



George Latimer  
County Executive

Department of Social Services

Leonard G. Townes  
Commissioner

**85419**

**DATE:** May 11, 2021

**TO:** Honorable Members of the Board of  
Acquisition and Contract

**FROM:** Leonard G. Townes  
Commissioner of Department of Social Services

**RE:** **Resolution authorizing the County of Westchester to 1) enter into a grant agreement with the New York State Office of Children and Family Services to accept a grant in the amount of \$90,000.00 under the CAPTA/CARA Grant Program to develop, implement and maintain the “Plan of Safe Care” program, for the period from December 1, 2020 through November 30, 2021; and 2) enter into a sub-awardee agreement with Westchester Institute for Human Development in an amount not to exceed \$133,760.00 for the purpose of hiring a full time public health nurse to develop, implement and maintain said program, for the period from December 1, 2020 through November 30, 2021.**

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Authority is sought from your Honorable Board for the County of Westchester (the “County”), acting by and through its Department of Social Services (“Department”), to enter into a grant agreement – CARA SFY 2020-21 (the “Grant Agreement”) with the New York State Office of Children and Family Services, Child Welfare and Community Services Division (the “OCFS”) to accept federal funds under the Federal Child Abuse Prevention and Treatment Act (CAPTA) Comprehensive Addiction and Recovery Act of 2016 (CARA), in the total amount of \$90,000.00 (“CAPTA/CARA Funds”), in order to develop, implement and maintain the “Plan of Safe Care” program (“Plan of Safe Care Program” or “Program”) to help improve the County’s response to families and infants affected by substance use disorders (both alcohol and drugs). The term of the proposed Grant Agreement will be from December 1, 2020 through November 30, 2021.

Authority is further requested from your Honorable Board for the County to enter into a sub-awardee agreement (“WIHD Agreement”) with Westchester Institute for Human Development

(the "WIHD") for the purpose of hiring a full time health nurse to assist the Department in developing, implementing and maintaining the "Plan of Safe Care" Program to assist infants affected by prenatal exposure to substance use and address their caregivers' substance use disorders. The term of the WIHD Agreement will be for one (1) year, commencing retroactively on December 1, 2020 and expiring on November 30, 2021.

The WIHD Agreement shall be for a not-to-exceed amount of \$133,760.00, comprised of the CAPTA/CARA Funds and a portion of certain unspent funds (collectively, the "Grant Funds") available under a prior grant agreement - CARA SFY 2019-20 ("Prior Grant Agreement"). As a way of background, on April 2, 2020, your Honorable Board authorized the County to 1) enter into the Prior Grant Agreement in order to accept CAPTA/CARA federal funds in an amount of \$180,000.00, for a period from December 1, 2018 through November 30, 2020, and 2) enter into a sub-awardee agreement with WIHD ("Prior WIHD Agreement"), in an amount not to exceed \$129,294, for a period from December 1, 2019 through November 30, 2020, for the program services. Since the County did not claim all expenditures under the Prior Grant Agreement, the expenditure period of the Prior Grant Agreement has been extended by OCFS until November 30, 2021, and the County is authorized by OCFS to use unspent funds available under the Prior Grant Agreement, provided that expenditures are incurred by November 30, 2021. Any remaining balance under the Prior Grant Agreement is available to the Department for other similar purposes in accordance with the Prior Grant Agreement terms, provided that expenditures are incurred by November 30, 2021.

The Grant Funds will provide the funding necessary for the County to improve its response to families and infants residing in Westchester County affected by substance use disorders (both alcohol and drugs), consistent with the requirements set forth in Section 106(b)(2)(B)(iii) of CAPTA, as amended by CARA.

The implementation of the "Plan for Safe Care" Program will assist the Department in identifying children and families affected by substance abuse disorders and supporting the behavioral health needs of both the adults and children where substance abuse is an issue, including children born prenatally who were exposed to substances.

Pursuant to the WIHD Agreement, the Department will hire a full time public health nurse, which will assist the Department's Child Protective Services, Foster Care and preventive service caseworkers to develop, implement and maintain the "Plans of Safe Care" Program to identify and assist infants affected by prenatal exposure to substance use and the substance use disorders of their caregivers. The "Plan of Safe Care" Program requires that the public health nurse will be co-located on-site at the Department's facilities. WIHD performance under the WIHD Agreement will be monitored by the Department.

The goals and objectives of the Grant Agreement and the WIHD Agreement will serve a public purpose as it will improve the County's response to families and infants residing in Westchester County affected by substance use disorders.

The goals and objectives of the Grant Agreement and the WIHD Agreement are in the best interest of the County in terms of public safety by promoting the health, safety and welfare of infants, children and their caregivers affected by substance use disorders.

The goals and objectives of the WIHD Agreement will be monitored by the Department and quarterly progress reports will be submitted to the OCFS for their review and approval.

Because the Grant Agreement with OCFS is for the acceptance of grant funds, it does not constitute a procurement and, therefore, it is not subject to the Common Grant Rules. Because the federal funding for the Grant is a Non-Competing Continuation Grant, the agreement with WIHD may be entered into on a non-competitive basis because the awarding agency authorizes noncompetitive awards pursuant to 24 CFR 92.36(d)(4). Lastly, the WIHD Agreement is also exempt from the Westchester County Procurement Policy, pursuant to Section 3(a)(viii) thereof.

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.

Accordingly, approval of the attached resolution is most respectfully requested.

LGT/CMC/cmc

## RESOLUTION

Upon communication from the Commissioner of the Department of Social Services, be it hereby,

**RESOLVED**, that the County of Westchester (“County”) is authorized to enter into a grant agreement – CARA SFY 2020-21 with the New York State Office of Children and Family Services, Child Welfare and Community Services Division (“OCFS”), to accept federal funds in the total amount of \$90,000.00 (“CAPTA/CARA Funds”) under the Federal Child Abuse Prevention and Treatment Act (CAPTA) Comprehensive Addiction and Recovery Act of 2016 (CARA), to develop, implement and maintain the “Plan of Safe Care” program in order to improve the County’s response to families and infants affected by substance use disorders (both alcohol and drugs), for the period from December 1, 2020 through November 30, 2021; and be it further

**RESOLVED**, that the County is further authorized to enter into a sub-awardee agreement with the Westchester Institute for Human Development (“WIHD”), in an amount not-to-exceed \$133,760.00, in order to hire a full time health nurse to assist the County in developing, implementing and maintaining said “Plan of Safe Care” program, for the period from December 1, 2020 through November 30, 2021; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby empowered to execute any and all documents necessary to accomplish the purposes of this resolution.

Account to be charged

<b>Fund</b>	<b>Dept</b>	<b>Major Program, Program &amp; Phase or Unit</b>	<b>Object/Sub Object</b>	<b>Trust Account</b>	<b>Dollars</b>
263	22	V006	9854	G006	\$90,000
263	22	V006	4380	G006	\$133,760

Budget Funding Year(s) 2020-2021

Start Date 12/01/2020

End Date 11/30/2021

(must match resolution)

Funding Source:    Tax Dollars        0%  
                          State Aid            0%  
                          Federal Aid       100%  
                          Other                N/A

\$ 90,000 **Revenue**

\$ 43,760 Portion of “Grant Funds” Approved 4/2/2020 (Carryover)

\$133,760.00 **Expense**