



AGENDA

Legislative Monthly Meeting for December 21, 2017 at 2:00 PM

Call To Order

Presentation

Communications

Resolutions

1. To Modify the 2017 County Budget
2. To apportion the Mortgage tax
3. Authorize Sullivan County Community College to request matching Funds from the SUNY
4. Lease agreement with a Third Party Land Owner for property with an existing communication tower WHIC
5. Multi-year VMWare Virtual Desktop Finance Documents for County User Desktop delivery Infrastructure
6. To authorize award and execution of a contract with Jane Axamethy DBA the Bake House
7. Authorize a hangar lease
8. USDOT Drug & Alcohol Testing Policy for SC Dept. of Transportation
9. To enter into an agreement with Hudson Transit Lines, Inc. for the provision of Public Transportation
10. To convene a new EMS Advisory Board for a period of two months
11. To Reclassify a Position in the Sullivan County Office for the Aging
12. Appoint member to PHS HSAB - *Addendum Item*
13. PHS Professional Advisory Committee Appointment - *Addendum Item*
14. PHS Appointment to the Health Services Advisory Board - *Addendum Item*
15. Extend Contracts for 90 days - *Addendum Item*
16. Adoption of Revised Social Media Policy - *Addendum Item*
17. Change Order with Pike Co. for Electric Services Change - *Addendum Item*
18. TRANSFER PROPERTY TO THE SULLIVAN COUNTY LAND BANK CORPORATION - *Addendum Item*
19. To authorize the County of Sullivan to enter into a lease for a period not to exceed three years. - *Addendum Item*
20. Establish rates of pay for various services for Coroners - *Addendum Item*
21. Appoint Margaret Prial, MD and Kunjlata Ashar, MD - *Addendum Item*
22. Code-It Consulting Resolution - *Addendum Item*
23. Modify Resolution No. 491-17 to Correct Plans & Progress Grant Recipient Name - *Addendum Item*

24. Authorize contract with Catalog & Commerce Solutions LLC. d/b/a Discover eGov - *Addendum Item*
25. MODIFICATION AGREEMENT WITH BOCES - *Addendum Item*
26. SPACE RENTAL FOR ONE-STOP CENTER - *Addendum Item*
27. To authorize the County of Sullivan to Purchase Property in the Village of Monticello - *Addendum Item*
28. Reappoint Members to the Soil & Water Conservation Board - *Addendum Item*

Addendum**Adjournment**



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Management & Budget Committee

Fr: Janet Young, Commissioner of Management and Budget

Re: To Modify the 2017 County Budget

Date: December 21, 2017

Purpose of Resolution:

To modify the 2017 County Budget

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$

Are funds already budgeted? Yes (budget modifications complete)

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County:

Grant(s):

State:

Other:

Federal Government

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Janet Young Commissioner of Management and Budget

**INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE
2017 COUNTY BUDGET**

WHEREAS, the County of Sullivan Budget requires modification,

NOW, THEREFORE, BE IT RESOLVED, that the attached budgetary transfers for 2017 be authorized.

**November 2017 Budget Modifications (Resolution)
Modifications to the 2017 Sullivan County Budget**

G/L Account	Revenue Increase	Revenue Decrease	Appropriation Increase
A-3410-44-4406 - UTILITY WIRELESS COMMUNICATIONS			740
A-3410-R3389-R201 - ST AID PUBLIC SAFETY FIRE GRANT	740		
A-7610-87-44-4405 - UTILITY PHONE LAND LINES			578
A-7610-87-42-4203 - OFFICE OFFICE SUPPLIES			2,446
A-7610-87-42-4201 - OFFICE ADVERTISING			1,000
A-7610-88-42-4207 - OFFICE FURNITURE			3,011
A-7610-88-45-4510 - SPEC DEPT SUPPLY CLEANING/FOOD PREP			8,777
A-7610-88-45-4541 - SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			1,130
A-7610-88-42-4201 - OFFICE ADVERTISING			1,000
A-7610-88-42-4203 - OFFICE OFFICE SUPPLIES			1,082
A-7610-87-R2705-R338 - GIFT/DONATION OTHER	15,000		
A-7610-88-R2705-R303 - GIFT/DONATION SNAP	15,000		
A-7610-87-42-4207 - OFFICE FURNITURE			10,976
A-1340-41-4104 - AUTO/TRAVEL MILEAGE/TOLLS			600
A-1340-R2210-R134 - GEN SERV OTHR GOV CHARGBK - INTERDEPARTMNTL	600		
A-4050-45-4543 - SPEC DEPT SUPPLY FOOD			4,025
A-4050-R2705-R338 - GIFT/DONATION OTHER	4,025		
A-8020-90-40-4001 - CONTRACT AGENCIES			149,500
A-8020-90-R3989-R167 - ST AID HOME/COMM ASSIST DEPARTMENTAL AID	149,500		
Fund Total	\$ 184,865		\$ 184,865

Attachment: November 2017 reso needed (To Modify the 2017 County Budget)

**Appropriation
Decrease**



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Management & Budget Committee

Fr: Thomas Lemmerman, FAO

Re: Mortgage tax

Date: December 21, 2017

Purpose of Resolution:

<Insert detailed statement and justification here>

Is subject of Resolution mandated? Explain:

<Insert Explanation Here>

Does Resolution require expenditure of funds? Yes/No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$<Insert Amount Here>

Are funds already budgeted? Yes/No

If "Yes" specify appropriation code(s): <Insert Code(s) Here>

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$<Insert Amount Here>

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government:\$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Thomas Lemmerman FAO

APPORTION THE MORTGAGE TAX

WHEREAS, <Section 261 of the Tax Law of the State of New York requires apportionment of the mortgage tax,> and

WHEREAS, <the County Clerk and the County Treasurer have submitted a quarterly report, for the period of July 2017 to September 2017, to the Clerk of the Legislature>; and

WHEREAS, <The County Legislature has apportioned, among the various Towns and incorporated Villages of the County of Sullivan, the equitable share of the mortgage tax>;

WHEREAS <Insert Info Here>

NOW, THEREFORE, BE IT RESOLVED, <that the County Treasurer draw checks for each of the Towns and Villages the quarterly mortgage tax so apportioned, as follows>:

TOWNS	
Bethel	37,324.66
Callicoon	8,202.86
Cochecton	3,811.27
Delaware	11,885.54
Fallsburg	23,731.64
Forestburgh	3,019.80
Fremont	4,274.65
Highland	15,485.84
Liberty	24,095.42
Lumberland	9,689.41
Mamakating	49,239.82
Neversink	9,901.81
Rockland	13,824.17
Thompson	48,207.02
Tusten	5,493.21
VILLAGES	
Bloomington	1,287.80
Jeffersonville	521.95
Liberty	4,360.77
Monticello	5,487.39
Woodridge	828.02
Wurtsboro	2,055.53
TOTAL	282,728.58

Mortgage Tax Distribution
7/17 to 9/17

Town	Town Assessed Value	Double Town Assessed Value	Village	Village Assessed Value	Village %	Total Distribution	Village Share	Town Share
Callicoon	239,534,190	479,068,380	Jeffersonville	28,659,673	0.059823763	8,724.81	521.95	8202.86
Fallsburg	878,197,176	1,756,394,352	Woodridge	59,216,245	0.033714664	24,559.66	828.02	23731.64
Liberty	605,405,819	1,210,811,638	Liberty	185,550,704	0.153244896	28,456.19	4360.77	24095.42
Mamakating	685,305,712	1,370,611,424	Bloomingsburg Wurtsboro	33,567,315 53,578,531	0.024490760 0.039090971	52,583.15	1287.80 2055.53	49239.82
Thompson	1,450,678,681	2,901,357,362	Monticello	296,508,882	0.102196608	53,694.41	5487.39	48207.02

Attachment: Quarterly 7-17 to 9-17 (Mortgage tax)



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Management & Budget Committee

Fr: Michelle Huck, Executive Assistant

Re: Authorize Sullivan County Community College to request matching Funds from the SUNY

Date: December 21, 2017

Purpose of Resolution:

Authorizing Sullivan County Community College to Request Matching Funds From The State University Of New York Community College Capital Program Fund For A Master Plan.

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution:

Are funds already budgeted?

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: Grant(s):

State: Other:

Federal Government: (Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Michelle Huck Executive Assistant

**INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE
AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO REQUEST
MATCHING FUNDS FROM THE STATE UNIVERSITY OF NEW YORK
COMMUNITY COLLEGE CAPITAL PROGRAM FUND FOR A MASTER PLAN.**

WHEREAS, the County of Sullivan, as sponsor of Sullivan County Community College, may accept funds other than county funds as its match for State Capital Funds; and

WHEREAS, the Sullivan County Community College will commit Capital Chargeback Revenue in the amount of \$200,000 Dollars to be used to hire an Architectural Firm to develop a Facilities Master Plan for the college; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY for the New York State share of projects that are normally permitted within an approved capital construction budget; and

WHEREAS, the Board of Trustees of Sullivan County Community College approves this project and the use of Capital Chargeback Revenue as the County's match for approved State Capital Funds.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby adopts this resolution and authorizes the Sullivan County Community College to initiate a Facilities Master Plan project and request reimbursement up to 50% of eligible project costs up to \$100,000 Dollars from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependent on the State appropriation backing the project,

BE IT FURTHER RESOLVED, that no funds from the County's General Fund should be committed for this purpose.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Public Works Committee

Fr: Edward McAndrew, Commissioner

**Re: LEASE AGREEMENT WITH A THIRD PARTY LAND OWNER FOR
PROPERTY WITH AN EXISTING COMMUNICATION TOWER WHIC**

Date: December 21, 2017

Purpose of Resolution:

**TO AUTHORIZE THE TERMS OF LEASE AGREEMENT WITH A THIRD PARTY
LAND OWNER FOR PROPERTY WITH AN EXISTING COMMUNICATION TOWER
WHICH PROVIDES EMERGENCY SERVICE WITHIN THE COUNTY**

Is subject of Resolution mandated? No Explain:

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$850.00

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): A-1620-20-47-4701

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$850.00

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government:\$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Edward McAndrew Commissioner

INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE TERMS OF LEASE AGREEMENT WITH A THIRD PARTY LAND OWNER FOR PROPERTY WITH AN EXISTING COMMUNICATION TOWER WHICH PROVIDES EMERGENCY SERVICE WITHIN THE COUNTY

WHEREAS, Resolution No. 157-12 authorizes the negotiation of the renewal of agreements with third party land owners for the use of parcels of property for communication towers; and

WHEREAS, in order to provide continued communication service for the County, the Shandele tower lease needs to be renewed; and

WHEREAS, the lease is for a portion of a parcel of land, situate in the Town of Callicoon, identified on the Real Property Tax Map Section 4, Block 1 and Lot 32.44, which the record owner is Jose and Kathy Rochet.

WHEREAS, it is in the best interest of the County to renew the existing lease agreement on the same terms as the previous agreement, to ensure continued communication capabilities.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the County Legislature shall be authorized to execute a renewal lease with the property owner, for the sum of \$850 per year in such a form as the County Attorney shall provide.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Management & Budget Committee

Fr: Lorne Green,

**Re: MULTI-YEAR VMWARE VIRTUAL DESKTOP FINANCE DOCUMENTS FOR
COUNTY USER DESKTOP DELIVERY INFRASTRUCTURE**

Date: December 21, 2017

Purpose of Resolution:

To enter into a 5-year finance agreement at 0% to upgrade the County's end-user desktop delivery infrastructure.

Is subject of Resolution mandated? Explain:

No, however, user desktop and application delivery by ITS is in support of mandated functions.

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$156,532.15

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): A1680-43-4302

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$156,532.15

Grant(s): \$

State: \$

Other: \$

Federal Government:\$

(Specify):

Specify Compliance with Procurement Procedures:

Quote

Person(s) responsible for monitoring contract (Title): Lorne Green

RESOLUTION INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE MULTI-YEAR VMWARE VIRTUAL DESKTOP FINANCE DOCUMENTS FOR COUNTY USER DESKTOP DELIVERY INFRASTRUCTURE.<FORMAL TITLE HERE>

WHEREAS, since 2010, Sullivan County Information Technology Services (ITS) has delivered over 1,000 user desktops via VMWare, Inc.’s virtual desktop infrastructure; and

WHEREAS, after 8 years of successful in-service operation, the current version we are running is going end-of-life and will no longer be supported, warranty coverable or serviceable; and

WHEREAS, as a result, is in need of upgrade replacement for the County to appropriately migrate to new solution versions, replace sun-setting desktop operating systems and keep pace with the exponential computing demands of today’s business operations and processes; and

WHEREAS, said infrastructure replacement will provide reduced capital and operational expenditures and provide better environmental insights, resulting in improved performance and availability translating into significant performance improvements to the end-user desktop computing environment over its lifespan.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager, in consultation with the County Treasurer is hereby authorized to execute lease purchase finance documents at 0% interest for 5-years with Key Government Finance, Inc. on behalf of Dell Inc., a subcontractor & GSA Ordering Point under Carahsoft Technology Corp.’s GSA Schedule No. GS-35F-0119Y in an amount not to exceed \$ \$782,660.74 in annual installments as follows:

2018	\$156,532.15
2019	\$156,532.15
2020	\$156,532.15
2021	\$156,532.15
2022	\$156,532.15

said documents to be in such form as the County Attorney shall approve.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Public Works Committee

Fr: Edward McAndrew, Commissioner

**Re: TO AUTHORIZE AWARD AND EXECUTION OF A CONTRACT WITH JANE
AXAMETHY DBA THE BAKE HOUSE**

Date: December 21, 2017

Purpose of Resolution:

**Authorize Award And Execution Of A Contract With Jane Axamethy DbA The Bake
House At The Sullivan County International Airport Cafe**

Is subject of Resolution mandated? No Explain:

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$

Are funds already budgeted? Yes/No

If "Yes" specify appropriation code(s): <Insert Code(s) Here>

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$<Insert Amount Here>

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government:\$<Insert

(Specify):

Here>

**Specify Compliance with Procurement Procedures:
Request for Proposal**

**Bid/RFP/Quote#
R-17-30**

Person(s) responsible for monitoring contract (Title): Edward McAndrew Commissioner

INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AWARD AND EXECUTION OF A CONTRACT WITH JANE AXAMETHY DBA THE BAKE HOUSE AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT CAFE

WHEREAS, proposals were received for the Operation of the Café at the Sullivan County International Airport, White Lake, NY; and

WHEREAS, Jane Axamethy dba The Bake House, 10 Horse Shoe Lake Road, Kauneonga Lake, NY 12749, will provide said services from January 27, 2017 through August 26, 2019, with an option to extend on a yearly basis, for three (3) additional years, under the same terms and conditions; and

WHEREAS, the Sullivan County Division of Public Works 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 a contract, with, Jane Axamethy dba The Bake House, at a contract price of \$200.00/month to be paid to the County and in accordance with RFP #R-17-30, said contract to be in such form as the County Attorney shall approve.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Public Works Committee

Fr: Edward McAndrew, Commissioner

Re: Authorize a hangar lease

Date: December 21, 2017

Purpose of Resolution:

AUTHORIZE A HANGAR LEASE AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT

Is subject of Resolution mandated? No Explain:

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$

Are funds already budgeted? Yes/No

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$

Grant(s): \$

State: \$

Other: \$

Federal Government:\$

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Edward McAndrew Commissioner

INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE A HANGAR LEASE AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT

WHEREAS, the County of Sullivan (“County”) owns various hangars at the Sullivan County International Airport (“SCIA”); and

WHEREAS, the County has been approached by Aircraft owners seeking to hangar transient aircraft for short terms; and

WHEREAS, pursuant to Resolution No. 372-04 a range for monthly rentals of the hangars has been set by the Legislature, to be used by the Commissioner of Public Works; and

WHEREAS, it is in the County’s best interest to authorize the rental of hangars on a short term basis in accordance with the monthly rental rate.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Public Works is authorized to allow short term rentals of hangars at the SCIA under the terms outlined above, said rental agreements to be approved as to form by the County Attorney’s Office.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Public Works Committee

Fr: Edward McAndrew, Commissioner

Re: USDOT Drug & Alcohol Testing Policy for SC Dept. of Transportaions

Date: December 21, 2017

Purpose of Resolution:

Resolution to adopt a USDOT Drug & Alcohol Testing Policy for the Transportation Department.

Is subject of Resolution mandated? Yes Explain:

The policy is required to be in compliance with the USDOT.

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$

Are funds already budgeted? Yes/No

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$

Grant(s): \$

State: \$

Other: \$

Federal Government:\$

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Edward McAndrew Commissioner

INTRODUCED BY PUBLIC WORKS COMMITTEE TO ADOPT A USDOT DRUG AND ALCOHOL TESTING POLICY FOR THE SULLIVAN COUNTY DEPARTMENT OF TRANSPORTATION

WHEREAS, in order to ensure compliance with the Drug-Free Workplace Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991 the County of Sullivan wishes to adopt a USDOT Drug and Alcohol Testing Policy (“Policy”): and

WHEREAS, the Policy shall apply to the Sullivan County Transportation Department within the Division of Public Works; and

WHEREAS, the Policy shall be implemented in compliance with all federal and state statutes and regulations; and

WHEREAS, the Policy is attached hereto as Exhibit A and by this reference is made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature adopts the attached Sullivan County Transportation USDOT Drug and Alcohol Testing Policy; and

BE IT FURTHER RESOLVED, that the appropriate County officials shall take the steps necessary to ensure that the Policy is implemented in compliance with federal and state statutes and regulations.

USDOT DRUG AND ALCOHOL TESTING POLICY

Sullivan County

Adopted as of December 21, 2017

A. PURPOSE

- 1) The Sullivan County provides public transit and paratransit services for the residents of Sullivan County. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Sullivan County declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result for FTA; 49 CFR Part 382 for Federal Motor Carrier Safety Administration (FMCSA); and The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.
- 3) Any provisions set forth in this policy that are included under the sole authority of Sullivan County and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of Sullivan County will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. See Attachment A for a list of employees and the authority under which they are included.

This policy applies to every person whose position requires the possession of a commercial driver's license (CDL); every employee performing a "safety-sensitive function" as defined below, and any person applying for such positions.

Under FMCSA (Part 382), you are a covered employee if you perform any of the following safety-sensitive functions:

- Driving a commercial motor vehicle which requires the driver to have a CDL
- Waiting to be dispatched to operate a commercial motor vehicle
- Inspecting, servicing, or conditioning any commercial motor vehicle
- Performing all other functions in or upon a commercial motor vehicle (except resting in a sleeper berth)
- Loading or unloading a commercial motor vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloading, remaining in readiness to operate the vehicle, or giving or receiving receipts for shipments being loaded or unloaded
- Repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle

Under FTA (Part 655), you are a covered employee if you perform and of the following: (1) operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), (2) maintenance of a revenue service vehicle or equipment used in revenue service, (3) security personnel who carry firearms, (4) dispatchers or persons controlling the movement of revenue service vehicles and (4) any transit employee who operates a vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

C. DEFINITIONS

FTA Accident: An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of

this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Adulterated specimen: A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing, It is taken as a sample representing the whole specimen.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

Covered Employee Under FTA/FMCSA Authority: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

Department of Transportation (DOT): For the purposes of Drug and Alcohol regulatory oversight, DOT is the department of the federal government which includes the, Federal Transit Administration, Federal Railroad Administration, Federal Aviation Administration, Federal Motor Carriers' Safety Administration, Pipeline & Hazardous Materials Safety Administration, United States Coast Guard, and the Office of the Secretary of Transportation.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Evidentiary Breath Testing Device (EBT): A Device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations. Approved devices are listed on the National Highway Traffic Safety Administration (NHTSA) conforming products list.

Initial Drug Test: (Screening Drug Test) The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid

Invalid Result: The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Limit of Detection (LOD): The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has a specific gravity value lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative test result: A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

Prohibited drug: Identified as marijuana, cocaine, opiates, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions: Employee duties identified as:

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling the movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

Split Specimen Collection: A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse (ICRC) or by the National Board for Certified Counselors, Inc. and Affiliates/Master Addictions Counselor (NBCC)) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

Test Refusal: The following are considered a refusal to test if the employee:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or the employer for drug testing.

- (7) Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.
- (14) As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

D. EDUCATION AND TRAINING

- 1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.
- 2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of

additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

1) Prohibited substances addressed by this policy include the following.

- a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines (including methamphetamine and ecstasy), opiates (including codeine, morphine, and heroin), phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA/FMCSA authority be tested for marijuana, cocaine, amphetamines (including methamphetamine and ecstasy), opiates (including codeine, morphine, and heroin), and phencyclidine as described in Section H of this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Sullivan County supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.
- c. Alcohol: The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited.

F. PROHIBITED CONDUCT

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater regardless of when the alcohol was consumed.
- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
- 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
- 7) Sullivan County, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
- 8) Consistent with the Drug-free Workplace Act of 1988, all Sullivan County employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the Sullivan County management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

H. TESTING REQUIREMENTS

- 1) Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA/FMCSA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion or random alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Sullivan County authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.
- 3) All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with Sullivan County. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

I. DRUG TESTING PROCEDURES

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opiates (including codeine, morphine, and heroin), amphetamines (including methamphetamine and ecstasy), and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.

- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to the Sullivan County Drug and Alcohol Program Manager (DAPM). If a legitimate explanation is found, the MRO will report the test result as negative to the DAPM.
- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
- 5) Any covered employee who questions the results of a required drug test under paragraphs L through P of this policy may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Sullivan County will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Sullivan County will seek reimbursement for the split sample test from the employee.
- 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled. If the split specimen is not available to analyze the MRO will direct Sullivan County to retest the employee under direct observation.
- 7) The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested

by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.

8) Observed collections

- a. Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:
 - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Sullivan County that there was not an adequate medical explanation for the result;
 - ii. The MRO reports to Sullivan County that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
 - iii. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).
 - iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
 - v. The temperature on the original specimen was out of range;
 - vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.
 - vii. All follow-up-tests; or
 - viii. All return-to-duty tests

J. ALCOHOL TESTING PROCEDURES

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). Alcohol screening tests may be performed using a non-evidential testing device which is also approved by

NHTSA. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

- 2) A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q. of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Sullivan County affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA/FMCSA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

- 1) All applicants for covered transit positions shall undergo urine drug testing prior to performance of a safety-sensitive function.
 - a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.

- b. An employee shall not be placed, transferred or promoted into a position covered under FTA/FMCSA authority or company authority until the employee takes a drug test with verified negative results.
- c. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded and the applicant will be referred to a Substance Abuse Professional. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
- d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA/FMCSA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q herein.
- e. If a pre-employment test is canceled, Sullivan County will require the applicant to take and pass another pre-employment drug test.
- f. In instances where a FTA/FMCSA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide *Sullivan County* with signed written releases requesting FTA/FMCSA drug and alcohol records from all previous, DOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. *Sullivan County* is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a DOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the applicant must provide Sullivan County proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

2) FMCSA Drug Testing Exceptions

A driver is not required to undergo a pre-employment test if:

- I. The driver has participated in a DOT testing program within the previous 30 days; and
- II. While participating in that program, either:
 - a. Was drug tested within the past six months (from the date of application with the employer), or
 - b. Participated in the random drug testing program for the previous 12 months (from the date of application with the employer); and
- III. The Sullivan County can ensure that no prior employer of the driver of whom Sullivan County has knowledge has records of a violation of this part or the controlled substances use rule of another DOT agency within the previous six months

L. REASONABLE SUSPICION TESTING

- 1) All Sullivan County FTA/FMCSA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Sullivan County' authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) Sullivan County shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q of this policy.

- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the Sullivan County
- 4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with Section Q of this policy. Sullivan County shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of the Sullivan County. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.

M. POST-ACCIDENT TESTING

FTA Procedures:

- 1) FATAL ACCIDENTS - A covered employee will be required to undergo urine and breath testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.
- 2) NON-FATAL ACCIDENTS - A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:
 - a. The accident results in injuries requiring immediate medical treatment away from the scene, and the covered employee may have contributed to the accident.
 - b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, and the covered employee may have contributed to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

FMCSA Procedures:

Covered employees shall be subject to FMCSA post-accident drug and alcohol testing under the following circumstances:

FATAL ACCIDENTS - As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee who was performing safety-sensitive functions with respect to the vehicle.

NON-FATAL ACCIDENTS - As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, an alcohol test will be conducted on each driver who receives a citation within eight (8) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

1. The accident results in injuries requiring immediate medical treatment away from the scene; or
2. One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, a drug test will be conducted on each driver who receives a citation within thirty-two (32) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

1. The accident results in injuries requiring immediate medical treatment away from the scene; or
2. One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

General Accident Procedures:

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Sullivan County is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Sullivan County may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA/FMCSA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.

- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA/FMCSA administrator. The current year testing rates can be viewed online at <http://www.dot.gov/odapc/random-testing-rates>.
- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under Sullivan County authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under Sullivan County' authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. RETURN-TO-DUTY TESTING

All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. For an initial positive drug test a Return-to-Duty drug test is required and an alcohol test is allowed. For an initial positive alcohol test a Return-to-Duty alcohol test is required and a drug test is allowed. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety.

P. FOLLOW-UP TESTING

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-

duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, referred to a Substance Abuse Professional (SAP) for assessment, and will be terminated.
- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to an SAP. A test refusal includes the following circumstances:
 - a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
 - b. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
 - c. Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
 - d. In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
 - e. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.

- f. Fail or decline to take a second test as directed by the collector or the employer for drug testing.
- g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- h. Fail to cooperate with any part of the testing process.
- i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- j. Possess or wear a prosthetic or other device used to tamper with the collection process.
- k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
- l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- m. Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

- 4) For the first instance of a verified positive test from a sample submitted as the result of a random drug/alcohol test, disciplinary action against the employee shall include:
 - a. Mandatory referral to Substance Abuse Professional for assessment, formulation of a treatment plan, and execution of a return to duty agreement;
 - b. Failure to execute, or remain compliant with the return-to-duty agreement shall result in termination from [GRANTEE/TRANSIT SYSTEM NAME] employment.
 - i. Compliance with the return-to-duty agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; in the judgment of the SAP the employee is cooperating with his/her SAP recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in Section P of this policy.
 - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination.
 - d. A periodic unannounced follow-up drug/alcohol test which results in a verified positive shall result in termination from Sullivan County employment.
- 5) The first instance of a verified positive post-accident or reasonable suspicion drug and/or alcohol test shall result in termination.
- 6) The second instance of a verified positive drug or alcohol test result for any category of testing shall result in termination from Sullivan County employment.
- 7) An alcohol test result of ≥ 0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder of the work day whichever is longer. The

employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NONDOT alcohol test with a result of less than 0.02 BAC.

- 8) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
- a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return to work agreement;
 - b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from Sullivan County employment.
 - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of this policy is under the sole authority of Sullivan County and will be performed using non-DOT testing forms.
 - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return to work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
 - d. **A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy.**
 - e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.
 - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Sullivan County.
 - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.

Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

Sullivan County is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

- 1) Drug/alcohol testing records shall be maintained by the Sullivan County Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need to know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.

- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Sullivan County or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the *[LOCAL GOVERNING BOARD]* on *[MONTH DD, YEAR]*.

[APPLICABLE SIGNATURES]

Attachment A

Bus/Van driver- Operates small buses and van type vehicles.

Drivers are responsible for the safety and conduct of passengers.

Checks the operating condition of the vehicle daily(pre-trip).

Reports any defects.

May assist disabled or elderly passengers entering or departing the vehicle and carrying heavy packages as needed.

May collect fares.

May deliver supplies and meals to various sites within the County and to the homebound.

Keeps the interior and exterior clean.

Maintains records of mileage, routes, times and incidents.

Fuels vehicles

Testing Authority-

49 CFR Part 382 FMCSA

49CFR Part 655 FTA

49 CFR Part 40 USDOT

Training Specialist (dispatcher)- Responsible for scheduling vehicle assignments and efficiently maintaining a system of routing in a transportation system, including the dispatch of drivers and vehicles by means of cellular phone or landline.

Record keeping.

Prepares time and route schedules and insures timely departures and arrivals.

Utilize a computerized routing system.

Operates a personal computer using standard database and spreadsheet applications.

Conducts review and studies of routes to determine route changes.

Determines routes to be followed by drivers.

Assist in preparation of transportation reports, records and maps of routes.

Arranges for call in of substitute drivers and coordinates schedules of drivers.

Receives complaints.

Performs light duty bookkeeping.

May assist in scheduling the training of new drivers.

May be required to drive a motor vehicle for the transport of passengers, as needed.

Testing Authority-

49 CFR Part 382 FMCSA

49 CFR Part 655 FTA

49 CFR Part 40 USDOT

Attachment B Contacts

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

Sullivan County Drug and Alcohol Program Manager

Name Ruthann Hayden

Title Director of Transportation:

Address:100 North St. Monticello N.Y.12701

Telephone Number:845-807-0182

Medical Review Officer

Name: Partners In Safety

Title:Dr. Russell Kamer

Address 800 Route 17M Middletown N.Y. 10940:

Telephone Number: 845-341-0515

Substance Abuse Professional

Name: Laura Brovich, LMSW

Title:Director of Special Initiatives

Address: Corporate Services EAP Division of Catholic Charities Community Services of Orange and Sullivan 305 North St. Middletown N.Y. 10940

Telephone Number: (845) 344-5563 ext. 323

HHS Certified Laboratory Primary Specimen

Name: Lab Corp. of America

Address:69 First Avenue Raritan N.J. 08869

Telephone Number: 1-800-223-0631



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Public Works Committee

Fr: Edward McAndrew, Commissioner

Re: HUDSON TRANSIT LINES RESOLUTION

Date: December 21, 2017

Purpose of Resolution:

To authorize the County Manager to enter into an agreement with Hudson Transit Lines, Inc. for the provision of public transportation.

Is subject of Resolution mandated? No Explain:

<Insert Explanation Here>

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$65,000.00

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): <A-5680-40-4021

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$65, 000.00

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government:\$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

Quote

Person(s) responsible for monitoring contract (Title): Edward McAndrew Commissioner

RESOLUTION TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH HUDSON TRANSIT LINES, INC. FOR THE PROVISION OF PUBLIC TRANSPORTATION

WHEREAS, pursuant to Resolution No. 585-07 adopted by the Sullivan County Legislature on December 20,2007 the County entered into an agreement with Hudson Transit Lines, Inc. for the provision of public transportation; and

WHEREAS, it is in the best interest of the County to continue having Hudson Transit Lines, Inc. continue to provide such services.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into an agreement with Hudson Transit Lines, Inc. for the provision of public transportation for the year 2018 at a cost not to exceed \$65,000; and

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

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



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Public Safety & Law Enforcement Committee

Fr: Daniel Depew, Deputy County Manager

Re: To convene a new EMS Advisory Board for a period of two months

Date: December 21, 2017

Purpose of Resolution:

To convene a new EMS Advisory Board for a period of two months to recommend to the Legislature the best use of budgeted funds to help volunteers of EMS in Sullivan County.

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution:

Are funds already budgeted?

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County:

Grant(s):

State:

Other:

Federal Government:

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Daniel Depew Deputy County Manager

RESOLUTION INTRODUCED BY PUBLIC SAFETY COMMITTEE TO CONVENE A NEW EMS ADVISORY BOARD FOR A PERIOD OF TWO MONTHS TO RECOMMEND TO THE LEGISLATURE THE BEST USE OF BUDGETED FUNDS TO HELP VOLUNTEERS OF EMS IN SULLIVAN COUNTY

WHEREAS, a portion of the 2018 budget has been set aside to assist with the growth and development of a stronger EMS program; and

WHEREAS, NYS County Law authorizes a county to have an EMS Advisory Board (“the board”) and Sullivan County’s Code allows for the appointment of said board to help guide the Legislature in regard to policies affecting EMS; and

WHEREAS, the County Code authorizes the Legislature to appoint one representative from each of the volunteer agencies to sit on the board and to make non-binding recommendations to the Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is authorized to seat members of the EMS Advisory Board upon recommendation by each organization of one representative; and

BE IT FURTHER RESOLVED, once convened, the EMS Advisory Board shall be required to meet at least two times over the course of two months and to provide a written recommendation to the Legislature of how to use the appropriated funds in the 2018 budget to enhance training, retention and attraction to EMS volunteer services of the County; and

BE IT FURTHER RESOLVED, the EMS Advisory Board shall be encouraged to bring in experts in training and other outside entities involved with EMS in our region to review potential options; and

BE IT FURTHER RESOLVED, the EMS Advisory Board be presided over by the Commissioner of Public Safety who will not be a voting member, but shall schedule, manage and provide written notes for each meeting and prepare formal recommendations of the board to the County Legislature in time for the April 2018 Public Safety Committee meeting and that the Coordinator of the County’s EMS system shall be a participating voting member of the board.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Personnel Committee

Fr: Meg Edwards, Full Charge Bookkeeper

Re: To Reclassify a Position in the Sullivan County Office for the Aging

Date: December 21, 2017

Purpose of Resolution:

Reclassify position in Office for the Aging

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$4,035.00

Are funds already budgeted? No

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds: Contingency Fund through Budget

Modification

Estimated Cost Breakdown by Source

County: \$4035.00

Grant(s):

State:

Other:

Federal Government:\$

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Meg Edwards Full Charge Bookkeeper

RESOLUTION INTRODUCED BY PERSONNEL COMMITTEE TO RECLASSIFY A POSITION IN THE SULLIVAN COUNTY OFFICE FOR THE AGING

WHEREAS, there is currently a position in the Sullivan County Office for the Aging designated as Aging Services Aide, and

WHEREAS, a job classification questionnaire was filled out by said employee and it has been determined by the Personnel Officer that the said employee is currently assigned some duties that are above her current title of Aging Services Aide; and

WHEREAS, the Director of the Office for the Aging feels that the title should be reclassified to Aging Services Assistant, which will encompass her current duties and meet the needs of the Office for the Aging.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the reclassification of position #2350 in the Sullivan County Office for the Aging from Aging Services Aide to Aging Services Assistant retroactive to September 23, 2017.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Cynthia Atkins, Secretary

Re: Appoint member to PHS HSAB

Date: December 21, 2017

Purpose of Resolution:

To authorize Sullivan County Public Health Services to appoint Dr. M Cecilia Escarra to the Health Services Advisory Board to complete a four year term that is empty.
Term is from 1/16/16 - 12/31/19

Is subject of Resolution mandated? Explain:

Yes, this is required by Public health Law

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$ 0.00

Are funds already budgeted? Not applicable

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source no cost

County:	Grant(s): >
State:	Other:
Federal Government	(Specify):

**Specify Compliance with Procurement Procedures:
Request for Proposal**

**Bid/RFP/Quote#
none**

Person(s) responsible for monitoring contract (Title): Cynthia Atkins Secretary

INTRODUCED TO EXECUTIVE COMMITTEE TO APPOINT A MEMBER TO THE DEPARTMENT OF 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 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 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 appointed to the Health Service Advisory Board to fill a four-year term (1/1/16 - 12/31/19) vacated 2/2/2017, per Public Health Law.

Dr. M Cecilia Escarra
Executive Director
The PRASAD Project
PRASAD Children's Dental Health Program, Inc.
465 Brickman Road
Hurleyville, NY 12747



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Cynthia Atkins, Secretary

Re: PHS Professional Advisory Committee Appointment

Date: December 21, 2017

Purpose of Resolution:

To authorize Sullivan County Public Health Services to appoint Anne Mikulski, RN to membership on the Professional Advisory Committee, replacing Tom Maloney, who resigned in January 2017. Anne's term will be 1/1/2018 to 12/31/2020. Also, to authorize Nancy King, RN and Rebecca Skoda, MSW to continue to serve another consecutive term as PAC members from 1/1/2018 to 12/31/2020

Is subject of Resolution mandated? Explain:

Sullivan County Public Health Services' Certified Home Health Agency is mandated by New York State Department of Health regulations, Title 10, Section 763.11(a)(13)(i) to appoint a group of professional personnel to serve on PAC

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$ 0

Are funds already budgeted? N/A

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$<Insert Amount Here>

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

**Federal Government:\$<Insert
Here>**

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Cynthia Atkins Secretary

TO APPOINT ANNE MIKULSKI, RN TO MEMBERSHIP ON THE PROFESSIONAL ADVISORY COMMITTEE

WHEREAS, pursuant to 10 NYCRR (New York Codes, Rules and Regulations), Section 763.11 (a)(13) requires that Sullivan County Public Health Services' Certified Home Health Care Agency and Long Term Home Health Care Program establish a Professional Advisory Committee to consist of "a group of professional personnel, which includes one or more physicians, registered nurses and representatives of the professional therapeutic services provided by the agency" and "at least one member who cannot be an owner nor employee compensated by the agency"; and

WHEREAS, Thomas Maloney resigned from his term on the Professional Advisory Committee in January of 2017, and Anne Mikulski, formerly employed as a Supervisory Community Health Nurse at Public Health Services , has agreed to fill his seat; and

WHEREAS, the terms of two of the four Professional Advisory Committee members expires on December 31, 2017m and both have agreed to serve another term.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be appointed to Sullivan County Public Health Services' Professional Advisory Committee, pursuant to 10 NYCRR(New York Codes, Rules and Regulations), Section 763.11 (a) (13), with the term of **1/1/2018 to 12/31/2020**

Anne Mikulski, RN
102 Rustic Hills Road
Westbrookville, NY 12785

Nancy King, RN
SCPHS
PO Box 590
Liberty, NY 12754

Rebecca Skoda, MSW
PO Box 271
Ferndale, NY 12734:



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Cynthia Atkins, Secretary

Re: PHS Appointment to the Health Services Advisory Board

Date: December 21, 2017

Purpose of Resolution:

To authorize Sullivan County Public Health Services to appoint Dr. M Cecilia Escarra to the Health Services Advisory Board to complete a four year term that is empty.
Term is from 1/16/16 - 12/31/19

Is subject of Resolution mandated? Explain:

Yes, this is required by Public health Law

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$0

Are funds already budgeted? N/A

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$<Insert Amount Here>

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government: \$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Cynthia Atkins Secretary

TO APPOINT DR. M CECILIA ESCARRA TO THE 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 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 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 appointed to the Health Service Advisory Board to fill a four-year term (1/1/16 - 12/31/19) vacated 2/2/2017, per Public Health Law.

Dr. M Cecilia Escarra
Executive Director
The PRASAD Project
PRASAD Children's Dental Health Program, Inc.
465 Brickman Road
Hurleyville, NY 12747



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: AnnMarie Martin, Clerk to the Legislature

Re: Extend Contracts for 90 days

Date: December 21, 2017

Purpose of Resolution:

<Insert detailed statement and justification here>
 Authorize contracts extensions for 90 days

Is subject of Resolution mandated? Explain: No
 <Insert Explanation Here>

Does Resolution require expenditure of funds? /No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$<Insert Amount Here>

Are funds already budgeted? Yes/No

If "Yes" specify appropriation code(s): <Insert Code(s) Here>

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$<Insert Amount Here>

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government:\$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

**Person(s) responsible for monitoring contract (Title): AnnMarie Martin Clerk to the
 Legislature**

TO AUTHORIZE CONTRACT EXTENSIONS FOR A PERIOD NOT TO EXCEED 90 DAYS

WHEREAS, there are contracts that will expire on December 31, 2017, and

WHEREAS, the County wishes to minimize disruptions to services that may result from the 2017 resolution process to renew contracts.

NOW, THEREFORE, BE IT RESOLVED, the contracts may be extended for a period not to exceed ninety (90) days under the same terms and conditions as currently apply.

WHEREAS, there are contracts that will expire on December 31, 2017, and

WHEREAS, the County wishes to minimize disruptions to services that may result from the 2017 resolution process to renew contracts.

NOW, THEREFORE, BE IT RESOLVED, the contracts may be extended for a period not to exceed ninety (90) days under the same terms and conditions as currently apply.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Dan Hust, Communications Director

Re: Adoption of Revised Social Media Policy

Date: December 21, 2017

Purpose of Resolution:

To implement a revised Social Media Policy

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution:

Are funds already budgeted?

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County:

Grant(s):

State:

Other:

Federal Government

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Dan Hust Communications Director

RESOLUTION TO ADOPT REVISED SOCIAL MEDIA POLICY

WHEREAS, the County of Sullivan desires to update its existing Social Media Policy to reflect the evolving digital landscape and changes in staff and workflow within County Government; and

WHEREAS, the County Manager's Office, County Attorney's Office and ITS have developed a revised Social Media Policy (attached hereto), and recommend its approval and implementation;

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby adopts this updated and revised Social Media Policy, to be implemented on January 1, 2018.

SULLIVAN COUNTY POLICIES AND PROCEDURES

- I. **SUBJECT:** SOCIAL MEDIA POLICY
- II. **ADOPTED:** December 21, 2017
- III. **PURPOSE:** To (1) define the expectation of users of social media, including, but not limited to, elected officials, commissioners, department heads, directors, administrators and employees (hereinafter referred to collectively as “employees”) and (2) ensure the appropriate use of social media used in connection with the business of the County of Sullivan (hereinafter referred to as “County”). The use of County Social Media Sites (as defined below) is limited to business communications and informational purposes in accordance with authorized County goals and objectives. Personal use is strictly prohibited. County Social Media Sites are not intended to create or serve as public forums.

Social media technologies can help County departments inform residents and make government more open and transparent. To provide a unified and professional social media presence, the County Manager, in their discretion, may control access to official County Social Media Sites.

The County Manager, Director of Communications and Chief Information Officer will develop appropriate uses for official County Social Media Sites, select appropriate social media outlets, and help departments define a strategy of engagement for using social media.

IV. DEFINITIONS

Social Media: various forms of information-sharing technology used to create internet-based content that produces communication and/or conversations. Forms of social media include, but are not limited to, social networking, blogs, video sharing, picture-sharing, wall-postings, e-mail, instant messaging,

podcasts, wikis, message boards, online forums, RSS and other syndicated web feeds.

Examples of social media outlets include, but are not limited to, Google and Yahoo Groups (reference, social networking), Wikipedia (reference), Facebook (social networking), YouTube (social networking and video sharing), Twitter (social networking and micro blogging), Instagram (photos and videos), Snapchat (time-limited posts), Pinterest (themed sharing), LinkedIn (business networking) and other news media comment sharing/blogging.

County Social Media Sites: the official social media sites authorized by the County, approved by the County Manager, and managed on a day-to-day basis by the Director of Communications and/or approved Department Heads.

Personal Social Media: any form of social media created and maintained by an employee for their personal use.

Department Head: any Elected Official, Commissioner, Director, Administrator, or other head of a County department, office, or agency.

F.O.I.L.: the Freedom of Information Law, Article 6 of the New York State Public Officers Law, which governs rights of access to government records.

Record (as defined in Article 6 of the Public Officers Law, Section 86): any information kept, held, filed, produced or reproduced by, with or for an agency or the state legislature, in any physical form whatsoever including, but not limited to, reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or discs, rules, regulations or codes.

V. POLICIES AND PROCEDURES

1. County Social Media Site Creation/Approval

Process: Department Heads interested in creating a Department-specific County Social Media Site for County business purposes must submit a Business Case Justification to the County Manager for approval. At a minimum, the “Business Case Justification” should:

- Name the Social Media outlet to be utilized (e.g., Facebook, etc.);
- State the goals for setting up a County Social Media Site;
- Identify the intended audience;
- Summarize the type of information expected to be shared/displayed;
- Discuss the anticipated benefit from establishing the site;
- Identify who will create content for the site and interface with the Director of Communications; and
- Explain why the information cannot be included on an existing County Social Media Site and why a separate Department site is necessary

Business Case Justifications that are approved by the County Manager will be forwarded to the Director of Communications as well as the department of Information Technology Services (hereinafter, “ITS”), to maintain the approval paperwork for audit purposes.

2. Account Management

Account management includes the creation, maintenance, preservation, disabling and destruction of County Social Media Site accounts.

The Director of Communications will be responsible for the creation of County Social Media Sites and, in coordination with ITS, for the preservation of data on those sites.

Department Heads must send all requested content to the County Manager, or their designee, for approval before any content is published on a County Social Media Site. For Department-specific County Social Media

Sites, authorized Department Heads may publish content on their site without prior approval of the County Manager, so long as such content complies with this Policy.

ITS will be responsible for maintaining a list of all County Social Media Site domain names in use and their associated account user ID and active password.

3. Acceptable Use

County Social Media Sites are intended to be used solely for authorized County purposes, including informing the public of County issues, projects, events, deadlines, emergencies, and other news. County Social Media Sites are not intended to create or serve as public forums, and public commenting shall be disabled to the extent permitted by the underlying social media outlet. Personal use of County Social Media Sites is strictly prohibited.

Posting Guidelines

Information posted shall be relevant, timely and appropriate to the goals of County government. Postings must contain information that is freely available to the public and not be confidential as defined by any County policy or state, federal or local law.

Employees are prohibited from posting information about pending or anticipated litigation, personnel information, sensitive or confidential information, medical information that may violate the Health Insurance Portability and Accountability Act (HIPAA) or New York State privacy laws, or any other nonpublic information, political endorsements, or any other endorsements not authorized by the County Legislature.

Vulgar, profane, obscene and/or pornographic content is expressly prohibited on County Social Media Sites. The County Manager, or their designee, shall have sole discretion on the removal of postings.

4. Public Use of County Social Media Sites

Comments are not allowed or permitted to be displayed on any official County Social Media Site, so long as the underlying outlet gives the County control over commenting features. As such, communications made to a County government entity through a County Social Media Site shall not be considered formal public comment and shall not constitute official legal notice to the County or as requests for records under F.O.I.L. Private messages or hidden posts on County Social Media Sites may be treated by the County as public information subject to disclosure to third parties. Any messages or posts containing threats, or other statements indicating criminal activity, will be forwarded to the County Sheriff.

5. Disclaimer

The following disclaimer shall be posted on each County Social Media Site: “This is an authorized social media site for the County of Sullivan, New York. Its purpose is to promote County business and inform the public of County-related events, notices, emergencies and other news. It is not intended to create or serve as a public forum. Comments, messages and other communications made through this site, while recorded, may not be read. This site and any posting, comment or message thereon shall not serve as official notice upon the County. Please visit our website for the best way to contact us.”

6. Content

County departments, through the County Manager and Director of Communications, shall undertake best efforts to keep content posted on County Social Media Sites accurate and up-to-date. Any corrections to posted content shall be provided expeditiously to the County Manager and Director of Communications.

Wherever possible, links on County Social Media Sites should direct users back to the County’s website for additional information, forms, documents, or online services necessary to conduct business with the County.

7. Legal Issues

The County is responsible for complying with applicable laws, regulations and policies. This includes adhering to established laws and policies regarding copyright, records retention, Freedom of Information Law, First Amendment, privacy, HIPAA, information technology, federal, state and other constitutional rules.

Nothing in this Policy is intended to conflict with any federal, state, or local law or regulation that guarantees the free speech rights of public employees.

8. Preservation

ITS is responsible for archiving and collecting the County's Social Media Site data and content. County Social Media Site content is not considered confidential and may be subject to production as required by law. ITS shall produce County Social Media Site content in compliance with any request made by the County Attorney, County Manager, and/or Court Order.

9. Personal Social Media Accounts

Social media content associated with the County shall be consistent with the County's responsibilities to the public and its professional standards. This is especially so if a County employee uses their official title or posts material describing work as a County employee.

The County does not endorse Personal Social Media accounts or their content, and information contained on Personal Social Media sites does not represent the County or any official position of the County.

Employees should be aware that a social media post may be permanently available and open to being republished in other media. In addition, postings related to County business may, in certain circumstances, be required to be produced in accordance with a F.O.I.L. request or litigation.

10. Violations

Any employee that makes a post, comment, message, or other communication that is in violation of the law, this Policy, or any other County policy, on either a County or Personal Social Media Site, may be subjected to discipline.

VI. POLICY EFFECTIVE DATE

This Policy shall take effect as of the date of its adoption by the County Legislature.

The County reserves the right to change, modify or amend all or part of this Policy at any time.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Edward McAndrew, Commissioner

Re: Change Order with Pike Co. for Electric Services Change

Date: December 21, 2017

Purpose of Resolution:

To authorize a change order with Pike Company for costs associated with NYSEG initiated electric service location change.

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$300,000.00

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): H 69-3997-40-4038

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$300,000.00

Grant(s):

State:

Other:

Federal Government:

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Edward McAndrew Commissioner

RESOLUTION TO AUTHORIZE THE EXECUTION OF A CHANGE ORDER WITH PIKE COMPANY FOR COSTS ASSOCIATED WITH RESULTING FROM A NYSEG INITIATED SERVICE LOCATION CHANGE FOR THE NEW JAIL

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 contains a contingency line item of \$1 million dollars; and

WHEREAS, Resolution 431-16 adopted October 20, 2016 defined the Change Order policy for the New Sullivan County Jail Project which provides a maximum limit of \$25,000 for change without a Legislative resolution; and

WHEREAS, the original contract documents provided for electric service to enter the property from the County Road 174; and

WHEREAS, NYSEG subsequently required that the service location for the property be relocated to Pittaluga Road following award of the contract and initial construction being undertaken; and

WHEREAS, additional costs were incurred as a result of the electrical service being relocated and the associated impacts to the project schedule; and

WHEREAS, the cost to the County is \$300,000.

NOW, THEREFORE, BE IT RESOLVED, that the County Legislature authorized the amount of \$300,000 to be moved from the contingency line item to cover the additional cost via a contract change order; and

BE IT FURTHER RESOLVED, that such change be executed by the County Manager, Commissioner of Management and Budget and the Commissioner of the Division of Public Works in such form as the County Attorney shall approve.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Freda Eisenberg, Commissioner

**Re: TRANSFER PROPERTY TO THE SULLIVAN COUNTY LAND BANK
CORPORATION**

Date: December 21, 2017

Purpose of Resolution:

To transfer properties to the Land Bank that were obtained by the County through the Foreclosure process

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$<Insert Amount Here>

Are funds already budgeted? Yes/No

If "Yes" specify appropriation code(s): <Insert Code(s) Here>

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$<Insert Amount Here>

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government:\$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Freda Eisenberg Commissioner

RESOLUTION NO. ___ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY OF SULLIVAN TO TRANSFER PROPERTY TO THE SULLIVAN COUNTY LAND BANK CORPORATION

RESOLUTION NO. ___ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY OF SULLIVAN TO TRANSFER PROPERTY TO THE SULLIVAN COUNTY LAND BANK CORPORATION

WHEREAS, the County of Sullivan (“County”) owns parcels of property that it has acquired by virtue of Article 11 real property tax foreclosure proceedings, and

WHEREAS, the Sullivan County Land Bank Corporation (“Land Bank”) has requested the County transfer the following properties to the Land Bank:

Address	Section	Block	Lot
44 High Street	107.	1	18
7 Washington Street	116.	1	23
4 Washington Street	116.	3	3
9 Cross Street	115.	12	3
11 Balsam Drive	109.	2	14
5 Orchard Street	112.	4	30
237 South Main Street	115.		30
55 ½ Park Avenue	115.	3	18

WHEREAS, tax delinquent parcels foreclosed by the County may be conveyed to the County for public use purposes pursuant to the Sullivan County Code Section 164-7(C), and

WHEREAS, it is the intent of the Sullivan County Legislature to cancel the real property taxes due and owing on the properties described above, so that the properties may be transferred to the Land Bank for public purposes and to ensure that no real property taxes shall be due and owing on said parcels so long as they remain in ownership of the Land Bank.

NOW THEREFORE BE IT RESOLVED,

1. The properties described above shall be conveyed from the County to the Land Bank for such related purposes as are authorized by law.
2. The Sullivan County Treasurer is hereby authorized and directed to cancel any outstanding real property taxes due and owing on the properties identified above, including those of the 2017-2018 School Districts impacted.

3. The Chairman of the Sullivan County Legislature is hereby authorized to execute the documents necessary for said conveyance, in forms approved by the Sullivan County Attorney.

4. The conveyances shall be recorded in the Sullivan County Clerk's Office.

Moved _____

Seconded _____

Adopted _____ 2017



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Daniel Depew, Deputy County Manager

Re: To authorize the County of Sullivan to enter into a lease for a period not to exceed three years.

Date: December 21, 2017

Purpose of Resolution:

To authorize the County of Sullivan to enter into a Lease for a Period not to exceed three years.

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$25,000

Are funds already budgeted? Y

If "Yes" specify appropriation code(s): A-1620-23-21-2102

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$25,000

Grant(s):

State:

Other:

Federal Government

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Daniel Depew Deputy County Manager

TO AUTHORIZE THE COUNTY OF SULLIVAN TO ENTER INTO A LEASE FOR A PERIOD NOT TO EXCEED THREE YEARS.

WHEREAS, the County of Sullivan (“County”) has been looking for additional space to move the operations of the Board of Elections, administrative offices for child support services, and other offices as necessary; and

WHEREAS, the County issued RFP #R-17-46 for space to house its electronic voting machines as well as for document storage for the District Attorney; and

WHEREAS, SullivanArc responded to the RFP on terms that are very favorable to the County, as demonstrated below:

- 1) A lease of up to 3 years for the five thousand square feet in the facility.
- 2) Electric and heat included in the rental amount.
- 3) Restrooms available for County staff.
- 4) Three parking spaces available for County staff.
- 5) Snow plowing and maintenance will be the obligation of the Lessor
- 6) Rental shall be set at \$5.00 per square foot per year.
- 7) The County may make modifications to the space to protect county assets and agrees, upon request of the Lessor, to remove improvements when the space is vacated.

NOW THEREFORE BE IT RESOLVED, The Chairman of the Sullivan County Legislature (“Chairman”) is hereby authorized to execute any and all documents necessary to enter into a lease agreement with SullivanArc for a period not to exceed three years, in such forms as approved by the County Attorney.

BE IT FURTHER RESOLVED, that the County Manager is authorized to expend reasonable costs to make such alterations of the leasehold space as necessary to accommodate the needs of the Board of Elections, the District Attorney, and any other office that may occupy space throughout the term of the lease.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Cheryl McCausland, County Attorney

Re: Establish rates of pay for various services for Coroners

Date: December 21, 2017

Purpose of Resolution:

<Insert detailed statement and justification here>

Is subject of Resolution mandated? Explain: No, however we are required by County Law to investigate unattended or suspicious deaths

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$157,500

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): A-1185-47-4715, 47-4718, 47-4704

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$157,500

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government:\$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Cheryl McCausland County Attorney

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ESTABLISH RATES OF PAY FOR VARIOUS SERVICES REQUIRED BY THE CORONER'S OFFICE AND REPLACE MULTIPLE OLDER RESOLUTIONS WITH A SINGLE SUPERSEDING RESOLUTION

WHEREAS, Resolutions No. 174-01, No. 494-06, No. 425-07, No. 218-10, and No.11-16 need to be superseded and replaced, and new rates for services to be performed for the Coroner's Office need to be established; and

WHEREAS, the Coroners are authorized to designate any physician licensed to practice medicine in the State of New York to act as a Coroner's Physician for the limited purpose of pronouncing the death of any person and such physician is paid the sum of \$50 for each service for the purpose of signing death certificates with cause of death and

WHEREAS, when the service for removal of deceased persons is performed by a Funeral Director with funeral homes in Sullivan County, the rate for such service, per removal, is \$200 within Sullivan County, \$250 within Kingston, NY, and \$350 within Albany, NY; and

WHEREAS, when Coroner Physician Assistants are needed to assist with autopsies, the rates for such services are \$275 per autopsy, \$50 per blood draw when an autopsy has been refused, and \$400 per autopsy for an inmate or on a homicide case; and

WHEREAS, when transcriptions of autopsies are required and performed the rate shall be \$35 per transcript.

NOW, THEREFORE BE IT RESOLVED, that the rate for physicians designated as Coroner's Physicians to pronounce a death is hereby set at \$50 per service; for the purpose of signing death certificates with cause of death and

BE IT FURTHER RESOLVED, that the rates for the removal of deceased persons are hereby set at \$200 per removal within Sullivan County, \$250 per removal within Kingston, NY, and \$350 per removal within Albany, NY; and

BE IT FURTHER RESOLVED, that the rates for Coroner's Physician's Assistants are hereby set at \$275 per autopsy or, when an autopsy has been refused, \$50 per blood draw, and \$400 per autopsy for an inmate or homicide case; and

BE IT FURTHER RESOLVED, that the fee for autopsy transcription services is hereby set at \$35 per transcript.

BE IT FURTHER RESOLVED, that this resolution shall be effective as of January 1, 2018; and

BE IT FURTHER RESOLVED, that this resolution supersedes and replaces Resolutions No. 174-01, No. 494-06, No. 425-07, No. 218-10, and No. 11-16.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Cheryl McCausland, County Attorney

Re: Appoint Margaret Prial, MD and Kunjlata Ashar, MD

Date: December 21, 2017

Purpose of Resolution:

<Insert detailed statement and justification here>

Is subject of Resolution mandated? Explain: No, but we are required to investigate unattended or suspicious deaths.

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$3,500

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): A-1185-47-4713

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$ 3,500

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government: \$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Cheryl McCausland County Attorney

INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT MARGARET PRIAL, MD AND KUNJLATA ASHAR, MD AS CORONER'S PHYSICIANS, ESTABLISH RATES OF PAY FOR PATHOLOGICAL SERVICES

WHEREAS, Resolution No. 5-17, adopted on January 19, 2017, needs to be rescinded in its entirety; and

WHEREAS, pursuant to County Law §400(4-b) the County Legislature shall appoint one or more Coroner's Physicians who shall be deputy coroners and shall possess the powers and perform the duties of the coroner, during the absence or inability of the coroner to act, or in the event of a vacancy in the office of coroner; and

WHEREAS, the Coroner's Office recommends that the County Legislature appoint Dr. Margaret Prial, M.D. and Dr. Kunjlata Ashar, M.D. as Coroner's Physicians; and

WHEREAS, Dr. Prial and Dr. Ashar shall also perform pathological services on behalf of the Coroner's Officer pursuant to their roles as Coroner's Physicians; and

WHEREAS, if no Coroner's Physician is available, the Coroner's Office may designate additional physicians to perform the pathological services described below; and

WHEREAS, the Coroner's Office recommends that the County Legislature set the current rates of pay for pathological services as follows:

1. \$1,200 per non-forensic autopsy performed and inmate deaths.
2. \$1,500 per forensic/homicide autopsy performed.
3. \$800 per examination of a body without performance of an autopsy ("external").
4. \$200 per day, or portion thereof, required for testimony in any court or proceeding related to services performed as a pathologist.

NOW, THEREFORE BE IT RESOLVED, that Dr. Margaret Prial, M.D. and Dr. Kunjlata Ashar, M.D. are hereby appointed as Coroner's Physicians; and

BE IT FURTHER RESOLVED, that the rates of pay for pathological services are hereby established at the rates outlined above; and

BE IT FURTHER RESOLVED, if no Coroner's Physician is available, the Coroner's Office may designate additional physicians to perform the pathological services described above, without further approval of the Legislature, provided that such additional physicians shall not be paid more than the rates established above; and

BE IT FURTHER RESOLVED that this resolution shall be effective as of January 1, 2017; and

BE IT FURTHER RESOLVED, that Resolution No. 5-17 is hereby rescinded in its entirety.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Kathleen Whiteman, Secretary

Re: Code-It Consulting Resolution

Date: December 21, 2017

Specify Compliance with Procurement Procedures:
N/A

Person(s) responsible for monitoring contract (Title): Kathleen Whiteman Secretary

CODE-IT CONSULTING RESOLUTION

Purpose of Resolution: to authorize the County Manager to enter into a contract with Code-It Consulting.

Explain: We request that the County Manager be authorized to enter into a contract with Code-It Consulting for medical coding & OASIS review services for Sullivan County Public Health's CHHA & LTHHCP for the period 11/1/17 - 10/30/19 at the cost of \$30.00 per Medicare & Medicaid episode.

Is subject of Resolution mandated? No

Does Resolution require expenditure of funds: Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$ 44,610

Are funds already budgeted? No- budget modification is needed

If "Yes" specify appropriation code(s):

If "No", specify proposed source of funds: ** anticipated increase in revenue is anticipated to help cover the cost of this contract

Estimated Cost Breakdown by Source

County: \$44,610

Grant(s):

State:

Other:

Federal Government:

(Specify):

WHEREAS, proposals were received for Medical Coding and OASIS Review services for Sullivan County Public Health Services' Certified Home Health Care Agency, #R-17-43, and

WHEREAS, Code-It Consulting of 133 N. 1350 E. Logan, Utah 84321, is the lowest cost, most responsible firm available for this work, to provide medical coding and OASIS review services for Sullivan County Public Health Services' Certified Home Health Care Agency and Long Term Home Health Care Program, in order to increase revenue as a result of utilizing certified medical coders and OASIS experts to produce medical coding and correction of OASIS errors to maximize payment, and

WHEREAS, the Department of Public Health Services has reviewed the proposal and recommends award,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to enter and execute a contract with Code-It Consulting, said contract to be in such form as the County Attorney shall approve.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Freda Eisenberg, Commissioner

Re: Modify Resolution No. 491-17 to Correct Plans & Progress Grant Recipient Name

Date: December 21, 2017

Purpose of Resolution:

To modify Resolution No. 491-17 to correct a 2017 Plans & Progress Grant recipient's name; the award recipient St. Peter's Stewardship is incorrect and needs to be corrected to St. Peter's Roman Catholic Church.

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$<Insert Amount Here>

Are funds already budgeted? Yes/No

If "Yes" specify appropriation code(s): <Insert Code(s) Here>

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$<Insert Amount Here>

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government: \$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Freda Eisenberg Commissioner

**RESOLUTION NO. -17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
MODIFY RESOLUTION NO. 491-17 TO CORRECT A GRANT RECIPIENT NAME**

WHEREAS, Resolution No. 491-17 authorized the County Manager to enter into a contract with the award recipients of the Plans and Progress Small Grants Program; and

WHEREAS, the award recipient St. Peter's Stewardship name is incorrect; and

WHEREAS, the correct name is St. Peter's Roman Catholic Church;

NOW, THEREFORE, BE IT RESOLVED, Resolution No. 491-17 is hereby modified to the corrected award recipient name of St. Peter's Roman Catholic Church. All other provisions of Resolution No. 491-17 shall remain unchanged.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Lorne Green,

Re: Authorize contract with Catalog & Commerce Solutions LLC. d/b/a Discover eGov

Date: December 21, 2017

Purpose of Resolution:

**TO AUTHORIZE CONTRACT WITH CATALOG & COMMERCE SOLUTIONS, LLC,
d/b/a DISCOVER eGOV FOR WEBSITE REDESIGN AND HOSTING SERVICES.**

Is subject of Resolution mandated? Explain:

No.

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$57,926.00

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): A1680-43-4304

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$57,926.00

Grant(s): \$

State: \$

Other: \$

Federal Government:\$

(Specify):

**Specify Compliance with Procurement Procedures:
Request for Proposal**

**Bid/RFP/Quote#
RFP-17-44**

Person(s) responsible for monitoring contract (Title): Lorne Green

INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE CONTRACT WITH CATALOG & COMMERCE SOLUTIONS, LLC, D/B/A DISCOVER EGOV FOR WEBSITE REDESIGN AND HOSTING SERVICES.

WHEREAS, the County of Sullivan Information Technology Services (ITS) Department in support of the Sullivan County Legislature's directive, solicited and received (4) responses to RFP-17-44; Website Design, Development and Hosting Services on November 10, 2017; and

WHEREAS, after proposal evaluation, a team of Legislative, Management, ITS and other senior staff, interviewed (2) responsible respondent firms; and

WHEREAS, unanimously agreed that the proposal received from Catalog & Commerce Solutions, LLC, 263 East Street, PO Box 111, Pittsford, New York 14534, d/b/a Discover eGOV was the best qualified respondent to perform these services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Catalog & Commerce Solutions, LLC, for a total amount not to exceed \$57,926.00, for a contract period of January 1, 2018 through December 31, 2022; and

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



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Laura Quigley, Director

Re: MODIFICATION AGREEMENT WITH BOCES

Date: December 21, 2017

Purpose of Resolution:

Increase Contract amount with Sullivan County BOCES under the Workforce Innovation and Opportunity Act (WIOA) youth funds through June 30, 2018. SC BOCES provides education and training services to enrolled youth.

Is subject of Resolution mandated? Explain:

Yes-Under WIOA youth services this must be competitively procured.

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$12,000.00

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): A-6293-47-4780

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$0.00

Grant(s): \$0.00

State: \$0.00

Other: \$0.00

Federal Government:\$12,000.00

(Specify):

**Specify Compliance with Procurement Procedures:
Request for Proposal**

**Bid/RFP/Quote#
RFP-16-09**

Person(s) responsible for monitoring contract (Title): Laura Quigley Director



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Laura Quigley, Director

Re: SPACE RENTAL FOR ONE-STOP CENTER

Date: December 21, 2017

Purpose of Resolution:

To allow the County Manager to sign a lease agreement with the NYS Department of Labor for space at the One Stop Center. This resolution covers the lease period of 7/1/17-6/30/18. According to Federal regulations, payment for space cannot be made until after the time period has passed.

Is subject of Resolution mandated? Explain:

Yes. The Federal Workforce Innovation & Opportunity Act requires the creation of a comprehensive One Stop Center and requires the co-location of specific partners.

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$57,726.55

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): A-6293-47-4701

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$0.00

Grant(s): \$0.00

State: \$0.00

Other: \$0.00

Federal Government: \$57,726.55

(Specify):

Specify Compliance with Procurement Procedures:

Bid/RFP/Quote#

N/A

Prior Res #124-17

Person(s) responsible for monitoring contract (Title): Laura Quigley Director

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
DISSOLVE RESOLUTION NO. 452-17 AND AUTHORIZE THE COUNTY MANAGER
TO ENTER INTO AN ANCILLARY LEASE AGREEMENT WITH THE NEW YORK
STATE DEPARTMENT OF LABOR**

WHEREAS, the Center for Workforce Development rents space from the New York State Department of Labor (NYSDOL) to form the Sullivan Works One-Stop Center which is required by the Federal Workforce Innovation and Opportunity Act (WIOA), and

WHEREAS, the Department of Labor leases space at 50 North Street, Monticello, New York, and

WHEREAS, Resolution #452-17 was duly adopted on October 19, 2017 allowing the current lease to be extended, but (NYSDOL) had already issued a new project number which disallowed the extension. Therefore, Resolution #452-17 is to be dissolved, and

WHEREAS, a new lease agreement is required to cover the period July 1, 2017 through June 30, 2018, and

WHEREAS, the annual rent shall total \$57,726.55 (2,323 square feet at a rate of \$24.85 per square foot) respectively, for charges, which shall include cleaning, electricity, and all other costs relating to the use, occupation and maintenance of the space,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into the lease agreement with NYSDOL, and such lease shall be in the form approved by the County Attorney.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: Daniel Depew, Deputy County Manager

Re: To authorize the County of Sullivan to Purchase Property in the Village of Monticello

Date: December 21, 2017

Purpose of Resolution:

To Authorize the County of Sullivan to purchase property in the Village of Monticello.

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? Yes

If "Yes", provide the following information

Amount to be authorized by Resolution: \$855,000

Are funds already budgeted? Yes

If "Yes" specify appropriation code(s): 00915-00287 (Assigned Unappropriated

Fund Balance –Building Construction)

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$

Grant(s): \$

State: \$

Other: \$855,000

Federal Government:\$

(Specify):

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): Daniel Depew Deputy County Manager

TO AUTHORIZE THE COUNTY OF SULLIVAN TO PURCHASE PROPERTY IN THE VILLAGE OF MONTICELLO.

WHEREAS, the County of Sullivan (“County”) has been looking for additional space to move the operations of the Board of Elections, administrative offices for child support services, and other offices as necessary; and

WHEREAS, the County has obtained and reviewed appraisals for a property owned by the Medical Arts Building of Monticello, LLC, located in the Village of Monticello, 518 Broadway, designated as Tax Map Section 111 Block 3 Lot 26 (the “Property”); and

WHEREAS,

- 1) The County has been looking for additional space to accommodate the needs of the workforce as well as the growth that has occurred and is anticipated in the coming years. The two moves identified above, alone, would allow the county to help correct space issues in the Government Center and in the Travis Building.
- 2) Owners of the Property expressed interest in selling their building.
- 3) Owners of the Property advised the County that the building would be available at some point in the middle of 2018, a timeframe that is acceptable to the County and would enable the County to undertake the necessary preliminary investigations, inspections and review process to move the purchase to fruition.
- 4) A preliminary analysis of the cost required to renovate the Property to best accommodate the needs of the County government, is less than \$200,000.
- 5) The location of the Property is especially beneficial due to the fact that it is within the Village of Monticello, the County seat, and across the street from the current Government Center. It is proximate to a parking lot and would provide County employees with access to Broadway in Monticello; and

WHEREAS, the Owners have agreed on a purchase price of \$655,000.00 for the Property.

NOW THEREFORE BE IT RESOLVED,

1. The Chairman of the Sullivan County Legislature (“Chairman”) is hereby authorized to enter into a contract with the Medical Arts Building of Monticello, LLC for a purchase price of \$655,000.00, subject to terms mutually agreeable to the parties.
2. The County Manager is hereby authorized to undertake all actions necessary to bring this purchase to fruition, including inspections, environmental analyses and a title search of the Property.

3. The County Manager and the Chairman are authorized to execute any and all documents necessary for this real estate transaction to proceed and close, subject to approval by the County Attorney.

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes appropriating \$855,000 from the Building Construction (Tobacco) Fund Balance Assignment to fund the purchase and renovation of the Property; and

BE IT FURTHER RESOLVED, that the County Manager is authorized to expend reasonable costs, including those required for property and title inspections, title insurance, and environmental analyses, prior to closing title on the Property.



**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Executive Committee

Fr: AnnMarie Martin, Clerk to the Legislature

Re: Reappoint Members to the Soil & Water Conservation Board

Date: December 21, 2017

Purpose of Resolution:

<Insert detailed statement and justification here>

Is subject of Resolution mandated? Explain:

<Insert Explanation Here>

Does Resolution require expenditure of funds? Yes/No

If "Yes", provide the following information

Amount to be authorized by Resolution: \$<Insert Amount Here>

Are funds already budgeted? Yes/No

If "Yes" specify appropriation code(s): <Insert Code(s) Here>

If "No", specify proposed source of funds:

Estimated Cost Breakdown by Source

County: \$<Insert Amount Here>

Grant(s): \$<Insert Amount Here>

State: \$<Insert Amount Here>

Other: \$<Insert Amount Here>

Federal Government:\$<Insert

(Specify):

Here>

Specify Compliance with Procurement Procedures:

N/A

Person(s) responsible for monitoring contract (Title): AnnMarie Martin Clerk to the
Legislature

REAPPOINT WILFRED HUGHSON, JOHN GORZYNSKI, NADIA RAJSZ, MARK MCCARTHY AND EUGENE BENSON TO THE SOIL AND WATER CONSERVATION DISTRICT BOARD

WHEREAS, the terms of Wilfred Hughson and John Gorzynski members of the Sullivan County Soil & Water Conservation District Board of Directors expire on December 31, 2017 and

WHEREAS, the vacancies have been posted over 30 days on the county website and Mr. Hughson and Mr. Gorzynski have expressed a desire via letter to be reappointed to the board.

WHEREAS, that based on letters of their desire to continue to serve Mr. Hughson and Mr. Gorzynski be and hereby are reappointed to the Sullivan County Soil and Water Conservation Board of Directors for a new three year term to expire on December 31, 2020.

WHEREAS, it is the desire of the Legislature to reappoint Nadia Rajsasz and Mark McCarthy as legislative representatives and Gene Benson as Grange Member to the Sullivan County Soil and Water Conservation District Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby reappoints Wilfred Hughson and John Gorzynski, former representatives with an expiration of December 31, 2020, Nadia Rajsasz and Mark McCarthy as legislative representatives and Gene Benson as Grange Member to the Sullivan County Soil and Water Conservation Board of Directors with the term to expire on December 31, 2018.