

# November 20, 2014 Full Board Addendum

## **Resolutions from November 20, 2014 Government Services Committee**

1. Authorize award and execute agreement with Maternal Infant Services Network of Orange, Sullivan and Ulster Counties, Inc for International Board Certified Lactation Counselor Services

## **Resolutions from November 20, 2014 Executive Committee Meeting**

2. Appoint Nancy Buck as Sullivan County Treasurer
3. Appoint Maureen Stewart to the Community Services Board
4. Reappoint three members to the Sullivan County Public Health Services Health Services Advisory Board
5. Authorize Sullivan County Treasurer to provide a \$2,000 check to NYSAC
6. Appoint Ed Homenick as Director of Real Property Tax Services III
7. Authorize contract modification with Frances S. Clemente, Attorney at Law
8. Appoint Gladys Walker to the Sullivan Public Health Services' Health Services Advisory Board
9. Authorize agreement with Sullivan County Carecorps Coalition and Sullivan County Sheriff's Office
10. Sell county-owned real property located in the Town of Fremont
11. Set public hearing for proposed local law 12/18/14 at 1 :40PM entitled « Authorizing the County of Sullivan, Notwithstanding, Section 215 of the County Law, to Enter Into a Lease of County Owned Real Property For a Specific Project for a Term of up to 30 Years »

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**RESOLUTION INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO  
AUTHORIZE AWARD AND EXECUTE AGREEMENT**

**WHEREAS**, Maternal Infant Services Network of Orange, Sullivan and Ulster Counties, Inc., 10 Little Britain Road, Newburgh, New York 12550, submitted a proposal for International Board Certified Lactation Counselor Services, R-14-15, and

**WHEREAS**, the Public Health Services Department has approved said proposal and recommends that a contract be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an Agreement with Maternal Infant Services Network of Orange, Sullivan and Ulster Counties, Inc., for an amount not to exceed \$22,342.00, for the contract period November 20, 2014 through September 30, 2015, in accordance with RFP, R-14-15, said contract modification to be in such form as the County Attorney shall approve.

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

Resolution No. \_\_\_\_\_

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT NANCY BUCK AS SULLIVAN COUNTY TREASURER**

**WHEREAS**, due to the tragic death of Ira J. Cohen a vacancy exists in the office of the Sullivan County Treasurer, and

**WHEREAS**, the Sullivan County Legislature received a letter from County Clerk Daniel Briggs informing it of the vacancy and the Sullivan County Legislature's authority to fill that vacancy, and

**WHEREAS**, Nancy Buck, due to her position as Deputy County Treasurer, has assumed the duties and obligations of the County Treasurer and has assumed the title of Acting County Treasurer, and

**WHEREAS**, in her tenure as the Deputy County Treasurer and now as the Acting County Treasurer the Sullivan County Legislature has worked with Ms. Buck on many projects and issues and is well aware of her ability to expertly perform the functions and duties required of the Sullivan County Treasurer, and

**WHEREAS**, the Legislature believes it is in the best interest of the County to appoint Ms. Buck as the Sullivan County Treasurer, and

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to the authority vested in it by Section 2.02 (J).of the Sullivan County Charter the Sullivan County Legislature hereby appoints Nancy Buck to the currently vacant position of Sullivan County Treasurer, and

**BE IT FURTHER RESOLVED**, that said appointment will commence immediately and Ms. Buck shall hold the office of the Sullivan County Treasurer by virtue of said appointment until the certification of the results of the next general election held for the office of the Sullivan County Treasurer.

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

Resolution No. \_\_\_\_\_

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE.**

**RESOLUTION TO APPOINT ONE (1) MEMBER TO THE COMMUNITY SERVICES BOARD**

WHEREAS, there are several vacancies on the Community Services Board, and

WHEREAS, there is a need to appoint one (1) member to fill a vacancy on the Community Services Board.

NOW, THEREFORE, BE IT RESOLVED, the following individual to be appointed to fill a vacancy on the Sullivan County Community Services Board to reflect the date set opposite his/her name:

**APPOINTMENT TO THE CSB**

**TERM**

Maureen Stewart  
(to fill vacancy left by Robyn Sellet, LCSW)

11/01/2014 to 12/31/2016

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

**RESOLUTION NO.            INTRODUCED BY EXECUTIVE COMMITTEE TO  
REAPPOINT MEMBERS TO THE SULLIVAN COUNTY PUBLIC HEALTH  
SERVICES' HEALTH SERVICES ADVISORY BOARD**

**WHEREAS**, Section 357 of the Public Health Law mandates that two members of the Health Services Advisory Board (HSAB) be licensed physicians, with the remaining seven to be known as public members selected on the basis of their interest and knowledge regarding health needs, resources and facilities of the community, and

**WHEREAS**, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members shall have fixed terms of four years, which shall be deemed to run from the first day of the year in which the appointment was made, and

**WHEREAS**, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members may not serve for more than two terms consecutively.

**NOW, THEREFORE, BE IT RESOLVED**, that the individual listed below be *re-appointed* to the Health Services Advisory Board for a four-year term (1/1/15-12/31/18) per Public Health Law:

Bob Korabik  
54 Dwyer Avenue  
Liberty, NY 12754

James Lyttle  
PO Box 323  
Kiamesha Lake, NY 12751

Dr. Bruce Ellsweig  
31 Norris Road  
Forestburgh, NY 12777

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

**RESOLUTION NO. \_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
AUTHORIZE THE SULLIVAN COUNTY TREASURER TO PROVIDE A CHECK IN THE  
AMOUNT OF \$2,000 TO NYSAC**

**WHEREAS**, the Treasurer and the County Attorney advise that there is a potentially critical litigation in which Wayne County is the Defendant currently ongoing in Western District of New York Federal Bankruptcy Court, and

**WHEREAS**, Wayne County properly took a parcel of Real Property in a foreclosure action pursuant to Article 11 of the Real Property Tax Law and subsequently sold the property in a public auction, and

**WHEREAS**, the new owner invested substantial time and money in making home improvements on the property, and

**WHEREAS**, after all of the foregoing the former owner filed a Bankruptcy Petition claiming that the County did not receive fair market value for the property at the foreclosure auction (based on an appraisal which included the improvements) and further claiming that because the County did not receive fair market value the sale constituted a “fraudulent transfer” which is voidable in Bankruptcy, and

**WHEREAS**, the Wayne County case and a similar case in Clinton County pose a real and present threat to other Counties, including Sullivan, that enforce collection of real property taxes pursuant to Article 11, and

**WHEREAS**, the New York State Association of Counties (“NYSAC”) has become actively involved in these cases as an Amicus and supporter of the position of the Counties, and

**WHEREAS**, NYSAC has solicited financial support of \$2,000 per County from other Counties to support these litigation defense efforts, and

**WHEREAS**, the Sullivan County Legislature believes that supporting such legal defense efforts is necessary, appropriate and reasonable.

**NOW THEREFOR BE IT RESOLVED that:**

1. The Sullivan County Legislature earnestly supports the efforts of Wayne County, Clinton County and NYSAC to defend against the aforesaid claims in Bankruptcy Court, and
2. The Sullivan County Legislature authorizes the Treasurer to provide a check in the amount of \$2,000 to NYSAC for such purposes.

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



**Resolution No.**

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE**

**RESOLUTION TO AUTHORIZE A CONTRACT MODIFICATION TO THE 2014-2015 CONTRACT BETWEEN SULLIVAN COUNTY OFFICE FOR THE AGING AND FRANCES S. CLEMENTE, ATTORNEY AT LAW.**

**WHEREAS**, the County of Sullivan, through the Office for the Aging, provides mandated Legal Services for senior citizens in Sullivan County, and

**WHEREAS**, Frances S. Clemente, Attorney at Law can provide Legal Services.

**WHEREAS**, by Resolution No. 123-14, adopted by the Sullivan County Legislature on March 20, 2014 that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with Frances S. Clemente, Attorney at Law for provision of mandated legal services for senior citizens as required by the New York State Office for the Aging, for the Title IIIB grant not to exceed \$7,904.00 for the period of 01/01/2014-12/31/2014 of which \$7,114.00 is received from Title IIB Federal funds and \$790.00 from County funds, and not to exceed \$7904.00 for the period of 01/01/2015-12/31/2015 of which \$7,114.00 is received from Title IIB Federal funds and \$790.00 from County funds for a total of \$15,808.00 for 01/01/2014-12/31/2015 of which \$14,228.00 is received from Title IIB federal funds and \$1,580.00 from County funds; and

**WHEREAS**, a contract modification agreement is necessary to increase the amount from \$7,904.00 to 8,161.00 for 01/01/14-12/31/14 an increase of \$257.00 as required by the New York State Office for the Aging, for the Title IIIB grant, Legal Services and the amount for 01/01/15-12/31/15 will remain the same \$7,904.00 as required by the New York State Office for the Aging, for the Title IIIB grant, Legal Services for Frances S. Clement, Attorney at Law for provision of mandated legal services for senior citizens. Contract period is 01/01/2014- 12/31/2015.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract modification to the agreement with Frances S. Clemente, Attorney at Law for the increased amount for provision of mandated legal services for senior citizens from \$7,904.00 to 8,161.00 for 01/01/14-12/31/14 and the amount for 01/01/15-12/31/15 will remain \$7,904.00 for the remainder of the contract period of 01/01/2014-12/21/2015, subject to approval of the office of the County Manager, and

**BE IT FURTHER RESOLVED**, that the form of such agreement be approved by the Sullivan County Department of Law.

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



**RESOLUTION NO.            INTRODUCED BY EXECUTIVE COMMITTEE TO  
APPOINT A NEW MEMBER TO THE SULLIVAN COUNTY PUBLIC HEALTH  
SERVICES' HEALTH SERVICES ADVISORY BOARD**

**WHEREAS**, Section 357 of the Public Health Law mandates that two members of the Health Services Advisory Board (HSAB) be licensed physicians, with the remaining seven to be known as public members selected on the basis of their interest and knowledge regarding health needs, resources and facilities of the community, and

**WHEREAS**, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members shall have fixed terms of four years, which shall be deemed to run from the first day of the year in which the appointment was made, and

**WHEREAS**, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members may not serve for more than two terms consecutively.

**NOW, THEREFORE, BE IT RESOLVED**, that the following individual listed below be *appointed* to the Health Services Advisory Board for a four-year term (1/1/15-12/31/18) per Public Health Law:

Gladys Walker  
26 Michele Drive  
Monticello, NY 12701

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

**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENTER AN AGREEMENT BETWEEN SULLIVAN COUNTY CARECORPS COALITION AND THE SULLIVAN COUNTY SHERIFF'S OFFICE**

**WHEREAS**, Sullivan County Carecorps Coalition located at 11 Hamilton Avenue, Monticello, New York, is a sub-entity of the Recovery Center whose purpose is to address risk factors within the community, and

**WHEREAS**, Sullivan County Carecorps Coalition has grant funds available in the amount of \$6,000.00 which it wishes to pay to the Sullivan County Sheriff's Office in exchange for services to be provided by the Sullivan County Sheriff's Office relating to party dispersal activities due to underage drinking pursuant to the Social Host Law (Local Law No. 4 of 2012), and

**WHEREAS**, Sullivan County Carecorps Coalition and the Sullivan County Sheriff's Office wish to enter into an Agreement memorializing their mutual rights and responsibilities,

**NOW, THEREFORE, BE IT RESOLVED** that the County Manager and the Sheriff are hereby authorized to execute a Memorandum of Agreement with the Sullivan County Carecorps Coalition for a term of November 20, 2014 to December 31, 2014, in a form approved by the County Attorney's Office.

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

**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO SELL COUNTY OWNED REAL PROPERTY LOCATED IN THE TOWN OF FREMONT**

**WHEREAS**, the County of Sullivan is the owner of certain real property located in the Town of Fremont identified as tax lot no. 26.-2-A consisting of approximately 0.01 acres, (the “Property”) and

**WHEREAS**, it has been recently discovered that the well of contiguous landowners, Nathaniel Zaur and Rebecca Zaur (the “Zaurs”), is contained within the bounds of the Property, and

**WHEREAS**, the Zaurs are willing to pay the sum of fifteen hundred dollars to acquire the Property from the County of Sullivan, and

**WHEREAS**, the Zaurs are willing to accept the Property subject to a highway maintenance easement,

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Legislature of the County of Sullivan is authorized to sign all documents necessary to consummate the conveyance of the Property to the Zaurs.

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

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED "AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR A TERM OF UP TO 30 YEARS"**

**WHEREAS**, there has been introduced at a meeting of the Sullivan County Legislature held on November 20, 2014 a proposed Local Law entitled "AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR TERM OF UP TO 30 YEARS."

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held on said proposed local law by the Sullivan County Legislature on December 18, 2014 at 1:40 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 November 20, 2014, a proposed Local Law entitled the "AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR A TERM OF UP TO 30 YEARS."

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 December 18, 2014 at 1:40 p.m. at which time all persons interested will be heard.

DATED: Monticello, New York  
November 20, 2014

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