



Memorandum  
Office of the County Attorney

111262

DATE: June 6, 2025

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna  
County Attorney

RE: Authority to enter into a grant agreement with the New York State Office of Indigent Legal Services for the Fourth Counsel at First Appearance Grant for the term commencing retroactively on January 1, 2023 through December 31, 2025 in the amount of \$723,326.40 and to enter into an agreement with The Legal Aid Society of Westchester County for the term commencing retroactively on January 1, 2023 through December 31, 2025 implement the work plan for the grant in an amount not to exceed \$723,326.40

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The New York State Office of Indigent Legal Services ("ILS") issued a Request for Proposals ("RFP") to counties throughout New York State seeking proposals outlining a work plan for the Fourth Counsel at First Appearance Grant (Contract No. CAFA455) (the "Grant") to improve the quality of legal services provided to indigent persons. The County of Westchester (the "County") provided such proposal to ILS.

ILS has advised that it approved the County's proposal for the term commencing retroactively on January 1, 2023 through December 31, 2025 in the amount of \$723,326.40. The annexed resolution authorizes the County to enter into an agreement with ILS for the receipt of the grant funds (the "Grant Agreement"). These grant funds provided by ILS can only be used to supplement and not supplant any local funds which the County would otherwise have had to expend for the provision of mandated indigent legal services.

Authority is also requested for the County to enter into an agreement with The Legal Aid Society of Westchester County for the term commencing retroactively on January 1, 2023 through December 31, 2025 in an amount not to exceed \$723,326.40 (the "Agreement").

The Grant Agreement and the Agreement will serve a public purpose in that they will enable the County to improve its effectiveness in providing counsel to indigent persons. The goals and objectives are to ensure that effective counsel is provided in a cost efficient manner. The goals and objectives will be tracked and monitored by the Department of Budget.

The Grant Agreement is not a procurement and therefore the Westchester County Procurement Policy and Procedures does not apply. The Agreement with The Legal Aid Society of Westchester County is exempt from the Westchester County Procurement Policy pursuant to Section xiv 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 respectfully requested.

JMN/LAC  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/17/2025 - RAYMOND SCULKA, SECRETARY

## RESOLUTION

Upon a communication from the County Attorney, be it

**RESOLVED**, that the County of Westchester (the “County”) be and is hereby authorized to enter into a grant agreement with the New York State Office of Indigent Legal Services for the Fourth Counsel at First Appearance Grant (the “Grant”) for the receipt of \$723,326.40 in grant funds to improve the quality of mandated indigent legal services for the term commencing retroactively on January 1, 2023 through December 31, 2025; and be it further

**RESOLVED**, that the County be and is hereby authorized to enter into an agreement with The Legal Aid Society of Westchester County to implement the work plan under the Grant in an amount not to exceed \$723,326.40 for the term commencing retroactively on January 1, 2023 through December 31, 2025, payable pursuant to an approved budget; and be it further

**RESOLVED**, that the County Executive, or his duly authorized designee, is empowered to execute all documents necessary to effectuate the purposes thereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	52	1000	9734		723,326.40

Budget Funding Year(s) 2023-2025 Start Date 1/1/23 End Date 12/31/25  
(must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
State Aid 100% \_\_\_\_\_  
\$723,326.40 Federal Aid \_\_\_\_\_  
(must match resolution)  
Other \_\_\_\_\_