

FULL BOARD ADDENDUM September 19, 2017 at 11:30AM

I. RESOLUTIONS:

- 1. Set Public Hearing for 10/19/17 at 1:30PM for Electrical Licensing Local Law amendments
- 2. Set Public Hearing for 10/19/17 at 1:50PM for Amendments to the Sullivan County Code
- 3. Authorize reclassification of the E&T Data Management Specialist to CWD Projects Coordinator for Center for Workforce Development
- 4. Authorize Consent Order with the NYS DEC
- 5. Approve a Sullivan County Revolving Loan for Winterton Farms
- 6. Authorize Round 2 contracts for the 2017 Plans and Progress Small Grants
- 7. Modify Resolution No. 201-17
- 8. Convey TH 2.-1-22 to Mkryan
- 9. Authorize contract with Tyler Technologies, Inc., for maintenance and support services for licensed software
- 10. Authorize contract amendment with LaBella Associates regarding the new Sullivan County Jail
- 11. Authorize IMA with the Villages of Bloomingburg, Jeffersonville, Liberty, Monticello, Woodridge and Wurtsboro
- 12. Authorize retainer agreement with Richard Stoloff, Esq.
- 13. Authorize contract with Millennium Pipeline Company, LLC to offset the expense of testing air, water and noise in the vicinity of the Highland Compressor Station
- 14. Exempt the associated costs of specific site work at the jail site from the Change Order Policy
- 15. Confirm appointment of Rick Sauer to Public Safety Commissioner II. PUBLIC COMMENT

RESOLUTION NO.: ____ INTRODUCED BY EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO AMEND CHAPTER 103 OF THE SULLIVAN COUNTY CODE ENTITLED "ELECTRICAL LICENSING

WHEREAS, there has been introduced at a meeting of the Sullivan County Legislature held on July 17, 2014 a proposed amendment to chapter 103 of the Sullivan County Code entitled "Electrical Licensing."

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on <u>October 19, 2017</u> at <u>1:30 PM</u>, 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

COUNTY OF SULLIVAN

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid on proposed amendment to Chapter 103 of the Sullivan County Code entitled "Electrical Licensing" at the Legislature's Hearing Room, County Government Center, Monticello, New York, 12701, on October 19, 2017 at 1:30 PM at which time all persons interested will be heard.

DATED: September 19, 2017

ANNMARIE MARTIN, CLERK

Sullivan County Legislature

County of Sullivan, New York

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO AMEND THE SULLIVAN COUNTY CODE TO REORGANIZE THE STRUCTURE OF COUNTY GOVERNMENT

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on September 19, 2017 a proposed Local Law entitled "A Local Law to Amend the Sullivan County Code to Reorganize the Structure of County Government".

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on October 19th, 2017 at 1:50PM, 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 September 19, 2017, a proposed Local Law entitled "A Local Law to Amend the Sullivan County Code to Reorganize the Structure of County Government".

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 October 19th, 2017 at 1:50PM at which time all persons interested will be heard.

DATED: September 19, 2017

ANNMARIE MARTIN Clerk of the Legislature County of Sullivan, New York RESOLUTION NO. INTRODUCED BY THE EXECUTIVE
COMMITTEE TO AUTHORIZE THE RECLASSIFICATION OF THE
EMPLOYMENT AND TRAINING DATA MANAGEMENT SPECIALIST TO
A CWD PROJECTS COORDINATOR FOR THE CENTER FOR
WORKFORCE DEVELOPMENT

WHEREAS, the Center for Workforce Development is responsible for the provision of services to job seekers and businesses, and

WHEREAS, the growth in economic development activity in the County has increased the demand for employment and training services, and

WHEREAS, to respond effectively to these demands the Center for Workforce Development has determined that there is a need for additional staff to work directly with the community, and

WHEREAS, the Center for Workforce Development is seeking to reclassify an Employment & Training Data Management Specialist (Grade VI) position (#1708) to a CWD Projects Coordinator (Grade VIII) position.

NOW, THEREFORE, BE IT RESOLVED, that the position of Employment & Training Data Management Specialist (#1708) be reclassified to a CWD Projects Coordinator.

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

RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE EXECUTION OF A CONSENT ORDER WITH THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, the NYS Department of Environmental Conversation ("DEC") tested several sources of water at and in the vicinity of the Sullivan County International Airport; and

WHEREAS, the results of the testing requires further inquiry; and

WHEREAS, in order to conduct the necessary review and to determine the best method to address any concerns raised, the County of Sullivan ("County") is required to enter into a Consent Order with the DEC; and

WHEREAS, it is in the County's best interest to enter into the Consent Order and to undertake the actions required to address problems and concerns that may arise.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute the Consent Order, subject to approval by the County Attorney's Office, and

BE IT FURTHER RESOLVED, that the Chairman of the Sullivan County Legislature and/or the County Manager are authorized to execute any documents necessary to address the obligations of the County of Sullivan pursuant to the Consent Order, including but not limited to, the hiring of professionals to assist in the determinations and remediation, as necessary.

Moved by:	
Seconded by:	_
and adopted on motion dated:	. 2017.



RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPROVE A SULLIVAN COUNTY REVOLVING LOAN

WHEREAS, the Sullivan County Division of Planning & Environmental Management ("Division") oversees the County Main Street Main Street Business Revolving Loan Funds funded through grants received from the New York Governor's Office of Small Cities; and

WHEREAS, the Division has submitted the loan report to the Sullivan County Revolving Loan Fund Advisory Board; and

WHEREAS, the Advisory Board has considered such loan report and accompanying financial information and approved by majority the loan request listed below contingent upon certain conditions as outlined in the loan commitment letter.

<u>Borrower</u>	<u>Program</u>	<u>Amount</u>
Winterton Farms LLC	Agri-Business Micro Loan	\$34,000.00

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the Division to commence with the loan closing process and to have all the necessary documents executed to secure the loan in such form as approved by the County Attorney; and

BE IT FURTHER RESOLVED, that the Sullivan County Treasurer is hereby authorized to draw checks for the borrower in the amount indicated above.

RESOLUTION NO. -17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE ROUND 2 CONTRACTS FOR THE 2017 PLANS AND PROGRESS SMALL GRANTS PROGRAM

WHEREAS, the Sullivan County Legislature allocated \$100,000 in the FY 2017 budget to be distributed to local communities, non-profits and civic-organizations through the Plans and Progress Small Grants program; and

WHEREAS, the program is designed to accept applications on a rolling basis with periodic reviews; and

WHEREAS, the program review committee assessed recent applications and presented its recommendations to the Sullivan County Legislature;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature approves the projects listed in the attached Schedule A and the disbursement of the associated funds, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the County Manager to enter into contracts with these award recipients for these projects upon meeting the guidelines of the Plans and Progress small grants program, said contracts to be in a form approved by the County Attorney.

Moved by	, Seconded by	, put to	a vote,	, unanimously	carried and
declared duly adopte	ed on motion				



Schedule A: Round 2 Plans & Progress Program Recommendation Awards

Applicant	Town	Applicant District	District(s) of Project Impact	Project	Award Recommendation
B.A.T.S.	Liberty	6	6, County	Improve access to the new transitional housing for homeless veterans by replacing the sidewalk and repairing the steps and walkway	\$10,000
Town of Fallsburg	Fallsburg	7	7	Morningside Park Swing Set Initiative	\$1,670
Town of Fallsburg	Fallsburg	7	7	Morningside Park Floating Dock Initiative	\$1,920
Nesin Cultural Arts	Liberty	9	9, County	Sullivan County Chamber Orchestra: "Exploring Our Home" CD/Book Set	\$10,000



RESOLUTION NO. RESOLUTION 201-17

INTRODUCED BY THE EXECUTIVE COMMITTEE TO MODIFY

WHEREAS, the Sullivan County Adult Care Center has hired a Marketing Outreach Coordinator effective September 25, 2017; and

WHEREAS, the Marketing Outreach Coordinator is responsible for all Admissions and Marketing for the Adult Care Center; and

WHEREAS, the Adult Care Center wishes to retain the incumbent to allow for training of the new employee for a period of eight days;

NOW, THEREFORE, BE IT RESOLVED, that the Marketing Outreach Coordinator be retained for a period of eight days effective September 25,2017.

Moved by	
Seconded by	
And adopted on motion	2017

Resolution	No.

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 THOMPSON KNOWN AS TH2.-1-22

WHEREAS, property located on Town Park Rd. in the Town of Thompson and designated on the Sullivan County Real Property Tax Map as TH2.-1-22, being 1.50 +/-acres, is owned by the County of Sullivan by virtue of an Article 11 foreclosure for 2015 taxes, and

WHEREAS, there was a successful bidder for the property at the June 2017 Auction, however, the bidder chose not to finalize the sale. The property was thereafter offered to the second bidder who declined the option to purchase the property, and

WHEREAS, Khachatur Mkryan, the original owner of the property in question, has offered to purchase said property for the sum of THIRTY FIVE THOUSAND (\$35,000.00) DOLLARS provided that the purchase price **must** be paid in full on or before September 22, 2017, and

WHEREAS, it is in the best interest of the County of Sullivan to sell this parcel to Khachatur Mkryan, for the sum of THIRTY FIVE THOUSAND (\$35,000.00) DOLLARS, and

WHEREAS, the purchaser will also be responsible for the recording fees and any other applicable charges, including, but not limited to, omitted or pro-rata taxes and 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 **Khachatur Mkryan** upon payment of \$35,000.00 to the County Treasurer on or prior to September 22, 2017, together with recording fees for the County Clerk and any other applicable charges, including but not limited to, omitted or pro-rata taxes and water and sewer charges, if any.

Moved by	,
Seconded by	,
and adopted on motior	, 2017.



Resolution	No.	

RESOLUTION INTRODUCED BY THE EXCEUTIVE COMMITTEE TO AUTHORIZE CONTRACT WITH TYLER TECHNOLOGIES, INC. FOR MAINTENANCE & SUPPORT SERVICES FOR LICENSED SOFTWARE

WHEREAS, the County entered into a Standard Software License and Services Agreement with New World Systems Corporation ("New World") by contract dated August 31, 2005, for software related to human resources and financial management; and

WHEREAS, Tyler Technologies, Inc., with offices at 840 West Long Lake Road, Troy, MI 48098 ("Tyler"), merged with New World effective November 16, 2015, with Tyler as the surviving entity; and

WHEREAS, Sullivan County wishes to enter into a support and maintenance agreement with Tyler for continued services related to human resources and financial management licensed software.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into an agreement with Tyler Technologies, Inc., for the period January 1, 2017 through December 31, 2017, for an amount not to exceed \$96,307.05; and

BE IT FURTHER RESOLVED, that said agreement shall renew automatically for additional one-year terms through December 31, 2021, with each annual amount not to exceed five percent (5%) greater than the total amount for the previous year; and

BE IT FURTHER RESOLVED, that said agreement shall be in such form as the County Attorney shall approve.

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

RESOLUTION INTRODUCTED BY THE EXECUTIVE COMMITTEE TO AUTHOIRZE 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 and Resolution 269-17, 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 including Land Surveys, Civil Design, and Environmental Analyses and to accommodate the needs of the Village of Monticello, additional services are required, and

WHEREAS, the agreed upon modified off-site utility plan will result in millions of dollars of operational cost savings for the County of Sullivan.

NOW, THEREFORE, BE IT RESOLIVED, that the County Manager is hereby authorized to execute a modification agreement with LaBella, to reflect a scope of services for additional off-site utility design work to complete the new Sullivan County Jail project which work is to include Land Survey, Civil Design, associated SEQRA work, Bid Phase Services, and Construction Phase Services and related deliverables, in an amount not to exceed \$87,000.

RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO INTER-MUNICIPAL AGREEMENTS WITH THE VILLAGE OF BLOOMINGBURG, VILLAGE OF JEFFERSONVILLE, VILLAGE OF LIBERTY, VILLAGE OF MONTICELLO, VILLAGE OF WOODRIDGE AND THE VILLAGE OF WURTSBORO

WHEREAS, the Village of Bloomingburg, Village of Jeffersonville, Village of Liberty, Village of Monticello, Village of Woodridge and the Village of Wurtsboro ("Villages") have requested that the County of Sullivan ("County") aid them in the enforcement of their delinquent real property taxes; and

WHEREAS, the County, through the offices of the County Treasurer, Real Property Tax Services and the County Attorney, have the experience and expertise to aid the Villages in the enforcement of their delinquent real property taxes; and

WHEREAS, the County can act as the Villages' agent and commence and complete tax foreclosure proceedings on behalf of the Villages, pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, the County will charge the Villages a reasonable fee for administrative services and will be reimbursed by the Villages for the County's out-of-pocket expenses; and

WHEREAS, in order for the County to act as the Villages' agent and perform the services outlined above it will be necessary for the County and the Villages to enter into Inter-Municipal Agreements ("IMAs").

NOW, THEREFORE, BE IT RESOLVED, that the County Manager, in conjunction with the County Attorney's Office, are hereby authorized to negotiate the terms of the IMAs; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute IMAs with the Villages for a term commencing on November 1, 2017 and terminating on October 31, 2020, with an option to extend for two one year terms, said IMAs to be approved as to form by the County Attorney's Office.

RESOLUTION NO. ____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER AND COUNTY ATTORNEY TO ENTER INTO A RETAINER AGREEMENT WITH RICHARD STOLOFF, ESQ.

WHEREAS, as the County of Sullivan ("County") continues to develop and build its economic community there are times the County needs to build, transfer, buy or sell real property, and

WHEREAS, given the fast pace of projects authorized by the Legislature, from time to time, the County Attorney may require the assistance of outside counsel to prepare documents and represent the County in real estate matters, and

WHEREAS, Richard Stoloff, Esq., is a local attorney who specializes in real estate development, corporate and business law, and municipal law, and

WHEREAS, Mr. Stoloff has offered to represent the County in real estate related matters as the County Attorney requires, and

WHEREAS, Mr. Stoloff is of counsel to the law firm of Blustein, Shapiro, Rich & Barone, LLP and may utilize the law firm in rendering services to the County, and

WHEREAS, Mr. Stoloff has offered to represent the County at a reduced hourly rate of \$175.00, plus additional costs and disbursements, and

WHEREAS, the County Attorney recommends the retention of Richard Stoloff, Esq., for representation in real estate matters, as the situation arises.

NOW THEREFORE BE IT RESOLVED, the County Manager and County Attorney are hereby authorized to enter into a retainer agreement with Richard Stoloff, Esq., at the aforesaid rate, whose representation may include the legal services of Blustein, Shapiro, Rich and Barone, LLP, said agreement shall be in a form approved by the County Attorney.

Moved	
Seconded	
Adopted	



RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A MEMORANDUM OF AGREEMENT WITH MILLENNIUM PIPELINE COMPANY, LLC TO OFFSET THE EXPENSE OF TESTING THE QUALITY OF THE AIR, WATER AND NOISE IN THE VICINITY OF THE HIGHLAND COMPRESSOR STATION.

WHEREAS, the Sullivan County Legislature has taken great interest in the health and wellbeing of County residents; and

WHEREAS, residents and municipalities, especially in the vicinity of the proposed Highland compressor station, raised concerns over the impact of the compressor station on the quality of the air, noise, water and similar habitats; and

WHEREAS, the County of Sullivan, through an RFP process, has engaged the services of KC Engineering and Land Surveying, P.C.to conduct testing in the vicinity of the compressor station for a base line data study; and

WHEREAS, Millennium Pipeline Company, LLC ("Millennium") has represented its willingness to offset the cost of testing undertaken by the County in the vicinity of the Highland compressor station.

NOW, THEREFORE, BE IT RESOLVED, the Legislature accepts the offer of Millennium to offset the expense of the testing to be conducted by KC Engineering and Land Surveying, P.C. on behalf of the County and hereby authorizes the County Manager to enter into a Memorandum of Agreement with Millennium Pipeline Company, LLC with regard to the testing and payment for same, subject to approval by the County Attorney; and

BE IT FURTHER RESOLVED, the cost of services for which Millennium shall be responsible shall not exceed \$67,266.00

Moved by Seconded by and declared duly adopted on motion RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO EXEMPT THE ASSOCIATED COSTS OF SPECIFIC SITE WORK AT THE JAIL SITE FROM THE CHANGE ORDER POLICY AND THE \$1,000,000 CONSTRUCTION CONTINGENCY AND INSTEAD FUND THOSE COSTS WITH FUND BALANCE

WHEREAS, Resolution 428-16, adopted October 20, 2016, authorized an agreement with The Pike Company to provide construction services for the New Sullivan County Jail; and

WHEREAS, the agreement contained a line item for rock excavation and removal and a unit price associated with any additional rock excavation and removal required in anticipation of significant quantities of rock on the project site exceeding the preliminary quantity included in The Pike Company's bid; and

WHEREAS, the agreement with The Pike Company also included a \$1,000,000 construction contingency line; and

WHEREAS, Resolution 431-16, adopted October 20, 2016, created a new change order policy specific for this Jail project; and

WHEREAS, Resolutions 129-17 and 359-17 both authorized change orders, which have been executed and funded by the construction contingency, for rock excavation and removal which exceeded the preliminary quantity amount; and

WHEREAS, Resolution 358-17 authorized a change order, which has been executed and funded by the construction contingency, for additional foundation work which was required due to unsuitable bearing rock conditions; and

WHEREAS, it was not the intent of the Jail change order policy to include the rock excavation and removal or other costs associated with unforeseen rock conditions within the \$1,000,000 construction contingency.

NOW, THEREFORE BE IT RESOLVED, that the rock excavation and removal costs and additional foundation work caused by unsuitable rock conditions, both already executed as change orders in the total amount of \$493,523, associated with the Jail project be exempt from the established change order policy and the \$1,000,000 construction contingency; and

BE IT FURTHER RESOLVED, the costs associated with these specific site work expenses be funded with the Tobacco Fund Balance and all future costs associated with the rock excavation and removal be funded with the Tobacco Fund Balance.

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



RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO CONFIRM THE APPOINTMENT OF RICHARD SAUER AS THE COMMISSIONER OF PUBLIC SAFETY.

WHEREAS, a vacancy has existed in the position of Commissioner of Public Safety since January 1, 2017, and;

WHEREAS, in order to qualify for appointment an applicant for this position must have extensive experience in emergency management and homeland security; and

WHEREAS, this position is responsible to work with law enforcement to make recommendations for and provide guidance to improve the County's response to public safety incidents and to ensure the health and safety of the residents of Sullivan County against terrorist actions and natural disasters; and

WHEREAS, the County has duly advertised to recruit for this position and has had only one qualified applicant submitted in response to these recruitment efforts; and

WHEREAS, Richard Sauer possesses the requisite education, experience, and physical fitness to perform the functions of this position; and

WHEREAS, pursuant to the provisions of Section A7-7of the Sullivan County Administrative Code, Richard Sauer has been appointed by County Manager, Joshua Potosek to the position of Commissioner of Public Safety; and

WHEREAS, pursuant to Section A7-7 of the Sullivan County Administrative Code, the Sullivan County Legislature has the power and duty to confirm the appointment of the Commissioner of Public Safety, made by the County Manager; and

WHEREAS, the confirmation of the appointment of Richard Sauer as Commissioner of Public Safety shall take effect upon agreement between the County Manager and Richard Sauer and Richard Sauer shall serve at the pleasure of the County Manager pursuant to Section A7-7 of the Sullivan County Administrative Code.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby confirms the appointment of Richard Sauer as the Commissioner of Public Safety and sets the salary at \$80,000.00/year.

Moved by	***************************************	
Seconded by		
and adopted on motion	day of	, 2017.

