



George Latimer
County Executive

Department of Community Mental Health

Michael Orth, M.S.W.
Commissioner

109918

Date: November 7, 2024

To: Honorable Members
Board of Acquisition and Contract

From: Michael Orth, M.S.W.
Commissioner, Department of Community Mental Health

Re: Request authority to amend an agreement with the City of Mount Vernon, for pass through funds from the New York Opioid Settlement in the sum of \$59,111, as directed by the New York State Office of Addiction Services and Supports, for a term commencing upon execution and extending through distribution of the pass through funds by the County, in order to increase the pass through funds by a total amount of \$10,053.

On December 7, 2023, by resolution #104595, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Community Mental Health (the "Department"), to enter into an agreement (the "Agreement") with the City of Mount Vernon (the "City"), to provide pass-through funds from the New York Opioid Settlement Fund in the sum of \$59,111.00, as directed by New York State Office of Addiction Services and Supports ("OASAS"), the administrator of the New York State Opioid Settlement Fund, pursuant to the terms of that certain New York Opioid Settlement Sharing Agreement dated July 20, 2021 (the "Settlement Agreement"), for a term commencing upon execution and extending through distribution of the pass through funds by the County. The Agreement was subsequently executed.

OASAS informed the County that the City, as an Other Litigating Entity under the Settlement Agreement, would be receiving additional pass-through funds from the New York Opioid Settlement Fund, in the total sum of \$10,053, comprised of \$2,652 for FY 2023-2024 and \$7,401 for FY 2024-2025.

Authority is now requested from you Honorable Board for the County to amend the Agreement in order to increase the pass-through sum set forth in the Agreement, by \$10,053, comprised of \$2,652 for FY 2023-2024 and \$7,401 for FY 2024-2025, from a total pass-through sum of \$59,111 to a total pass-through sum of \$69,164, to be paid to the City under the Agreement.

The proposed agreement, as amended, will serve the public purpose of distributing Opioid Settlement pass-through funds for use in the identified priority areas by the City, pursuant to the direction of OASAS.

Except as specifically amended hereby, all other terms and conditions of the Agreement shall remain in full force and effect.

Authority is respectfully requested from your Honorable Board for the County to enter into the proposed amendment.

MO/mkc/cmc

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/05/2024 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Community Mental Health, be it hereby

RESOLVED, that the County of Westchester (the “County”), acting by and through its Department of Community Mental Health, is authorized to amend an agreement (“Agreement”) with the City of Mount Vernon (“Provider”), to provide pass-through funds from the New York Opioid Settlement Fund in the sum of \$59,111.00, as directed by New York State Office of Addiction Services and Supports (“OASAS”), for a term commencing upon execution and terminating upon the distribution of the pass-through funds, in order to increase the pass-through funds under the Agreement by \$10,053, from a total sum of \$59,111, to a total sum of \$69,164; and be it further

RESOLVED, that the County shall pass-through funds in the sum of \$2,652 for FY 2023-2024 and pass-through funds in the sum of \$7,401 for FY 2024-2025; and be it further

RESOLVED, that the Agreement, as amended, is subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Provider, then such Provider shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase or unit	Object/ Sub-Object	Trust Account	Dollars
2023	263	26		4380	G071	\$10,053

Budget Funding Year(s) 2024-2025 Start Date: Upon executions End Date: Upon receipt of Funds

Funding Source (must match resolution)
 Tax Dollars: \$ _____
 State Aid: _____
 Federal Aid: _____
 Other: \$10,053

\$10,053
 must match the resolution)