

## **FULL BOARD ADDENDUM**

**June 15, 2017 at 2:00PM**

### **I. RESOLUTIONS:**

1. Set Public Hearing for a proposed local law to impose the Wireless Communications Surcharges
2. Create five (5) Deputy Sheriff positions in the Sheriff's Office
3. Set the salary for Investigator position in the Sullivan County District Attorney's Office
4. Create one Senior Community Services Employment Program Worker
5. Authorize the reclassification of a Crew Leader to Senior Crew Leader for CWD
6. Amend the agreement with LaBella Associates DPC with respect to the new Sullivan County Jail
7. Modify Resolution No. 469-16 regarding Elan Planning, Design and Landscape Architecture, PLLC
8. Authorize the acceptance of a SEQRA Determination for the remaining Sullivan County Greater Catskills Flood Remediation Program Project
9. Execute Subordination Agreement, Mortgage satisfactions and other post-closing documents in connection with New York State Home Program Grant
10. Modify resolution no. 23-15 appointing Otto as NYSEG Representative
11. Accept NYSDOT Aviation Capital Agreement for the design of the Transient Aircraft parking Apron Extension at the SCIA
12. Accept NYSDOT Aviation Capital Agreement for design and construction to replace guidance signs and MITL at SCIA
13. Authorize Sullivan County Office for the Aging to apply for and accept the NY CONNECTS Expansion and Enhancement Allocation
14. Authorize the acceptance of the Labor Shed and Large Scale Economic Development Impact Study
15. Authorize agreement with the Workforce Development Board of Sullivan, Inc for the provision of one stop operator services under the Workforce Innovation and Opportunity Act
16. Authorize modification with Sullivan County BOCES to provide services under the Workforce Innovation and Opportunity Act

17. Convey LI 46.-1-40.2 to the Town of Liberty
18. Include past service performed by certain county employees as Acting Department Heads to qualify for a salary increase
19. Request the assistance of the District Attorney and the United States Attorney to determine whether there was undue influence in a federal litigation brought against the Sullivan County Board of Elections

**RESOLUTION NO. \_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO SET  
A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO IMPOSE THE WIRELESS  
COMMUNICATIONS SURCHARGES PURSUANT TO TAX LAW § 186-G**

**WHEREAS**, there has been introduced and presented at a meeting of the Sullivan County Legislature held on June 15, 2017 a proposed Local Law to “Impose the Wireless Communications Surcharges Pursuant to Tax Law § 186-g”.

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held on said proposed Local Law by the Sullivan County Legislature on July 20, 2017 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** \_\_\_\_\_, 2017.

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 June 15, 2017, a proposed Local Law to "Impose the Wireless Communications Surcharges Pursuant to Tax Law § 186-g".

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 July 20, 2017 at 1:50 p.m. at which time all persons interested will be heard.

DATED: June 15, 2017  
Monticello, New York

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

1A

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO CREATE FIVE (5) DEPUTY SHERIFF POSITIONS IN THE SHERIFF'S OFFICE**

**WHEREAS**, the Sullivan County Sheriff has requested that five (5) Deputy Sheriff positions be created in the Sheriff's Office; and

**WHEREAS**, in an effort to enhance public safety in Sullivan County as well as meet the staffing needs of the Sullivan County Sheriff's Office, the Sheriff wishes to create five (5) Deputy Sheriff positions; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of five (5) Deputy Sheriff positions in the Sheriff's Office.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2017.







**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
AUTHORIZE AN AMENDMENT TO THE AGREEMENT WITH LABELLA  
ASSOCIATES, D.P.C. WITH RESPECT TO THE NEW SULLIVAN COUNTY JAIL**

**WHEREAS**, pursuant to Resolution 8-06, the County of Sullivan entered into an agreement with LaBella Associates, D.P.C. (“LaBella”) for architectural services related to the siting and building of a new jail complex; and

**WHEREAS**, pursuant to Resolution 192-15, the agreement was amended to reflect additional design services that were required but not specifically included in the original agreement; and

**WHEREAS**, since 2006, LaBella has been asked to engage in a variety of additional services to accommodate final determinations made with regard to the jail site including, but not limited to, bid alternate design work and off-site utility design, and

**WHEREAS**, in an effort to address the practical needs of the County as well as aspects of off-site utility design to accommodate the needs of the Village of Monticello, additional services are required.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute a modification agreement with LaBella, to reflect a scope of services for the additional off-site utility design work to complete the new Sullivan County Jail project which work is to include a Topographic Land Survey, Utility Survey, Right Of Way survey and related deliverables, in an amount not to exceed \$36,859.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2017.

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RESOLUTION NO.        INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY RESOLUTION NO.  
469-16

**WHEREAS**, pursuant to Resolution No. 198-16, the Sullivan County Legislature authorized the preparation and submission of a Rural Business Development Grant (RBDG) application to fund a Gateway Study for the Route 17 Corridors in Monticello/Thompson for Sullivan County; and

**WHEREAS**, on July 06, 2016, in response to the grant application, the County was awarded two USDA Rural Business Development Grants totaling \$67,614.00 to conduct the Gateway Study; and

**WHEREAS**, pursuant to Resolution No. 469-16, the Sullivan County Legislature authorized the award and execution of a contract with Elan Planning, Design & Landscape Architecture, PLLC, to conduct the Gateway Study in the amount of \$69,436.90, as per the firm's proposal submitted in response to the RFP; and

**WHEREAS**, additional services were requested for the development of design site plans that are beyond the scope of the original contract and are in the amount of \$1,800.00; and

**WHEREAS**, additional services were requested for travel to and from the project location that are beyond the scope of the original contract and are in the amount of \$1,071.00; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the County Manager to execute a contract modification with Elan Planning, Design & Landscape Architecture, PLLC, in an amount not to exceed total project budget of \$72,307.90, said contract to be in such form as the County Attorney shall approve.

Moved by        , seconded by        , put to a vote with

7

**RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE AUTHORIZING THE ACCEPTANCE OF A SEQRA DETERMINATION FOR THE REMAINING SULLIVAN COUNTY GREATER CATSKILLS FLOOD REMEDIATION PROGRAM PROJECT**

**WHEREAS**, pursuant to Resolution No. 131-09 which authorized the Sullivan County Legislature to act as the Lead Agency for the SEQRA of the Greater Catskills Flood Remediation Program; and

**WHEREAS**, pursuant to Resolution No. 252-09 a SEQRA determination was made by the County in regard to the Greater Catskills Flood Remediation Program, said determination did not include a parcel at 967 Callicoon Center Road, Callicoon Center (“Subject Parcel”); and

**WHEREAS**, the Greater Catskills Flood Remediation Program is deemed an Unlisted Action under Article 8 of the Environmental Conservation Law, regulations 6 NYCRR Part 617; and

**WHEREAS**, the Division of Planning and Environmental Management has completed Part II of the Short Environmental Assessment Form (EAF) for Unlisted Actions on the Subject Parcel and has deemed that the inclusion of Subject Parcel to the Greater Catskills Flood Remediation Program project does not exceed any Type I threshold in 6 NYCRR, Part 617.4; and

**WHEREAS**, the Division of Planning and Environmental Management, pursuant to Part II of the EAF short form, determines that the inclusion of Subject Parcel to the Greater Catskills Flood Remediation Program project will not have potential adverse environmental impacts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature as lead agency determines that the proposed action will not have a significant environmental impact and a Draft Environmental Impact Statement is not required; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the Sullivan County Legislature in accordance with SEQRA declares a negative declaration in regard to the Greater Catskills Flood Remediation Program project located at 967 Callicoon Center Road, Callicoon Center.

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

A handwritten signature, possibly the name 'J. G.', written in black ink.

**RESOLUTION NO.: \_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE SUBORDINATION AGREEMENT, MORTGAGE SATISFACTIONS AND OTHER POST-CLOSING DOCUMENTS IN CONNECTION WITH NEW YORK STATE HOME PROGRAM GRANT**

**WHEREAS**, pursuant to Resolution No.: 308-09, the County of Sullivan accepted a grant from New York State HOME Program from the New York State Division of Housing and Community Renewal (“DHCR”) to provide funding for moderate rehabilitation of rental housing units;

**WHEREAS**, pursuant to the aforementioned resolution, the County of Sullivan entered into the New York State Home Program State Recipient Agreement, dated as of October 1, 2009, between the Count of Sullivan and the New York State Housing Trust Fund Corporation;

**WHEREAS**, the County of Sullivan’s Division of Planning and Environmental Management administered the HOME Program with respect to qualified recipients whereby recipients were loaned money for certain eligible improvements and would execute mortgages in favor of the County of Sullivan as security for said loans;

**WHEREAS**, as of 2013 unallocated funds remained in HOME Program, and the Division requested DHCR’s Office of Community Renewal (“OCR”) to reallocate the remaining funds to a modified program aimed at low- and moderate-income homeowner rehabilitations and said request was granted by OCR;

**WHEREAS**, pursuant to Resolution No.: 171-13, the County of Sullivan executed an Sub-Grantee Agreement with Rural Sullivan County Housing Corporation (“RSHCO”) dated January 16, 2013, whereby RSHCO provided program delivery and administration for the reallocated funds the “HOME Program”;

**WHEREAS**, pursuant to HOME Program, RSHCO entered into various project agreements with qualified home owners whereby the homeowners were loaned money for certain eligible home improvements and would execute mortgages in favor of the County of Sullivan as security for said loans; and

**WHEREAS**, in connection with the HOME Program, the County of Sullivan is asked, from time to time, to execute post-closing documents, including but not limited to subordination agreements and mortgage satisfactions, in connection with said mortgages.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to execute subordination agreements, mortgage satisfactions and any other post-closing documents required to be signed by the County of Sullivan, each in such form as the County Attorney shall approve.

**Moved by:** \_\_\_\_\_;  
**Seconded by:** \_\_\_\_\_;  
**and adopted on motion dated:** \_\_\_\_\_, 2017

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**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY  
RESOLUTION NO. 23-15 BY APPOINTING A NEW NYSEG REPRESENTATIVE TO  
THE VOTING MEMBERSHIP OF THE SULLIVAN COUNTY ELECTRICAL  
LICENSING BOARD**

**WHEREAS,** on January 22, 2015, the Legislature adopted Resolution 23-15 appointing members to the Sullivan County Electrical Licensing Board, and

**WHEREAS,** an email was received from Ms. Cindy Waasdorp(NYSEG Representative) indicating she could no longer serve as she travels from Rochester, New York.

**NOW, THEREFORE, BE IT RESOLVED,** that pursuant to §103-3 of the Sullivan County Code, the following person is appointed to the Sullivan County Board of Electrical Licensing replacing Cindy Waasdorp and No. 347-14 will be modified to include his Term Expiration which are now set next to his name:

**Voting Member Appointees**

**Term Expires**

NYSEG Representative Mark Otto  
(Replacing Cindy Waasdorp)

December 31, 2017

**RESOLUTION NO.                    INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
ACCEPT NYSDOT AVIATION CAPITAL AGREEMENT FOR THE DESIGN OF THE  
TRANSIENT AIRCRAFT PARKING APRON EXTENSION AT THE SULLIVAN  
COUNTY INTERNATIONAL AIRPORT (SCIA).**

**WHEREAS**, Sullivan County has received grants from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following projects at Sullivan County International Airport:

Transient Aircraft Parking Apron Extension (Design).  
FAA AIP Project No. 3-36-0060-XX-2017

**WHEREAS**, the New York State Department of Transportation is offering a matching grant to the federal grants for 50% of the non-federal share of eligible costs; and

**WHEREAS**, Sullivan County has committed funds for the local share of project costs. Funding shares for project costs are as follows:

Transient Aircraft Parking Apron Extension (Design)	
Federal	\$ 68,940
State	\$ 3,830
Local	\$ 3,830
Total Project Cost	\$ 76,600

**WHEREAS**, if Sullivan County and/or the FAA notifies the NYSDOT that Sullivan County has requested and received an increase in federal funding for a project based on increased eligible costs, and has authorized the proportionate increase in local funding, the New York State share noted above shall be increased proportionately up to a maximum increase of 15%.

**NOW, THEREFORE, BE IT RESOLVED** that Sullivan County enter into an agreement with the State of New York for financial assistance for the project described above at Sullivan County International Airport; and

**BE IT FURTHER RESOLVED**, that 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 / contract; to execute all necessary documents on behalf of Sullivan County with NYS in connection with the projects; and to administer the funding secured, in such form as the County Attorney shall approve; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the projects; and

**BE IT FURTHER RESOLVED**, that should the Aviation Capital Agreement 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,

2017.

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**RESOLUTION NO.                    INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
ACCEPT NYSDOT AVIATION CAPITAL AGREEMENT FOR DESIGN AND  
CONSTRUCTION TO REPLACE GUIDANCE SIGNS AND MITL AT THE SULLIVAN  
COUNTY INTERNATIONAL AIRPORT (SCIA)**

**WHEREAS**, Sullivan County has received grants from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following projects at Sullivan County International Airport; and

Replace Guidance Signs and MITL (Design /Construction)  
FAA AIP Project No. 3-36-0060-XX-2017

**WHEREAS**, the New York State Department of Transportation is offering a matching grant to the federal grants for 50% of the non-federal share of eligible costs; and

**WHEREAS**, Sullivan County has committed funds for the local share of project costs. Funding shares for project costs are as follows:

Replace Guidance Signs and MITL (Design/Construction)	
Federal	\$ 733,351.68
State	\$ 40,741.76
Local	\$ 40,741.76
Total Project Cost	\$ 814,835.20

**WHEREAS**, if Sullivan County and/or the FAA notifies the NYSDOT that Sullivan County has requested and received an increase in federal funding for a project based on increased eligible costs, and has authorized the proportionate increase in local funding, the New York State share noted above shall be increased proportionately up to a maximum increase of 15%.

**NOW, THEREFORE, BE IT RESOLVED** that Sullivan County enter into an agreement with the State of New York for financial assistance for the project described above at Sullivan County International Airport; and

**BE IT FURTHER RESOLVED**, that 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 / contract; to execute all necessary documents on behalf of Sullivan County with NYS in connection with the projects; and to administer the funding secured, in such form as the County Attorney shall approve; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the projects; and

**BE IT FURTHER RESOLVED**, that should the Aviation Capital Agreement 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, 2017

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**RESOLUTION \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE**

**RESOLUTION TO AUTHORIZE THE SULLIVAN COUNTY OFFICE FOR THE AGING TO APPLY FOR AND ACCEPT THE NY CONNECTS EXPANSION AND ENHANCEMENT ALLOCATION (*FEDERAL BALANCING INCENTIVE PROGRAM – BIP*) IN THE AMOUNT OF \$259,956.00 FOR THE PERIOD 1/1/17 TO 3/31/18.**

**WHEREAS**, the allocation will allow the SULLIVAN NYCONNECTS Program (“Program”) to meet the requirements of the federal Balancing Incentive Program (*BIP*); and

**WHEREAS**, there is no matching funds requirement to the allocation; and

**WHEREAS**, the Sullivan County Office for the Aging as the administrator of the Program will collaborate with the County’s Division of Health & Family Services and with other partnering agencies; and

**WHEREAS**, implementation of the three (3) required structural changes in the Program will allow SULLIVAN NYCONNECTS to assist individuals of any age or disability who need long term services and support, as well as their caregivers and professionals.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the Director of the Office for the Aging, the County’s authorized representative (*as required by the funding source*) to execute any and all necessary documents to submit the NY Connects Expansion and Enhancement allocation application and to accept the awarding of funds, in such form as the County Attorney’s Office shall approve; and

**BE IT FURTHER RESOLVED**, that should the BIP allocation 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, 2017**



**RESOLUTION NO.      INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
AUTHORIZE AN AGREEMENT WITH THE WORKFORCE DEVELOPMENT BOARD OF  
SULLIVAN INC FOR THE PROVISION OF ONE STOP OPERATOR SERVICES UNDER  
THE WORKFORCE INNOVATION AND OPPORTUNITY ACT.**

**WHEREAS**, the Workforce Investment and Opportunity Act (“WIOA”) requires a One Stop Operator to coordinate the delivery of services by the required One Stop system partners and service providers, and

**WHEREAS**, the WIOA Section 121(d)(2)(a) requires that the One Stop Operator be selected through a competitive process, and

**WHEREAS**, Purchasing and Central Services issued a Request for Proposal, RFP #17-07, and there were no respondents, and

**WHEREAS**, the Workforce Development Board and the County agree that the functions of the One Stop Operator will be performed by the Center for Workforce Development at an amount not to exceed \$3,000, and

**WHEREAS**, the agreement will be effective from July 1, 2017 through June 30, 2018 with the option of annual renewals through June 30, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to enter into an agreement with the Workforce Development Board as described above. Said agreement to be in form approved by the County Attorney.

**Moved by** \_\_\_\_\_ , **seconded by** \_\_\_\_\_ , put to a vote, unanimously carried and **declared duly adopted on motion**

15

**RESOLUTION NO.      INTRODUCED BY THE EXECUTIVE COMMITTEE  
TO AUTHORIZE A MODIFICATION AGREEMENT BETWEEN THE COUNTY  
OF SULLIVAN AND SULLIVAN COUNTY BOCES TO PROVIDE SERVICES  
UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT.**

**WHEREAS**, the Center for Workforce Development is responsible for the administration and implementation of the federal Workforce Innovation and Opportunity Act ("WIOA") Title 1B Youth funds, and

**WHEREAS**, the WIOA Section 123 requires that local provisions of education, employment and training services to youth be competitively bid, and

**WHEREAS**, Purchasing and Central Services issued a Request for Proposal, RFP #16-09 and Sullivan County BOCES submitted the successful proposal to provide Occupational Skills Training, Tutoring and Study Skills Training, and Basic Skills Upgrade and High School Equivalency training to WIOA enrolled youth, and

**WHEREAS**, Sullivan County BOCES has been providing these services pursuant to an Agreement dated May 1, 2016 authorized by Resolution #238-16 ("Original Agreement"). The Original Agreement is for a total amount not to exceed \$50,000 and is set to expire on June 30, 2017, and

**WHEREAS**, the Center for Workforce Development has reviewed and determined that it is to the best interest of the County to extend this Contract to allow for additional training with an extension of the original agreement through June 30, 2018 with the total amount still not to exceed \$50,000.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute an extension agreement with Sullivan County BOCES as described above. Said agreement to be in form approved by the County Attorney.

**BE IT FURTHER RESOLVED**, that the above agreement will be contingent upon the County receiving the necessary Federal allocations.

**Moved by** \_\_\_\_\_ , **seconded by** \_\_\_\_\_ , put to a vote, unanimously carried and declared duly adopted on motion

16

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO CONVEY PROPERTY ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2015 LIEN YEAR IN THE TOWN OF LIBERTY KNOWN AS LI46.-1-40.2**

**WHEREAS**, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as Liberty 46.-1-40.2, being 30.00 x 125.20 +/- feet, located on State Route 55 is owned by the County of Sullivan by virtue of an Article 11 foreclosure for 2015 taxes; and

**WHEREAS**, The Town of Liberty has offered to purchase said property for the amount of delinquent taxes owed to the county and

**WHEREAS**, it is in the best interest of the County of Sullivan to sell this parcel to Town of Liberty for the amount of delinquent taxes owed to the county this piece of property will be beneficial to the community and the town 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 Town of Liberty upon payment of amount of delinquent taxes owed to the County, plus fees for the County Clerk, and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, if any.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2017.

17

**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO INCLUDE PAST SERVICE PERFORMED BY CERTAIN COUNTY EMPLOYEES AS ACTING DEPARTMENT HEADS TO QUALIFY FOR A SALARY INCREASE.**

**WHEREAS**, Resolution No. 193-07 adopted by the Sullivan County Legislature (“Legislature”) on April 26, 2007, enacted a policy to authorize a compensation increase for designated department head deputies who, upon a vacancy in the office, perform the duties of a department head for more than ninety (90) consecutive days, and

**WHEREAS**, the policy provides for a deputy department head to be paid the budgeted salary of the department head and for the compensation to be retroactive to day one of performing such services, and

**WHEREAS**, Resolution No. 242-17 adopted by the Legislature on May 18, 2017, expanded the above-mentioned policy to include all managerial officers, officials or employees (hereafter, “Managerial Officer”) regardless of the title or position they hold, and

**WHEREAS**, there are times when a Managerial Officer has been asked to step into the position of a vacant department head for periods of time that never reach the consecutive ninety (90) day threshold, and the Legislature now seeks to expand the opportunities to qualify for additional compensation.

**NOW THEREFORE BE IT RESOLVED**, the policies previously adopted by the Legislature by resolutions 193-07 and 242-17 are further amended as follows:

1. Separate from the qualifications set forth in the prior resolutions, there are times when the ninety (90) day requirement for a Managerial Officer to perform the duties of a department head may be met by an accumulation of said ninety (90) days over the four (4) year period prior to the then current request to act.
2. The accumulation of said ninety (90) days shall be confirmed by the County Manager and the Human Resources Director/Personnel Officer.
3. Notwithstanding the retroactive accumulation of time for purposes of qualification, the increase in compensation to the Managerial Officer who qualifies under the terms of this Resolution shall not be retroactive to any period of time after which the Managerial Officer qualified, but shall be effective on the first day the Managerial Officer acts as a department head pursuant to a then-current request.
4. The remaining terms and conditions in the policy adopted by the Legislature on April 26, 2007 and amended on May 18, 2017 shall remain in full force and effect.
5. This amendment to the policy shall take effect immediately.

Moved \_\_\_\_\_

18

**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY CATHERINE OWENS, LEGISLATOR, DISTRICT 4, TO REQUEST THE ASSISTANCE OF THE DISTRICT ATTORNEY AND UNITED STATES ATTORNEY TO DETERMINE WHETHER THERE WAS UNDUE INFLUENCE IN A FEDERAL LITIGATION BROUGHT AGAINST THE SULLIVAN COUNTY BOARD OF ELECTIONS.**

**WHEREAS**, on March 9, 2015, numerous plaintiffs, including Moshe Smilowitz, filed a federal lawsuit against the Sullivan County Board of Elections, Commissioner Ann Prusinski and Commissioner Rodney Gaebel, claiming alleged discrimination regarding voter registrations in the Village of Bloomingburg, (“Civil Case”), and

**WHEREAS**, in an effort to limit ongoing expenses of a federal litigation, including discovery and trial, the parties entered into a formal settlement, as a Consent Decree, so-ordered by the Federal District Judge on February 1, 2016, and

**WHEREAS**, as part of the Consent Decree, the defendants agreed to remit payment of a sum of money to the plaintiffs and as well as to the plaintiffs’ law firm, and voluntarily agreed to undertake certain actions that they were not otherwise legally required to undertake, and

**WHEREAS**, in December 2016 the United States Attorney filed criminal charges against Shalom Lamm, Kenneth Nakdimen and Volvy Smilowitz for conspiracy to defraud the United States in an election in the Village of Bloomingburg, and

**WHEREAS**, Kenneth Nakdimen and Shalom Lamm have pled guilty to Conspiracy to Corrupt the Electoral Process in the Village of Bloomingburg, and

**WHEREAS**, the Sullivan County Legislature previously expressed concern over the criminal charges and now desires to learn whether there is any relationship between the criminal matters and the federal Civil Case against the Board of Elections.

**NOW THEREFORE BE IT RESOLVED**, the Sullivan County Legislature hereby requests the County Attorney, District Attorney and United States Attorney to conduct or continue any investigation necessary to determine whether the actions of the criminal defendants were related to, interfered with, or otherwise undermined the federal Civil Case litigation process.

Moved \_\_\_\_\_