

34846

DATE: July 9, 2013

TO: Board of Acquisition and Contract

FROM: Sherlita Amler, M.D.
Commissioner of Health

RE: Authorization to enter into Contract with the New York State Department of Health to accept continued funding for the Tobacco Enforcement Program Grant, as follows:

Contract Term:	4/1/13 – 3/31/18
Amount:	Not-to-Exceed \$1,343,430

The Westchester County Department of Health (“WCDH”) seeks authorization to enter into contract with the New York State Department of Health (“NYSDOH”) to accept continued funding for the Tobacco Enforcement Program Grant, for a five (5) year contract term 4/1/13 through 3/31/18, pursuant to an approved budget, in the total not-to-exceed amount of \$1,343,430.

This contract’s public purpose is to promote the public health and general welfare of County residents by reducing the incidence of smoking and the sale of tobacco products among underage youth in Westchester County.

The goal of this program is to decrease the sale of tobacco products to minors within Westchester County. Program objectives include routine inspections by WCDH to ensure that all tobacco vendors pre-register with the NYS Department of Taxation and Finance (“NYSDTF”), that vendors post the required signage banning tobacco sales to underage youth, that vendors display or store tobacco products behind the sales counter or in a locked container and that there is vendor supervision of cigarette vending machines. Noncompliant vendors are subject to formal enforcement proceedings, re-inspection visits by the WCDH and revocation of the tobacco vendor’s registration by the NYSDTF for continued noncompliance.

The program is tracked in the NYSDOH database through the electronic recording of all routine compliance checks, complaint investigations, enforcement actions and vendor training efforts. This data is reported to the NYSDOH on a quarterly basis. There are 1,177 tobacco vendor locations in Westchester County and approximately 4,436 inspections are conducted each year.

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

Approval of the attached Resolution is respectfully requested.

/md
Attachment

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF HEALTH, be it hereby

RESOLVED, that the County of Westchester, acting by and through its Department of Health, is authorized to enter into contract with the New York State Department of Health to accept continued funding for the Tobacco Enforcement Program grant, for a five (5) year contract term 4/1/13 through 3/31/18, pursuant to an approved budget, in the total not-to-exceed amount of \$1,343,430; and, be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this Resolution in the manner prescribed by law.

Agreement #

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase of Unit	Object/ Sub-Object	Trust Account	Dollars
	263	27	235N	9854	T235	\$264,286
	263	27	235P	9854	T235	\$266,486
	263	27	235Q	9854	T235	\$268,686
	263	27	235R	9854	T235	\$270,886
	263	27	235S	9854	T235	\$273,086

Budget Funding Year(s) (must match resolution)	<u>2013-2018</u>	Start Date	<u>4/01/13</u>	End Date	<u>03/31/18</u>
Funding Source	Tax Dollars	_____			
	State Aid	<u>NYSDOH</u>			
	Federal Aid	_____			
	Other	_____			
\$1,343,430 (must match resolution)		_____			