

March 2, 2010

TO: The Honorable Board of Acquisition and Contract

FROM: George N. Longworth
Commissioner-Sheriff of Public Safety

RE: Authority to 1) enter into three-party Use and Dissemination agreements with local municipalities and the NYS Police, whereby the County will act as lead agency to coordinate the municipalities' use of the TraCS program and act as a liaison with the NYS Police, for a five year term from the date of execution thereof; and 2) enter into a separate two-party agreement with the NYS Police which will set forth the County's responsibilities as the lead agency, for a five year term from the date of execution thereof.

By Act No. 5-2010 approved on March 1, 2010, the Westchester County Board of Legislators authorized the County to enter into Use and Dissemination Agreements with those municipalities within Westchester County that choose to utilize New York State's Traffic and Criminal Software ("TraCS") program whereby the County will act as lead agency to coordinate the municipalities' use of the TraCS program and act as a liaison with the New York State Police ("NYS Police"). Under section 161.11(1) of the Laws of Westchester County, the authority of your Honorable Board is also required.

TraCS is the computer application for New York State's electronic traffic ticket and accident report project. TraCS immediately produces a printed traffic ticket and accident report and related documentation, such as supporting depositions, in the police vehicle at the scene, using a computer and printer contained inside the vehicle. The "electronic ticket" or "electronic accident report" that is produced can then be sent electronically to the New York State Department of Motor Vehicles and any New York State courts that are capable of receiving such data.

Local municipalities within the County that wish to utilize the TraCS program can do so, but must first obtain the necessary computers, printers and scanners at their own expense. The NYS Police will provide the TraCS software directly to the municipalities within the County that have purchased the necessary equipment required to operate the TraCS program and have signed a three-party Use and Dissemination Agreement with the County and the NYS Police. Pursuant to the terms of the Use and Dissemination Agreement, the County will serve as the Lead Agency and support the local municipalities' use of the TraCS system by providing assistance with the

implementation and use of the TraCS program. The County will also act as liaison between the local municipalities and the NYS Police.

Authority is now requested from your Honorable Board to 1) enter into said three-party Use and Dissemination agreements with local municipalities within Westchester County and the NYS Police pursuant to which the County will act as lead agency to coordinate the municipalities' use of the TraCS program and act as a liaison with the NYS Police; and 2) enter into a two-party agreement with the NYS Police which will set forth the County's responsibilities as the lead agency. The term of each agreement will be five (5) years from the date of execution thereof. In addition, the County and/or the participating municipalities will be able to terminate the agreements at any time by giving the NYS Police reasonable advance notice. There will be no cost to the County in connection with these agreements.

The goals and objectives of this program are to use TraCS to increase the safety of both officers and motorists by improving the efficiency of ticket and accident report writing. Employment of TraCS will also enhance the quality of documents generated by officers on patrol as well as improve record keeping and tracking capabilities. This program will support the public health, safety and/or welfare by shortening the time spent on the roadside. The goals and objectives of this program will be tracked and monitored by tracking participation by local departments in the program and by tracking our own usage in the form of issuance of tickets and accident reports to monitor the success and/or failure of this program.

It should be noted that Act No. 5-2010 contains a sunset provision and is effective until 11:59 PM on December 31, 2011. Therefore, all such Use and Dissemination Agreements authorized hereunder must be executed before this deadline.

These agreements are exempt from the Westchester County Procurement Policy pursuant to Section 3(a)iii thereof.

An appropriate resolution is herewith attached for your Honorable Board's consideration.

GL/JPG/sw

RESOLUTION

Based upon a communication from the Commissioner of Public Safety, be it hereby

RESOLVED, that the County of Westchester, acting by and through its Department of Public Safety, is hereby authorized to 1) enter into three-party Use and Dissemination Agreements with those municipalities within Westchester County that choose to utilize the TraCS program and that purchase the required equipment for such use at their own cost and expense, and the New York State Police (“NYS Police”), whereby the County will act as lead agency to coordinate the municipalities’ use of the TraCS program and act as a liaison with the NYS Police; and 2) enter into a separate two-party agreement with the NYS Police which will set forth the County’s responsibilities as the lead agency; and be it further

RESOLVED, that both the three-party Use and Dissemination Agreements and the two-party agreement with the NYS Police, shall be for a term of five (5) years from the date of execution thereof; and be it further

RESOLVED, that there shall be no cost to the County under any of the aforementioned agreements; and be it further

RESOLVED, that the County and/or the participating municipalities shall be permitted to terminate the Use and Dissemination Agreements and the County shall be permitted to terminate the two-party agreement, with the NYS Police, at any time, by giving the NYS Police reasonable advance notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee, be and hereby is authorized and empowered to execute and deliver all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
					N/A

Budget Funding Year(s) _____ Start Date: upon execution End Date: Five (5) years from date of execution
(must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 \$ N/A Federal Aid _____
 (must match resolution) Other _____