle, as amended, shall remain in full force and effect and unchanged; 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.

Original Agreement \$1,693,725
 First Amendment \$
 This Amendment **(\$772,185)**
 ESTIMATED TOTAL \$921,540

Account to be
 Charged/Credited

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	Dollars
Fund	Dept	Or Unit			
263	26	651K	9858	T651	(\$119,970)
263	26	651L	9858	T651	(\$135,645)
263	26	651M	9858	T651	(\$156,995)
263	26	651N	9858	T651	(\$178,345)
263	26	651O	9858	T651	(\$181,230)

Budget Funding Year(s) 2010-2014 Start Date January 1, 2010 End Date December 31, 2014
 (must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$ _____ Federal Aid _____

(must match resolution) Other (\$ 772,185) Revenue

Additional Agencies to be added to the list of Agencies set forth in Schedule "A" of the original December 22nd Resolution

- 1) Rye, Town of
- 2) Lake Mohegan Fire District

For the years 2010 and 2011 the County shall be reimbursed up to the amount of \$35 per employee per year for the provision of such services.

For the year 2012, the County shall be reimbursed up to the amount of \$40 per employee per year for the provision of such services.

For the years 2013 and 2014, the County shall be reimbursed up to the amount of \$45 per employee per year for the provision of such services.

APPROVED BOARD OF ACQUISITION & CONTRACTS 08/18/2011 - JOMARY VIEIRA, SECRETARY