

THE PUTNAM COUNTY LEGISLATURE

40 Gleneida Avenue
Carmel, New York 10512
(845) 808-1020 Fax (845) 808-1933

Paul E. Jonke *Chairman*
Amy E. Sayegh *Deputy Chair*
Diane Schonfeld *Clerk*
Robert Firriolo *Counsel*



Nancy Montgomery Dist. 1
William Gouldman Dist. 2
Toni E. Addonizio Dist. 3
Ginny Nacerino Dist. 4
Greg E. Ellner Dist. 5
Paul E. Jonke Dist. 6
Joseph Castellano Dist. 7
Amy E. Sayegh Dist. 8
Erin L. Crowley Dist. 9

AGENDA
PROTECTIVE SERVICES COMMITTEE MEETING
HELD IN ROOM 318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512

Members: Chairwoman Nacerino & Legislators Addonizio & Sayegh

Thursday 6:30p.m. November 21, 2024

(The Health, Social, Educational & Environmental Comm. Meeting will Immediately Follow)

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Acceptance/ Protective Services Meeting Minutes/ September 12, 2024**
- 4. Approval/ Budgetary Amendment 24A113/ Sheriff's Dept./ Overtime Reimbursement – Crisis Intervention Team (CIT) Training & Drug Recognition Expert (DRE) Annual Conference/ Sheriff Kevin McConville**
- 5. Approval/ Budgetary Transfer 24T406/ Finance/ Legal Aid Adjust Appropriations through the End of the Year based on Q424- 18b Claims/ Commissioner of Finance Michael Lewis**
- 6. Approval/ Application - NYS Division of Homeland Security and Emergency Services – FY2024-25 Hazardous Materials Emergency Preparedness (HMEP) Grant/Commissioner of Bureau of Emergency Services Robert Lipton**
- 7. FYI/ Fund Transfer 24T385/ District Attorney's Office/ Cover the Cost of Replacing Old Laptops to Keep Up With Discovery Demands/ District Attorney Robert Tendy**
- 8. FYI/ Coroners Report - 2024 Cases By Quarter**
- 9. Other Business**
- 10. Adjournment**

Protect. - NCV
#3

**PROTECTIVE SERVICES COMMITTEE MEETING
HELD IN ROOM #318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Members: Chairwoman Nacerino, Legislators Addonizio & Sayegh

Tuesday

September 12, 2024

The meeting was called to order at 6:00pm by Chairwoman Nacerino who requested Legislator Sayegh lead in the pledge of allegiance. Upon roll call, Chairwoman Nacerino, Legislators Addonizio and Sayegh were present.

Item #3 – Acceptance/ Protective Services Meeting Minutes/ June 18, July 23 & August 13, 2024

Chairwoman Nacerino stated the minutes were accepted as submitted.

Item #4 – Approval/ Budgetary Amendment 24A082/ Maintenance Fees from Town of Kent and Villages of Cold Spring and Brewster - Access Software from the Computer Aided Dispatch (CAD)/ Records Management System (RMS)/ Sheriff Kevin McConville

Chairwoman Nacerino invited Sheriff McConville and Captain Schepperly who were present to speak to this item.

Sheriff McConville stated this new Computer Aided Dispatch/ Records Management System which is used by the County and was offered to every law enforcement agency in Putnam County to utilize. He stated the Villages of Brewster and Cold Spring and the Town of Kent all accepted the offer, with the understanding that they would be responsible for a portion of the yearly maintenance fee, which is subject to a yearly increase of 3%-6% depending on the increase that is put forward from Tyler Technologies, Inc. He stated the Villages are on a fixed rate of \$3,000 each per year.

Legislator Sayegh questioned if the Town of Carmel indicated why they did not want to accept the offer to utilize this system.

Sheriff McConville stated he is not sure of the reason, but they did decline to participate. He stated the Sheriff's Department has reached out to them several times, notifying them that the offer is still on the table, but there has not been a response.

Legislator Nacerino made a motion to approve Budgetary Amendment 24A082/ Maintenance Fees from Town of Kent and Villages of Cold Spring and Brewster - Access Software from the Computer Aided Dispatch (CAD)/ Records Management System (RMS); Seconded by Legislator Addonizio. All in favor.

Item #5 – FYI/ Fund Transfer 24T273/ Funds for Dispatch Backup Center for Four (4) PowerPhone Licenses/ Commissioner Bureau of Emergency Services Robert Lipton

Chairwoman Nacerino questioned if this request for funding will cover through to year end.

Bureau of Emergency Services (BES) Deputy Commissioner Ralph Falloon stated yes. He stated the backup with the Sheriff's Department currently is that they log into our building remotely. He stated they decided it would be in their best interest to get the Computer Software on the computers at the backup sites.

Chairwoman Nacerino thanked BES Deputy Commissioner Falloon for addressing this item.

Item #6 - Update/ P. C. Radio Project/ IT/GIS Director Lannon and Bureau of Emergency Services Robert Lipton

Bureau of Emergency Services (BES) Deputy Commissioner Ralph Falloon stated great strides have been made and they are coming down to the final stretch. He stated tomorrow there is a final meeting for the testing of the program and if it all goes well, the following Monday (9/16/2024) they will begin the acceptance tests. He stated that will continue, hopefully no longer than two (2) weeks. He stated then Director IT/GIS Lannon has stated that he believes within a month from that date they will be ready to go live with the Sheriff's Department, barring no issues with the testing. He stated the Sheriff's Department is ready to go live as soon as the approval comes through to do so.

Chairwoman Nacerino stated that is very good news, this is a program that has been in the works for a long time.

Item #7 – Update/ Putnam County Rescue Task Force

Chairwoman Nacerino stated the creation of the Putnam County Rescue Task Force (RTF) was approved unanimously by the Legislature at the September 3, 2024, Full Meeting. She stated her colleagues on the Legislature requested that an update be provided on what the next steps would be moving forward.

Chief of Putnam Lake Fire Department Michael Cairney stated currently the Alpha Team has been formed which includes volunteers from Putnam Lake, Patterson, and Brewster. He stated the Bravo Team has been formed which includes Carmel and Kent and the Charlie Team which includes Philipstown. He stated he has not begun to work on the Mahopac and Mahopac Falls areas yet. He stated he is trying to move slowly, and not overwhelm himself. He stated as he approached the different areas, the main question has been, "has the County approved it". He stated that is another reason why he has not gone too far. He stated he has held back waiting for the completion of securing the County's approval of the creation of the RTF. He stated the Bravo team is training at the Carmel Firehouse. He stated there is a training event coming up at Putnam Hospital in October for "active shooter" training.

Chairwoman Nacerino questioned how many volunteers does he have.

Chief of Putnam Lake Fire Department Michael Cairney stated approximately 40. He stated there is a lot of interest in being a member of the RTF because they recognize its importance. He explained the RTF trains to be prepared to go into “warm zone” where normal EMS personnel are not permitted to go.

Legislator Sayegh requested clarification as to why Mahopac and Mahopac Falls have not been approached yet.

Chief of Putnam Lake Fire Department Michael Cairney stated he has discussed this with them in the past, and there is an interest. He stated at the time he was discussing it with them, the RTF had not been approved by the County, which was the reason for their hesitation, at that time. He stated now that it has been approved, he will get back to them. He stated his goal is to have every Department in Putnam County involved with the RTF. He stated he started working on the formation of the RTF in Putnam County about four (4) years ago.

Legislator Crowley questioned if any specific model is being followed.

Chief of Putnam Lake Fire Department Michael Cairney stated yes. He stated it is a National Standard that he is following. He stated they are hoping to bring that training into Putnam County. He stated there is no fee, they would just need to provide the Police Officers and Fire Fighters. He stated he believes it is through FEMA (Federal Emergency Management Agency).

Legislator Castellano expressed his appreciation to Chief Cairney for his efforts. He questioned how many members will be on each of the three (3) groups that have been created thus far.

Chief of Putnam Lake Fire Department Michael Cairney stated he is trying to stick to 20 member per team.

Legislator Montgomery stated that she has talked to the Fire Department Chiefs in her area, and they are all in support of the RTF. She questioned why there are no members from the local Police Departments on the RTF.

Chief of Putnam Lake Fire Department Michael Cairney stated the job of the Police Department is to address the threat. He explained currently they have had to address the threat and try to take care of the victims. He stated the role of the RTF will be to help the victims, and alleviate that responsibility from the Police Department so they can put their efforts into addressing the threat.

Legislator Montgomery questioned who would be the “incident command”.

Chief of Putnam Lake Fire Department Michael Cairney stated it is a unified command, between the responders from the Police Department, Fire Department and Emergency Medical Services. He stated all the agencies are responsible for their individual function and bring that together to all work together to address the mission.

BES Deputy Commissioner Ralph Falloon stated the nature of an incident always comes into play on what agency is the incident command. He stated as an example if it is a crime scene, then the Police Department would take the lead.

Legislator Montgomery she is in favor of the RTF as are the Fire Departments in her district. She stated local police departments have communicated to her that they believe they should be involved with the RTF.

Captain James Schepperly stated the Sheriff's Department has been working with BES Commissioner Lipton and have and will continue to train and invite them to train with the Sheriff's Response Team. He spoke to a practice session they ran down in Westchester. He stated there are two practice drill sessions on the calendar in October. He stated the RTF will be responding to situations with the Sheriff's Response Team.

Chief of Putnam Lake Fire Department Michael Cairney stated that it is a work in progress, and he has been taking small steps until this point. He stated now that the RTF has been approved, he can move forward. He stated his future goal also includes offering training. He stated as an example he hopes to offer active shooter drills for County employees.

Legislator Crowley stated with the new regulations that are in the schools regarding Active Shooter Training, how is the RTF involved.

Chief of Putnam Lake Fire Department Michael Cairney stated he has been working with the Sheriff's Department, but it takes time.

Chairwoman Nacerino stated that she recognizes that this is a fluid process. She stated her appreciation for this update.

BES Deputy Commissioner Ralph Falloon stated now that the RTF has been officially approved by the County, he believes progress will begin moving forward. He stated the past four (4) years of moving slowly has prepared them well to jump right in now. He recognized the value of the valuable training that the Sheriff's Department has provided them.

Chairwoman Nacerino recognized Chief Cairney and Deputy Commissioner Falloon for the update provided and for addressing the questions raised.

Risk Manager Mat Bruno raised some inquires related to the insurance coverage for the different category of members on the RTF.

Chairwoman Nacerino requested that Chief of Putnam Lake Fire Department Michael Cairney forward a list of the members of the RTF to Risk Manager Bruno and work with him on the insurance coverage for said members.

Legislator Addonizio questioned if the FEMA training is a requirement for the members of the RTF.

Chief of Putnam Lake Fire Department Michael Cairney stated it is not a requirement. He also explained the obstacle they run into, due to the fact the members are volunteers and, in most cases, have other jobs. He stated his standard is that the members train once a month as local teams and quarterly.

BES Deputy Commissioner Ralph Falloon stated in their standard operating guides there are a minimum set of requirements each volunteer must have to be a member of the RTF.

Legislator Ellner questioned Risk Manager Burno as to whether he sees there will be a need for additional insurance to protect the RTF members and the County.

Risk Manager Burno stated he does not foresee that would be the case. He briefly spoke to that. He stated any volunteer that is not covered under their own Police Department or Fire Department would be covered under the Putnam County Workers Compensation Plan as a volunteer.

Legislator Montgomery expressed her support and hope the County Executive and Legislature in the future would approve funding so that the RTF could provide training to the County employees.

Chairwoman Nacerino stated that has been discussed and the cost of the training would be part of the BES budget. She facilitated further discussion.

Item #8 – Other Business

Chairwoman Nacerino made a motion to Waive the Rules and Accept the Other Business; Seconded by Legislator Addonizio. All in favor.

a.) Approval/ Continuation of The Community Engagement & Police Advisory Board (CEPAB)

Chairwoman Nacerino read the letter from the Members of the CEPAB which requested the renewal of the continuation of said board. She stated that she believes they do a stupendous job and are a great service to our community.

Chairwoman Nacerino made a motion to approve the Resolution in support of the Continuation of The Community Engagement & Police Advisory Board; Seconded by Legislators Addonizio and Sayegh. All in favor.

Item #9 – Adjournment

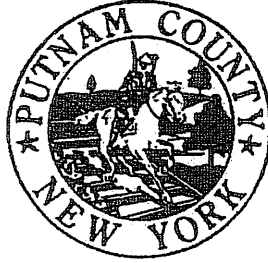
There being no further business at 6:34pm Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Sayegh. All in favor

Respectfully submitted by Deputy Clerk Diane Trabulsy.

THE PUTNAM COUNTY LEGISLATURE

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AGENDA

PROTECTIVE SERVICES COMMITTEE MEETING

HELD IN ROOM 318

PUTNAM COUNTY OFFICE BUILDING

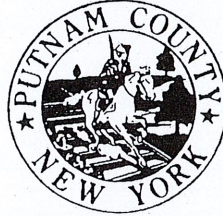
CARMEL, NEW YORK 10512

Members: Chairwoman Nacerino & Legislators Addonizio & Sayegh

Thursday 6:00p.m. **September 12, 2024**
(The Rules, Enactments & Intergovernmental Relations Meeting will Immediately Follow)

1. Pledge of Allegiance
2. Roll Call
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6. Update/ P. C. Radio Project/ IT/GIS Director Lannon and Bureau of Emergency Services Robert Lipton
7. Update/ Putnam County Rescue Task Force
8. Other Business
9. Adjournment

MICHAEL LEWIS
Commissioner Of Finance



cc: all
Prot 11-21-24
A+A (11-25)
RESO APPROVED
4

SHEILA BARRETT
First Deputy Commissioner of Finance

ALEXANDRA GORDON
Deputy Commissioner of Finance

DEPARTMENT OF FINANCE

November 4, 2024

Ms. Diane Schonfeld, Clerk
Putnam County Legislature
40 Gleneida Avenue
Carmel, NY 10512

Dear Ms. Schonfeld

2024 NOV - 5 AM 11:19
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

Pursuant to Code Section 5-1, A dated February 14, 2010, I am advising you of the following request to amend the 2024 Putnam County Sheriff Department's budget.

Increase Revenues:

17311000 427701	Sheriff Patrol – Unclassified	\$ 22,500.00
14311000 427701	Sheriff Narcotics – Unclassified	<u>2,101.12</u>
		<u>\$ 24,601.12</u>

Increase Expenses:

17311000 51093	Sheriff Patrol - Overtime	\$ 20,902.50
17311000 58002	Sheriff Patrol - Social Security	1,597.50
14311000 51093	Sheriff Narcotics – Overtime	1,951.95
14311000 58002	Sheriff Narcotics – Social Security	<u>149.17</u>
		<u>\$ 24,601.12</u>

2024 Fiscal Impact - 0
2025 Fiscal Impact - 0

The Sheriff's Department has received reimbursement from Coordinated Care Services, Inc. for the department's participation in Crisis Intervention Team (CIT) training and from the NYS Sheriffs' Association for attending the DRE Annual Conference in Washington DC. Sheriff McConville respectfully requests these funds be used to cover overtime expense.

AUTHORIZATION:

Date _____ Commissioner of Finance/Designee: Initiation by \$0 - \$5,000.00

Date _____ County Executive/Designee: Authorized for Legislative Consideration \$5,000.01 - \$10,000.00

Date _____ Chairperson Audit/Designee: \$0 - \$10,000.00 **24A113**

Date _____ Audit & Administration Committee: \$10,000.01 - \$25,000.00
NYS Sheriffs' Association - Ck 7065 - \$2,101.12 Coordinated Care Services, Inc. – Ck 114690 - \$22,500.00



KEVIN J. MCCONVILLE
SHERIFF

PUTNAM COUNTY
OFFICE OF THE SHERIFF
AND
CORRECTIONAL FACILITY
THREE COUNTY CENTER
CARMEL, NEW YORK 10512
845-225-4300



THOMAS H. LINDERT
UNDERSHERIFF

REIMBURSEMENT FOR CIT TRAINING

DATE: 10/28/2024

Mr. Michael Lewis
Commissioner of Finance
County Office Building
40 Gleneida Avenue
Carmel, N.Y. 10512

Dear Commissioner Lewis:

Check #114690 in the amount of \$22,500.00

From: COORDINATED CARE SERVICES, INC.


Enclosed please find the above referenced check which represents reimbursement for 15 members who attended and completed CIT (Crisis Intervention Team) training.

Please apply to the corresponding revenue account# 17311000.427701

Also, please increase expenditure lines:

17311000.51093	\$20,902.50
17311000.58002	1,597.50

Very truly yours,


Thomas H. Lindert
Undersheriff

THL/kv
Enclosure

24A113



KEVIN J. MCCONVILLE
SHERIFF

PUTNAM COUNTY
OFFICE OF THE SHERIFF
AND
CORRECTIONAL FACILITY
THREE COUNTY CENTER
CARMEL, NEW YORK 10512
845-225-4300



THOMAS H. LINDERT
UNDERSHERIFF

October 15, 2024

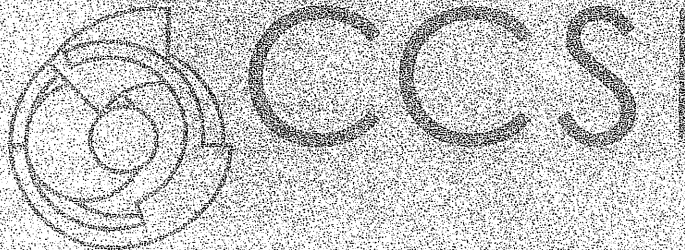
Invoice for Reimbursement: CIT Training

Dates of Training:	9/16/24-9/20/24
Number of Deputies Completed Training:	15
Amount per Deputy for Reimbursement:	\$1,500
Amount Due for Overtime and Backfill Expenses:	<u>\$22,500</u>

Please make Payment Payable to:

Putnam County Sheriff's Office
Attn: Kristin Van Tassel, Fiscal Manager
3 County Center
Carmel, NY 10516

Vendor ID	Name	Payment Number	Check Date	Check Number
PUTNAM CO SD	Putnam County Sheriff's Office	P0085132	10/24/2024	114690
Invoice Number	Invoice Date	Description		Amount Paid
101724	10/15/2024	LE reimbursement for CIT train	\$22,500.00	\$22,500.00



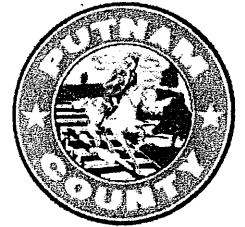
\$22,500.00 \$22,500.00



KEVIN J. MCCONVILLE
SHERIFF

PUTNAM COUNTY
OFFICE OF THE SHERIFF
AND
CORRECTIONAL FACILITY
THREE COUNTY CENTER
CARMEL, NEW YORK 10512
845-225-4300

Deputy Outside Services



THOMAS H. LINDERT
UNDERSHERIFF

DATE: 10/22/2024

Mr. Michael Lewis
Commissioner of Finance
County Office Building
40 Gleneida Avenue
Carmel, N.Y. 10512

Dear Commissioner Lewis

Check #7065 in the amount of \$2,101.12

From: NYS SHERIFF'S ASSOCIATION INC.

Is reimbursement for Robert Weinberg to attend the DRE Annual Conference, August 15 thru 18th, in Washington D.C. This is a grant through NYS Governor's Traffic Safety Committee for funding assistance to attend DRE Annual Conference.

Please apply to corresponding revenue account # 14311000.427701 \$2,101.12

Additionally, please increase expenditure lines:

14311000.51093	\$1,951.95
14311000.58002	\$ 149.17

Very truly yours,

Kristin D. Van Tassel
Fiscal Manager

54A12

Putnam County Sheriff's Office

9/26/2024

Date Type Reference
9/19/2024 Bill DRE Annual Conf

Original Amt.
2,101.12

Balance Due
2,101.12

Discount

Payment
2,101.12
2,101.12

Check Amount

M&T Checking Accou DRE Annual Conf R Weinberg

2,101.12



NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE ITEMIZED LISTING OF SERVICES FOR FUNDING ASSISTANCE TO ATTEND ARIDE OR DRE SCHOOL ONLY FRINGE BENEFITS ARE NOT AN ALLOWABLE COST

Grant Type: HSI Grant Number: HS1-2024-NYS Sheriff's Assoc.-00128-(088)

Payee Information - all fields required		School Information - all fields required	
NAME (Payee for Check)	Putnam County Sheriff's Office	DRE or ARIDE	DRE
Address	3 County Center, Carmel, NY 10512	School Location	Washington DC
E-Mail	Robert.Weinberg@Putnamcountyny.gov	School Dates	08/15/2024-08/18/2024
Contact Number	845-743-3477		

DATE	OFFICER NAME (for multiple officers use multiple forms)	NUMBER OF HOURS	HOURLY RATE	TOTAL SALARY AMOUNT	OTHER (Please indicate)
8/15/24	Robert J. Weinberg	8	\$52.53	\$420.24	
8/16/24	Robert J. Weinberg	8	\$52.53	\$420.24	
8/17/24	Robert J. Weinberg	8	\$78.79	\$630.32	OVERTIME
8/18/24	Robert J. Weinberg	8	\$78.79	\$630.32	OVERTIME
TOTALS				32	\$2101.12

Officer Signature: Date: 8/19/2024

State DRE Coordinator Signature: _____ Date: _____

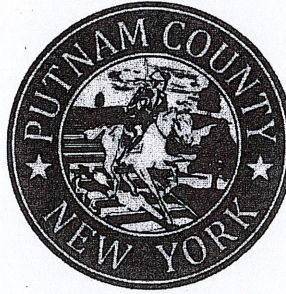
Sheriff's Association Representative: _____ Date: _____

PLEASE RETURN THIS FORM TO RENEE BORDEN DRE.PROGRAM@dmv.ny.gov

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT AND THAT THE ABOVE EXPENDITURES ARE MADE IN ACCORDANCE WITH THE GRANT GUIDELINES AND ARE DIRECTLY RELATED TO THE GOALS AND OBJECTIVES OF THE GRANT LISTED ABOVE. I ALSO CERTIFY THAT THE APPROPRIATE SALARY REGISTERS, TIME AND ATTENDANCE RECORDS, AND IF APPLICABLE, TIME DISTRIBUTION SHEETS IN RELATION TO THE ABOVE-MENTIONED GRANT ARE BEING KEPT AND ARE AVAILABLE FOR AN ON-SITE AUDIT AND/OR REVIEW BY THE GOVERNORS TRAFFIC SAFETY COMMITTEE, THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION AND/OR BY THE OFFICE OF THE STATE COMPTROLLER.

Supervisor's Signature	Print Name	Today's Date
	John Kerwick	8/19/24

MICHAEL J. LEWIS
Commissioner of Finance



SHEILA BARRETT
First Deputy Commissioner of Finance

ALEXANDRA GORDON
Deputy Commissioner of Finance

cc: all Prot 11-21-24 A+R (11-25)
RESO APPROVAL #5

DEPARTMENT OF FINANCE

MEMORANDUM

TO: Diane Schonfeld, Legislative Clerk
FROM: Michael J. Lewis, Commissioner of Finance – *MJL*
RE: **Budgetary Transfer – 24T406**
DATE: November 5, 2024

2024 NOV 12 AM 10:40
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

At the request of the Commissioner of Finance, the following budgetary transfer is recommended.

Increase Appropriations:

25117100 54125 Legal Aid 18b- Legal Services \$ 125,000

Decrease Appropriations:

10199000 54980 Contingency \$ 125,000

Fiscal Impact - 2024 - \$125,000
Fiscal Impact - 2025 - \$ 0

The above proposed budgetary amendment is to adjust appropriations through the end of the year based on Q424 estimated 18b claims for misdemeanors, felonies, criminal and family court appeals

24T406



PUTNAM COUNTY BUREAU OF EMERGENCY SERVICES



*cc: all
Prot 11-21-24
Approval #6*

Kevin M. Byrne
County Executive

Robert A. Lipton
Commissioner of Emergency Services

J. Ralph Falloon
Deputy Commissioner of Emergency Services

Christopher E. Shields
Director of Emergency Management

Robert Cuomo
Director of Emergency Medical Services

MEMORANDUM

To: Ginny Nacerino, Chair, Protective Services
From: Robert A. Lipton, Commissioner
Re: November Protective Services Meeting
Date: November 4, 2024

I would like to add the 2024-25 Hazardous Materials Emergency Preparedness (HMEP) Grant to the Protective Services agenda for November.

The total amount of Grant is \$16,000. There is 25% matching in kind. It will be used for training and exercise, this is a one year Grant. The information package is attached.

Thank you.

2024 NOV -4 PM 12:07
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY



Homeland Security and Emergency Services

NYS Division of Homeland Security and Emergency Services

FY2024-25 Hazardous Materials Emergency Preparedness (HMEP) Grant Program Request for Applications

Application Deadline: October 17, 2024 by 5:00 pm

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I. Introduction

The Hazardous Materials Transportation Uniform Safety Act of 1990 (P.L. 101-615), authorized DOT to provide assistance to public sector employees through training and planning grants to States, Territories, and federally recognized Native American Tribes for emergency response. The purpose of this grant program is to increase State, Territorial, Tribal, and local effectiveness in safely and efficiently handling hazardous materials (HazMat) incidents, enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), and encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations. Authorized by Title III of the Superfund Amendments and Reauthorization Act (SARA), EPCRA was enacted by Congress as the national legislation on community safety. This law is designed to help local communities protect public health, safety, and the environment from chemical hazards.

The HMEP program is authorized under 49 U.S.C. § 5116 and is governed by program regulations in 49 CFR Part 110 and Federal grants administration regulations at 2 CFR Part 200. On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was signed into law (Public Law No. 114-94). The FAST Act reauthorized the HMEP Grant Program. Section 7203 of the FAST Act amended 49 U.S.C. §5116 to combine planning and training grants into section 5116 (a). Therefore, local applicants are now able to utilize funds to support both planning and training activities.

Under 49 U.S.C. § 5116, Training and Planning Grants are available to States and Native American tribes:

(A) To develop, improve, and carry out emergency plans under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. § 11001 et seq.), including ascertaining flow patterns of hazardous materials on lands under the jurisdiction of a State or Native American tribe, and between lands under the jurisdiction of a State or tribe and lands of another State or tribe;

(B) To decide on the need for a regional hazardous material emergency response teams; and

(C) To train public sector employees to respond to accidents and incidents involving hazardous materials. To the extent that a grant is used to train emergency responders, the applicant must certify that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence for responders to accidents and incidents involving hazardous materials.

The purpose of this Request for Applications (RFA) is to solicit applications for Hazardous Materials Emergency Preparedness (HMEP) funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES) for New York State's HazMat regions. Funding must be used in support of eligible activities that support the purpose of the HMEP Grant Program. Supplanting is not allowed.

Through this grant, DHSES is affirming its commitment to a regional approach for building and sustaining HazMat planning and training capabilities in New York State. In this austere budget era, working collaboratively on a regional basis is even more critical. By requiring counties to apply regionally through a common fiduciary agent, the HMEP Grant Program will promote regional HazMat preparedness, complement existing relationships established through the HazMat Targeted Grant Program, and leverage all available funding streams to achieve the greatest possible impact from this limited funding opportunity. Regional applicants are encouraged, but not required, to use the existing regional HazMat Fiduciary Agent for the HMEP Grant Program.

II. Changes from FY2023-24 Grant Cycle

No programmatic changes have been made to the FY2024-25 HMEP Grant Program. The FY2024-25 HMEP Grant Program continues the regional approach to awarding funding that will help ensure that HMEP training and planning funds are offered equitably across the State and that funds are made available to underserved communities when applying for sub-awards in accordance with the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration's (PHMSA) policy to promote compliance with Executive Order 13985 issued by President Biden.

Exhibit A, the Allowable Costs Matrix, reflects the most recent guidance provided by PHMSA as of the date of this RFA. All applicants are encouraged to carefully review the allowable cost guidance before completing the application.

III. HMEP Funding Priorities

Due to limited funding, DHSES and PHMSA encourage sub-recipients to use HMEP funds on activities that maximize transportation safety benefits to the community. The HMEP grant program prioritizes efforts that lead to the prevention of serious hazmat transportation related incidents, principally those of high consequence to people and the environment. All activities must be related to preparedness for incidents involving the transportation of hazardous materials under this program.

The top priority of DHSES for the FY2024-25 HMEP Grant Program continues to emphasize preparedness for incidents involving the bulk transportation of energy products by rail and over the road. Applicants are encouraged to develop and/or enhance Geographic Response Plans for crude oil response, and to

address regional planning deficiencies required to achieve accreditation under the State's HazMat Accreditation Program. Applicants are also eligible to conduct commodity flow studies to determine the frequency and quantity of hazmat shipments being transported through local communities, and to exercise and train emergency responders to respond appropriately to incidents involving bulk shipments of energy products as well as other hazardous materials.

When drafting applications, DHSES encourages applicants to consider planning, training, and exercise activities that focus on the following topics:

1. Updating SARA Title III HazMat plans (must address the transportation component), NYS General Municipal Law (GMU) 204(f) County HazMat incident response plans and addressing gaps in NYS HazMat Team Accreditation status;
2. Current risk involving transport by all modes of energy products such as crude oil, ethanol, and liquefied natural gas (LNG);
3. Current state of operational readiness/capability;
4. Familiarity with bulk shipper's emergency response plans/procedures;
5. Available training resources (sources, accessibility, gaps in training); and
6. Needs of emergency responders/public safety agencies.

IV. Available Funding

For FY2024-25, \$304,000 in federal funding is available for the local HMEP Grant Program. Funding is available to HazMat regions in the state based on a formula. **Each HazMat region and the City of New York is being offered \$16,000 by formula under this grant program.**

V. Eligible Applicants

Each of the 18 HazMat regions and the City of New York are eligible to apply for funding. The five boroughs (counties) of New York City constitute a HazMat region for the purposes of the HMEP Grant Program.

Applicants must identify a Regional Fiduciary Agent to apply for HMEP funding on behalf of an entire region. Applicants must apply in partnership with existing HazMat regions (see Exhibit B for a map of New York State HazMat regions). For additional information on the role of the fiduciary agent, please refer to Section VI of this RFA.

FY2024-25 HMEP Grant Program Regional Allocations

Region	Counties	FY2024-25 HMEP Allocation
Capital Region HazMat Group	Albany, Rensselaer, Saratoga, and Schenectady counties	\$16,000
Southern Tier Consortium	Broome, Chenango, Delaware, Otsego counties	\$16,000
Cayuga-Cortland-Tompkins Regional HazMat Team	Cayuga, Cortland, and Tompkins counties	\$16,000
Southwest Southern Tier	Allegany, Cattaraugus, and Chautauqua counties	\$16,000
Columbia-Greene Regional HazMat Team	Columbia and Greene counties	\$16,000
Buffalo Erie Niagara (BEN) Partnership	Erie and Niagara counties	\$16,000
Adirondack Regional HazMat Consortium	Clinton, Essex, Franklin, Hamilton, St. Lawrence, Warren, and Washington counties	\$16,000
Western Region HazMat	Genesee, Monroe, Livingston, Orleans, and Wyoming counties	\$16,000
Jefferson/Lewis	Jefferson and Lewis counties	\$16,000
Nassau County HazMat-WMD Task Force	Nassau County	\$16,000
Herkimer/Oneida County HazMat Team	Herkimer and Oneida counties	\$16,000
Central Region Special Emergency Response	Onondaga, Oswego, and Madison counties	\$16,000

Upper Hudson Valley Hazmat Partnership	Orange, Rockland, Sullivan, and Ulster counties	\$16,000
Fulton-Montgomery-Schoharie Regional HazMat Team	Fulton, Montgomery, and Schoharie Counties	\$16,000
Southern Tier HazMat Group	Chemung, Schuyler, Steuben, and Tioga counties	\$16,000
Finger Lakes Regional Consortium	Ontario, Seneca, Wayne, and Yates counties	\$16,000
Suffolk County	Suffolk County	\$16,000
Lower Hudson Valley HazMat Partnership	Dutchess, Putnam, and Westchester counties	\$16,000
City of New York	Bronx, Queens, New York, Richmond, and Kings counties	\$16,000
	Total	\$304,000

VI. Role of the Fiduciary Agent (FA)

As part of the FY2024-25 application process, counties will apply regionally for funding as a partnership consistent with each of the HazMat regions outlined in the chart in Section V of this RFA. Each region will need to designate and agree upon a single entity to act as the Fiduciary Agent for the region. The designated Fiduciary Agent for HMEP for each region is the only entity eligible to apply on behalf of any interested counties within the regional partnership. Where applicable, DHSES encourages (but does not require) existing HazMat Targeted Grant Program Fiduciary Agents to take on this role to maximize the existing relationships established through the HazMat Targeted Grant Program and to leverage all available funds for HazMat preparedness within the region. If the existing HazMat Targeted Grant Fiduciary Agent is unable or unwilling to take on this role for the HMEP program, a different county may assume that role for the HMEP program.

The responsibilities of the Fiduciary Agent include:

- Serve as the primary Point of Contact (POC) for DHSES on the grant.
- Ensure that all participating counties within the region are included in regional efforts.
- Submit budgets for HMEP Grant funds in coordination with and on behalf of the region.
- Coordinate purchasing and other efforts related to the HMEP Grant on behalf of the region.
- Complete all required grant reporting forms in coordination with and on behalf of the region.

VII. Project and Budget Periods

The period of performance for the FY2024-25 HMEP Grant Program is expected to run from October 1, 2024 through September 30, 2025. No extensions to the period of performance will be allowed for the FY2024-25 HMEP Grant Program. Applicants are urged to carefully review their proposed projects to ensure that they can be completed within the period of performance.

VIII. Progress Reporting

All Regional Fiduciary Agents will be expected to complete quarterly progress reports in E-grants and submit quarterly fiscal reports to DHSES on behalf of their region. Quarterly reports will be due 30 days after the close of each quarter. Sub-recipients will be requested to complete mid-year and close out reports as needed with the information necessary to satisfy U.S. DOT performance reporting requirements.

In order to meet detailed reporting requirements required by U.S. DOT, there is an additional report that must be completed on a semi-annual basis to document performance associated with this grant program. This reporting form, is included in Exhibit C of this RFA. This report is due to DHSES in April and October. Specific due dates will be provided with the form via email in the month preceding when the report is due.

IX. Authorized Program Expenditures

HMEP Training and Planning Grants are available:

1. To develop, improve, and carry out emergency plans under EPCRA, including ascertaining flow patterns of hazardous materials on lands under the jurisdiction of a State or Native American tribe, and between lands under the jurisdiction of a State or Native American tribe and lands of another State or Native American tribe;
2. To decide on the need for regional hazardous material emergency response teams; and

3. To train public sector employees to respond to accidents and incidents involving hazardous materials. To the extent that a grant is used to train emergency responders, the applicant must certify that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence for responders to accidents and incidents involving hazardous materials.

A. General Guidelines

Fund Use: Routine operating expenses are **NOT** eligible costs.

HMEP Grant funds are to be used for:

- “Transportation-related” HazMat safety planning and training expenditures and activities. This may include the purchase of training props to support specific training and/or exercise activities conducted within the period of performance.
- Efforts that lead to increased effectiveness in safely and efficiently handling HazMat accidents and incidents (excluding equipment purchases).

B. Permissible Costs

Grant funding may be used for certain planning, training, and exercise costs allowable under the Hazardous Materials Emergency Preparedness (HMEP) Grant Program. Please refer only to Exhibit A, “Allowable Costs Matrix” for detailed information on this program’s allowable costs. **All costs must support the execution of an allowable activity related to preparedness for incidents involving the transportation of hazardous materials.**

Sub-recipients must propose activities or projects that will be accomplished using HMEP funds. These activities may consist of:

- Develop, improve, and implement emergency plans related to the transportation of hazardous materials, including consideration of the transportation component for plans required under SARA Title III;
- HazMat commodity flow studies, hazard analysis, and capability assessments;
- HazMat drills and exercises to test state and county emergency response capabilities and identify gaps in training and planning;
- HazMat training needs assessment;

- Train emergency responders to respond appropriately to incidents involving bulk shipments of energy products as well as other hazardous materials.

1) Travel

Travel costs should relate to expenses to and from planning and training activities. When submitting for reimbursement, sub-recipients should include the following:

- Lodging;
- Pier Diem;
- Transportation (air, train, bus, or rental car); and
- Registration fees for conferences and workshops.

For other than local travel, sub-recipients should provide additional information including the purpose for the trip, programmatic need and location.

2) Overtime and Backfill/Volunteer Stipends

Training costs may now also include stipends for volunteers and overtime and backfill costs for career staff participating in approved training and exercise activities. Funds allocated to Overtime/Backfill and Volunteer Stipends are limited to a combined maximum of 30% of your total award. Please note that Overtime/Backfill and Volunteer Stipends are not an approved expense for conferences.

Please see Exhibit D for detailed requirements related to Overtime/Backfill and Volunteer Stipends under the HMEP Grant Program.

3) Supplies

Costs must be related to the purchase of supplies solely dedicated to the activities proposed under the HMEP grant. Requests should identify categories of supplies to be procured (e.g., publications, manuals, paper, and pens) for use during proposed activities. Supplies requested must be in support of eligible project activities, and a clear and detailed description detailing how the supplies relate to the proposed project is required.

4) Consultants

This includes any procurement of services from individual consultants or commercial firms. These costs are contractual agreements between the sub-recipient and contractor(s) to complete work on behalf of sub-recipient. Activities may consist of the following:

- Developing, improving, and implementing emergency plans required under Title III (must include the transportation component);
- Performing hazard assessments and gap analysis to determine hazmat safety risks within a jurisdiction, state, or region;
- Improving interagency interoperability to better respond to and mitigate hazmat incidents;
- Enhancing emergency plans to include hazard analysis as well as response procedures for emergencies involving transportation of hazmat, including radioactive materials;
- Determining flow patterns of hazardous materials on lands under the jurisdiction of a State or Native American tribe, and between lands under the jurisdiction of a State or Native American tribe and lands of another State or Native American tribe, and the developing and maintaining of a system to keep information current;
- Assessing the need for regional hazmat emergency response teams;
- Assessing local HazMat response capabilities; and
- Performing HazMat emergency response drills and exercises associated with HazMat emergency preparedness plans.

C. Costs Not Permissible

The following costs are not eligible for reimbursement under the HMEP Program:

- (a) Expenses not related to the transportation of hazardous materials;
- (b) Expenses claimed and or reimbursed by another program;
- (c) Expenses counted as match funds toward another Federal program;
- (d) Expenses that supplant existing operational funds/programs;
- (e) Entertainment, alcohol, or morale costs;
- (f) Any costs disallowed or stated as ineligible in 49 CFR part 110 and 2 CFR 200 Subpart E;
- (g) Excessive costs for general office supplies, equipment, computer software, printing and copying;
- (h) Overtime/Backfill and Volunteer Stipends for planning activities;
- (i) Management and Administration expenses;
- (j) Response equipment;
- (k) WMD/Terrorism related expenses;
- (l) Routine operational expenses for a Local Emergency Planning Committee (LEPC); and
- (m) Any cost specifically prohibited in the General Terms and Conditions of the grant award, or identified in PHMSA policy guidance, or as a Special Terms and Conditions listed on the NGA (Remarks section).

Supplanting is not allowable. If you have any questions regarding supplanting, please send them to Grant.Info@dhses.ny.gov.

X. Matching Requirements

Sub-recipients must provide 20 percent of the total project cost of all approved activities with non-federal funds. For applicants applying for the full federal allocation of \$16,000, a cash or in-kind match of \$4,000 is required.

Examples of cost sharing contributions (matches) allowed under this grant include:

- Travel, equipment or supply purchase, space usage, the dollar value of a participant's time during an approved Planning or Training activity;
- Private contributions such as corporate contributions of facilities or services. (e.g., tank car, cargo tank trailers, van trailer, training site, hazardous materials (HazMat) equipment, first aid ambulance stand-by, classroom space); and
- Voluntary contributions such as emergency personnel support, the time of any LEPC member participating in the eligible activity, or exercise participation.

Sub-recipients can provide their Match Share contribution in a different budget category than the federal Share, the same budget category as the federal share, or any combination of categories that provides for 20 percent of the total project cost.

Costs that **CANNOT** be used for matching contribution include:

- Funds used for matching purposes under any other Federal grant or cooperative agreement;
- Federal funding received through another federal program;
- Funds expended by a recipient agency to qualify for the grant; or
- Costs incurred outside of the grant performance period.

Matching funds must be verifiable through grantee records and be maintained with the same level of effort as federal funds. Records must show how the value of a contribution is made. For further guidance on matching funds and other federal award requirements refer to Title 2 of the Code of Federal Regulations (CFR) consisting of the U.S Office of Management and Budget Guidance for Grants and Agreements.

XI. Spending Plans

Each region is being offered a funding allocation determined by formula.

Each region is required to develop a spending plan for their allocation. The spending plan must be developed via an inclusive process, with representatives from all interested counties within the region. It will be the responsibility of the Fiduciary Agent to oversee this process within the region. As part of the regional grant application, the Emergency Manager or County Fire Coordinator (depending on who the most appropriate official is based on the proposed project) from each participating county must provide their signature to certify that consensus was reached and that the plan proposed best meets the needs of the entire region.

XII. Application Format and Content

Each proposed Spending Plan and Application Worksheet must be submitted to DHSES via email as a Microsoft Excel template. The Application Worksheet includes applicant contact information as well as required budget and project details that enable DHSES to assess the eligibility of the proposed project and to obtain pre-approval from DOT/PHMSA for the proposed activities.

The Application Worksheet also includes a section where the Emergency Manager or Fire Coordinator from each participating county in the region will be required to provide their signature to certify that consensus was reached on the Regional Spending Plan and that the plan best meets the needs of the entire region.

All documents must be submitted via email to DHSES (Grant.Info@dhses.ny.gov) by **5:00 p.m. on October 17, 2024.**

XIII. Application Review Process

Each application will be reviewed carefully by representatives from the Division of Homeland Security and Emergency Services. DHSES reserves the right to contact applicants to request clarification and/or additional information to substantiate their requests. All requests for funding must ultimately be approved by the Commissioner of DHSES.

XIV. Checklist of Required Documents

Requirements: All applications are due by 5:00 p.m. on **October 17, 2024**. Any application received after the application deadline may not be considered for funding.

Applications must be submitted to DHSES via email (Grant.Info@dhses.ny.gov).

Complete applications must include:

1. Spending Plan and Application Worksheet (in Excel) uploaded as an attachment to the email submission.
2. Internal Management Plan if applying for funds for Overtime/Backfill and/or Volunteer Stipends in accordance with the requirements outlined in Exhibit D.
3. The Signature Sheet tab of the Application Worksheet must include signatures from each county Emergency Manager or County Fire Coordinator in a given region certifying their consensus with, and approval of, the Regional Spending Plan.

XV. Timeline

Applications are due to DHSES by 5:00 p.m. on **October 17, 2024**. Applications must be submitted to DHSES via email (Grant.Info@dhses.ny.gov). Applications received after the due date and time may not be considered for funding.

XVI. Approval and Notification of Award

The Commissioner of DHSES will provide oversight of the grant review process. The Commissioner will announce the final grant award decisions based on the review of applications and recommendations. DHSES will notify all applicants in writing as to final grant award determinations. Nothing herein requires or prohibits DHSES to approve grant funding for any one applicant, certain applicants, all applicants or no applicants. Any disbursement of an award is contingent upon entering into a contract with DHSES, as explained in further detail below.

Pursuant to Section 163(9)(c) of the State Finance Law, any unsuccessful Bidder may submit a written request for a debriefing regarding the reasons that the Bid submitted by the Bidder was not selected for award. Requests for a debriefing must be made within 15 calendar days of notification by DHSES that the Bid submitted by the Bidder was not selected for award. An unsuccessful Bidder's written request for a debriefing shall be submitted to DHSES Director of Grants Program Administration. The

debriefing shall be scheduled within 10 business days of receipt of the written request by DHSES or as soon as practicable under the circumstances.

XVII. Administration of Grant Contracts

DHSES will negotiate and develop a grant contract with the submitting partner of regional partnerships based on the contents of the submitted application and intent of the grant program as outlined in this RFA. The grant contract is subject to approval by the NYS Office of the Attorney General and the Office of the State Comptroller before grant funding may actually be disbursed to reimburse project expenses.

The period of performance for contracts supported by the **Hazardous Materials Emergency Preparedness Grant Program** funds will be determined once awards have been approved. Although the contract format may vary, the contract will include such standard terms and conditions included in DHSES grant contracts available for review on the DHSES website: <https://www.dhSES.ny.gov/grant-reporting-forms>.

Applicants agree to adhere to all applicable state and federal regulations.

A. Issuing Agency

This RFA is issued by DHSES, which is responsible for the requirements specified herein and for the evaluation of all applications.

B. Filing an Application

Grant applications must be submitted via electronic mail (e-mail) to the Grants Program Administration unit of DHSES. Completed applications, along with any required documentation, must be submitted to Grant.Info@dhSES.ny.gov by the application deadline, **5:00 p.m. on October 17, 2024**.

Completed applications must include:

1. Spending Plan and Application Worksheet (in Excel) attached to the e-mail submission.
2. Internal Management Plan if applying for funds for Overtime/Backfill and/or Volunteer Stipends.
3. The Signature Sheet tab of the Application Worksheet must include signatures from each county Emergency Manager or County Fire Coordinator in a given region certifying their consensus with, and approval of, the Regional Spending Plan.

C. Reservation of Rights

The issuance of this RFA and the submission of a response or the acceptance of such response by DHSES does not obligate DHSES in any manner. DHSES reserves the right to:

1. Reject any and all applications received in response to this RFA;
2. Withdraw the RFA at any time at DHSES' sole discretion;
3. Make an award under the RFA in whole or in part;
4. Disqualify any applicant whose conduct and/or application fails to conform to the requirements of the RFA;
5. Seek clarifications and revisions of the applications;
6. Use application information obtained through site visits, management interviews and the State's investigation of an applicant's qualifications, experience, ability or financial standing, and any material or information submitted by the applicant in response to DHSES' request for clarifying information in the course of evaluation and/or selection under the RFA;
7. Prior to the application opening, amend the RFA specifications to correct errors or oversights, or to supply additional information, as it becomes available;
8. Prior to the application opening, direct applicants to submit application modifications addressing subsequent RFA amendments;
9. Change any of the scheduled dates;
10. Eliminate any mandatory, non-material specifications that cannot be complied with by all the prospective applicants;
11. Waive any requirements that are not material;
12. Negotiate with successful applicants within the scope of the RFA in the best interests of the State;
13. Conduct contract negotiations with the next responsible applicant, should DHSES be unsuccessful in negotiating with the selected applicant;
14. Utilize any and all ideas submitted in the applications received;
15. Unless otherwise specified in the RFA, every offer is firm and not revocable for a period of 60 days from the application opening; and,
16. Communicate with any applicant at any time during the application process to clarify responses and /or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an applicant's proposal and/or to determine an applicant's compliance with the requirements of this RFA.
17. Award grants based on geographic or regional considerations to serve the best interests of the State.
18. Terminate, renew, amend or renegotiate contracts with applicants at the discretion of DHSES.
19. Periodically monitor the applicant's performance in all areas mentioned above, in addition to the activities in the contract.
20. Revoke funds awarded to an applicant, or enforce any available sanction against any applicant, who materially alters the activities or is in material noncompliance under the grant award, or who does not implement an approved project within 60 days of the final contract approval.

21. Consider all applications and documentation submitted as State agency records subject to the New York State Freedom of Information Law (Public Officers Law, Article 6). Any portion of the application that an applicant believes constitutes proprietary or critical infrastructure information entitled to confidential handling, as an exception to the Freedom of Information Law, must be clearly and specifically designated in the application.
22. Applicants funded through this program agree to provide DHSES, upon request at any time during the life of the grant contract, such cooperation and information deemed necessary by DHSES to ascertain: (1) the nature and extent of any threats or hazards that may pose a risk to the applicant; and (2) the status of any corresponding applicant or applicant plans, capabilities, or other resources for preventing, protecting against, mitigating, responding to, and recovering from such threats or hazards.
23. Require applicants to attend and participate in any DHSES-sponsored conferences, training, workshops or meetings (excluding those identified by DHSES as voluntary) that may be conducted, by and at the request of DHSES, during the life of the grant contract.
24. In its sole discretion, reserves the sole discretion to increase or decrease the total funding available for this program at any time, resulting in more or fewer applications funded under this RFA.

DHSES may exercise the foregoing rights at any time without notice and without liability to any responding applicant or any other party for its expenses incurred in preparation of responses hereto or otherwise. All costs associated with responding to this RFA will be at the sole cost and expense of the applicant.

D. Term of the Contract

Any resulting contract or agreement for more than \$50,000 from this RFA will be effective only upon approval by both the NYS Office of the Attorney General and State Comptroller. Any resulting contract for \$50,000 and under from this RFA will be effective upon signature of both parties. For grants valued at \$10,000 or less, a Purchase Order invoking a "Letter of Agreement" between DHSES and the successful applicant will be issued.

E. Payment and Reporting Requirements of Grant Awardees

1. Standard Cost Reimbursement Contract

Each successful applicant must enter into a standard cost reimbursement contract with DHSES. Such contract will include this Request for Applications, the successful applicant's proposal, any attachments or exhibits and the standard clauses required by the NYS Attorney General for all State contracts

(available upon request). The contract will be subject to approval by the Attorney General and State Comptroller.

Although the contract format may vary, the contract will include such clauses, information, and rights and responsibilities as can be found on the DHSES website, including:

- APPENDIX A-1 - Agency Specific Clauses or a Letter of Agreement (Depending upon Funding Amount)
- APPENDIX B - Budget
- APPENDIX C - Payment and Reporting Schedule
- APPENDIX D - Workplan/Special Conditions

For purposes of this RFA, these terms and conditions are incorporated by reference and the applicant must agree to the inclusion of all of these terms and conditions in any resulting grant contracts as part of the application submission. Copies of the standard terms and conditions included in DHSES grant contracts are available for review on the DHSES website at <https://www.dhSES.ny.gov/grant-reporting-forms>. Payments will be made subject to proper documentation and compliance with reimbursement procedures and all other contractual requirements.

2. Compliance with State and Federal Laws and Regulations, Including Procurement and Audit Requirements

2 CFR Part 200

Applicants (also referred to herein as “Subrecipients”) are responsible to become familiar with and comply with all state and federal laws and regulations applicable to these funds. Applicants are required to consult with the DHSES standard contract language (referenced above) for more information on specific requirements. Additionally, applicants must comply with all the requirements in 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards). Applicants are required to understand and adhere to all federal requirements. You may access 2 CFR Part 200 <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>

Procurements

Additionally, applicants must follow and comply with all procurement procedures under General Municipal Law 5A and 2 CFR Part 200, Subpart D (see 2 CFR §§200.317-.327), and/or any other state or federal regulations applicable to these funds and will be subject to monitoring by DHSES to ensure compliance.

Single Audit

Applicants that expend \$750,000 or more from all Federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the requirements of U.S. Government Accountability Office's (GAO) Government Auditing Standards, located at <https://www.gao.gov>, and the requirements of Subpart F of 2 CFR Part 200 located at: <https://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f>.

Conflict of Interest

Pursuant to 2 CFR §200.112, in order to eliminate and reduce the impact of conflicts of interest in the sub-award process, applicants must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making sub-awards. Applicants are also required to follow any applicable state, local, or Tribal statutes or regulations governing conflicts of interest in the making of sub-awards.

The applicant must disclose to the respective Contract Representative, in writing, any real or potential conflict of interest as defined by the Federal, state, local, or Tribal statutes or regulations or their own existing policies, which may arise during the administration of the Federal award within five days of learning of the conflict of interest. Similarly, applicants must disclose any real or potential conflict of interest to the pass-through entity (State) as required by the applicant's conflict of interest policies, or any applicable state, local, or Tribal statutes or regulations.

Conflicts of interest may arise during the process of DOT/PHMSA making a Federal award in situations where an employee, officer, or agent, any members of his or her immediate family, his or her partner has a close personal relationship, a business relationship, or a professional relationship, with an applicant, sub-applicant, recipient, subrecipient, or DOT/PHMSA employees.

Additionally, applicants must disclose, in writing to the Federal Awarding Agency or to the pass-through entity (State) all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in § 200.339. Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180 and 31 U.S.C. 3321).

Contracting with Small and Minority Firms, Women's Business Enterprise and Labor Surplus Area Firms

Pursuant to New York State Executive Law Article 15-A, the New York State Division of Homeland Security and Emergency Services recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of New York State Division of Homeland Security and Emergency Services contracts. Minority and women-owned business enterprises can be readily identified on the directory of certified businesses at: <https://ny.newnycontracts.com/>.

All qualified applicants shall be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Consistent with 2 CFR §200.321, non-Federal contracting entities must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

For purposes of this solicitation, applicants and subcontractors are hereby notified the State of New York has set an overall goal of **30% for MWBE participation** or more, **15% for Minority-Owned Business Enterprises ("MBE")** participation and **15% for Women-Owned Business Enterprises ("WBE")** participation, based on the current availability of qualified MBEs and WBEs for your project needs.

An applicant on any contract resulting from this procurement ("Contract") must incorporate the affirmative steps above into its grant management policies and procedures.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the applicant and subrecipients will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Sexual Harassment Prevention

By submitting this application, Applicants are certifying that Applicant has a policy addressing sexual harassment prevention and that applicant provides sexual harassment training to all its employees on an annual basis that meets the Department of Labor's model policy and training standards. If Applicant cannot make the certification, the Applicant may provide an explanatory statement with its bids detailing the reasons why the certification cannot be made.

Use of Service-Disabled Veteran-Owned Business Enterprises in Contract Performance

Article 3 of the Veterans' Services Law acknowledges that Service-Disabled Veteran-Owned Businesses (SDVOBs) strongly contribute to the economics of the State and the nation. As defenders of our nation and in recognition of their economic activity in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles. SDVOBs can be readily identified on the directory of certified businesses at <https://online.ogs.ny.gov/SDVOB/search>

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged to the maximum extent practical and consistent with legal requirements of applicable federal laws and regulations including 2 CFR Part 200, State Finance Law, General Municipal Law and the Executive Law to use responsible and responsive SDVOBs in purchasing and utilizing commodities, services and technology that are of equal quality and functionality to those that may be obtained from non-SDVOBs. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses consistent with current State Law. Utilizing SDVOBs in State contracts will help create more private sector jobs, rebuild New York State's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its SDVOB partners. SDVOBs will promote the contractor's optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated public procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of SDVOBs by its contractors. The State, therefore, expects bidders and proposers to provide maximum assistance to SDVOBs in their contract performance. The potential participation by all kinds of SDVOBs will deliver great value to the State and its taxpayers.

For purposes of this solicitation, applicants and subrecipients are hereby notified the State of New York has set an overall goal of 6% for SDVOB participation or more.

Contractor will report on actual participation by each SDVOB during the term of the contract to the contracting agency/authority according to policies and procedures set by the contracting agency/authority.

Worker's Compensation and Disability Benefits Insurance Coverage

By submitting this application, Applicants are certifying that Applicant has workers' compensation and disability coverage. If Applicant cannot make the certification, the Applicant may provide an exemption statement with its bids detailing the reasons why the certification cannot be made.

3. Iran Divestment Act

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By submitting a proposal in response to this RFA, or by assuming the responsibility of a Contract awarded hereunder, the applicant (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, applicants are advised that once the list is posted on the OGS website, any applicant seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should DHSES receive information that a person is in violation of the above-referenced certification, DHSES will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then DHSES shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default. DHSES reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

4. Vendor Responsibility

State Finance Law §163(9)(f) requires a State Agency to make a determination that an applicant is responsible prior to awarding that applicant a State contract which may be based on numerous factors, including, but not limited to the applicants: (1) financial and organizational capacity; (2) legal authority to do business in this State; (3) integrity of the owners, officers, principals, members, and contract managers; and (4) past performance of the applicant on prior government contracts. Thereafter, applicants shall at all times during the Contract term remain responsible. The applicant agrees, if requested by the Commissioner of DHSES, or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity. DHSES requires that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System, see the VendRep System Instructions available at: https://www.osc.state.ny.us/vendrep/info_vrsystem.htm or go directly to the VendRep system online at <https://onlineservices.osc.state.ny.us/Enrollment/login?0>. Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at ITServiceDesk@osc.ny.gov. Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website https://www.osc.state.ny.us/vendrep/forms_vendor.htm or may contact the Office of the State Comptroller's Help Desk for a copy of the paper form. Applicants will also be required to complete and submit a Vendor Responsibility Questionnaire prior to contracting.

a) Suspension of Work for Non-Responsibility:

The Commissioner of DHSES or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under the Contract, at any time, when he or she discovers information that calls into question the responsibility of the applicant. In the event of such suspension, the applicant will be given written notice outlining the

particulars of such suspension. Upon issuance of such notice, the Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the Commissioner of DHSES or his or her designee issues a written notice authorizing the resumption of performance under the Contract.

b) Termination for Non-Responsibility:

Upon written notice to the applicant, and a reasonable opportunity to be heard by appropriate DHSES officials or staff, the Contract may be terminated by the Commissioner of DHSES or his or her designee at the applicant's expense where the applicant is determined by the Commissioner of DHSES or his or her designee to be non-responsible. In such event, the Commissioner of DHSES or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue legal or equitable remedies for breach. Applicants shall at all times during the Contract term remain responsible. The applicant agrees, if requested by the Commissioner of DHSES, or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

F. Satisfactory Progress

Satisfactory progress toward implementation includes but is not limited to; executing contracts and submitting payment requests in a timely fashion, retaining consultants, completing plans, designs, reports, or other tasks identified in the work program within the time allocated for their completion. DHSES may recapture awarded funds if satisfactory progress is not being made on the implementation of a grant project.

G. General Specifications

By submitting the application, the applicant attests that:

1. Applicant has express authority to submit on behalf of the applicant's agency.
2. Submission of an application indicates the applicant's acceptance of all conditions and terms contained in this RFA, including Appendices A-1 and C, and all other terms and conditions of the award contract.
3. The application and any resulting grant, if awarded, must adhere to, and be in full compliance with any, resulting contract(s) and relevant federal and states policies and regulations or be subject to termination.
4. Any not-for-profit subrecipients must be prequalified in the New York Statewide Financial System (SFS) at the time of application submission. For more information on prequalification, please visit: <https://grantsmanagement.ny.gov/get-prequalified>.

5. If your organization is not currently doing business with NYS, you will need to submit a Substitute W-9 form to obtain a NYS Vendor ID. The form is available on the Office of the State Comptroller website at: <https://www.osc.state.ny.us/state-agencies/forms>.
6. Contract Changes - Contracts with applicants/subrecipients may be executed, terminated, renewed, increased, reduced, extended, amended, or renegotiated at the discretion of the Commissioner of DHSES, in light of applicants/subrecipients performance, changes in project conditions, or otherwise.
7. Records – Applicants/subrecipients must keep books, ledgers, receipts, work records, consultant agreements and inventory records pertinent to the project; and in a manner consistent with DHSES contractual provisions and mandated guidelines.
8. Liability - Nothing in the contract between DHSES and the applicant shall impose liability on the State of New York or DHSES for injury incurred during the performance of approved activities or caused by use of equipment purchased with grant funds.
9. Reports - A provider agency shall submit to the DHSES reports in a format and time schedule specified in the grant contract, which shall include a description of the program efforts undertaken during the report period and the current status of the project.
10. Tax Law Section 5-a Certification – In accordance with section 5-a of the Tax Law, subrecipients will be required, prior to the approval of any contract awarded as a result of this RFA, to certify that it and its affiliates, subcontractors, and subcontractors’ affiliates have registered with the New York State Tax Department for the purpose of collection and remittance of sales and use taxes. In order to trigger this certification requirement, a subrecipient or its affiliates, subcontractor, or subcontractors’ affiliates must have made more than \$300,000 in sales of tangible personal property or taxable services to location within New York State and the contract must be valued in excess of \$100,000. Certification will take the form of a completed Tax Form ST-220 (1/05).
11. Standard Contract Provisions - Grant contracts executed as a result of this RFA process will be subject to the standard clauses for New York State Contracts as referenced herein and as located at:
<https://ogs.ny.gov/system/files/documents/2023/06/appendix-a-june-2023.pdf>.
12. Compliance with Procurement Requirements - The applicant shall certify to DHSES that all applicable federal and contractual procurement procedures were followed and complied with for all procurements.

H. Special Conditions

New York State Emergency Management Certification and Training Program

1. Participation in, and successful completion of, the New York State Emergency Management Certification and Training Program (EMC Training Program) is a mandatory requirement under this Contract and a condition of funding. The EMC Training Program will be made available to, and required for, DHSES-specified county and city government officials in order to ensure a

consistent emergency management preparedness and response strategy across the State. Attendee substitutions, except as expressly approved by DHSES, shall not be permitted or deemed to be in compliance with this requirement.

2. To fulfill the EMC Training Program requirement of the Contract and in order to be eligible for funding under this Contract, applicants must arrange for DHSES-specified applicant employees to receive and acknowledge receipt of EMC Training no later than 180 days after execution of this Contract. Copies of the training certificates for each required participant must be submitted to DHSES upon execution of the Contract, or, in the event that training is scheduled, but not yet complete, the applicant will be required to submit a signed statement indicating the scheduled future dates of attendance, and no later than thirty (30) days after the training is complete, forward such training certificates to DHSES. Continued compliance with the EMC Training Program also requires an annual refresher training of one day per 365 day-cycle from the date of initial training for previously trained individuals if such person remains employed by the applicant and fulfilling the same functions as he or she fulfilled during the initial training. Should a new employee be designated to serve in the DHSES-specified positions, then he or she must come into compliance with the EMC Training Program requirements not later than 180 days after taking office.
3. Applicants must commit to active participation in a DHSES Annual Capabilities Assessment as a condition of funding. Active participation includes making reasonable staff, records, information, and time resources available to DHSES to perform the Annual Capabilities Assessment and meet the objectives and goals of the program. Applicants must be aware that the process of conducting a DHSES Annual Risk Assessment is an ongoing process and requires a continued commitment on the part of the applicant to ensure that it is effective.
4. All applicants funded through this program agree to provide DHSES, upon request at any time during the life of the grant contract, such cooperation and information deemed necessary by DHSES to ascertain: (1) the nature and extent of any threats or hazards that may pose a risk to the recipients or subrecipients; and (2) the status of any corresponding recipients or subrecipients plans, capabilities, or other resources for preventing, protecting against, mitigating, responding to, and recovering from such threats or hazards.
5. Additionally, pursuant to Article 26 of the NYS Executive law, DHSES is authorized to undertake periodic drills and simulations designed to assess and prepare responses to terrorist acts or threats and other natural and man-made disasters. Funded applicants agree to attend and participate in any DHSES-sponsored conferences, training, workshops or meetings (excluding those identified by DHSES as voluntary) that may be conducted, by and at the request of DHSES, during the life of the grant contract.
6. Failure to comply with any of the requirements, as listed above, may result in sanctions up to and including the immediate suspension and/or revocation of the grant award.

XVII. Questions

Questions regarding the FY2024-25 Hazardous Materials Emergency Preparedness (HMEP) Grant Program should be directed to the following email address: Grant.Info@dhses.ny.gov. To the extent possible, each inquiry should cite the RFA section and paragraph to which it refers.

Exhibit A: Allowable Costs Matrix

Reminder: Please note that the allowable costs for the FY2024-25 HMEP Grant Program are provided as a guideline and do not necessarily include every allowable cost. Additionally, it is not possible to list every unallowable expense. Because of the specialized nature of this grant program, applicants are encouraged to consult with their Contract Unit Program Representative if they have any question regarding eligible costs for this program. Accordingly, please refer only to Exhibit A of this Request for Applications (RFA) for details on allowable costs. **All costs must relate to an allowable activity or project.**

Allowable Planning Activities- Must Have Focus on the Transportation of HazMat
Enhancing HazMat Plans
Developing, improving, and implementing emergency plans required under the Emergency Planning and Community Right-to-Know Act of 1986.
Workshops, drills, and exercises associated with HazMat emergency plans.
Risk assessments to enhance plans.
Capability assessments that evaluate the ability for first responders, non-governmental organizations, and other involved stakeholders to respond to a HazMat emergency.
Gap analysis/needs assessment costs.
Improving interagency interoperability to better respond to and mitigate hazmat incidents.
Determining commodity flow patterns of HazMat and developing and maintaining a system to keep such information current.
Assessing the need for regional hazmat emergency response teams.
Providing technical staff to support planning efforts (consultants).
Aerial photography for use with Commodity Flow Study research.
Computer-Aided Management of Emergency Operations (CAMEO) Training
Planning & Training Courses
Courses aimed at developing, improving, and implementing emergency plans under the Emergency Planning and Community Right-to-Know Act (EPCRA) sections 301 and 303 (42 U.S.C. Chapter 116).
HazMat transportation emergency preparedness and response courses. Courses required to meet NFPA 472 or OSHA 29 CFR 1910.120 competencies. Grant funds may be used for travel and per diem to attend NYS Office of Fire Prevention and Control (OFPC) provided HazMat training. Other training requests must be provided at application and must be pre-approved by OFPC.
HazMat risk analysis.
Commodity Flow Study courses.
Regional Response Strategy Selection courses.
Allowable Planning & Training Equipment, Supplies, and Materials
Supplies and equipment required for HMEP funded exercises and activities. Equipment for response remains unallowable.
Computer equipment dedicated to HMEP Grant activities. (e.g., approved computer-based training activities). Must provide detailed justification. Use for operations purposes not allowable.
HazMat publications for permanent collections, such as the NFPA 472 guide.
Rental equipment necessary to provide specific training. In most cases, equipment costs are expected not to exceed 5 percent of the total cost of the grant awarded and must be fully justified.

Publications, manuals, and other materials necessary to provide training and are used by instructor(s) and trainees--where appropriate, this may include the printing and copying of such materials and any cost of distributing these materials (such as mailing the materials to trainees in advance of the first training session).

Simulation software for HazMat training courses.

Hazmat training suits for specific transportation related exercises.

Firefighting foam for **specific** transportation related exercise or training.

Examples of Allowable Training and Planning Conferences:

National Association of SARA Title III Program Officials (NASTTPO) Conference.

International Association of Fire Chiefs (IAFC) International Hazmat Conference, www.iafc.org. The IAFC hosts the International Hazardous Materials Response Team Conference, which presents "what's new in HazMat" and how it impacts today's HazMat teams on the job.

HazMat Continuing Challenge, www.hazmat.org. The Continuing Challenge provides safe response training for all emergency responders to HazMat incidents affecting transportation, public health, and the environment. This annual workshop is attended by HazMat responders from across the globe and is held every September in Sacramento, CA.

HOTZONE, www.hotzone.org. The HOTZONE Committee is composed of representatives from the local, state, and federal levels of the HazMat response community serving Federal Region 6. This annual training conference provides HazMat technical training and promotes professional relationships within Region 6 to meet the unique needs of this region.

COLDZONE, www.coldzone.org. The Cold Zone Conference will offer a variety of hazardous material courses for first responders of all skill levels. This conference will provide the most recent information available, hands-on workshops and a variety of topics relating to many aspects of today's hazards. Cold Zone will also provide an opportunity to meet other responders from around the region and neighboring states.

TRANSCAER® (Transportation Community Awareness and Emergency Response), www.transcaer.com. TRANSCAER® is a voluntary national outreach effort focusing on assisting communities with preparing for, and responding to, possible HazMat transportation-related incidents. TRANSCAER® educates emergency responders and their communities and includes safety training cars from the Firefighters Education and Training Foundation.

Midwest Hazmat Conference, <https://www.emerysafety.com/>

Two-day conference on hazmat and related response training presented by instructors in the HazMat response community.

Virginia Hazardous Materials Conference, <https://www.virginiahazmat.org/>

Allowable General Training Expenditures

Reimbursement for instructor(s) and trainees for course fees and travel expenses (lodging and per diem) to and from a training facility.

Facility rental cost reimbursement.

Overtime and Backfill to participate in approved training courses and exercises (see Exhibit D for limitations and additional requirements).

Volunteer Stipends to participate in approved training courses and exercises (see Exhibit D for limitations and additional requirements).

Expenses associated with training, such as staff to support the training effort, evaluation forms, etc.

Conditionally Allowable Training and Planning Expenses- Requires pre-approval by US DOT

Tier II Chemical Inventory Reports and Databases (for planning and training purposes, not for operational costs).

Fire Department Instructors' Conference (FDIC), www.fdiconlineevent.com . Conditions include: transportation of HazMat themed schedule.
Emergency Operations Center (EOC) Leadership Training and Exercises- Conditions include: Leadership exercises for events concerning HazMat preparedness and response.
Hospital Drills- Conditions include: Decontamination from a transportation incident (radiological, chemical, or other HazMat).
Fixed-facility hazmat preparedness- Conditions include: Exercises and plans that include transportation of materials to and from fixed facilities; exercises that test the same capabilities that would be used to respond to a hazmat transportation incident.
Food and Refreshments- Conditions include: Food must be necessary for the safety of participants, i.e., hydration, remote location, dietary necessities, cultural accommodations etc.
LEPC Meeting Expenses- HMEP covers the portion of costs as related to EPCRA Sections 301-303

Unallowable Costs

Management & Administration costs are not allowable.
Natural Disaster Exercises without a commercial transportation in HazMat tie-in.
All-Hazards Warning System Drills.
Joint Terrorism Task Force (JTTF) Exercises.
WMD/Terrorism activities and WMD/Terrorism and radiological training courses.
Courses not related to HazMat emergency response.
Emergency Preparedness Presentation to Child Care Providers.
School Violence Prevention.
Pro Board® accreditation and certification.
Mobile meth lab training.
Active shooter training.
Entertainment costs (including alcohol).
Lobbying.
Corporate formation.
Any costs disallowable or stated as ineligible in 49 Code of Federal Regulations (CFR) Part 110 or in 2 CFR 200 Subpart E.
Any cost specifically prohibited in the General Terms and Conditions of the award, PHMSA policy as detailed in Expenditure Guides, or Special Terms and Conditions listed on the Notification of Grant Award (Remarks section).
Expenses counted as matching funds toward another Federal grant program or cooperative agreement.
Overtime and Backfill for planning activities.
Bonuses or Commissions. See 2 CFR 200.430(g)
Volunteer Stipends for planning activities.
Fines and penalties.
Unallowable Planning and Training Conferences
Fire Rescue International (FRI) conference.

Exhibit B: New York State HazMat Regions

Existing HazMat Regional Structure in New York State

Through a voluntary, inclusive process, local HazMat Teams identified 18 consolidated HazMat regions in the State outside of the City of New York. Regions were determined by local stakeholders based on geography, existing partnerships, and similar operational models. New York City, while not identified as one of the 18 existing HazMat regions within the state, is eligible to apply for HMEP funds under the HMEP Grant Program as its own region consisting of Bronx, Kings, New York, Queens, and Richmond counties.

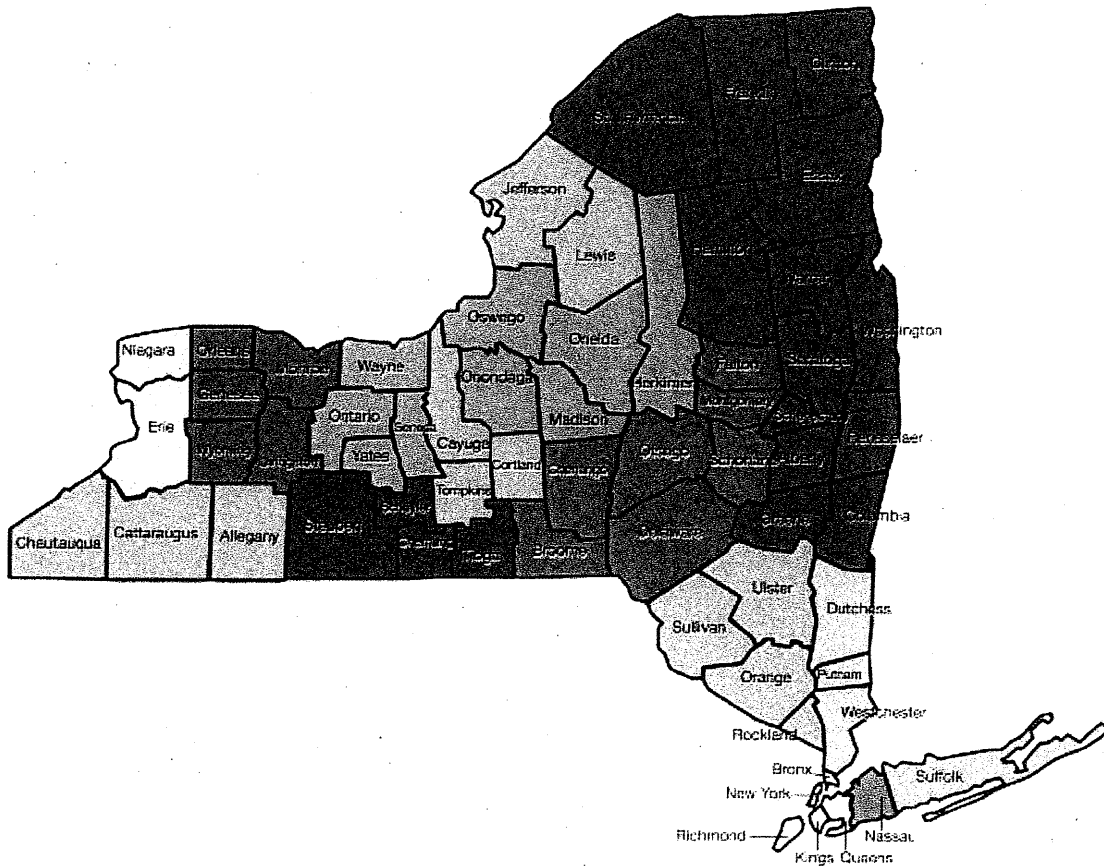


Exhibit D: U.S. DOT/PHMSA Policy on Overtime/Backfill and Volunteer Stipends



U.S. Department of Transportation

1200 New Jersey Ave, S.E.
Washington, D.C. 20590

**Pipeline and Hazardous Material Safety
Administration**

Overtime and Backfill (OTB) Reimbursement and Volunteer Stipend Guidance

Effective: October 2020

PURPOSE:

Guidance Regarding Overtime/Backfill Reimbursement and Emergency Responder Volunteer Stipend

SCOPE

This guidance applies to the Pipeline and Hazardous Materials Safety Administration's (PHMSA) recipients of the Hazardous Materials Emergency Preparedness (HMEP) grant.

GUIDANCE

Generally, overtime and backfill expenses are permitted under this grant in order to perform allowable HMEP training and exercise activities. To be eligible for any form of personnel time reimbursements, the individual's employing department must have experienced an actual cost beyond normal operational personnel expenses. Qualified expenses may include overtime, backfill or loss of salary/compensation by the individual attending a grant eligible activity or backfilling for someone attending an eligible activity. Backfill, overtime and stipend reimbursements must be supported by actual payroll records.

The following limitations apply to this guidance:

- PHMSA will allow HMEP recipients to request up to 30% of its award for backfill, overtime and stipend costs.
- Overtime to attend training conferences or symposiums will not be covered.
- Planning activities will not be considered for overtime, backfill or stipends.
- Course instructors and administrative staff are not eligible to be reimbursed under this guidance.

STIPULATIONS FOR INCURRING COSTS: HMEP recipients must have these costs pre-approved prior to incurring the costs. Grant recipients must provide PHMSA with an internal management plan to ensure adequate oversight for these costs prior to the activity occurring. Grant recipients must retain a list of all individuals involved in these costs and their salary (individual trained and individual backfilling). A training record and actual payroll records must be maintained for all responders who receive overtime, backfill or stipends by name, county, training date(s) and the total amount paid to each individual volunteer for each individual training event.

DEFINITIONS

Overtime: Expenses limited to the additional costs which result from personnel working over and above 40 hours (or the number of hours considered fulltime per week) of weekly work time as a direct result of HMEP-approved activities. Overtime shall not exceed 1.5 times an individual's hourly wage.

Backfill-related Overtime, also known as "overtime as backfill": Expenses are limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to PHMSA-approved activities outside their core responsibilities.

Volunteer Stipend: A nominal amount of money to be paid directly to a volunteer who attended an HMEP training activity. A stipend is nominal if it does not exceed 20 percent of what the fire department would otherwise pay a full-time firefighter to perform response services. Conditions for receiving a stipend must be in writing and training and/or exercise completion should be verifiable through certificates of completions and/or rosters.



Homeland Security and Emergency Services

Hazardous Materials Emergency Preparedness Grant Program (HMEP)

FY2024-25 Local Planning & Training Grant

Frequently Asked Questions

(New and/or Updated FAQ's will be Highlighted in Red;
Please Check the DHSES Website Frequently for Updates)

1. What is the period of performance for the grant?

Answer: The FY2024-25 HMEP period of performance is expected to run from October 1, 2024 - September 30, 2025, with no extensions to the period of performance allowed.

2. Who is eligible to apply for HMEP funds?

Answer: The 18 recognized HazMat regions and the City of New York are eligible to apply for funding.

3. Is there a match requirement for HMEP?

Answer: Yes, a 20% match is required on the total project cost (not 20% of federal funds received). Match may be either cash or in-kind, however, any match used must be an allowable expense under the HMEP Grant Program. If using the service of county employees as match, only the salary/fringe of a county employee that is not funded by federal funds (and is not being used as match on another federal grant) may be used as match for your HMEP funds for the amount of time devoted to an HMEP funded project. The time being used as match must be spent in the allowable activity being funded and can not include management and administration (M&A) costs as subgrants may not incur M&A costs.

4. How do I calculate the correct match?

Answer: To determine the amount of match required, multiply the federal funds requested by 0.25 (Match= 0.25 X federal funds). For applicants requesting the full federal allocation of \$16,000 the required cash or in-kind match is \$4,000.

5. Can my county use HMEP funds for salary for a county employee?

Answer: Possibly. HMEP funds may not be used for salary for an existing employee. If someone is being hired temporarily to work on an HMEP specific project, that may be allowable, but it will require specific details and a review by the NYS Division of Homeland Security and Emergency Services (DHSES) and potentially by the U.S. Department of Transportation (DOT). Salary and fringe for purposes other than HMEP related work, including operations, are not allowable. Management and Administration (M&A) is not an allowable expense.

6. Can my county use HMEP funds for Overtime/Backfill or Volunteer Stipends?

Answer: Up to 30% of your HMEP award may be used to support Overtime/Backfill and/or Volunteer Stipends to participate in approved training and exercises. Overtime/Backfill and Volunteer Stipends are not allowable costs for instructors or for planning activities. Please refer to Exhibit D of the RFA for the U.S. DOT policy on Overtime/Backfill and Volunteer Stipends. For additional information on the required Internal Management Plan if you are requesting federal funds for Overtime/Backfill/ and/or Volunteer Stipends please contact your Contracts representative.

7. Can my county use HMEP funds to pay for a lunch or refreshments during a HazMat exercise or training?

Answer: U.S. DOT does allow the purchase of food or refreshments in limited cases. However, food and refreshments are conditionally eligible expenses that require pre-approval. Food and refreshments must be necessary for the safety of participants, i.e., hydration, remote location, dietary necessities, cultural accommodations, etc.

8. We'd like to hold an exercise involving the release of a noxious substance on a bus or passenger train. Is this eligible under the HMEP Grant Program?

Answer: No, even though the scenario would involve the response of a HazMat team to a bus or train, it is not an eligible expense. Eligible activities must

relate to the transportation of hazardous materials. For example, a scenario involving an overturned tanker hauling diesel fuel is allowable, but a scenario involving leaking diesel fuel from a school bus accident would not be allowable.

9. Can I use HMEP funds to purchase response equipment?

Answer: No, HMEP funds are intended to support planning and training activities.

10. Can we purchase HazMat training props with the HMEP grant funding?

Answer: Training props will be reviewed on a case-by-case basis and require a justification at the time of application. Training props **must support a specific training or exercise activity** that will be completed within the period of performance. You will need to report on the number of people trained and/or participating in the exercise(s) that the props were purchased to support.

11. Can I use HMEP funds to conduct a training session?

Answer: Maybe. Training expenses as outlined in the RFA are eligible costs for the FY2024-25 HMEP Grant Program. Any requests for training classes must be justified and also be approved by OFPC (DHSES will coordinate the review and approval process) and U.S. DOT. A detailed justification must be provided at the time of application.

12. Can my county submit an individual application without my regional partners for the HMEP Grant Program?

Answer: No, regional applications are required for the FY2024-25 HMEP Grant Program and the fiduciary agent for the regional application will administer the pooled award on behalf of the region. The fiduciary agent for a regional application does not have to be the same fiduciary agent as for the HazMat Targeted Grant Program.

13. Is alternative technology (video, etc.) an allowable cost to support ongoing training needs?

Answer: Each request is evaluated on a case-by-case basis, and as with all proposed activities, must be pre-approved by DOT.

14. Is there any additional information that I need to provide to DHSES related to my project?

Answer: The U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) has recently revised the reporting requirements for the HMEP grant program. DHSES will reach out to successful applicants on a semi-annual basis using the form in Exhibit C of the RFA to obtain the data necessary to complete the performance and fiscal reporting required by PHMSA for the HMEP grant program.



Homeland Security and Emergency Services

FY2024-2025 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

Instructions: The Application Worksheet is designed to collect information required for the FY2024-2025 HMEP Grant Program activities.

By submitting the application, the applicant attests that:

1. Applicant has express authority to submit on behalf of the applicant's agency.
2. Submission of an application indicates the applicant's acceptance of all conditions and terms contained in this RFA, including Appendix A-1 (Standard State Contract Clauses) and all other terms and conditions of the contract.
3. This proposal and any subsequent grant award must adhere to and be in full compliance with any resulting contract(s) and relevant federal and states policies and regulations or be subject to termination.

Note: Applicants are required to complete all the information in the Application Worksheet to the best of their knowledge. If the information is not complete, follow-up will have to occur which may result in delays in contract execution. Please be sure to reach out with any questions as you develop your application.



Homeland Security and Emergency Services

FY2024-2025 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

Please fill-in the appropriate contact information requested below:

Contact Information - *Primary Applicant*

Jurisdiction Name

Primary Point of Contact

Responsible Agency

Address

Phone Number(s)

E-Mail Address

Contact Information - *Fiscal*

Fiscal Point of Contact

Responsible Agency

Address

Phone Number(s)

E-Mail Address

Contact Information - *Signatory*

Signatory Point of Contact

Responsible Agency

Address

Phone Number(s)

E-Mail Address



Homeland Security and Emergency Services

FY2024-2025 Hazardous Materials Emergency Preparedness (HMEP) Grant Program: Spending Plan

Regional Fiduciary Agent County Name:

Allocation: Request up to \$16,000 in Federal funds per region. Enter federal funds requested in the space to the right. A match of \$4,000 (cash or in-kind) is required if applying for the full allocation of \$16,000.

Regional Partnerships: Please list all counties participating in the regional application in the space to the right.

In the space below, please describe the activity or project that you will accomplish using FY2024-25 Hazardous Materials Emergency Preparedness Grant Funds. Applicants are encouraged to propose scalable projects that can be completed within the period of performance (October 1, 2024 through September 30, 2025).

Proposed Activity (Be specific):

--

Gap Being Addressed: In the space below, please describe the gap being addressed by the project described above. How was this gap identified (CEPA, After Action Report, etc.)?

--

If you are proposing to use HMEP funds to support HazMat training activities, please provide a detailed justification in the space below. If you are requesting to use HMEP funds for a non-OPFC course offering, please provide the course name, estimated cost and number of students anticipated. Please explain why the region is unable to obtain this training through other no-cost or low-cost options (such as courses offered by OPFC).

--

Costs Associated with Activity	Describe Cost in Detail (Be very specific)	Enter Requested Federal Funds	Enter Matching Funds (for total match required, multiply Federal Funds X 0.25)	Total Cost (automatically calculates)	Match-Cash or In-Kind?	Briefly Describe Match
				\$ -	Please Select Cash or In-kind.	
				\$ -	Please Select Cash or In-kind.	
				\$ -	Please Select Cash or In-kind.	
				\$ -	Please Select Cash or In-kind.	
				\$ -	Please Select Cash or In-kind.	
				\$ -	Please Select Cash or In-kind.	
Project Total Costs:		\$0.00	\$ -	\$ -	#DIV/0!	Minimum match met? (/ or X)



Homeland Security and Emergency Services

Signature Sheet and Consensus Agreement for the FY2024-2025 Regional Hazardous Materials Emergency Preparedness (HMEP) Grant Program

For Single county regions, the County Emergency Manager or County Fire Coordinator should sign below. Multi-County Regional Applicants are required to reach consensus on their *Regional Spending Plan*. To verify that consensus has been met, each County Emergency Manager or County Fire Coordinator within a given region is required to show their support for the *Regional Spending Plan* via their signature below. Also, by signing this form, each Emergency Manager or County Fire Coordinator is certifying that they agree with the priorities outlined in the Regional Spending Plan and that this plan best reflects the needs of the Regional HMEP Partnership. Digital signatures are acceptable.

Jurisdiction Name	Emergency Manager/Fire Coordinator (Print or Type Name)	Email Address	Emergency Manager/County Fire Coordinator Signature

**000COUNTY OF PUTNAM
FUND TRANSFER REQUEST**

*cc: all
Prot - FYI
A+K - sign*

*Audit - sign
#7
Protective
11-21-24
FYI*

TO: Commissioner of Finance

FROM: Robert Tendy, DA

DEPT: District Attorney

DATE: October 29, 2024

I hereby request approval for the following transfer of funds:

FROM ACCOUNT#/NAME	TO ACCOUNT #/NAME	AMOUNT	PURPOSE
10116500 54640 Education/Training	10168000 52130 Computer Equipment	\$9,000	To cover the cost of replacing old and out of date laptops to keep up with our discovery demands.
10116500 54675 Travel	10168000 52130 Computer Equipment	\$ 600	
10116500 54782 Software Accessories	10168000 52130 Computer Equipment	\$ 500	
10116500 54410 Supplies/Materials	10168000 52130 Computer Equipment	\$ 200	
10116500 54682 Special Services	10168000 52130 Computer Equipment	\$1,500	
10116500 54612 Stenographic Services	10168000 52130 Computer Equipment	\$3,200	
Total		\$15,000.	

SIGNATURES NOT NEEDED - THEY WILL BE AUTHORIZED VIA COMPUTER SYSTEM

2024 Fiscal Impact \$ 0
2025 Fiscal Impact \$ 0

Robert V. Tendy 10/30/24
Department Head Signature/Designee Date

AUTHORIZATION:

Date Commissioner of Finance/Designee: Initiation and \$0-\$5,000.00

Date County Executive/Designee: \$5,000.01 - \$10,000.00

Date Chairperson Audit/Designee: \$0-\$10,000.00

Date Audit & Administration Committee: \$10,000.01 - \$25,000.00

2024 NOV -4 PM 4:41
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY



Out of DA's Budget

SALES QUOTE

GovConnection, Inc.
732 Milford Road
Merrimack, NH 03054

Account Executive: Timothy Vanasse
Phone: (800) 800-0019 ext. 33011
Fax: (603) 683-1204
Email: tim.vanasse@connection.com

25693112.03
PLEASE REFER TO THE ABOVE QUOTE # WHEN ORDERING
Date: 10/29/2024
Valid Through: 11/28/2024
Account #:

Customer Contact: AnnMarie Walz
Email: annmarie.walz@putnamcountyny.g

Phone: (845) 808-4000 x41117
Fax: (845) 225-1421

QUOTE PROVIDED TO:	SHIP TO:
AB#: 11582344 PUTNAM COUNTY DISTRICT ATTORNEY 40 GLENEIDA AVE 2ND FL CARMEL, NY 10512 US (845) 225-0441	AB#: 12606883 PUTNAM COUNTY OFFICE OF IT/GIS 110 OLD ROUTE 8 BLDG #3 CARMEL, NY 10512 US (845) 808-4000

DELIVERY	FOB	SHIP VIA	SHIP WEIGHT	TERMS	CONTRACT ID#
5-30 Days A/R/O	Destination	Small Pkg Ground Service Level	48.00 lbs	Net 30	NCPA 01-144

Important Notice: — THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Terms and Conditions of our NCPA Contract # NCPA 01-144. Any Order accepted by GovConnection for the items included in this Quotation is expressly limited to those Terms and Conditions; any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. No other terms and conditions shall apply without the written consent of GovConnection, Inc. Please refer to our Quote Number in your order.

Line #	Qty	Item #	Mfg. Part #	Description	Mfg.	Price	Ext
1	8	41834333	CTO-LAT2450-U7-165U-14	CTO-LAT2450-3400mm Colu with 165U 14"	Dell Direct CTO/Systems	\$ 1,857.07	\$ 14,856.56
Subtotal						\$	14,856.56
Fee						\$	0.00
Shipping and Handling						\$	0.00
Tax							Exempt
Total						\$	14,856.56

IT/GIS Dept. Reviewed
 Approved Not Approved
Wileen Dulio

Product Notes for Quote# 25693112.03

<p>CTG Latitude 5450 Intel Core Ultra 7 1660 14" Notes Continued</p>		<p>Dell Limited Hardware Warranty 997-8317 ProSupport 7x24 Technical Support 3 Years 997-8344 ProSupport Next Business Day Onsite 1 Year 997-8349 ProSupport Next Business Day Onsite 2 Year Extended 997-8354 System Box Asset Label without PO 365-1176 Partner Success Program Management 998-2512 Sales Restrictions (Full): Cannot be shipped outside the 50 United States and Canada.</p>
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Connection

PUBLIC SECTOR SOLUTIONS
we solve IT™

ORDERING INFORMATION
GovConnection, Inc. DBA Connection
NCPA Contract # NCPA 01-144

Please contact your account manager with questions.

Ordering Address
GovConnection, Inc.
732 Milford Road
Merrimack, NH 03054

Remittance Address
GovConnection, Inc.
PO Box 536477
Pittsburgh, PA 15253-5906

Please reference the Contract # on all purchase orders.

TERMS & CONDITIONS

Payment Terms:	NET 30 (subject to approved credit)
FOB Point:	DESTINATION (within Continental US)
Maximum Order Limitation:	NONE
Delivery Time:	1-30 DAYS ARO
FEIN:	52-1837891
DUNS Number:	80-967-8782
Cage Code:	OGTJ3
Business Size:	LARGE

WARRANTY: Manufacturer's Standard Commercial Warranty

NOTE: It is the end user's responsibility to review, understand and agree to the terms of any End User License Agreement (EULA).

Important Notice: — THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale. All purchases from GovConnection, Inc. are subject to the Terms and Conditions of our NCPA Contract # NCPA 01-144. Any Order accepted by GovConnection for the items included in this Quotation is expressly limited to those Terms and Conditions; any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. No other terms and conditions shall apply without the written consent of GovConnection, Inc. Please refer to our Quote Number in your order.

If you require a hard copy invoice for your credit card order, please visit the link below and click on the Proof of Purchase/Invoice link on the left side of the page to print one: <https://www.govconnection.com/web/Shopping/ProofOfPurchase.htm>

Please forward your Contract or Purchase Order to:

SLEDGE@connection.com

QUESTIONS: Call 800-800-0019

FAX: 603.683.0374

24T385

Protective
11/21/24 FYI
#8

2024 CORONER CASES BY QUARTER	
JANUARY – MARCH 2024	# OF CASES
Natural	7
Accidental	4
Suicide	2
Homicide	0
Undetermined	1
PENDING	1
All Coroner Cases for January-March 2024	15
From Accidental/Undetermined/Suicide Cases: Overdoses	1
From Accidental/Undetermined/Suicide Cases: Ethanol Intoxication	0

APRIL – JUNE 2024	# OF CASES
Natural	7
Accidental	5
Suicide	2
Homicide	1
Undetermined	0
PENDING	0
All Coroner Cases for April-June 2024	15
From Accidental/Undetermined/Suicide Cases: Overdoses	0
From Accidental/Undetermined/Suicide Cases: Ethanol Intoxication	0

JULY – SEPTEMBER 2024	# OF CASES
Natural	4
Accidental	0
Suicide	4
Homicide	0
Undetermined	2
PENDING	2
All Coroner Cases for July-September 2024	12
From Accidental/Undetermined/Suicide Cases: Overdoses	0
From Accidental/Undetermined/Suicide Cases: Ethanol Intoxication	0

OCTOBER - DECEMBER 2024	# OF CASES
Natural	0
Accidental	0
Suicide	0
Undetermined	0
PENDING	0
All Coroner Cases for October-December 2024	0
From Accidental/Undetermined/Suicide Cases: Overdoses	0
From Accidental/Undetermined/Suicide Cases: Ethanol Intoxication	0

LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

2024 OCT - 3 AM 10: 29