

**March 20, 2014**

**Full Board Addendum**

Resolutions from 2 :30PM Executive Committee agenda :

**To save paper, all resolutions are the same as the March 20th Executive Agenda except for #1 (proposed, amended and approved during the meeting and #2 which was amended from one presented on Executive Agenda**

1. Authorize County Manager to enter into a Memorandum of Agreement between the Sullivan County Department of Family Services and the District Attorney's Office
2. Supporting the siting of the first two Class III Gaming Casino Destination Resorts in the Catskill Region strictly in the County of Sullivan
3. Adopt a list of those public officials and employees of the County of Sullivan who are required to file a Financial Disclosure Statement
4. Appoint Carol Roig and Howard Siegel to the Sullivan County Industrial Development Agency (IDA) Board
5. Authorize contract with NYSDOH and NYS Mental Hygiene Offices
6. Amend contract with Sullivan County Partnership for Economic Development
7. Provide funding to the Sullivan County IDA for the less than trailer load local food distribution hub
8. Authorize contract with a consultant to develop a Comprehensive Coordinated Transportation Services Plan
9. Submit a pre-application to Pew Charitable Trusts/Robert Wood Johnson Foundation
10. Proclaim April 7th through April 13th 2014 as National Public Health Week in Sullivan County
11. Authorize contract with Sullivan County BOCES to provide youth services
12. Amend Resolution No. 67-14 to modify date to February 1st for Asst. District Attorneys
13. Accept a State Assistance Grant Award from the NYS Division of Criminal Justice Services
14. Authorize to apply, accept and administer an RBEG application

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE SULLIVAN COUNTY DEPARTMENT OF FAMILY SERVICES AND THE DISTRICT ATTORNEY'S OFFICE TO ADMINISTER OVERSIGHT OF THE FRAUD INVESTIGATIONS TEAM AND THE FAMILY VIOLENCE RESPONSE TEAM AND ADD ADDITIONAL POSITIONS FUNDED THROUGH FEDERAL AND STATE REIMBURSEMENT**

**WHEREAS**, 18 NYCRR, Section 348.2 requires each social services district to take measures designed to prevent, detect and report fraud, and to establish and maintain clear and adequate policies, procedures and controls in order to effectively handle cases of suspected fraud in the administration of public assistance and care; and

**WHEREAS**, 18 NYCRR, requires the local district to make a written agreement with the appropriate district attorney establishing procedures for referral to such official of all cases wherein reasonable grounds exist to believe that fraud was committed; and

**WHEREAS**, 18 NYCRR, requires the local district to designate a person, either of administrative or supervisory responsibility or in a consultative capacity to the local district, or establish a unit which shall consist of persons of similar responsibility, through which all cases of known or suspected fraud shall be referred to the District Attorney's Office; and

**WHEREAS**, the Sullivan County Legislature created the Fraud Investigative Team in April of 2013 in order to more efficiently prevent and detect fraud in social services and the team has been very successful in detecting and investigating fraud and has generated hundreds of pending investigations and more than one hundred arrests and prosecutions; and

**WHEREAS**, the volume of active investigations, arrests and prosecutions has resulted in the need for additional staff, including both investigative and prosecution resources, to successfully combat fraud and carry out the legislative intent of the Fraud Investigative Team; and

**WHEREAS**, the State of New York Comptroller's Office recently recommended that the District Attorney's Office maintain a record of staff time spent on prosecution activities related to social services programs for which these costs are federally reimbursed; and

**WHEREAS**, the Commissioner of the Department of Family Services and the District Attorney have determined that the Fraud Investigative Team would most effectively and efficiently serve the taxpayers of Sullivan County by being incorporated into the District Attorney's Office, vesting the Director of Fraud and two (2) additional fraud investigators with police powers pursuant to New York State Criminal Procedure Law; and

**WHEREAS**, the County share for the employment costs associated with these additional positions is approximately 16% of their total employment cost (to wit: salary and benefits); and

**WHEREAS**, the prosecution of offenders arrested as a result of investigations conducted by the Fraud Investigative Team requires additional dedication of time and resources of the District Attorney's Office, resulting in the need for an additional Assistant District Attorney, whose primary duty is to provide advice and consultation to the Fraud Investigative Team as well as manage the prosecution of offenders arrested as a result of investigations conducted by the Fraud Investigative Team; and

**WHEREAS**, the Commissioner of the Department of Family Services and the District Attorney have determined that the Fraud Investigative Team would most effectively and efficiently serve the taxpayers of Sullivan County with the addition of a dedicated prosecutor to provide such advice and manage such prosecutions; and

**WHEREAS**, the County share for the employment costs associated with the creation of an additional Assistant District Attorney position is approximately 16% of the salary, as well as the costs of benefits associated therewith; and

**WHEREAS**, it is the intention of the Fraud Investigative Team to seek recovery of the proceeds of crimes investigated by the Team and to deter future fraudulent acts through prompt and thorough investigations and prosecutions, rendering the Team a cost-effective mechanism for the detection and prevention of fraud; and

**WHEREAS**, in 1999, after the brutal homicide of Christopher Gardner, the County Legislature endorsed the creation of the Family Violence Response Team (hereinafter "FVRT"), a multidisciplinary specialized team, consisting of members of the Child Protection Division of the Sullivan County Department of Family Services and members of law enforcement; and

**WHEREAS**, the core mission of the FVRT is to protect the most vulnerable in our community, our children, from crimes that occur within the family unit, including sexual and physical abuse, and to thoroughly and professionally investigate such cases and to bring to justice those individuals who have committed such serious crimes against children; and

**WHEREAS**, since its inception, in 1999, the FVRT was staffed by two police officer investigators until April of 2010, when the staffing level fell to just one police officer investigator provided to the FVRT by the New York State Police; and

**WHEREAS**, in order to properly serve the citizens of Sullivan County and to ensure that investigations of these very serious sexual and physical abuse cases against children are comprehensive and maximize the likelihood of successful prosecutions of offenders, the FVRT requires the dedication of an additional police officer investigator; and

**WHEREAS**, the Commissioner of the Department of Family Services and the District Attorney have jointly indicated that the FVRT would most effectively and efficiently serve the taxpayers of Sullivan County with the addition of a District Attorney Investigator to the team, vested with police powers by the New York Criminal Procedure Law, to work with the existing New York State Police investigator assigned to the FVRT, to investigate these crimes against our community's children; and

**WHEREAS**, the County share of the employment costs associated with this additional position is approximately 20% of its total cost (to wit: salary and benefits); and

**WHEREAS**, the best interests of the taxpayers of Sullivan County are served by the creation of such a position, dedicated to the protection of our community's children, at such a cost-effective employment cost; and

**WHEREAS**, District Attorney Investigator positions are extremely cost-effective to the taxpayers due to the experience requirements associated therewith, which require a District Attorney Investigator to have lengthy and substantial investigative and supervisory experience as a police officer prior to appointment, resulting in the appointment of retired police officers who incur no additional employment costs to the taxpayers, such as retirement and health care benefits; and

**WHEREAS**, funding for the Fraud Investigative Team, including each of the additional positions approved herein, as well as the additional position approved for the FVRT, shall be a charge attributable to the budget of the Department of Family Services, in accordance with the reimbursements set forth above; and

**WHEREAS**, should federal or state reimbursement for the additional positions (2 investigators and 1 ADA FIT and 1 investigator FVRT) approved herein be modified or changed, such that the County share of the employment costs associated therewith affects the cost-effectiveness of such positions, the authority granted herein for the creation of the additional positions may be reviewed and, if necessary, amended or abridged by the County Legislature;

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to enter into a Memorandum of Agreement between the Sullivan County Department of Family Services and the Sullivan County District Attorney's Office, to provide for the transfer of the position of Director of Fraud to the Office of the District Attorney, to become a District Attorney Investigator, as well as the creation of two (2) District Attorney Investigator positions, dedicated and assigned to the Fraud Investigative Team, and one (1) Assistant District Attorney position, said position being primarily responsible for the management of the prosecution of fraud cases referred for prosecution by the Fraud Investigative Team, as well as the creation of one (1) District Attorney Investigator position for dedicated assignment to the Sullivan County Family Violence Response Team.

BE IT FURTHER RESOLVED that the duration of the contract is from 4/1/2014-3/31/2015.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2014.

RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE  
SUPPORTING THE SITING OF THE FIRST TWO CLASS III GAMING CASINO  
DESTINATION RESORTS IN THE CATSKILL REGION STRICTLY IN THE COUNTY  
OF SULLIVAN

WHEREAS, the exceptional efforts of Governor Andrew M. Cuomo and the New York State Legislature brought about the enactment of the Upstate NY Gaming Economic Development Act, which included an amendment to the New York State Constitution to allow Class III Gaming in New York State,

WHEREAS New York State will now develop up to four casinos in upstate New York;  
and

WHEREAS, on November 5, 2013, the voters of the State of New York voted for and supported the enactment of the constitutional amendment authorizing Class III Gaming in New York State,

WHEREAS on November 5, 2013, the voters of Sullivan County provided the largest plurality of votes for such enactment of the constitutional amendment authorizing Class III Gaming in New York State,

WHEREAS, the passage of said constitutional amendment and the concurrent legislation authorized the establishment of four destination gaming resorts in three distinct regions (Regions 1, 2 and 5), in Upstate New York, with a maximum of two projects to be located in any one Region

WHEREAS, Sullivan County is located in the Catskill/Hudson Valley Region 1, and

WHEREAS, Sullivan County has been recognized as the premiere vacation destination in New York State for generations and has historically served as host to some of the world's most famous destination resorts; and

WHEREAS, Sullivan County was home to multiple destination resorts which contained thousands of hotel rooms and accompanying amenities such as retail, entertainment, and sports attractions.

WHEREAS the local infrastructure of Sullivan County was always sufficiently able to handle all economic, social and environmental direct and indirect impacts of the many destination resorts; visiting tourists, and the employees who worked in these facilities;  
and

WHEREAS, Sullivan County's tourist economy was one of the cornerstones of vibrant, middle class that comprised many of its towns, villages, and hamlets;

WHEREAS, the intent of the enabling legislation is to spur economic development and job creation to revive upstate New York's economy; no more important is the revival of Sullivan County's once vibrant economy

WHEREAS, Sullivan County, has experienced a significant downturn in its tourist economy over the last half century and stands now as one of the most socio economically challenged areas in New York State;

WHEREAS Sullivan County's working class and small businesses, as well as tax ratables, have significantly suffered from this downturn;

WHEREAS, Sullivan County ranked last in New York State in year 2013 job creation and was the only area in the Hudson Valley that experienced a year-over-year decrease in private-sector employment, and as one of the highest unemployment rates in New York State, and

WHEREAS, Sullivan County, through its local and state officials and local business community has historically sought the legalization of Class III Casino Gaming for more than four decades, and

WHEREAS, gaming, as a single component within a destination resort, will provide the much needed catalyst to stimulate further economic growth in Sullivan County; and

WHEREAS the current proposals in Sullivan County are for sustainable resort destinations that will comply with New York State's environmental regulations to mitigate all environmental impacts, and

WHEREAS, the development of destination gaming resorts and the siting of TWO Casino Gaming Destination Resorts would bring thousands of much needed quality jobs and economic growth to Sullivan County that now already exists in neighboring counties that are in the Catskill Region I; and

WHEREAS, the establishment of destination resorts in Sullivan County will provide financial support for education and desperately needed property tax relief for Sullivan County taxpayers and communities statewide; and

WHEREAS, the establishment of destination resorts will stop the flow of revenues for tourism and gaming crossing our borders into neighboring states and keep those dollars in Sullivan County and New York State

WHEREAS, the establishment of destination resorts in Sullivan County will meet the intent and spirit of the enabling legislation and revive and rebuild our history and economy; and

NOW THEREFORE BE IT RESOLVED, that Sullivan County enthusiastically supports the siting of TWO Class III Gaming Destination Resorts in Sullivan County to meet the intent and language of the constitutional amendment authorizing Class III Gaming in New York State.

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, put to a vote  
\_\_\_\_\_