



**SULLIVAN COUNTY LEGISLATURE**  
**SULLIVAN COUNTY GOVERNMENT CENTER**  
100 NORTH STREET  
PO BOX 5012  
MONTICELLO, NY 12701  
845-807-0435  
845-807-0447 (fax)

**EXECUTIVE COMMITTEE**  
**February 9, 2012 at 2:00PM**

**COMMITTEE MEMBERS:** Samuelson, Benson, LaBuda, Vetter, Rouis, Gieger,  
Edwards, Steingart, Sorensen

**I. COUNTY MANAGER'S MONTHLY REPORT**

**II. COUNTY ATTORNEY'S MONTHLY REPORT**

**III. DISCUSSION**

1. Redistricting of Legislative Districts-----Lynda Levine
2. Vacancies
3. NYSAC committees

**IV. RESOLUTIONS**

1. Amend Resolution 8 of 2012 changing Geiger to Edwards on S&W Board
2. Appoint Nora Shepard to the Long Term Care Council
3. Accept the Rural Minority Health Grant with NYS Department of Health
4. Reappoint Edith Mustavs to the Community Services Board
5. Appoint Sabina Toomey to the RSVP Board
6. Fill vacant Auto Mechanic Supervisor position in the Department of Public Works
7. Amend the July 21, 2011 Resolution No. 325-11 relating to the sale of the East Broadway Development Properties

**V. PUBLIC COMMENT**

**February 9, 2012 Executive Committee  
Vacancy Replacement Requests**

<b>Department</b>	<b>Position</b>	<b>Position #</b>	<b>Salary</b>
Sheriff's Office	Deputy Sheriff	7175	\$51,172
Sheriff's Office	Chief of Patrol/Internal Affairs	2527	\$72,800
Family Services	Typist	1210	\$22,457
Family Services	Case Services Aide	783	\$25,580
Family Services	PT Family Services Investigator-SIU Unit	2833	\$16,5017/hr
Family Services	Caseworker	78	33,214
Family Services	Social Welfare Examiner	744	\$31,090
Family Services	Caseworker	1149	\$38,566
DPW	Automotive Shop Supervisor	1361	\$28,9713/hr
DPW/FD	Seasonal Positions		
DPW/LSSP	Assist Director, Fort Delaware	1478	\$8.50/hr
DPW/FD	Park Manager	1548	\$15/hr
DPW/FD	Student Worker Seasonal	1566	\$7.25/hr
DPW/LSSP	Director, Fort Delaware	1589	\$12.50/hr
DPW/LSSP	Lifeguard Seasonal	1598-1602	\$8.50/hr
DPW	Park Entry Attendant	1603	1626
DPW/LSSP	Laborer I Seasonal	1858	\$7.25/hr
DPW/LSSP	Laborer I Seasonal	1860	\$7.25/hr
DPW/LSSP	Laborer I Seasonal	1862	\$8.25/hr
DPW/LSSP	Laborer I Seasonal (CT Leader)	1864	\$7.25/hr
DPW	Laborer I Seasonal	1866	\$7.25/hr
DPW	Laborer I Seasonal	1940	\$7.25/hr
DPW	Laborer I Seasonal	1941	\$7.25/hr
DPW	Laborer I Seasonal	1947	\$7.25/hr
DPW/CT	Student Worker Seasonal	1996	1997
DPW/LSSP	Lifeguard Seasonal	1998	\$8.50/hr
DPW/CT	Student Worker Seasonal	1999	2000
DPW/CT	Student Worker Seasonal		\$7.25/hr

DPW/FD	Student Worker Seasonal	2072	2073	\$7.25/hr
DPW/FD	Student Worker Seasonal	2087	2089-2091	\$7.25/hr
DPW/LSSP	Laborer I Seasonal	2102		\$7.25/hr
DPW/LSSP	Park Manager	2565		\$15.00/hr
DPW/LSSP	Lifeguard Seasonal	2566		\$8.50/hr
DPW/D&H	Director, County Historical Sites	2811		\$10.50/hr
DPW/D&H	Asst. Dir., County Historic Sites	2812		\$9.50/hr

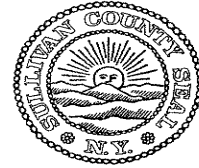
**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND  
RESOLUTION NO. 8-12 TO APPOINT TWO MEMBERS TO THE SULLIVAN  
COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS**

**WHEREAS**, the terms of Elwin Wood and David Sager expired on December 31, 2011, creating two vacancies, and

**WHEREAS**, resolution no. 8-12 appointed Cindy Kurpil Gieger and Gene Benson to fill the vacancies of Elwin Wood and David Sager, and

**WHEREAS**, it is the desire of the Legislature to amend Resolution No. 8-12 to appoint Cora Edwards and Gene Benson to fill the vacancies of Elwin Wood and David Sager.

**NOW, THEREFORE, BE IT RESOLVED**, that Resolution No. 8-12 is hereby amended, and that Mrs. Edwards and Mr. Benson are hereby appointed to the Sullivan County Soil and Water Conservation Board of Directors with the terms to expire on December 31, 2013.



**COUNTY OF SULLIVAN  
LEGISLATIVE  
MEMORANDUM**

TO: County Legislature  
 FROM: Deborah E. Allen  
 TITLE: Director  
 DEPARTMENT: Office for the Aging

**COMMITTEE WITH JURISDICTION**

<b>Check all that apply</b>	<input type="checkbox"/>	Community Development & Planning	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>	Health & Family Services
	<input type="checkbox"/>	Financial Management	<input checked="" type="checkbox"/>	Executive Committee	<input type="checkbox"/>	General Services
	<input type="checkbox"/>	Public Works	<input type="checkbox"/>	Real property	<input type="checkbox"/>	Veterans
	<input type="checkbox"/>	Personnel				

SUBJECT OF RESOLUTION: Long Term Care Council - SULLIVAN NYCONNECTS (formerly called Point of Entry)

PURPOSE OF RESOLUTION: Appoint member to the Long Term Care Council

DATE OF FIRST SUBMISSION: 02-09-12

BRIEF DESCRIPTION: Resolution to appoint member to the Long Term Care Council

Costs to Other County Programs:

Mandated                       Budgeted                       Budget Revision Necessary

<b>FINAL IMPACT:</b>	Balance of			
Projection:	YR1	YR2	YR3	YR4
County Cost				
State Funds				
Federal Funds				
Other				
Total				

If NONE, check here:

**Resolution No.**

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE**

**RESOLUTION TO APPOINT MEMBER TO THE LONG TERM CARE COUNCIL FOR SULLIVAN NYCONNECTS (FORMERLY CALLED THE POINT OF ENTRY SYSTEM).**

**WHEREAS**, the County Legislature has authorized the creation of a Long Term Care Council to assist in the development of SULLIVAN NYCONNECTS (formerly called the Point of Entry system), and

**WHEREAS**, there is a need to appoint a member to the Long Term Care Council, and

**WHEREAS**, the appointment of a member shall be for either a term to end 12/31/12 or a term to end 12/31/13, and

**WHEREAS**, the appointment is to commence on February 9, 2012.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby appoint the following member to the SULLIVAN NYCONNECTS (formerly called Point of Entry) Long Term Care Council, for the term to expire on the date opposite of the name.

Representative Member

Nora Shepard  
Independent Living, Inc.  
Advocacy Group

12/31/13

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 20\_\_.



## COUNTY OF SULLIVAN LEGISLATIVE MEMORANDUM

To: COUNTY LEGISLATURE  
 From: Carol S. Ryan, RN, BSN, MPH  
 Title: Public Health Director/Director of Patient Services  
 Department: Public Health Services

**COMMITTEE WITH JURISDICTION:**

Check all that apply:

<input type="checkbox"/> Executive	<input type="checkbox"/> Planning & Community Development
<input type="checkbox"/> Personnel	<input type="checkbox"/> Public Safety
<input type="checkbox"/> Financial Management	<input type="checkbox"/> Public Works
<input type="checkbox"/> General Services	<input type="checkbox"/> Real Property
<input checked="" type="checkbox"/> <b>Health and Family Services</b>	<input type="checkbox"/> Veterans

**SUBJECT OF RESOLUTION:** Contract with NYS Department of Health Office of Minority Health

**PURPOSE OF RESOLUTION:** To authorize contract with the New York State Department Office of Minority Health to receive \$12,000 funding award for the 1<sup>st</sup> year of the grant and \$11,000 for the 2<sup>nd</sup> year from the Rural Minority Health Grant.

**DATE OF FIRST SUBMISSION** February 9, 2012

**BRIEF DESCRIPTION:** Sullivan County Public Health Services requests that the County Manager be authorized to enter into a contract with the NYS Department of Health Office of Minority Health to accept a funding award of \$12,000 for the period September 1, 2011 to July 31, 2012 and in the amount of \$11,000 for the period September 1, 2012 to July 31, 2013 to be used to identify minority health needs in Sullivan County and to plan strategies to address them.

Costs to Other County Programs:

Mandated     Budgeted     Budget Revision Necessary (for 2012; the county budget for 2013 has not yet been prepared)

**FINANCIAL IMPACT:**

Projection:	YR1**	YR2	YR3	YR4
County Cost	\$ _____	\$ _____	\$ _____	\$ _____
State Funds	\$ 12,000	\$ 11,000	\$ _____	\$ _____
Federal Funds	\$ _____	\$ _____	\$ _____	\$ _____
(Third Party Revenue) Other	\$ _____	\$ _____	\$ _____	\$ _____
Total	\$ 12,000	\$ 11,000	\$ _____	\$ _____

If NONE check here:

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ACCEPT THE RURAL MINORITY HEALTH GRANT WITH NEW YORK STATE DEPARTMENT OF HEALTH**

**WHEREAS**, an application was submitted for a Rural Minority Health Grant for the purpose of identifying minority health needs in Sullivan County and for planning strategies to address them, and

**WHEREAS**, New York State Department of Health Office of Minority Health has the authority to regulate and provide funding for the establishment and operation of program services, and

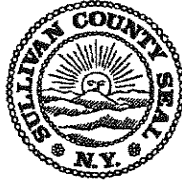
**WHEREAS**, New York State Department of Health Office of Minority Health awarded a Rural Minority Health Grant to Sullivan County Public Health Services for funding in the amount of \$12,000 for the period September 1, 2011 to July 31, 2012 and in the amount of \$11,000 for the period September 1, 2012 to July 31, 2013.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and is hereby authorized to execute all documents necessary to accept the funding for a Rural Minority Health Grant, and

**BE IT FURTHER RESOLVED**, that in the event funding ceases, the County will not be obligated to continue providing services, which were to be funded by the grant.

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





## CERTIFICATE OF AVAILABILITY OF FUNDS

Department Requesting the CAF: Public Health Services

Reason/Justification for the CAF: Sullivan County Public Health Services requests that the County Manager be authorized to enter into a contract with the NYS Department of Health Office of Minority Health to accept a funding award of \$12,000 for the period September 1, 2011 to July 31, 2012 and in the amount of \$11,000 for the period September 1, 2012 to July 31, 2013. The funding is from the Rural Minority Health Grant; the purpose of which is to identify minority health needs in Sullivan County and to plan strategies to address them,

Line Items to be Expensed/Encumbered: N/A – this is revenue. A/C #A4010-44-3401.R167 State Aid Public Health – Depart. Aid will be credited for receipt of funding. (See Note below.)

<u>Org/Object#</u>	<u>Current Bal.</u>	<u>Expense in Resolution</u>	<u>Ending Balance</u>
A4010-33- R3401.R167	*	Not Applicable *	*

\*This is state aid, not an estimated expenditure.

Did this follow the County's Procurement Policy? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A X

N/A – this is a contract to obtain state funding

If no, explain why \_\_\_\_\_

FAO APPROVAL Marilyn Bonfigli,

COMMISSIONER/DIRECTOR APPROVAL Carol Ryan,

BUDGET OFFICE APPROVAL \_\_\_\_\_,

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

**RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE.**

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

**WHEREAS**, there is a need to re-appoint one (1) member to the Community Services Board; and

**WHEREAS**, the appointment is to commence on January 1, 2012; and

**WHEREAS**, the appointment shall be for a four (4) year term ending on December 31, 2015.

**NOW, THEREFORE, BE IT RESOLVED**, the following individual(s) be reappointed to the Sullivan County Community Services Board to reflect a four (4) year term.

<b>RE-APPOINTMENTS TO THE CSB</b>	<b>TERM</b>
Edith "Edie" Mustavs	1/1/2012 - 12/31/2015

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE  
RESOLUTION TO APPOINT ONE MEMBER TO THE RSVP ADVISORY  
COMMITTEE**

**WHEREAS**, there is a need to appoint one (1) members to the Retired Senior Volunteer Program Advisory Committee (RSVP), and

**WHEREAS**, there are currently two vacancies on the board, and

**WHEREAS**, it is the desire to appoint Sabina Toomey to one of those vacancies, and

**WHEREAS**, the above appointment is to commence on the date this resolution is adopted.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby appoint the following member to the RSVP Advisory Committee (Kelly slot) for the term to expire on the date opposite of her name.

**RSVP APPOINTMENT:**

**TERM:**

Sabina Toomey  
187 Route 48  
Forestburgh, NY 12777

3/1/2014



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

**RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE**

**RESOLUTION TO FILL VACANT POSITION OF AUTOMOTIVE SHOP SUPERVISOR**

**WHEREAS**, as of September 1, 2011 there existed a vacancy of an Automotive Shop Supervisor in the Division of Public Works; and

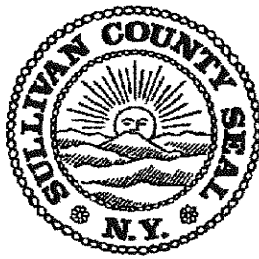
**WHEREAS**, there is a need to fill this position; and

**WHEREAS**, the vacant position left by the former Automotive Shop Supervisor is a full time position at a current salary of \$29.6332 per hour plus benefits; and

**WHEREAS**, this position and salary is included in the 2012 Sullivan County Budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commissioner of Public Works is hereby authorized to fill the aforesaid position at a maximum of \$29.6332 per hour plus benefits and backfill as necessary to maintain the minimum 128 employees represented by the LIU 17 Collective Bargaining Agreement as agreed upon in the October 8, 2010 side agreement between the County and LIU 17.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.



Department Requesting the CAF:

Division of Public Works

Reason/Justification for the CAF:

Vacancy Replacement Request for Automotive Shop Supervisor, Postion # 1361

Line Items to be Expensed/Encumbered:

<u>Dept. #</u>	<u>Current Balance</u>	<u>Expense in Resolution</u>	<u>Ending Balance</u>
DM 5130-48-10-1011	1,043,754	61,853	981,901
DM 5130-48-80-8001	86,457	4,732	81,725
DM 5130-48-80-8002	266,224	18,343	247,881
DM 5130-48-80-8007	2,940	<u>140</u>	2,800
		85,068	

FAO APPROVAL M. DeMarmels 2/7/12

COMMISSIONER/DIRECTOR APPROVAL John L. Boye 2/7/12

BUDGET OFFICE APPROVAL John P. Stone 2/17/12

**RESOLUTION NO. \_\_\_\_\_-12 INTRODUCED THE EXECUTIVE COMMITTEE, TO AMEND THE JULY 21, 2011 RESOLUTION NO. 325-11 RELATING TO THE SALE OF THE EAST BROADWAY DEVELOPMENT PROPERTIES**

**WHEREAS**, the County Legislature, by Resolution 325-11, dated July 21, 2011 authorized the transfer of certain parcels of land to the Sullivan County Funding Corporation ("SCFC"), and

**WHEREAS**, Resolution 325-11 contained certain dates by when certain tasks had to be accomplished, and

**WHEREAS**, subsequent to the passage of Resolution 325-11 it became necessary, in order to assure no taint on title, to resolve a litigation commenced by the Village of Monticello concerning the payment of certain real property taxes with respect to a portion of the property which was subject to Resolution 325-11, and

**WHEREAS**, it was not possible to complete all of the milestone tasks set forth in Resolution 325-11 while the aforesaid litigation was pending, and

**WHEREAS**, the aforesaid litigation has now been resolved, and

**WHEREAS**, as a result of the foregoing it is necessary that the County Legislature amend Resolution 325-11 as follows:

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Legislature hereby agrees to authorize the transfer of the East Broadway Re-Development Properties to the SCFC for the following consideration and under the following terms and conditions:

A. The actual transfer of title shall take place on such date as the Member of the SCFC, the Chairman of the County Legislature and the County Attorney shall agree that all preliminary matters required and prudent to be accomplished with respect to the project have been completed including, but not limited to, all necessary agreements and transfer documents, provided however, that if title shall not have been transferred to the SCFC by ~~December~~ <sup>March</sup> 31, 2011~~2012~~ the authority conveyed by this Resolution shall be revoked and no authority for such transfer shall then exist, and

B. The County shall ensure that, on the date of the transfer of title of the East Broadway Re-Development Properties to the SCFC, the Phase I Landfill shall remain in environmental compliance in that based on the most recent regular testing of perimeter wells there will have been no excursions of noxious materials into the groundwater from the Phase I Landfill, and

- C. Transfer of title shall be by quit-claim deed and the SCFC shall accept the property in its "as is/where is and with all faults condition" without representation or warranty by the County of any kind or character, express or implied, including, but not limited to, any representation or warranty as to fitness for use or habitability.
- D. The SCFC shall use its best, good faith efforts to ensure that the East Broadway Re-Development Properties are developed for appropriate commercial uses which maximize employment and sales tax revenues; provided, however, the separately designated tax parcel of approximately one (1) acre formerly used for a theatre can be used for a not for profit use, and
- E. In the event the SCFC enters into leases for the commercial development of the East Broadway Re-Development Properties, the SCFC shall remit payments to the County, on a monthly basis, commencing with the first month in which it receives rent, and for the entire term and renewal terms of any such leases, which constitute ninety (90%) per centum of the rent and other consideration, if any, paid to the SCFC by any and all tenants, sub-tenants and assigns, and
- F. In the event the SCFC shall sell any portion of the East Broadway Re-Development Properties to any appropriate commercial retail user, the SCFC shall remit to the County, within thirty (30) days after it receives the same from the purchaser, either a lump sum or in installments, ninety (90%) of the net sales price (including interest if any) after deduction for SCFC's reasonable selling costs such as legal fees and the like, and
- G. In the event construction of the aforesaid appropriate commercial facilities on the East Broadway Re-Development Properties shall not have commenced within eighteen (18) months following the later to occur of the date on which the County transfers title to the East Broadway Re-Development Properties to the SCFC OR from execution of a binding agreement between SCFC and a developer then, in such event, at the sole option of the County as determined by a majority vote of the County Legislature, the County shall have the right to require, and SCFC shall comply, that title to the East Broadway Re-Development Properties be re-conveyed to the County at no cost to the County, and
- H. It is specifically agreed that the SCFC or its tenants/transferees and not the County shall be solely responsible for the preparation of and liability for all applicable environmental reviews in connection with the commercial development of the East Broadway Re-Development Properties, and



I. The County shall cooperate, at no cost or expense to it, with the SCFC in the aforesaid commercial development of the SCFC, and

J. The County and the SCFC shall execute and deliver any and all instruments, agreements and documents, containing such terms and conditions, as the County deems necessary or appropriate to effectuate the purposes, terms and conditions of this resolution, including any instruments or agreements executed and delivered in connection with the proposed transfer of title herein.

2. The Legislature also authorizes the transfer of title to the aforesaid 1.01 (approximate) acre parcel to the SCFC under the following terms:

A. In the event that at any time while the SCFC is in title to the East Broadway Re-Development Properties or any portions thereof, but in no event later than December 31, 2012, the SCFC shall request that the County The County shall transfer title to the aforesaid parcel consisting of approximately 1.01 acres in the northeastern portion of the aforesaid 77.42 acre (approximate) parcel, the County shall convey by quit claim deed such additional parcel in return for the lump sum payment of which shall be due in full at the time of the transfer of such title and which amount shall constitute adequate consideration for such conveyance and sufficient to enable the County to determine that such parcel is no longer necessary for public use. to SCFC at the same time as the transfer of the East Broadway Re-Development Properties occurs. It is contemplated that SCFC will transfer fee title to the front area of the East Broadway Development Properties and lease to the same developer the back area such that the developer can use fill from the back area and can develop the back area after proceeding with development of the front area. It is further contemplated that the developer will pay SCFC \$2mm for the front area less up to \$500,000 for one half of any remediation work necessary to utilize the properties. If the County receives 90% of the net sales price no further consideration will be due for the 1.01 acre. Such property shall be conveyed in its "as is/where is and with all faults condition" without representation or warranty by the County of any kind or character, express or implied, including, but not limited to, any representation or warranty as to fitness for use or habitability.

3. The Legislature hereby authorizes the Chairman of the Legislature to execute any appropriate transfer documents and related agreements, which documents shall be in a form approved by the County Attorney.