



Robert P. Astorino
County Executive

Department of Social Services

Kevin McGuire
Commissioner

26196

DATE: April 3, 2012

TO: Board of Acquisition and Contract

FROM: Kevin McGuire, Commissioner
Department of Social Services

SUBJECT: Authority to enter into agreements with the municipalities listed on the attached Schedule "A" pursuant to which the municipalities will hire temporary workers to assist in recovery efforts from damage caused by Hurricane Irene and Tropical Storm Lee for a period not to exceed one (1) year in the total aggregate amount not to exceed \$277,133 in the individual amounts set forth in Schedule "A"

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting on behalf of the Balance of Westchester/Putnam Local Workforce Investment Area ("WPLWIA"), to enter into agreements with those municipalities listed on the attached Schedule "A" (the "Agreements") pursuant to which the County will allocate to the municipalities a portion of disaster relief funding received from the New York State Department of Labor ("NYSDOL") to be used by the municipalities to hire temporary workers to assist in recovery efforts from damages caused by Hurricane Irene and Tropical Storm Lee. The term of the Agreements will be for a period not to exceed one (1) year from the date of execution in the total aggregate amount not to exceed \$277,133 in the individual amounts set forth in Schedule "A".

As your Honorable Board may know, the United States Department of Labor awarded the NYSDOL a \$16.1 million disaster National Emergency Grant ("NEG") under the Workforce Investment Act of 1998 ("WIA") to hire temporary workers to assist in recovery efforts in connection with damage caused by Hurricane Irene and Tropical Storm Lee in various disaster-impacted counties throughout New York State, including Westchester and Putnam. This initiative was undertaken to restore public infrastructure and services damaged by the storms so

that regular business and employment activities could resume. The grant has the added benefit of providing employment opportunities to long-term unemployed individuals and dislocated workers.

Last year the County received \$1,440,568 in NEG disaster funding from the NYSDOL which was used directly by the County's Department of Parks, Recreation & Conservation to hire temporary workers to assist in the cleanup of debris from County parks and bicycle trails. The County, as the designated grant recipient for all WIA funds allocated to the WPLWIA, expects to receive an additional \$277,133 in NEG funds from the NYSDOL which has been earmarked for those municipalities listed in Scheduled "A". Pursuant to the terms of the Agreements, the municipalities will be required to use this funding to provide temporary jobs for eligible unemployed workers to assist in removal, cleanup and reconstruction efforts in their respective communities. The term of the Agreements will not exceed one (1) year from the date of execution thereof. The total aggregate amount to be paid to all of the municipalities shall not exceed \$277,133 in the individual amounts set forth in Schedule "A".

The Agreements are exempt from the requirements of the Westchester County Procurement Policy pursuant to section 3(a) iii thereof.

It should be noted that pursuant to WIA section 173(d), the County is specifically authorized to expend NEG funds for disaster relief projects. As such, the provisions of New York State General Municipal Law 119-o do not apply.

It should be further noted that the County, as the grant recipient on behalf of the WPLWIA, will be subject to the oversight and monitoring requirements set forth in the WIA regulations, including, without limitation, ensuring that expenditures have been made against the cost categories and within the cost limitations specified under WIA.

The Agreements will serve a public purpose by restoring public infrastructure damaged from the storms as well as providing employment opportunities for long-term unemployed and dislocated workers

The goals and objectives of this Agreement are to restore public infrastructure damaged from Hurricane Irene and Tropical Storm Lee and to provide employment opportunities.

The goals and objectives are in the best interest of the County in terms of public health and welfare because damage from the storms has impacted various public facilities and infrastructures that need to be repaired. The goals and objectives are in the best interest of the County in terms of fiscal responsibility as the funds will be used to provide employment opportunities to the long-term unemployed.

The goals and objectives will be monitored and tracked by the Westchester County Department of Social Services, Office of Workforce Investment.

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as

well as any guidance or instructions received from the agency making the grant (the “Grant Terms”), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

Accordingly, your Board’s approval of the attached Resolution is most respectfully requested.

KM/JPG/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/03/2012 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting on behalf of the Balance of Westchester/Putnam Local Workforce Investment Area, is hereby authorized to enter into agreements (the "Agreements") with those municipalities listed on the attached Schedule "A" (the "Municipalities") pursuant to which the Municipalities will hire temporary workers to assist in recovery efforts from damages caused by Hurricane Irene and Tropical Storm Lee; and be it further

RESOLVED, that in consideration for services to be rendered, the County shall pay the municipalities a total aggregate amount not to exceed \$277,133 in the individual amounts set forth in Schedule "A", attached hereto; and be it further

RESOLVED, that the term of the Agreements shall commence upon execution and shall not exceed a term of one (1) year and be it further

RESOLVED, that the Agreements shall be expressly contingent upon the County's receipt of National Emergency Grant ("NEG") disaster funds from the New York State Department of Labor and that the County shall have no liability whatsoever to the Municipalities in the event such finding is not received by the County; and be it further

RESOLVED, that the County Executive or his duly authorized designee is empowered to execute all documents and take all actions necessary to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Dept.	Unit	Object/ Sub Object	Trust Account	Activity	Dollars
	275	22	087L	7340	T087	6000	\$277,133.

Budget Funding Year(s): 2012 Start Date: upon Execution End Date: One year from the date of execution
(Must match resolution)

Funding Source

\$277,133
(Must match resolution)

Tax Dollars:
State Aid :
Federal Aid: 100%
Other _____

SCHEDULE "A"

Westchester County Disaster NEG Projects

- City of Rye
 - Entity: City of Rye Department of Public Works
 - NOA Amount: \$3,204.
 - Status: Budget approved, NOA letter pending approval.
 - Contact Information:
 - Scott Fontecchio, General Foreman
 - Phone: (914) 967-7464
 - Email: sfontecchio@ryeny.gov
 - Removal of trees and brush material from walking trails at the Nature Center.
 - Will hire 2 laborers through the temporary staffing agency Construction Force.
 - Duties: Removal of tree debris, and clearing trails.
 - Duration: 10 days.
- White Plains Mamaroneck River Cleaning
 - Entity: City of White Plains Department of Public Works
 - NOA Amount: \$3,767
 - Status: NOA issued.
 - Contact Information:
 - Joseph J. Nicoletti, Commissioner of Public Works
 - Phone: (914) 422-1210
 - Email: Jnicolet@whiteplainsny.gov
 - As a result of Hurricane Irene, a portion of the Mamaroneck River basin, specifically the area just South of Brockway Place, sustained damage from items such as fallen trees, downed limbs, along with a substantial amount of general debris which was left behind in the area. In addition to contributing to potential downstream pollution from the debris, and upstream flooding from blockages, the area is also unsightly. The plan is to clean both the basin and the banks, and the general area to improve the flow of the river, and the overall appearance of the area.
 - Will hire 5 laborers through the temporary staffing agency Construction Force.
 - Duration: 1 week.
- White Plains Greenway
 - Entity: City of White Plains Department of Public Works
 - NOA Amount: \$8,868.
 - Status: NOA issued.
 - Contact Information:
 - Joseph J. Nicoletti, Commissioner of Public Works
 - Phone: (914) 422-1210

- Email: Jnicolet@whiteplainsny.gov
- As a result of Hurricane Irene, the City's only linear park commonly referred to as "The Greenway", which is approximately 21 acres and 1.2 miles long and consists of nature trails open to the public, sustained damage such as fallen trees, downed limbs, along with large portions of the walkway that washed away. The plan is to clean the park of the debris, along with repairing and/or replacing (as needed) the wood chip walkways with a more stable and permanent type able to withstand a similar heavy rainstorm in the future.
- Will hire 10 laborers through the temporary staffing agency Construction Force.
- Duration: 13 weeks.
- Mount Vernon
 - Entity: City of Mount Vernon Department of Recreation
 - NOA Amount: \$261,294 Status: NOA issued.
 - Contact Information:
 - Darren Morton, Acting Commissioner of Recreation
 - Phone: (914) 665-2427
 - Email: dmorton@cmvny.com
 - There are over 15 parks in the City of Mount Vernon that were damaged by Hurricane Irene. The workers will be dispatched throughout the city at the various sites to complete the forestry work required. Special attention will be given to the following parks where most damage occurred:
 - Kingsbridge Plaza Park;
 - Brush Park;
 - Guttenburg Park;
 - Hartley Park; and
 - Hutchinson Field.
 - The first process will be removal of damaged trees and shrubbery; tree cutting, trimming, and pruning; removal of weeds, raking, and disposal of leaves. The process will involve replacement of top soil, beautification and landscaping, replanting, seeding and general maintenance of affected areas.
 - The municipality will hire 40 laborers directly, rather than going through a temporary staffing agency.