

**30892**

DATE: December 06, 2012

TO: Board of Acquisition and Contract

FROM: Grant Mitchell, M.D.  
Commissioner, Department of Community Mental Health

RE: Amending a resolution that authorized the County to enter an agreement with the County of Putnam and each of various listed municipal corporations within Westchester County and Putnam County, pursuant to which 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.) Adding the City of Yonkers and the Hartsdale Fire District to the list of municipal corporations with which the County is authorized to enter into an agreement to provide Employee Assistance Program services, and
- 2.) Clarifying the term for the previously-authorized agreements and the term for the newly-proposed agreements with the City of Yonkers and the Hartsdale Fire District.

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By resolution approved on December 22, 2010 (the "December 22<sup>nd</sup> 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 the County of Putnam and each of various listed municipal corporations within Westchester County and Putnam County (the "Municipal Corporations"), pursuant to which the County would provide services to the Municipal Corporations in accordance with Article 25 (Funding For Substances Abuse Services) and Article 41 (Local and Unified Services) of the New York Mental Hygiene Law.

By resolution approved on August 18, 2011 (the "August 18<sup>th</sup> Resolution"), your Honorable Board amended the December 22<sup>nd</sup> Resolution by, among other things, 1.) removing Westchester Medical Center from the list of Municipal Corporations, and 2.) adding the Town of Rye and the Lake Mohegan Fire District to the list of Municipal Corporations.

By resolution approved on July 12, 2012 (the "July 12<sup>th</sup> Resolution"), your Honorable Board amended the December 22<sup>nd</sup> Resolution by, among other things, 1.) adding the Valhalla Fire District to the list of Municipal Corporations, and 2.) making the term of the contract with the Valhalla Fire District from July 1, 2012 through December 31, 2014.

The County was recently informed that the City of Yonkers and the Hartsdale Fire District would like to contract with the County for the same services that are provided to the other Municipal Corporations. However, unlike the previously-authorized agreements with the other Municipal Corporations, the proposed agreement with the City of Yonkers and the Hartsdale Fire District is for a term from January 1, 2013 through December 31, 2014.

Accordingly, the County respectfully requests that your Honorable Board amend the December 22<sup>nd</sup> Resolution, as amended by the August 18<sup>th</sup> Resolution and by the July 12<sup>th</sup> Resolution, in order to, 1.) add the City of Yonkers and the Hartsdale Fire District to the list of Municipal Corporations, 2.) clarify that the previously-authorized agreements with the other Municipal Corporations are for a term of three years, with two one-year options, commencing on January 1, 2010 and expiring on December 31, 2014, except the agreement with the Valhalla Fire District which is for a term from July 1, 2012 through December 31, 2014, while the newly-proposed agreements with the City of Yonkers and Hartsdale Fire District are for a term commencing on January 1, 2013 and expiring on December 31, 2014.

Except as specifically amended hereby, all terms and conditions of the December 22<sup>nd</sup> Resolution, as amended by the August 18<sup>th</sup> Resolution and by the July 12<sup>th</sup> Resolution, shall remain unchanged and in full force and effect.

The proposed agreements will serve a public purpose by providing training, intervention, short-term counseling, and referral service to employees of the City of Yonkers and the Hartsdale Fire District.

The goal and objective of the proposed agreements is to enable employees of the City of Yonkers and the Hartsdale Fire District to better perform and fulfill their job duties and functions.

The goal and objective of the proposed agreements is in the best interests of the County in terms of fiscal responsibility, as it will provide revenue to the County.

The goal and objective of the proposed agreements will be tracked and monitored by the staff of the Department in order to evaluate the success or failure of the program provided under the Agreement. The Department will track the number of trainings provided and the number of clients served, which are reported on an annual basis.

I most respectfully recommend the adoption of the attached resolution.

GEM/TP

## 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 22<sup>nd</sup> Resolution"), as amended by the resolutions approved on August 18, 2011 (the "August 18<sup>th</sup> Resolution") and on July 12, 2012 (the "July 12<sup>th</sup> Resolution"), which authorized the County of Westchester ("County") to enter into inter-municipal agreements ("IMAs") with the County of Putnam and each of various listed municipal corporations within Westchester County and Putnam County (the "Municipal Corporations"), pursuant to which the County would provide services to the Municipal Corporations in accordance with Article 25 and Article 41 of the New York Mental Hygiene Law, is hereby further amended by, 1.) adding the City of Yonkers and the Hartsdale Fire District to the list of Municipal Corporations, and 2.) replacing the second 'RESOLVED' clause of the December 22<sup>nd</sup> Resolution, as amended by the August 18<sup>th</sup> Resolution and by the July 12<sup>th</sup> Resolution, with the following:

"RESOLVED, that the IMA with each of the parties listed in Schedule "A" shall be for a term of three years, with two one-year options, commencing on January 1, 2010 and expiring on December 31, 2014, except for the IMA with the Valhalla Fire District, which shall be for a term commencing on July 1, 2012 and expiring on December 31, 2014 and the City of Yonkers and the Hartsdale Fire District, which shall be for a term commencing on January 1, 2013 and expiring on December 31, 2014; and be it further"

; and be it further

**RESOLVED**, that except as specifically amended hereby, all terms and conditions of the December 22<sup>nd</sup> Resolution, as amended by the August 18<sup>th</sup> Resolution and by the July 12<sup>th</sup> Resolution, shall remain unchanged and 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.

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Original Agreement \$1,693,725  
 First Amendment (\$772,185)  
 Second Amendment \$7,700  
 Third Amendment \$138,420  
 TOTAL \$1,067,660

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object/Rev Source	Trust Account	Dollars
263	26	651N	9858	T651	\$64,710
263	26	651O	9858	T651	\$73,710

Budget Funding Year(s): 2013-2014 Start Date: January 1, 2013 End Date: December 31, 2014

(must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
\$138,420 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \$138,420-Revenue \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - JOMARY VIEIRA, SECRETARY