

64123

DATE: July 10, 2018

TO: Honorable Members
Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner of Probation

RE: RESOLUTION ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE REQUIREMENTS OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT IN CONNECTION WITH THE LEASE AGREEMENT WITH PROTEUS ON DEMAND, LLC. FOR TEMPORARY STRUCTURES ON THE GROUNDS OF WOODFIELD COTTAGE

There is currently before your Honorable Board a Resolution to authorize the County of Westchester, acting by and through its Department of Probation to enter into a lease agreement with Proteus On-Demand Facilities, LLC., a Georgia Limited Liability Company, having a principal place of business at 6727 Oak Ridge Commerce Way, Austell, GA 30168, to lease temporary structures, related equipment and other tangible items in which to temporarily house Adolescent Offenders who have been court-ordered to secure detention and cannot be detained in Woodfield Cottage with juvenile delinquents pursuant to the "Raise the Age" legislation effective, in part, October 1, 2018.

The Planning Department has reviewed this proposed action and determined it would constitute an Unlisted Action under the State Environmental Quality Review Act and the regulations adopted pursuant thereto in 6 N.Y.C.R.R. Part 617 ("SEQRA"). Your Honorable Board is also in receipt of an Environmental Assessment Form ("EAF") prepared by the Department of Planning to assist your Honorable Board in making a determination of significance required by SEQRA, which is legal prerequisite if your Honorable Board is to authorize the execution of the lease agreement. The duty to make this SEQRA determination rests with your Honorable Board, but both SEQRA and the cases interpreting it encourage your Honorable Board to utilize such expert advice and assistance in making such determination. Before making your SEQRA determination, our Honorable Board should carefully consider the proposed action and review the attached EAF to identify the relevant areas of environmental concern. Once you have concluded your consideration of the relevant areas of environmental concern, you must determine if the proposed action may have a significant impact on the environment.

I respectfully request the approval of the annexed Resolution prior the award of the contract.

RAP/JR/jrc/jmr
Attachment

RESOLUTION

WHEREAS, there is pending before this Board a Resolution to authorize the County of Westchester, acting by and through its Department of Probation to enter into a lease agreement with Proteus On-Demand Facilities, LLC., a Georgia Limited Liability Company, having a principal place of business at 6727 Oak Ridge Commerce Way, Austell, GA 30168, to lease temporary structures, related equipment and other tangible items in which to temporarily house Adolescent Offenders who have been court-ordered to secure detention and cannot be detained in Woodfield Cottage with juvenile delinquents pursuant to the “Raise the Age” legislation effective, in part, October 1, 2018; and

WHEREAS, this Board concurs with the analysis of the Planning Department and has determined that the proposed resolution to authorize execution of the Lease would constitute an Unlisted Action under the State Environmental Quality Review Act (“SEQRA”), requiring this Board to make a determination whether the proposed action will have a significant impact on the environment, pursuant to the regulations promulgated pursuant to SEQRA; and

WHEREAS, the attached Environmental Assessment Form (“EAF”) has been prepared by the Department of Planning to assist this Board in complying with its responsibilities under SEQRA; and

WHEREAS, this Board has carefully considered the proposed action and has reviewed the attached EAF and the criteria contained in Section 617.7 of 6 NYCRR Part 617 of the SEQRA regulations and has analyzed the relevant areas of environmental concern as described in the attached EAF to determine if the proposed action will have a significant impact upon the environment.

NOW, THEREFORE, BE IT

RESOLVED, by the Board of Acquisition and Contract of the County of Westchester, State of New York, that based upon this Board’s review of the attached EAF, and for the reasons set forth therein, it is determined that there will be no adverse impact on the environment from the proposed action as described above; and be it further

RESOLVED, that the Secretary of the Board of Acquisition and Contract is authorized and directed to sign the Determination of Significance in the attached EAF as Responsible Officer in Lead Agency, which executed form is made a part hereof; to issue this Negative Declaration on behalf of this Board pursuant to Article 8 of the Environmental Conservation Law and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of the New York Code of Rules and Regulations; and be it further

RESOLVED, that this Resolution shall take effect immediately.

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/12/2018 - LISA M. RIJN, SECRETARY