



**FULL BOARD ADDENDUM
SEPTEMBER 17, 2015**

1. Appoint Lori Benjamin as Commissioner of Elections
2. Appoint Lorraine Lopez to Human Rights Commission
3. Execute a Stipulation between the New York State Department of Health (DOH) and the Sullivan County Adult Care Center (ACC)
4. Authorize contract with two authorized NYS Education Department Service Providers Marissa Burgio and William Kowal
5. Enter into an Intermunicipal Agreement with County of Rockland to accept Sullivan County's portion of a Hazmat Grant Award
6. To rescind Resolution No. 96-15 and to authorize submission of a funding inquiry application proposal under the FY 2015 CFS for NYSERDA New Construction program to address the design needs of the Sullivan County Jail
7. Convey LI 2-5-17 to Delima for the property known as Frankel Building
8. Support SASD's Application to the Public Service Commission to develop a Demonstration Project for county-wide CCA (Community Choice Aggregation)
9. Create an Assistant to the Point of Entry Coordinator position in the Office for the Aging
10. Authorize agreements with New York and other state or commonwealth approved foster care related service providers (Kids Peace)

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT
COMMISSIONER OF ELECTIONS**

WHEREAS, a vacancy of a Commissioner position has occurred in the Board of Elections due to the death of Rodney Gaebel, and

WHEREAS, the Sullivan County Republican Committee has certified to the County Legislature that Lori Benjamin is a fit and proper person to be appointed as Commissioner of Elections representing the Republican Party.

NOW, THEREFORE, BE IT RESOLVED, that Lori Benjamin be and hereby is appointed as Commissioner of Elections to fill the unexpired term of Rodney Gaebel commencing on September 17, 2015 through December 31, 2016.

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

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 the designated term; and

due to the resignation of Paul Austin whose term expires on 12/31/16 and

WHEREAS, the commission sent to the Sullivan county legislature, received on July 20, 2015, informing the legislature of the vacancy for the next two year term which expires on December 31, 2016, 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.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan county Legislature does hereby appoint the following member to the commission for the following term:

APPOINTMENT

TERM

Lorraine Lopez

12/31/16

RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A STIPULATION BETWEEN THE NEW YORK STATE DEPARTMENT OF HEALTH ("DOH") AND THE SULLIVAN COUNTY ADULT CARE CENTER ("ACC")

WHEREAS, pursuant to a survey conducted May 23, 2013 the DOH has initiated an enforcement action against the ACC, and

WHEREAS, DOH has provided the Sullivan County Attorney's Office with a proposed Stipulation and Order ("Stipulation") settling the enforcement action in all respects, and

WHEREAS, it is in the best interest of the County to execute a reasonable Stipulation with the DOH and not proceed with a formal hearing.

NOW THEREFORE BE IT RESOLVED, that the County Attorney is hereby authorized to settle the enforcement action on such terms as he, the County Manager and the Commissioner of Family Services deem reasonable, prudent and in the best interests of the County, including payment of a fine not to exceed \$6,000.00, and

BE IT FURTHER RESOLVED, that the County Manager is authorized to execute the Stipulation with the DOH, said Stipulation to be in a form approved by the County Attorney's Office.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2015.

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE

RESOLUTION TO ENTER INTO A CONTRACT WITH TWO AUTHORIZED NEW YORK STATE EDUCATION DEPARTMENT SERVICE PROVIDERS: MARISSA BURGIO, SPEECH LANGUAGE PATHOLOGIST AND WILLIAM KOWAL, D.B.A NEUROADEPT OCCUPATIONAL THERAPISTS, TLLC

WHEREAS, Sullivan County provides *mandated* Early Intervention and Developmental Preschool Educational Services to eligible children from Sullivan County and is *mandated* to pay for such services at State-set rates, and

WHEREAS, the Sullivan County Preschool Special Education Program is in need of Speech Language Pathologists and Occupational Therapists, and

WHEREAS, the Service Providers listed above have applied for and have been accepted by the authorized State Agency for delivery of said services; and

WHEREAS, Sullivan County needs to authorize new contracts with Marissa Burgio, Speech Language Pathologist, and William Kowal, D.B.A. Neuroadept Occupational Therapists, TLLC, Occupational Therapist, both whom are authorized New York State Education Department Preschool Service Providers for the period beginning September 1, 2015 to June 30, 2018 at state set rates,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute contracts with Marissa Burgio, Speech Language Pathologist, and William Kowal, D.B.A. Neuroadept Occupational Therapists, TLLC, Occupational Therapist, both whom are authorized New York State Education Department Preschool Service Providers for the period September 1, 2015 to June 30, 2018 at State-set rates, and

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

Moved by
Seconded by
and declared duly adopted on motion

RESOLUTION _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO RESCIND RESOLUTION NO. 96-15 AND TO AUTHORIZE SUBMISSION OF A FUNDING INQUIRY / APPLICATION PROPOSAL, UNDER THE FY2015 CONSOLIDATED FUNDING APPLICATION (CFA) – FOR THE NEW YORK STATE ENERGY AND RESEARCH DEVELOPMENT AUTHORITY (NYSERDA) – NEW CONSTRUCTION PROGRAM TO ADDRESS THE DESIGN NEEDS OF THE SULLIVAN COUNTY JAIL.

WHEREAS, pursuant to Resolution No. 96-15 adopted by the Sullivan County Legislature on March 3, 2015, a CAF application has been previously approved for NYSERDA funding, however there was a missing component required by the funding source and therefore said Resolution needs to be rescinded; and

WHEREAS, County of Sullivan (“County”) has implemented a series of resolutions and actions to improve the energy efficiency of County-owned facilities and reduce GHG emissions from County operations, including acceptance of the SC Climate Action Plan in April 2014; and

WHEREAS, the Sullivan County Division of Public Works has identified a need for energy efficient infrastructure to be a component of the design and construction of the County Jail; and

WHEREAS, pursuant to Resolution No. 301-14 and 302-14, the County entered into agreements with LaBella Associates, P.C. to address preliminary design services in the proposed construction of the County Jail, coupled with the County’s commitment to operating in a more sustainable and energy efficient manner; and

WHEREAS, funding to address efficient components is being made available through the FY2015 NYS Governor’s Office - Consolidated Funding Application (“CFA”) via the New York State Research and Development Authority’s (“NYSERDA”’s) / New Construction Program wherein \$90,981,268 in total funding is available under the program to conduct technical assessments of energy efficiency improvements in building designs and to offset a portion of the incremental capital costs to purchase and install energy-efficient equipment in these buildings to reduce energy consumption, and

WHEREAS, NYSERDA has implemented a cost sharing agreement for payment of technical services basic support; and

WHEREAS, custom and whole building applications require technical support to help applicants and their design teams assess energy efficiency opportunities for the building; and

WHEREAS, NYSERDA will pay the first \$5,000.00 and will share 50% of the balance up to \$75,000.00 (\$100,000.00 if Demand Response is included in Scope of Work) of the cost of technical support basic services for the proposed new construction; and

6

WHEREAS, the County has not yet selected a technical service provider and there is no current cost estimate; and

WHEREAS, NYSERDA will not approve a project when the expected incentives are less than the County's cost and therefore it is anticipated that the County would only authorize spending, pursuant to a separate resolution, if the projected savings were larger than the costs.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 96-15 is hereby rescinded; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute any and all necessary documents to submit the NYSERDA – Commercial New Construction Program Inquiry Application for Funding; and

BE IT FURTHER RESOLVED, that should a funding award be granted by NYSERDA, the Sullivan County Legislature hereby authorizes the County Manager, and / or Chairman of the County Legislature (*as required by the funding source*) to accept the award, and enter into an award agreement or contract to administer the funding secured, in such form as the County Attorney shall approve; and

BE IF FURTHER RESOLVED, that acceptance of the funding award shall be contingent upon authorization by the Sullivan County Legislature to expend funds for the technical services cost sharing agreement; and

BE IT FURTHER RESOLVED, that should the NYSERDA – New Construction Program funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by,

Seconded by,

and adopted on motion, 2015

6A

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE

RESOLUTION TO CONVEY PROPERTY ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2010 LIEN YEAR IN THE TOWN OF LIBERTY KNOWN AS LIBERTY 112.-5-17

WHEREAS, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as Liberty 112.-5-17, being 0.32 +/- acres, located on S Main St, is owned by the County of Sullivan by virtue of an Article 11 foreclosure for 2010 taxes, and

WHEREAS, Eddie Delima has offered to purchase said property for the sum of TEN THOUSAND (\$10,000.00) DOLLARS to be split between the County of Sullivan and the Village of Liberty, and

WHEREAS, it is in the best interest of the County of Sullivan to sell the parcel privately to Eddie Delima for the amount of TEN THOUSAND (\$10,000.00) DOLLARS because this property was not sold at previous auctions, and

WHEREAS, the purchaser will also be responsible for the recording fees, and any other applicable charges, including but not limited to, omitted & pro rata 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 Eddie Delima upon payment of \$10,000.00 to the County Treasurer o/b/o the County & the Village, plus fees for the County Clerk, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to satisfy the 2010, 2011, 2012, 2013, 2014 & 2015 County/Town taxes, including relieved school taxes, if any, & Discharge the corresponding tax liens accordingly.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2015.

RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO SUPPORT SASD'S APPLICATION TO THE PUBLIC SERVICE COMMISSION TO DEVELOP A DEMONSTRATION PROJECT FOR COUNTY- WIDE COMMUNITY CHOICE AGGREGATION (CCA) FOR RESIDENTIAL AND COMMERCIAL ELECTRICITY PURCHASE.

WHEREAS, the Public Service Commission (PSC) of the State of New York has sought demonstration projects to enable it to implement the Governor's Reforming the Energy Vision (REV); and

WHEREAS, Community Choice Aggregation (CCA) is a program that allows for aggregating electric consumers to seek bulk power purchase rates; and

WHEREAS, the County of Sullivan is familiar with the rate savings that can be achieved through energy aggregation because of the County's participation in Municipal Electric and Gas Association (MEGA); and

WHEREAS, the Legislature believes CCA programs have the potential to lower residential and commercial electric rates throughout the county; and

WHEREAS, Sullivan Alliance for Sustainable Development (SASD) has prepared a CCA application for submission to the Public Service Commission and has sought the Legislature's willingness to participate in a county-wide pilot project; and

WHEREAS, on June 18, 2015 the Legislature adopted Resolution 262-15, which provided the opportunity for SASD to present the specific details of its proposed application, and SASD has now done so.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Legislature supports SASD's application to the PSC for a county-wide CCA pilot; and

BE IT FURTHER RESOLVED, the County of Sullivan shall not incur any expense in relation to SASD's application before the PSC; and

BE IT FURTHER RESOLVED that if an electric rate that is lower than or equal to the average last twelve month rate cannot be negotiated through the Sullivan County CCA, that this resolution shall be null and void; and

BE IT FURTHER RESOLVED that, upon the PSC's approval of SASD's application, the Legislature shall, subject to legal authority and requirements, undertake its obligations to pursue a CCA program in the County, including the request for necessary data from utilities, the passage of a local law and assistance with the creation of a CCA corporate entity; and

BE IT FURTHER RESOLVED that, upon approval of the SASD application, the County Manager is hereby authorized to sign agreements to bring the CCA to fruition, subject to approval by the County Attorney's office.

Moved by _____, seconded by _____, put to a vote, unanimously carried and declared duly adopted on motion dated September 2015.

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO CREATE A POSITION IN THE OFFICE FOR THE AGING

WHEREAS, the Office for the Aging has been awarded grant monies through the NYCONNECTS Expansion and Enhancement Allocation required by the Federal Balancing Incentive Program (BIP) authorized under the Affordable Care Act, in the amount of \$269,315.00 for the period 04-01-14 to 12-31-16,

WHEREAS, the purpose of BIP is to expand the capacity of the NYCONNECTS program and enhance functionality, and

WHEREAS, the BIP Program Standards require maintaining qualified staff in sufficient number to implement the enhanced NYCONNECTS core functions, and

WHEREAS, the Point of Entry Coordinator works without support staff administering the program, performing the core functions, chairing the advisory board, and complying with funding requirements from multiple grants, and

WHEREAS, the workload has continued to increase, and

WHEREAS, due to this workload increase there is a need for an Assistant to the Point of Entry Coordinator in the Office for the Aging, and

WHEREAS, this position will be fully funded by BIP.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation and filling of the position of Point of Entry Assistant in the Office for the Aging at Grade VII of the Teamsters Local 445 salary schedule, and

BE IT FURTHER RESOLVED, that this position will be abolished if the funding is no longer available.

Moved by _____,
Seconded by _____,
And adopted on motion _____, 2015.

9.

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE COUNTY
MANAGER TO EXECUTE AGREEMENTS WITH NEW YORK AND OTHER STATE OR COMMONWEALTH
APPROVED FOSTER CARE RELATED SERVICE PROVIDERS**

WHEREAS, the County of Sullivan, through the Department of Family Services, is mandated to make available Foster Care related services as needed for children/youth; and

WHEREAS, various New York State and other State or Commonwealth approved providers are capable and willing to enter into agreement to provide Foster Care services for Sullivan County children/youth at State or Commonwealth approved rates; and

WHEREAS, certain New York State and other State or Commonwealth approved providers are additionally capable and willing to provide New York State Office of Children and Family Services (OCFS) allowable designated program activities, including aftercare services, during the trial discharge phase to be provided to the child and family for the duration of the aftercare period when the child remains in the care and custody of a local social services official during a period of aftercare/trial discharge to be paid at a per diem rate as the need arises; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute Agreements with New York State and other State or Commonwealth approved Foster Care related service providers for Sullivan County youth during the period from July 1, 2015 through June 30, 2016; and

BE IT FURTHER RESOLVED, these contracts are at the County's discretion, subject to annual appropriation; and

BE IT FURTHER RESOLVED, the maximum of these contracts will not exceed the Department of Family Services budgeted amount for foster care related services; and

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

Moved by _____,

Seconded by _____,

and adopted on motion _____, 2015

10