

55096

February 7, 2017

TO: Board of Acquisition and Contract

FROM: George N. Longworth
Commissioner-Sheriff

RE: Authority to retroactively renew an inter-municipal agreement with the Village of Tuckahoe pursuant to which the Village, through its police department, will assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code and its implementing regulations for a term commencing retroactive to August 20, 2013 and continuing through August 19, 2018.

By Act No 2017- 22, approved on February 6, 2017, the Westchester County Board of Legislators authorized the County to enter into an inter-municipal agreement ("IMA") with the Village of Tuckahoe (the "Village") pursuant to which the Village, through its police department, would assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code, for a five (5) year term commencing retroactive to August 20, 2013 and continuing through August 19, 2018. Under section 161.11(1) of the Laws of Westchester County, the authority of your Honorable Board is also required.

By resolution approved on July 12, 2012, your Honorable Board authorized the County to enter into an IMA with the Village, pursuant to which the Village, through its police department, would assist the County in enforcing the For-Hire Vehicle Law for a twelve (12) month term commencing on the date of execution thereof. Since the IMA was executed on August 20, 2012, it expired on August 19, 2013. However, due to an administrative oversight, the parties were unaware that the IMA had expired and have continued to perform their respective duties thereunder as though the IMA remained in full force and effect.

In order to correct this oversight and to allow this mutually beneficial relationship to continue for the full five (5) year term authorized by section 119-o (2) (j) of the New York State General Municipal Law, authority is now requested to enter into a new IMA with the Village, commencing *retroactive* to August 20, 2013 and continuing through August 19, 2018. Pursuant to the terms of the IMA, the Municipality will assist the County by having its police issue appearance tickets to any person, partnership, corporation, or other entity violating the County For-Hire Vehicle Law. The County will prosecute, hear and determine the appearance tickets issued by the Municipality in accordance with the terms of the IMA and the For-Hire Vehicle

Law. For the services rendered by the Village, the Village will be paid a fee equal to twenty-five percent (25%) of the total penalties collected by the County from the enforcement of appearance tickets issued by the Village. The IMA may be terminated on sixty (60) days written notice upon mutual consent of the parties. In addition, the IMA may only be modified or terminated by the County upon the recommendation of the County Executive and subsequent approval of the Board of Legislators.

This Agreement will serve a public purpose by enhancing the County's enforcement of the For-Hire Vehicle Law.

The goals and objectives of the IMA will be to have the Village police department assist the County in enforcing the For-Hire Vehicle Law by issuing appearance tickets for violations of the law in the Village.

The goals and objectives are in the best interests of the County in terms of public safety because there will more police officers dedicated to issuing appearance tickets to violators of the law. The goals and objectives are also in the County's best interests in terms of fiscal responsibility because of the increased revenue the County will receive as a result of the enhanced enforcement efforts.

The goals and objectives of this program will be tracked and monitored by the Commissioner-Sheriff and by the Commission.

This agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) iii thereof.

A Resolution for your Honorable Board's consideration is annexed hereto.

GNL/CS/jpg
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through its Department of Public Safety, is authorized to enter into an inter-municipal agreement ("IMA") with the Village of Tuckahoe (the "Village") pursuant to which the Village, through its police department, will assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code, for a five (5) year term commencing retroactive to August 20, 2013 and continuing through August 19, 2018; and be it further

RESOLVED, that in consideration for services rendered by the Village, the Village will be paid a fee equal to twenty-five percent (25%) of the total penalties collected by the County from the enforcement of appearance tickets issued by the Village; and be it further

RESOLVED, that the IMA may be terminated on sixty (60) days written notice upon mutual consent of the parties and may only be modified or terminated by the County upon the recommendation of the County Executive and subsequent approval by the Board of Legislators; 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.

Account to be Charged/credited	Fund	Agency	Major Program, Program & Phase or Unit	Object/ Sub Object	Dollars
2017	101	38	4000	9581	\$10,000
2018	101	38	4000	9581	\$10,000

Budget Funding Year(s) 2013-2018 Start Date 08/20/2013 End Date 08/19/2018
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 \$20,000 Federal Aid _____
 (must match resolution) Other \$20,000 Fine Revenue _____