

January 16, 2014

Full Board Addendum

1. Appoint Travis Tyler, MS, PT to the Sullivan County Public Health Services Professional Advisory Committee
2. Appoint Catherine Iral to the Sullivan County Commission on Human Rights
3. Appoint Edwin Jackson to the Sullivan County Revolving Loan Fund Advisory Board
4. Authorize the County Attorney to Pay a Professional pursuant to Resolution No. 325-11 in Excess of the \$5,000.00 Cap
5. Amend Resolution No. 276-13
6. Accepting the recommendations of the Sullivan County Solid Waste/Recycling Fee Grievance Committee
7. Set Public Hearing for February 20, 2014 at 1:50PM for a proposed local law entitled *Sullivan County Best Value Purchasing Policy*
8. Approve employment agreement with County Manager Joshua Potosek.

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT
A NEW MEMBER TO THE SULLIVAN COUNTY PUBLIC HEALTH SERVICES
PROFESSIONAL ADVISORY COMMITTEE**

WHEREAS, pursuant to 10 NYCRR (New York Codes, Rules & Regulations) Section 763.11 (a) (13) requires that Sullivan County Public Health Services Certified Home Health Agency and Long Term Home Health Care Program establish a Professional Advisory Committee to consist of “a group of professional personnel, which includes one or more physicians, registered professional nurses, and representatives of the professional therapeutic services provided by the agency” and “at least one member who cannot be an owner nor employee compensated by the agency”, and

WHEREAS, due to the untimely death of Dr. Fried a vacancy exists on the Sullivan County Professional Advisory Committee, and

WHEREAS, Travis Tyler MS, PT is willing and qualified to serve the remaining term of Dr. Fried from 1/1/2014 to 12/31/2014 on the Professional Advisory Committee. .

NOW, THEREFORE, BE IT RESOLVED, that the following individual be appointed to Sullivan County Public Health Services Professional Advisory Committee, pursuant to Section 763.11 (13) of NYCRR, with the term of 1/1/14-12/31/14.

Travis Tyler MS, PT
168 Pucky Huddle Rd.
Bethel, NY 12720

**Moved by
Seconded by
and adopted on motion**

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE
TO APPOINT ONE MEMBER TO THE SULLIVAN COUNTY COMMISSION
ON HUMAN RIGHTS**

WHEREAS, pursuant to Resolution No. 490-04 adopted on December 6, 2004, the Sullivan County Legislature created a Sullivan County Commission on Human Rights (“Commission”); and

WHEREAS, Resolution No. 109-05 adopted on March 17, 2005, the Sullivan County Legislature appointed the members to the Commission for designated terms; and

WHEREAS, Resolution No. 113-06 adopted on March 16, 2006 indicates terms are to commence on January 1 and terminate on December 31 in the year in which they are scheduled to terminate.

WHEREAS, there is a vacancy on the Commission due to the resignation of Henry Belser, and

WHEREAS, the Commission sent a letter to the Sullivan County Legislature, received on December 12, 2013, requesting the Legislature appoint an individual to fill this vacancy for the remainder of the three year term which expires on December 31, 2014, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint the following member to the Commission for the following terms:

Appoint:

Member
Catherine Iral

Term Expires
December 31, 2014
(fill Henry Belser’s unexpired term)

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
APPOINT EDWIN JACKSON TO THE SULLIVAN COUNTY REVOLVING LOAN
FUND (RLF) ADVISORY BOARD**

WHEREAS, pursuant to Resolution 142-11, members were appointed to the Sullivan County Revolving Loan Fund (RLF) Advisory Board, for the purpose of reviewing and making recommendations to the County Legislature with respect to County loan funds; and

WHEREAS, a vacancy exists on the Board and was advertised on the County website under Board Vacancies, as required; and

WHEREAS, a letter of interest was received from Edwin Jackson and the Advisory Board recommends his appointment.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby appoints Edwin Jackson to the Sullivan County Revolving Loan Fund Advisory Board.

**Moved by , seconded by , put to a vote, resolution as amended, carried and declared
duly adopted** on motion .

RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY ATTORNEY TO PAY A PROFESSIONAL PURSUANT TO RESOLUTION NO. 325-11 IN EXCESS OF THE \$5,000.00 CAP

WHEREAS, pursuant to Resolution No. 325-11 the County Attorney retained the services of Roemer, Wallens Gold & Mineaux LLP (hereinafter, the “Firm”) to investigate personnel complaints at the Division of Health and Family Services, and

WHEREAS, Resolution No. 325-11 was utilized since it was anticipated the cost of such services would not exceed \$5,000.00. That limit was written into the retainer agreement, and

WHEREAS, in July Mr. Roemer advised the County Attorney the cost would likely exceed the \$5,000.00, but did not have figures at that time. Mr. Roemer’s letter was furnished to the County Legislature, and

WHEREAS, on September 5th Mr. Roemer provided a tentative estimate of the total cost, and on September 19th the County Attorney met with the Executive Committee to update the Legislators, and

WHEREAS, on September 25th the County Attorney advised Mr. Roemer to separate out the bills for the excess over \$5,000.00, and

WHEREAS, on September 27, 2013 the Law Department received a copy of the Firm’s completed Report and Recommendation to the Personnel Officer, dated September 24, 2013, and

WHEREAS, the Firm’s total bill for its services came to \$13,533.52, and

WHEREAS, thereafter the County Attorney spoke with Mr. Roemer and stated that while the County Attorney appreciated that the firm had in fact been careful and thorough and expended a great deal of time on the matter, the final bill was significantly in excess of what the County Legislature expected based on earlier communications and asked whether the Firm might be able to reduce the bill somewhat, and

WHEREAS, to date the County has paid the Firm \$4,881.00, and

WHEREAS, on December 3, 2013, Mr. Roemer sent a letter to the County Attorney stating that while the matter had taken much more legal time than originally anticipated in order to properly investigate the matter and prepare a thorough report, in consideration of the County's financial situation and the on-going relationship between County and the Firm they would write down the final invoice to a total balance due of \$5,000.00, and

WHEREAS, given the foregoing the total expenditure for the matter would be reduced from \$13,533.00 to \$9,881.00, and

WHEREAS, the County Attorney is satisfied the work was done thoroughly and professionally, and that the reduced final invoice should be paid.

NOW THEREFORE BE IT RESOLVED, that the County Attorney is hereby authorized to pay the Firm an additional \$5,000.00 (in addition to the \$4,881.00 already paid) as the remainder of the fee.

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

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AMEND RESOLUTION NO. 276-13**

WHEREAS, the County Legislature adopted Resolution No. 276-13 on July 18, 2013; and

WHEREAS, there is a need to amend Resolution No. 276-13; and

WHEREAS, **Section 603.7** of the Codes and Regulations of the State of New York permits Sullivan County to apply for matching funds through the SUNY Construction Fund for the New York State share of projects that are normally permitted within an approved capital construction budget.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby amends Resolution No. 276-13 and authorizes the Sullivan County Community College to request matching funds in the amount of \$108,316.26; and

BE IT FURTHER RESOLVED, that no funds from the County's General Fund should be committed for this purpose.

RESOLUTION OF THE EXECUTIVE COMMITTEE ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID WASTE/RECYCLING FEE GRIEVANCE COMMITTEE.

WHEREAS, the Sullivan County Legislature (“Legislature”) Amended Local Law No. 7 of 2009 to Add a New Article VIII Establishing a Solid Waste Recycling Fee, and

WHEREAS, Local Law No. 7 of 2009 as amended provides for a Sullivan County Solid Waste/Recycling Fee Appeals Committee (“Committee”) to review written appeals from property owners, and

WHEREAS, the Committee wishes to report its recommendations to the Legislature, and

WHEREAS, the Committee has reviewed appeals and it recommends approving reduction/elimination of the solid waste fee for properties detailed on the Recommended Approval List attached hereto as Appendix “A” and made a part hereof, and

NOW, THEREFORE, BE IT RESOLVED, that the Legislature acknowledges receipt of the Committee’s recommendations detailed on Appendix “A” and hereby ratifies said recommendations contained on Appendix A.

BE IT FURTHER RESOLVED, that the Legislature hereby authorizes the Sullivan County Treasurer, on behalf of the Committee to notify the property owners regarding approval/denial of their respective appeals.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2014.

Jan. Solid Waste
2014 Tax Bills

Recommended Approval List Appendix "A"
GRAND VIEW PALACE PARCELS

Range	11.-1-39.01./0101	to	11.-1-39.01./0112
	11.-1-39.01./0201	to	11.-1-39.01./0212
	11.-1-39.01./0301	to	11.-1-39.01./0313
	11.-1-39.01./0401	to	11.-1-39.01./0412
	11.-1-39.03./0201	to	11.-1-39.03./0221
	11.-1-39.03./0301	to	11.-1-39.03./0321
	11.-1-39.04./0201	to	11.-1-39.04./0218
	11.-1-39.04./0301	to	11.-1-39.04./0318
	11.-1-39.05./0101	to	11.-1-39.05./0150
	11.-1-39.05./0201	to	11.-1-39.05./0250
	11.-1-39.06./0201	to	11.-1-39.06./0211
	11.-1-39.06./0301	to	11.-1-39.06./0311
	11.-1-39.07./0201	to	11.-1-39.07./0231
	11.-1-39.07./0301	to	11.-1-39.07./0331
	11.-1-39.08./0101	to	11.-1-39.08./0125
	11.-1-39.08./0201	to	11.-1-39.08./0225
	11.-1-39.08./0301	to	11.-1-39.08./0325
	11.-1-39.09./0101	to	11.-1-39.09./0104
	11.-1-39.10./0101	to	11.-1-39.10./0103
	11.-1-39.11./0101		*
	11.-1-39.12./0201	to	11.-1-39.12./0205
	11.-1-39.12./0302	to	11.-1-39.12./0305

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED THE “SULLIVAN COUNTY BEST VALUE PURCHASING POLICY”

WHEREAS, there has been introduced at a meeting of the Sullivan County Legislature held on January 16, 2014 a proposed Local entitled “Sullivan County Best Value Purchasing Policy.”

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on February 20, 2014 at 1:50 p.m., in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days’ notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2014.

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on January 16, 2014, a proposed Local Law entitled the "Sullivan County Best Value Purchasing Policy."

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on February 20, 2014 at 1:50 p.m. at which time all persons interested will be heard.

DATED: Monticello, New York
January 16, 2014

ANNMARIE MARTIN
Clerk of the Legislature
County of Sullivan, New York

**RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO
ENTER INTO AN EMPLOYMENT AGREEMENT WITH JOSHUA POTOSEK AS THE
SULLIVAN COUNTY MANAGER**

WHEREAS, pursuant to Resolution No. 433-13 adopted on December 19, 2013, the Sullivan County Legislature appointed Joshua Potosek to serve as County Manager, and

WHEREAS, the Sullivan County Charter (Section C3.01) provides that the County Legislature may enter into an agreement for the County Manager to serve through the first year of the term of the next Legislature, and

WHEREAS, the County Legislature and Mr. Potosek have negotiated an agreement pursuant to which Mr. Potosek would serve as County Manager, subject to specific termination provisions, at his present salary until December 31, 2016.

NOW THEREFORE BE IT RESOLVED, that the Chairman of the County Legislature is hereby authorized to execute the aforesaid agreement with Mr. Potosek.