



AGENDA

Legislative Monthly Meeting for June 20, 2013 at 2:00PM

Call to Order

Pledge of Allegiance

Roll Call of Legislators

Presentation:

Daniel Hogue, Sr. Memoriam

Communications

Public Comment

Resolutions:

1. Set public hearing for inclusion of additional parcels into Agricultural District No. 1 for July 18, 2013 at 4:20PM
2. Create 35 summer youth positions for the Center for Workforce Development
3. Create 3 Crew Leader positions for the Center for Workforce Development
4. Approve the Sullivan County Emergency Services Training Center Handbook
5. Authorize a settlement in a lawsuit with CMG
6. Convey LI 15.-1-16.8 to Rodriguez
7. Authorize contract with Sullivan County Child Care Council, Inc. for the provision of informal child day care related services
8. Authorize contract with Hudson Center for the Health Equity and Quality for the health home portal with the Department of Community Services
9. Authorize amendment to the retainer agreement with Roemer Wallens Gold and Mineaux, LLP to provide training to supervisory staff
10. Authorize amendment to the agreement for consultant architectural services for the ACC Health Grant Project

Recognition of Legislators

Announcements from Chair

Adjournment or Close

RESOLUTION NO. -13 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE AUTHORIZING A PUBLIC HEARING AND PUBLICATION OF A LEGAL NOTICE FOR THE EIGHT-YEAR REVIEW OF AN AGRICULTURAL DISTRICT PURSUANT TO ARTICLE 25-AA OF THE AGRICULTURE AND MARKETS LAW

WHEREAS, Article 25-AA, Section 303-a of the Agriculture and Markets Law requires County Review of an Agricultural District every eight, twelve or twenty years after its creation and sets forth the procedures which must be followed in such review, and

WHEREAS, Sullivan County Agricultural District No. 1 includes lands in the Towns of Bethel, Callicoon, Cocheton, Delaware, Fremont, Liberty, Thompson and Tusten, and

WHEREAS; the Sullivan County Legislature reviewed and modified Agricultural District No. 1 in 2005, and

WHEREAS, pursuant to Agriculture Markets Law Section 303-a(1) and the policy of the Sullivan County Legislature, Agricultural District No. 1 must be reviewed this year, and

WHEREAS; upon review of Agricultural District No 1, and based on the survey of landowners, and upon the review and recommendations of the Sullivan County Agricultural and Farmland Protection Board and the Division of Planning and Environmental Management it is necessary to modify the boundaries of Agricultural District No. 1, such modifications being described in Schedule A, attached hereto.

NOW THEREFORE, BE IT RESOLVED, that a public hearing be held by the Sullivan County Legislature on Thursday, July 18th, 2013 at 4:20 pm in the Legislative Hearing Room for the purpose of reviewing Agricultural District No. 1, and

BE IT FURTHER RESOLVED, that the Clerk to the Sullivan County Legislature is hereby authorized to publish a notice of public hearing and give individual notice of this hearing in writing to those municipalities whose territories encompass Agricultural District No. 1 and any modifications to the District; to persons, as listed on the most recent assessment roll, whose land is the subject of a proposed modification; and to the Commissioner of Agriculture and Markets.

SCHEDULE A

Parcels to be Included in Agricultural District No. 1:

Town of Callicoon	4.-1-37.1
Town of Delaware	6.-1-33
Town of Fremont	37.-1-22
Town of Liberty	16.-1-29.1
Town of Liberty	25.-1-10.2
Town of Liberty	35.A-1-11.1
Town of Liberty	35.A-1-11.2
Town of Liberty	35.A-1-24

Parcels to be Removed from Agricultural District No. 1:

Town of Bethel	1.-1-12.5
Town of Bethel	1.-1-47.6
Town of Bethel	5.-2-1
Town of Bethel	15.-1-10.8
Town of Bethel	15.-1-10.9
Town of Bethel	18.-1-1.1
Town of Callicoon	28.-1-93
Town of Cochection	1.-1-2.2
Town of Cochection	1.-1-39.5
Town of Cochection	2.-1-55
Town of Cochection	2.-1-86.3
Town of Cochection	2.-1-86.4
Town of Cochection	9.-3-12.1
Town of Cochection	13.-2-8.2
Town of Cochection	18.-1-31
Town of Delaware	17.-1-17
Town of Delaware	17.-1-49
Town of Delaware	23.-1-14.2
Town of Delaware	28.-1-52
Town of Delaware	28.-1-74
Town of Fremont	19.-1-9
Town of Fremont	19.-1-10
Town of Fremont	19.-1-30
Town of Liberty	31.-1-8
Town of Liberty	38.-1-34.21
Town of Liberty	38.-1-34.22
Town of Tusten	1.-2-14

As portrayed on the Sullivan County Tax Maps on June 5, 2013.

1A

**NOTICE OF PUBLIC HEARING ON AN AGRICULTURAL DISTRICT
PURSUANT TO THE EIGHT YEAR REVIEW**

Notice is hereby given that a public hearing will be held by the Sullivan County Legislature at 4:20 pm on Thursday, July 18th, 2013 in the Legislative Hearing Room at the Sullivan County Government Center, Monticello, New York on Agricultural District No. 1 to consider the recommendations of the Agricultural and Farmland Protection Board and the Commissioner of Planning and Environmental Management.

Descriptions and maps of the District and recommendations of the Agricultural and Farmland Protection Board and the Commissioner of Planning and Environmental Management may be examined in the offices of the Sullivan County Division of Planning and Environmental Management, Sullivan County Clerk, Cornell Cooperative Extension and at the Jeffersonville Public Library.

Agricultural District No. 1 includes land within the Towns of Bethel, Callicoon, Cohecton, Delaware, Fremont, Liberty, Thompson and Tusten. The Agricultural and Farmland Protection Board and the County Commissioner of Planning and Environmental Management have reviewed Agricultural District No. 1 and have recommended that the Sullivan County Legislature adopt and incorporate the recommended modifications of Agricultural District No. 1 as follows:

Parcels to be included in Agricultural District No. 1, as portrayed on the Sullivan County Tax Maps on June 5, 2013:

Town of Callicoon	4.-1-37.1
Town of Delaware	6.-1-33
Town of Fremont	37.-1-22
Town of Liberty	16.-1-29.1
Town of Liberty	25.-1-10.2
Town of Liberty	35.A-1-11.1
Town of Liberty	35.A-1-11.2
Town of Liberty	35.A-1-24

Parcels to be removed from Agricultural District No. 1, as portrayed on the Sullivan County Tax Maps on June 5, 2013:

Town of Bethel	1.-1-12.5
Town of Bethel	1.-1-47.6
Town of Bethel	5.-2-1
Town of Bethel	15.-1-10.8
Town of Bethel	15.-1-10.9
Town of Bethel	18.-1-1.1
Town of Callicoon	28.-1-93
Town of Cohecton	1.-1-2.2

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Town of Cochection	1.-1-39.5
Town of Cochection	2.-1-55
Town of Cochection	2.-1-86.3
Town of Cochection	2.-1-86.4
Town of Cochection	9.-3-12.1
Town of Cochection	13.-2-8.2
Town of Cochection	18.-1-31
Town of Delaware	17.-1-17
Town of Delaware	17.-1-49
Town of Delaware	23.-1-14.2
Town of Delaware	28.-1-52
Town of Delaware	28.-1-74
Town of Fremont	19.-1-9
Town of Fremont	19.-1-10
Town of Fremont	19.-1-30
Town of Liberty	31.-1-8
Town of Liberty	38.-1-34.21
Town of Liberty	38.-1-34.22
Town of Tusten	1.-2-14

All parties in interest and citizens will be heard by the Sullivan County Legislature at the public hearing.

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RESOLUTION INTRODUCED BY THE PERSONNEL COMMITTEE

RESOLUTION TO CREATE 35 SUMMER YOUTH POSITIONS FOR THE CENTER FOR WORKFORCE DEVELOPMENT

WHEREAS, the Center for Workforce Development is in receipt of funds from NYS to operate the Summer Youth Employment Program (SYEP) from June 1, 2013 through September 30, 2013, and

WHEREAS, the Center for Workforce Development also receives funds under the federal Workforce investment Act Title IB to provide youth services, and

WHEREAS, these funds will provide paid work experience for thirty five (35) additional eligible Sullivan County youth, and

WHEREAS, new participants will be paid \$7.25/hour and returning youth will be paid \$7.50/hour.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of thirty five (35) additional summer youth positions to be paid as stated for the Center for Workforce Development.

BE IT FURTHER RESOLVED, that all positions will be eliminated at the end of the program.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

Resolution No. _____

RESOLUTION INTRODUCED BY THE PERSONNEL COMMITTEE:

RESOLUTION TO CREATE 3 CREW LEADER POSITIONS FOR THE CENTER FOR WORKFORCE DEVELOPMENT

WHEREAS, the Center for Workforce Development is in receipt of additional funds from NYS to operate the Summer Youth Employment Program (SYEP) from June 1, 2013 through September 30, 2013, and

WHEREAS, the Center for Workforce Development also receives funds under the federal Workforce Investment Act Title IB youth program, and

WHEREAS, three (3) Crew Leaders will provide daily supervision and education activities for eligible youth, and

WHEREAS, the Crew Leaders will be paid \$15/hour.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of three (3) Crew Leader positions for the Center for Workforce Development.

BE IT FURTHER RESOLVED, that all positions will be eliminated at the end of the program.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

RESOLUTION INTRODUCED BY PUBLIC SAFETY COMMITTEE

RESOLUTION TO APPROVE THE SULLIVAN COUNTY EMERGENCY SERVICES TRAINING CENTER HANDBOOK

WHEREAS, a Handbook has been developed to be presented to first responder students and trainees at the Sullivan County Emergency Services Training Center (SCESTC), and

WHEREAS, the Handbook covers all anticipated eventualities a student may encounter while training at the SCESTC, including a Code of Student Conduct, Prohibited Conduct, etc., and

WHEREAS, the Handbook has been reviewed and approved by the Sullivan County Fire Advisory Board at its regular monthly meeting on May 20, 2013, and

WHEREAS, the Sullivan County Emergency Services Training Center Handbook shall take effect upon approval of same by the Public Safety Committee and Sullivan County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Emergency Services Training Center Handbook is hereby approved for distribution to first responder students and trainees, and

BE IT FURTHER RESOLVED, that a copy of the Sullivan County Emergency Services Training Center Handbook be filed with the Clerk of the Sullivan County Legislature and the County Manager.

Moved by _____,
Seconded by _____,
and adopted on motion _____, **2013**

RESOLUTION NO. ___ INTRODUCED BY PLANNING ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE, TO AUTHORIZE A SETTLEMENT IN A LAWSUIT

WHEREAS, Congregation Machne Ger (“CMG”), filed a lawsuit in the State of New York Supreme Court, County of Sullivan against the County of Sullivan (“County”), the Town of Thompson (“Town”) and the Fallsburg Central School District (“School”), and

WHEREAS, in the complaint CMG seeks a refund of monies paid to the County pursuant to the repurchase of a parcel of real property designated on the Town Tax Map as Section 3 Block 1 Lot 12 (“CMG’s Property”). CMG seeks a refund of the 2013 Town/County taxes (including the relieved 2012/2013 School taxes) with penalties and interest as well as a refund of three years of unpaid solid waste fees (2011-2013) with penalties and interest, and

WHEREAS, CMG’s Property has been granted exempt status by the Town Assessor continuously since 2010 and was not granted exempt status for the 2013 tax year. The change in status caused CMG’s Property to generate amounts owed for the 2012/2013 School taxes and the 2013 Town/County taxes. The total amount paid by CMG to the County, including interest and penalties, was \$47,110.46, and

WHEREAS, the Town has informed the County that the change in the exempt status affecting CMG’s Property for the 2013 taxes was not done intentionally. The Town Assessor has determined that CMG’s Property is entitled to exempt status for the 2012/2013 School taxes and the 2013 Town/County taxes, and

WHEREAS, CMG’s Property was also subject to the enforcement of the solid waste fees for 2011, 2012 and 2013. The total amount paid by CMG to the County for the three years of solid waste fees plus penalties and interest and the repurchase fees was \$12,111.12, and

WHEREAS, the Law Department has negotiated a settlement with CMG’s counsel as follows; a) the County issues a refund to CMG in the amount of \$47,110.46 for the 2013 taxes as full settlement of all claims and b) CMG withdraws the remaining requests for relief and agrees that the County shall retain the solid waste fees, interest, penalties and repurchase fees of \$12,111.12. The Law Department believes that this settlement is in the best interests of the County.

NOW THEREFORE BE IT RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit on the above outlined terms and conditions.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013

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**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE**

**RESOLUTION TO CONVEY PROPERTY IN THE TOWN OF LIBERTY
KNOWN AS LI15.-1-16.8, ACQUIRED BY THE COUNTY OF SULLIVAN BY
VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE
2010 LIEN YEAR.**

WHEREAS, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as LI15.-1-16.8, Class 311, being 0.57 +/- acres, located on Conte Ln, is owned by the County of Sullivan and formerly owned by Richard H Dunkelberger, was included in the foreclosure of 2010 liens, but was not sold (received no bids) at the June, 2012 Public Auction, and

WHEREAS, Benito Rodriguez has offered to purchase said property for the sum of, THREE THOUSAND (\$3,000.00) DOLLARS, more than the amount of the delinquent taxes owed to the County, and

WHEREAS, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcel to Benito Rodriguez for THREE THOUSAND (\$3,000.00) DOLLARS, and

WHEREAS, the purchaser will also be responsible for the recording fees plus 10% of sale price for auctioneer's commission, and any other applicable charges, including but not limited to, omitted & pro rata taxes, 2013 Town/County taxes, water and sewer charges, if any, and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to Benito Rodriguez, upon payment of \$3,000.00 to the County Treasurer, plus 10% of sale price for auctioneer's commission, plus fees for the County Clerk, plus the 2013 County/Town taxes.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

Resolution No.

**RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE
RESOLUTION TO AUTHORIZE COUNTY MANAGER TO ENTER INTO
AGREEMENT WITH THE SULLIVAN COUNTY CHILD CARE COUNCIL, INC FOR
THE PROVISION OF INFORMAL CHILD DAY CARE RELATED SERVICES**

WHEREAS, the County of Sullivan, through the Department of Family Services has in place an agreement for the provision of Informal Child Day Care related services including the provision of Child Care Time and Attendance (CCTA) services that expires 2/29/2013; and

WHEREAS, the Sullivan County Child Care Council, Inc is capable of and willing to provide these services at a combined cost not to exceed \$93,375 during the period from 3/1/2013 through 12/31/2013 through purchase of service agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with the Sullivan County Child Care Council, Inc at a cost not to exceed \$93,375 for Informal Child Day Care related and Child Care Time and Attendance (CCTA) services provided during the period from 3/1/2013 through 12/31/2013; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the form of said agreement will be approved by the Sullivan County Department of Law.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE.

RESOLUTION FOR AN AGREEMENT WITH HUDSON CENTER FOR HEALTH EQUITY AND QUALITY FOR THE HEALTH HOME PORTAL WITH THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the Federal Government has passed the Patient Protection & Affordable Care Act, and

WHEREAS, a provision of the Patient Protection & Affordable Care Act allows states to develop and implement Health Homes, and

WHEREAS, the Hudson Center for Health Equity & Quality (“Hudson Center”) will allow the connection of installation or operation of Licensed Software for the Health Home Business Portal for Community Services to access client records, and

WHEREAS, critical component for service delivery in a Health Home is a shared medical records database for Health Home members and care management services, and

WHEREAS, the County of Sullivan, (“County”), through the Department of Community Services (DCS), has a need to enter into an agreement with Hudson Center for the licensing and installation of the licensed software for the health home portal, and

WHEREAS, the agreement shall have an initial term, expiring on the last day of the 12th month following the date the installation of licensed software has been completed. The agreement will be renewed annually for up to 4 additional years unless the County opts not to renew by so stating in writing 30 days prior to the expiration of any 1 year term, and

WHEREAS, Hudson Center has agreed to provide the licensing and installation of licensed software at a cost not to exceed \$22,108.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute an agreement between the Department of Community Services and Hudson Center, and

BE IT FURTHER RESOLVED, the form of said agreement(s) shall be approved by the Sullivan County Attorney’s Office.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

RESOLUTION NO. INTRODUCED BY THE PERSONNEL COMMITTEE TO AMEND THE RETAINER AGREEMENT WITH ROEMER WALLENS GOLD & MINEAUX, LLP TO PROVIDE TRAINING TO SUPERVISORY STAFF

WHEREAS, February 2012, the Sullivan County Legislature authorized the issuance of a Request for Proposals (RFP #R-12-03) for a Labor Relations Attorney/Consultant for Sullivan County; and

WHEREAS, the law firm of Roemer Wallens Gold & Mineaux, LLP was selected as the County's Labor Relations Attorney/Consultant; and

WHEREAS, Resolution No. 108-12, adopted by the Sullivan County Legislature on March 15, 2012, authorized the County Manger to execute a contract with Roemer Wallens Gold & Mineaux, LLP for specialized legal services and to serve as the County's Labor Relations Attorney/Consultant; and

WHEREAS, RFP #R-12-03 did not include the provision of supervisory training as a component of the services to be provided by said Labor Relations Attorney/Consultant; and

WHEREAS, it has become apparent that there is a need for the County to provide training of its supervisory staff; and

WHEREAS, Roemer Wallens Gold & Mineaux, LLP has agreed to provide training of supervisory staff on behalf of the County at minimal cost to the County; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager and County Attorney are hereby authorized to execute a modification of the Retainer Agreement with Roemer Wallens Gold & Mineaux, LLP to include four days of training of supervisory staff per year, as part of the said Retainer Agreement at a cost of \$425.00 per month in addition to the current monthly fee for the term of the agreement; and

BE IT FURTHER, RESOLVED, that said retainer agreement shall be in such for as the County Attorney shall approve.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

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Resolution No. _____

RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE

RESOLUTION TO AUTHORIZE A MODIFICATION TO THE AGREEMENT FOR CONSULTANT ARCHITECTURAL SERVICES FOR THE ACC HEAL GRANT PROJECT.

WHEREAS, the original scope of the project involves facility improvements, including a dedicated memory impaired unit, short term rehabilitation single resident rooms, a renovated therapy area, and lobby renovations which were designed under contract; and

WHEREAS, Resolution No. 277-12 authorized an agreement for LaBella Associates, P.C. to provide architectural design services; and

WHEREAS, additional design services are now required as the scope of the project has increased from what was specified in the original agreement; and

WHEREAS, the Division of Public Works has reviewed the need for additional design services and recommends the approval of a Modification Agreement for the additional work.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a Modification Agreement for additional architectural design services with, LaBella Associates, P.C., at a cost not to exceed \$22,060 for design services, and total price not to exceed \$5,000 for reimbursable expenses, said Modification Agreement to be in such form as the County Attorney shall approve.

Moved by: _____,

Seconded by: _____,

and adopted on motion: _____, 2013.

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