



SULLIVAN COUNTY LEGISLATURE
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
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MONTICELLO, NY 12701
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EXECUTIVE COMMITTEE
April 18, 2013 at 2:00PM

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

I. ACTING COUNTY MANAGER'S MONTHLY REPORT

II. COUNTY ATTORNEY'S MONTHLY REPORT

III. DISCUSSION

Vacancies

Planning Commissioner Advertising

Debt Policy/Investment Policy

Fund Balance Policy

Urge NYS Legislature to adopt S04277 and A00824 Requiring a plaintiff in a mortgage foreclosure action to maintain the subject property in good faith

IV. RESOLUTIONS :

1. Appoint members to the Emerald Corporate Center LDC
2. Authorize the settlement of a Federal Claim (Wowk)
3. Adopt the list of those public officials and employees of the County of Sullivan to file a Financial Disclosure Statement
4. Set a public hearing for May 16, 2013 at 1 :30PM regarding the proposed ethics law
5. Authorize Intermunicipal agreement with the Town of liberty to provide accommodations for seized dogs
6. Authorize agreement with Joanne Gerow to provide accommodations for seized animals, other than dogs
7. Accept the recommendations of the Sullivan County Solid Waste/Recycling Fee Grievance Committee approvals and denials
8. Accept an award from the DEC for the Cribs for Kids Program
9. Authorize \$3,500,000 in bonds for reconstruction of the county roadways

V. PUBLIC COMMENT



Vacancy Request Fact Sheet

Date: 4/16/13

Department: Dept. of Family Services

Department Head: Randy Parker, Commissioner

Position / Duties: Secretary II to the Commissioner

functions peaks w/

Assist Commissioner w/ formulating policies + procedures, maintain clerical complete data + prepare reports of incoming mail answer general correspondence office calls, scheduling or conferences, may perform specific assignments from Commissioner

Salary: \$40,322

Benefits: \$29,004

Total Cost: \$69,326

County Share: \$12,915

Federal Share: > \$56,411

State Share:

Other:

Mandated: NO

Budgeted: yes Budget Line: A-6010-38-10-1011 + A6010-38-80-8001 thru 80-8009

Date of Vacancy: 4/29/13

Notes:

Date Received 4/16/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

✓

Vacancy Request Fact Sheet

Date: 4/2/13

Department: ACC

Department Head: Cathy Rauschendorfer

Position / Duties: Position # 398 - House Manager - Supervises other nurses and CNA's on evening shift. Addresses staffing issues that arise on the shift. Assures that resident and facility needs are met by reviewing med passes, treatments, etc.

Salary: 55,641

Benefits: 35,234

Total Cost: 90,875

County Share: 3,048

Federal Share: 20,761

State Share: 56,664

Other: 10,402

Mandated: Although DOH does not mandate staffing patterns this position is vital to the facility.

Budgeted: Budget Line:

Date of Vacancy: 4/15/13

Notes: It is imperative that we fill nursing positions when they become vacant as there are currently 4 nurses out on LOA and we need to maintain adequate coverage on all shifts

Date Received 4/2/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V2

THIS FORM MUST BE FILLED OUT AND SENT TO THE COMMISSIONER OF MANAGEMENT AND BUDGET ALONG WITH YOUR VACANCY REQUEST.

- 1) **The position must be critical and essential to fulfill the county's obligations to the public safety, health, and welfare of the general public.** In order to provide adequate resident care and assure that the level of care meets DOH regulations, this position is vital to the facility.
- 2) **The position, if not critical and essential to the fulfilling the county's obligations to providing for the public safety, health, and welfare of the general public, then it must be critical to the fiscal health of the county**

N/A

- 3) **The position, if ties to reimbursements or revenues due to the county will be considered for authorization to fill. Please demonstrate the impact, either positive or negative, and how this position is critical and essential to realizing the reimbursements or revenues due to the county in a timely manner.**

N/A

- 4) **A position that is grant funded is not reason enough to fill the position. Even in a grant funds a position, the grant usually does not cover 100 percent of the county's costs, and usually does not contribute toward retiree health benefit costs and obligations of the county.**

N/A, not a grant covered position.

- 5) **A position that may be needed to fulfill state mandates. First, please indicate whether the position reflects a funded or unfunded state mandate. Second, demonstrate the impacts to providing that state mandated service, either positive or negative, on the critical and essential need to fill a particular position.**

This position is not required by State mandates but is necessary in order to meet DOH/CMS regulations and to assure that resident needs are met..

- 6) **A position will eliminate any need for overtime to fulfill a county provided service**

N/A

V2A

Vacancy Request Fact Sheet

Date: April 1, 2013

Department: Sullivan County Public Health Services

Department Head: Carol Ryan, RN, BSN, MPH

Position / Duties: 4082.164 - Nutritionist / WIC

Salary*: Entry: \$38,046; Full: \$40,048

*For all new teamsters hired after 9/1/10, their wages are to be reduced by 10% in compliance with their union agreement. If this were not the case, this position's entry and full wage rates would have been \$42,272 and \$44,497, respectively.

Benefits: Entry: \$24,232; Full: \$24,514

Total Cost: Entry: \$62,278; Full: \$64,562

County Share: \$0.00

Federal Share: For entry wages & benefits: \$52,251; for full wages & benefits: \$54,167

State Share: For entry wages & benefits: \$10,027; for full wages & benefits: \$10,395

Other: N/A

Mandated: Yes, contractual

Budgeted: Yes **Budget Line:** A4082-10-1011 – Personal Services Regular Pay and for the various benefits: A4082-80-8001 through A4082-80-8007

Date of Vacancy: April 1, 2013

- 1) **Notes:** State funded requirement as part of our contract with NYSDOH to have adequate personnel to meet the needs of the population and caseload we are serving; the state has funded us for 3 Nutritionist positions; we currently have two filled and one full time position vacant.
- 2) By filling the position, there will be a positive impact on the health and nutritional status of pregnant women, infants and children, a reduction in waiting time for clients needing food vouchers, and a positive impact on local vendors.

Date Received 4/2/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ **No** _____

Held _____

V3

Vacancy Request Fact Sheet

Date: 3-26-13

Department: Family Services

Department Head: Commissioner Randy J. Parker

Position/Duties: Sr. Social Welfare Examiner (SIU Unit) Budget Pos # 324

Handles collections (billing clients that owe money through SIU cases and repayment agreements); arranges repayment agreements for rent, fuel and utilities (prepares confession of judgments and voluntary wage assignments where applicable); calculates Public Assistance, Food Stamp, Medicaid, DayCare, HEAP and Vendor overpayments that have resulted from investigations and agency errors; enters claims in CAMS (Cash Management System) for money owed; determines eligibility for indigent burials; agency contact for Treasury Offset Program (intercept of federal money, etc); monitors Lottery Intercept Program; follow-up with necessary paperwork for bankruptcy claims; Social Security Liaison for DFS; contact person to have PA/FS benefits expunged when needed.

Salary: \$ 38,566

Benefits: \$ 29,137

Total Cost: \$67,563

County Share: \$23,681

Federal Share: \$33,964

State Share: \$9,918

Other:

Mandated:

Budgeted:	\$38,566	Budget Line:	A6010-53-10
	\$29,137		A6010-53-80
	(\$9,918)		A6010-53-R4610R228
	(\$9,918)		A6010-53-R3610R104
	(\$15,587)		A6010-52-R4610R203
	(\$8,459)		A6010-52-R4610R228

Date of Vacancy: 12/28/12

Notes: County Share \$1,885 less than budgeted.

Date Received 3/27/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

YES _____ NO _____

Held _____

V4

✓

Vacancy Request Fact Sheet

Date: 3-26-13

Department: Family Services

Department Head: Commissioner Randy J. Parker

Position/Duties: Account Clerk, Temporary Assistance Unit **(BUDGET POS #388)**
Works with Case Manager as clerical support for homeless clients (letters, filing, return calls); update motel databases; process move slips, update apartment list; fill-in relief for switchboard and front desk as necessary

Salary: \$ 22,457

Benefits: \$24,857

Total Cost: \$47,314

County Share: \$0

Federal Share: \$47,314

State Share:

Other:

Mandated:

Budgeted:	\$22,457	Budget Line:	A6010-52-10
	\$24,857		A6010-52-80
	(\$47,314)		A6010-52-R4615R167

Date of Vacancy: 1-7-13

Notes:

Date Received 3/27/13 **Date Reviewed** _____

Approved _____ **Committee Vote:**

Denied _____ **YES** _____ **NO** _____

Held _____

V5

Vacancy Request Fact Sheet

Date: 3-26-13

Department: Family Services

Department Head: Commissioner Randy J. Parker

Position/Duties: Social Welfare Examiner (**BUDGET POS #469**)

Applications for emergency and urgent shelter and/or food will not be processed in a timely and mandatory timeframe and could impact the health, safety and well-being of county residents. There will also be additional client applications for utility emergencies and shut-offs to be processed upon completion of the HEAP season.

Salary: \$ 34,544

Benefits: \$ 27,928

Total Cost: \$ 62,472

County Share: \$ 9,427

Federal Share: \$32,644

State Share: \$20,401

Other:

Mandated:

Budgeted:	\$34,544	Budget Line:	A6010-55-10
	\$27,928		A6010-55-80
	(\$20,400)		A6010-53-R4610R228
	(\$20,401)		A6010-53-R3610R104
	(\$6,638)		A6010-52-R4610R203
	(\$5,606)		A6010-52-R4610R228

Date of Vacancy: 6/27/11

Notes: \$637 more than budgeted

Date Received 3/27/13 **Date Reviewed** _____

Approved _____ **Committee Vote:**

Denied _____ **YES** _____ **NO** _____

Held _____

V6

Vacancy Request Fact Sheet

Date: 3-19-13

Department: Family Services

Department Head: Commissioner Randy J. Parker

Position/Duties: Sr. Social Welfare Examiner, Fraud (BUDGET POS #2674)

Handles collections (billing clients that owe money through SIU cases and repayment agreements); arranges repayment agreements for rent, fuel and utilities (prepares confession of judgments and voluntary wage assignments where applicable); calculates Public Assistance, Food Stamp, Medicaid, DayCare, HEAP and Vendor overpayments that have resulted from investigations and agency errors; enters claims in CAMS (Cash Management System) for money owed; determines eligibility for indigent burials; agency contact for Treasury Offset Program (intercept of federal money, etc); monitors Lottery Intercept Program; follow-up with necessary paperwork for bankruptcy claims; Social Security Liaison for DFS; contact person to have PA/FS benefits expunged when needed.

Salary: \$ 38,566

Benefits: \$28,997

Total Cost: \$67,563

County Share: \$23,700

Federal Share: \$33,945

State Share: \$9,918

Other:

Mandated:

Budgeted:	\$38,566	Budget Line:	A6010-55-10
	\$28,997		A6010-55-80
	(\$9,918)		A6010-53-R4610R228
	(\$9,918)		A6010-53-R3610R104
	(\$15,568)		A6010-52-R4610R203
	(\$8,459)		A6010-52-R4610R228

Date of Vacancy: 4/26/13 Retirement

Notes: County share \$1,056 less than budgeted.

Date Received 3/27/13 **Date Reviewed** _____

Approved _____ **Committee Vote:**

Denied _____ **YES** _____ **NO** _____

Held _____

V7

Vacancy Request Fact Sheet

Date: 3-26-13

Department: Family Services

Department Head: Commissioner Randy J. Parker

Position/Duties: Caseworker (BUDGET POS #1149)

Case worker is responsible for providing case management to an assigned caseload of adults with a disability that meets the state criteria for eligibility. Case management service will include the investigation of Protective Services for Adults referrals, as well as the identification for services needed and development of a plan to resolve the problem. This will include connecting the client to community supports and making interagency referrals as indicated. The worker is responsible for maintaining the client case record, electronically as well as the hard file; processing bills for payee cases and assisting the client with applications for public benefits. Other duties will include home and community visits, transportation of clients to and from appointments and attending interagency meetings as required.

Salary: \$ 38,566

Benefits: \$ 29,137

Total Cost: \$ 67,703

County Share: \$9,194

Federal Share: \$31,631

State Share: \$26,878

Other:

Mandated:

Budgeted:	\$38,566	Budget Line: A6010-57-10
	\$29,137	A6010-57-80
	(\$31,631)	A6010-57-R4610R228
	(\$26,878)	A6010-57-R3610R104

Date of Vacancy: 3/28/13

Notes:

Date Received 3/27/13 **Date Reviewed** _____

Approved _____ **Committee Vote:**

Denied _____ **YES** _____ **NO** _____

V/8

COUNTY OF SULLIVAN
FUND BALANCE POLICY

GENERAL INFORMATION:

Sullivan County shall establish a clear policy and procedure for developing, appropriating, and managing its operating budget and capital program. This includes a policy for establishing year-end fund balances that meet specific targets for ensuring accounting and fiscal stability.

It is the policy of the Legislature to adopt a budget each year that is estimated by County Manager and Chief Fiscal Officer to result in year-end fund balances that meet the targets listed below. This policy is important because:

- A. Fund balance size and stability are important factors to credit markets when they determine the credit rating of Sullivan County debt instruments, which in turn affects the interest rate that taxpayers must pay for borrowed funds for many years;
- B. An adequate fund balance enables the County to respond to unforeseen negative events and to level out the impact of those events on taxpayers and service-delivery recipients;
- C. An adequate fund balance makes possible a cash position that is viewed by credit markets as healthy and avoids unnecessary staff time for accounting;
- D. Adequate reserves avoid the costs of borrowing, and generate interest earnings;
- E. Fund balance policy should ensure the County maintains adequate fund balance and reserves to provide the capacity to provide sufficient cash flow for daily financial needs, and to provide adequate reserves to offset significant economic downturns or revenue shortfalls.

All of the above results in lower taxes over the long run. Proposals to reduce the fund balances below target levels in order to avoid higher taxes should always be viewed in this light, lower taxes once can meant repeated future tax increases.

DEFINITIONS:

GASB has replaced the earlier reserved and unreserved fund balance classifications with the following ones:

- A. **FUND BALANCE:** Consists of the measurement of available resources and represents the difference between total assets and total liabilities.
- B. **NONSPENDABLE:** Consists of assets that are inherently non-spendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principle of endowments.

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- C. **RESTRICTED**: Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.
- D. **COMMITTED**: Consists of amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority before the end of the fiscal year, and the same level of formal action is required to remove the constraint.
- E. **ASSIGNED**: Consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund assigned fund balance represents the residual amount of fund balance.
- F. **UNASSIGNED**: Represents the residual classification for the government's general fund, and could report a surplus or a deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for the specific purposes for which amounts had been restricted, committed or assigned.

POLICY:

- A. When resources have been spent, the County deems that they have been first spent from the highest constraint level available; therefore, they are considered to have been spent in the following order: restricted, committed, assigned and unassigned.
- B. The County will maintain an adequate fund balance in its general fund to provide flexibility and to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures), to ensure stable tax rates, to provide for one time opportunities and to retain favorable credit ratings. The County will endeavor to maintain assigned and unassigned fund balance in its general fund of five percent (5%) of regular general fund operating expenditures.
- C. The actual level of fund balance in the County's general fund is determined in its annual financial statement, several months after the end of the fiscal year. The County's budgeting process, which culminates both in the establishment of the following year's tax rate and the use of any appropriated fund balance, begins approximately two years in advance of the financial statement that will show the budgets results. Because of this time lag and because of the uncertainties of the budgeting process (such as the amounts of appropriated fund balance actually used each year), it is not possible to guarantee in advance a specific level of fund balance at the close of any fiscal year. Therefore, the County will use the following procedure to adjust the levels of fund balance, as necessary.

PROCEDURE:

- A. Once the external auditor has reviewed the County's financial statements for the prior year and has confirmed the fund balances of the general fund, the County Manager and Chief Fiscal Officer will recommend to the appropriate committee of the Legislature the amounts and types of assignments for the fund balance to be included in the financial statement.
- B. The appropriate committee of the Board will review these assignments, discuss them with the external auditor as necessary and accept or modify the assignments prior to the presentation of the statement to the Board.

FB2

- C. The County Manager, as Budget Officer and County Treasurer as Chief Fiscal Officer, shall make recommendations regarding the use of fund balance to be appropriated in the following year's budget based on this policy; specifically, he shall recommend as amount that will, in their estimation, retain the level of fund balances established in this policy.
- D. If the level of assigned and unassigned fund balances in the general fund falls more than 10% above or below the level set by this policy, the County Manager, as Budget Officer and County Treasurer as Chief Fiscal Officer shall recommend increasing (but see E, below) or decreasing the use of fund balance appropriated in the following year's budget, such that in his estimation over the course of no more than three years, the fund balance will be again within the level set by this policy.
- E. Where the level of Assigned/Unassigned fund balances is shown to be more than 10% above the level set by this policy, as an alternative, or in addition to increasing the use of fund balance in the following year's budget, the County Manager and County Treasurer may recommend the use of, or the Legislator's may use, Assigned/Unassigned fund balances during or outside the budget process for one-time expenditures to meet unusual opportunities or to reduce the County's debt in order to, in their estimation, meet this policy.

FB3



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Bill No.: A00824

Summary Actions Votes Memo Text (*Printer friendly text*)

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A00824 Summary:

BILL NO A00824A
 SAME AS SAME AS [S04277](#)
 SPONSOR Kearns
 COSPNSR Jaffee, Steck, Gabryszak, Robinson, Scarborough, Schimel, Fahy, Weisenberg, Walter, Hooper
 MLTSPNSR Corwin, DiPietro, Galef, Gottfried, Katz, Lopez P, McDonald, Reich, Stec, Stirpe
 Amd S1307, RPAP L

Requires a plaintiff in a mortgage foreclosure action to maintain the subject property in good faith.

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A00824 Text:

S T A T E O F N E W Y O R K

824--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. KEARNS, JAFFEE, STECK, GABRYSZAK, ROBINSON, SCARBOROUGH, SCHIMEL -- Multi-Sponsored by -- M. of A. CORWIN, GOTTFRIED, McDONALD, STEC -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property actions and proceedings law, in relation to requiring a plaintiff in a mortgage foreclosure action to maintain the subject property in good faith

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision 1 of section 1307 of the real property actions
- 2 and proceedings law, as added by chapter 507 of the laws of 2009, is
- 3 amended to read as follows:
- 4 1. A plaintiff [in] WHO COMMENCES a mortgage foreclosure action [who
- 5 obtains], INCLUDING A LENDER, AN ASSIGNEE OR A MORTGAGE LOAN SERVICER,
- 6 SEEKING a judgment of foreclosure and sale pursuant to section thirteen
- 7 hundred fifty-one of this article, involving residential real property,
- 8 as defined in section thirteen hundred five of this article, that is
- 9 vacant, or becomes vacant after COMMENCEMENT OF THE ACTION OR the issu-
- 10 ance of such judgment, or is abandoned by the mortgagor but occupied by
- 11 a tenant, as defined under section thirteen hundred five of this arti-

A00824A(1)

12 cle, shall IN GOOD FAITH maintain such property until such time as
13 ownership has been transferred through the closing of title in foreclo-
14 sure, or other disposition, and the deed for such property has been duly
15 recorded; provided, however, that if a municipality or governmental
16 entity holds a mortgage subordinate to one or more mortgages on the
17 residential real property, the municipality or governmental entity shall
18 not be subject to the requirements of this section. AS USED IN THIS
19 SECTION, THE TERM "GOOD FAITH" SHALL BE DEFINED AS HONESTY IN FACT AND
20 THE OBSERVANCE OF REASONABLE STANDARDS OF FAIR DEALING.
21 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD01068-02-3

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**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
REAPPOINT MEMBER TO THE EMERALD CORPORATE CENTER LDC**

WHEREAS, the Legislature in 2000 authorized the creation of an Emerald Corporate Center Local Development Corporation ("LDC") for the purposes of development and marketing of the Corporate Park, and

WHEREAS, five members have expired and are as follows:

Jay Weinstein
Gerald Skoda
Allan Scott
Fred Stabbert III
Wayne Zanetti

NOW, THEREFORE, BE IT RESOLVED, that Mr. Jay Weinstein, Mr. Gerald Skoda, Mr. Allan Scott, Mr. Fred Stabbert III and Wayne Zanetti be reappointed to the Emerald Corporate Center Local Development Corporation., Katrina Falls Road, Rock Hill, NY be hereby appointed as a member of the Emerald Corporate Center LDC.

**RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE
TO AUTHORIZE THE SETTLEMENT OF A FEDERAL CLAIM**

WHEREAS, a County employee in the Sheriff's Department, Ms. Jennifer Wowk, filed a complaint against the County with the EEOC – New York Region, and

WHEREAS, a Mediator was appointed by the EEOC, and

WHEREAS, Wowk filed a claim with the New York State Worker's Compensation Board, and

WHEREAS, the parties came to a tentative resolution of the EEOC and Worker's Compensation claims, and

WHEREAS, the Sullivan County Legislature has been fully briefed in Executive Session on the details of the claims and the reasons for the settlement, and

WHEREAS, the Sullivan County Legislature believes the proposed settlement is in the best interests of the County.

NOW THEREFORE BE IT RESOLVED THAT:

The County Attorney is authorized to execute the appropriate settlement documents in the manner and according to the terms presented in the Executive Session.

RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT THE LIST OF THOSE PUBLIC OFFICIALS AND EMPLOYEES OF THE COUNTY OF SULLIVAN WHO ARE REQUIRED TO FILE A FINANCIAL DISCLOSURE STATEMENT

WHEREAS, pursuant to Section 12(a) of the Code of Ethics which became effective on August 10, 1998 the County Legislature shall determine who is required to file a Financial Disclosure Statement by Resolution, and

WHEREAS, the County Legislature has determined that persons with the following titles are required to file a Financial Disclosure Statement:

Accounts Payable Coordinator, Audit
Administrator, Adult Care Center
Administrator, Department of Motor Vehicles
Airport Superintendent
Assistant Commissioner to Planning and Environmental Management
Assistant County Attorney (2)
Assistant County Attorney Part time
Assistant Director of Aging Services
Assistant Director of Nursing Services/Patient Care
Assistant Director of Purchasing and Central Services
1st Assistant District Attorney
2nd Assistant District Attorney
3rd Assistant District Attorney
4th Assistant District Attorney
5th Assistant District Attorney
6th Assistant District Attorney
7th Assistant District Attorney
Assistant Director of Risk Management & Insurance
Attorneys, Department of Family Services (2)
Attorney, Industrial Development Agency
Attorney, Sullivan County Funding Corporation
Board of Trustees, Sullivan County Community College
Chairman of the Legislature
Chief Civil Officer
Chief Deputy Patrol Division/Internal Affairs
Chief Information Officer
Clerk to the Legislature
Commissioner, Board of Elections (2)
Commissioner, Division of Health and Family Services
Commissioner, Planning and Environmental Management
Commissioner, Division of Public Safety
Commissioner, Division of Public Works
Coordinator, Child Support Enforcement Unit
Coordinator, Children with Special Needs, Public Health
Coroner (4)
Correction Captain, Sullivan County Jail
Correction Lieutenant, Sullivan County Jail

County Attorney
County Auditor
County Clerk
County Legislator (8)
County Manager
County Treasurer
Deputy Clerk to the Legislature
Deputy Commissioner of Elections (2)
Deputy Commissioner of Family Services
Deputy Commissioner of Public Works, Engineering
Deputy Commissioner of Management and Budget
Deputy County Manager/Commissioner Management and Budget
Deputy Director of Community Services
Deputy Director of Real Property Tax Services III
Deputy Public Health Director
Deputy County Clerk
Deputy County Treasurer
Deputy County Treasurer II
Director of Administration and Case Management
Director, Center for Workforce Development
Director of Development and Application Support, MIS
Director of Operations and Network Administration, MIS
Director, Community Services
Director, Department of Real Property Tax
Director of Family Services
Director of Fraud Investigations
Director, Human Resources
Director, Municipal Weights and Measures
Director, Nursing Services
Director, Office for the Aging
Director, Parks, Recreation and Beautification Programs,
Director, Probation II
Director, Public Health Services
Director, Purchasing and Central Services
Director, Rehabilitation Services, ACC Physical Therapy
Director, Risk Management & Insurance
Director of Services, Family Services
Director, Temporary Assistance – Department of Family Services
Director, Veterans Service Agency
Director, Youth Bureau
District Attorney
District Attorney Investigators
Division Contract Compliance Officer, Health and Family Services
E-911 Coordinator
Economic Development Programs Supervisor
Executive Assistant, County Manager
Executive Assistant, District Attorney
Executive Director, Human Rights
Facilities Bridge Superintendent
Fiscal Administrative Officer, Adult Care Center Fiscal Services
Fiscal Administrative Officer, Family Services

3A

Fiscal Administrative Officer, Health Finance (2)
Fiscal Administrative Officer, Management and Budget
Garage Superintendent
Grants Administration Supervisor
Industrial Development Agency Members
Jail Administrator, Sheriff's Office
One Stop Manager, CWD
Payroll Coordinator /Software Support Technician
Personnel Officer
President, Sullivan County Community College
Road Maintenance Superintendent
Secretary, Industrial Development Agency
Sheriff
Special Counsel Workers Compensation part time
Sr. Accountant, Treasurer Accounting
Sr. Assistant County Attorney (part-time)
Sr. Family Services Attorney
Sr. Fiscal Administrative Officer, Sheriff Civil
Sr. Fiscal Administrative Officer, Treasurer Accounting part time
Staff Accountant, Treasurer Accounting
Sullivan County Funding Corporation Member
Treasurer, Industrial Development Agency
Trustee, Sullivan County Community College
Undersheriff
Vice Chair, Industrial Development Agency
Vice President for Administrative Services, SCCC

WHEREAS, Section 13(1)(a) of the Code of Ethics requires that all statements shall be filed on or before the fifteenth day of May of each year, and

WHEREAS, it is duly noted that some of the above positions are presently vacant.

NOW, THEREFORE, BE IT RESOLVED, that the above list of titles is the official list of titles set by the Sullivan County Legislature and said list contains all of those persons required to file a Financial Disclosure Statement to the Clerk of the Sullivan County Legislature on behalf of the Board on or before May 15, 2013.

3B

RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED “THE SULLIVAN COUNTY ETHICS LAW”

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on April 18, 2013 a proposed Local Law entitled “The Sullivan County Ethics Law”.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on May 16, 2013 at 1:30PM, in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days’ notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on April 18, 2013, a proposed Local Law entitled " The Sullivan County Ethics Law"

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on May 16, 2013 at 1:30PM at which time all persons interested will be heard.

DATED: Monticello, New York
April 18, 2013

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

4A

RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF LIBERTY TO PROVIDE ACCOMMODATIONS FOR SEIZED DOGS.

WHEREAS, in the course of their official duties, the Sullivan County Sheriff's Office and the Sullivan County Probation Department are sometimes required to seize dogs, and

WHEREAS, when dogs are seized by the Sullivan County Sheriff's Office or the Sullivan County Probation Department, the County of Sullivan ("County") must make arrangements for accommodations providing appropriate and proper care for the dogs, and

WHEREAS, the Town of Liberty ("Town") has an animal shelter and is willing and able to provide accommodations with appropriate and proper care for the dogs at a cost not to exceed \$3,000.00 annually, and

WHEREAS, it is necessary for the County to enter into an Inter-Municipal Agreement ("IMA") with the Town to provide for accommodations for seized dogs, and

WHEREAS, the Town of Liberty is willing and able to provide accommodations and proper care for dogs at a flat fee of \$75.00 per call, mileage reimbursement based upon the then prevailing IRS rate, and any other terms in the agreement deemed appropriate by the County Manager and County Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an IMA with the Town for the period January 1, 2013 through December 31, 2014, to provide accommodations for dogs seized by the County, said IMA to be in a form approved by the County Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the 2013 County Budget is modified as follows:

Increase Appropriation A-3520-40-4001 (Animal Control -Contract Agencies) by \$2,500

Increase Revenue A-9999-R2690-R289 (General Fund Revenues – Compensation for Loss Restitution) by \$2,500

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RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH JOANNE GEROW TO PROVIDE ACCOMMODATIONS FOR SEIZED ANIMALS, OTHER THAN DOGS

WHEREAS, in the course of their official duties, the Sullivan County Sheriff's Office and the Sullivan County Probation Department are sometimes required to seize animals, and

WHEREAS, when animals are seized by the Sullivan County Sheriff's Office or the Sullivan County Probation Department, the County of Sullivan must make arrangements for accommodations providing appropriate and proper care for the animals, and

WHEREAS, the County has made an agreement with the Town of Liberty to provide for the accommodation of seized dogs, but must make accommodations for animals other than dogs, and

WHEREAS, Joanne Gerow is willing and able to provide accommodations and proper care for seized animals other than dogs at a flat fee of \$75.00 per call, mileage reimbursement based upon the then prevailing IRS rate, and any other terms in the agreement deemed appropriate by the County Manager and County Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an agreement for the period January 1, 2013 through December 31, 2014, with Joanne Gerow, 897 Briscoe Road, Swan Lake, New York, to provide accommodations for animals other than dogs seized by the County, said agreement to be in a form approved by the County Attorney.

6

RESOLUTION OF THE EXECUTIVE COMMITTEE ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID WASTE/RECYCLING FEE GRIEVANCE COMMITTEE.

WHEREAS, the Sullivan County Legislature (“Legislature”) Amended Local Law No. 7 of 2009 to Add a New Article VIII Establishing a Solid Waste Recycling Fee, and

WHEREAS, Local Law No. 7 of 2009 as amended provides for a Sullivan County Solid Waste/Recycling Fee Appeals Committee (“Committee”) to review written appeals from property owners, and

WHEREAS, the Committee wishes to report its recommendations to the Legislature, and

WHEREAS, the Committee has reviewed appeals and it recommends approving reduction/elimination of the solid waste fee for properties detailed on the Recommended Approval List attached hereto as Appendix “A” and made a part hereof, and

WHEREAS, the Committee has reviewed appeals and it recommends denying reduction/elimination of the solid waste fee for properties detailed on the Recommended Denial List attached hereto as Appendix “B” and made as part hereof.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature acknowledges receipt of the Committee’s recommendations detailed on Appendix “A” and Appendix “B” and hereby ratifies said recommendations contained on Appendix A and B.

BE IT FURTHER RESOLVED, that the Legislature hereby authorizes the Sullivan County Treasurer, on behalf of the Committee to notify the property owners regarding approval/denial of their respective appeals.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

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RECOMMENDED APPROVAL LIST

APPENDIX A

TOWN	SBL	CLASS C PRIMARY OWNER	ADDRESS	TWN ST ZIP	FEE	New	IMPACT
Bethel	3-1-1	312 David Weiss	60 Deppa Road	Swan Lake, NY 12783	\$ 120.00		\$ 120.00
Liberty	42-1-10	112 David Weiss	60 Deppa Road	Swan Lake, NY 12783	\$ 120.00		\$ 120.00
Liberty	42-1-14.1	112 David Weiss	60 Deppa Road	Swan Lake, NY 12783	\$ 120.00		\$ 120.00
Neversink	9-1-3	931 State of New York			\$ 300.00		\$ 300.00
Neversink	9-1-3	931 State of New York			\$ 300.00		\$ 300.00
Thompson	111-6-16	464 Camille Johnston	193 Lake Shore Driv E.	Rock Hill, NY 12775	\$ 720.00	\$ 300.00	\$ 420.00
							\$ 1,380.00

RECOMMENDED DENIAL LIST

APPENDIX B

TOWN	SBL	CLASS C PRIMARY OWNER	ADDRESS	TWN ST ZIP
Bethel	1-1-12.4	210 A. Skinner & K Thelman	PO Box 335	Jeffersonville, NY 12748
Bethel	1-1-12.7	433 A. Skinner & K Thelman	PO Box 335	Jeffersonville, NY 12748
Bethel	23-1-8-6	416 Mineral Springs Apts G. Deenihan	20-31 149th Street	Whitestone, NY 11357
Bethel	41-1-18-5	210 Dennis McKenna	1937 East 27 Street	Brooklyn, NY 11229
Delaware	14-4-9-2	471 Stewart Murphy Funeral Home	PO Box 185	Callicoon, NY 12723
Delaware	25-1-4-69	280 John & Marcia Fink	8843 State Route 97	Callicoon, NY 12723
Fallsburg	34-6-4	484 Hurleyville-Sullivan First	PO Box372	Hurleyville, NY 12747
Fallsburg	34-4-13	482 Mortgage Match/Rachelle Carmack	1034 County Road 114	Cochecton, NY 12726
Fallsburg	60-1-1-29	920 Fallsburg Fishing & Boating Club	c/o J. Adamiak 3112 Douglas Drive	Yorktown Heights, NY 10598
Fallsburg	60-1-4-6	260 Fallsburg Fishing & Boating Club	c/o J. Adamiak 3112 Douglas Drive	Yorktown Heights, NY 10598
Fallsburg	60-1-5-8	260 Fallsburg Fishing & Boating Club	c/o J. Adamiak 3112 Douglas Drive	Yorktown Heights, NY 10598
Fallsburg	55-1-2-2	270 Fallsburg Fishing & Boating Club	c/o J. Adamiak 3112 Douglas Drive	Yorktown Heights, NY 10598
Fallsburg	55-1-2-0	260 Fallsburg Fishing & Boating Club	c/o J. Adamiak 3112 Douglas Drive	Yorktown Heights, NY 10598
Mamakating	51-3-7-3	210 Virginia & Chris Shea	22 Hide A Way Lane	Bloomingburg, NY 12721

LA



**COUNTY OF SULLIVAN
LEGISLATIVE MEMORANDUM**

To: COUNTY LEGISLATURE
 From: Carol Ryan
 Title: Director
 Department: Public Health Services

COMMITTEE WITH JURISDICTION:

Check all that apply: Executive Planning, Environmental Management & Real Property
 Personnel Public Safety
 Management & Budget Public Works
 Government Services Community & Economic Development
 Health and Family Services Veterans

SUBJECT OF RESOLUTION: Cribs for Kids

PURPOSE OF RESOLUTION: To accept an award \$17,500.00 from the DEC for the Cribs for Kids Program

DATE OF FIRST SUBMISSION: 4/18/2013

BRIEF DESCRIPTION: The Cribs for Kids Program is a program to provide safe sleep environments to infants with the goal of reducing infant deaths
 Costs to Other County Programs:

Mandated Budgeted Budget Revision

FINANCIAL IMPACT:

Projection:	YR1	YR2	YR3	YR4	YR 5
County Cost	-0-				
State Funds	\$17,500				
Federal Funds					
(Third Party Revenue) Other					
Total	\$17,500				

If NONE check here:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE

RESOLUTION TO ACCEPT AN AWARD FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION - LEGISLATIVE MEMBER ITEM GRANT FOR THE SULLIVAN COUNTY CRIBS FOR KIDS PROGRAM FUNDED FROM THE STATE FISCAL YEAR 2012-13

WHEREAS, the New York State Department of Conservation has awarded the County of Sullivan \$17,500.00 as a Legislative Member Initiative through Assemblywoman Aileen Gunther; and

WHEREAS, the funding is being made available through State Contract Number #TM06101; and

WHEREAS, the funding is to be used by Sullivan County Public Health Services for the Cribs for Kids Program with the goal of reducing infant deaths due to unsafe sleep environments.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager and / or the Chairman of the County Legislature (*as required by the funding source award agreement*) to execute any and all necessary documents to accept the award, and enter into an award agreement or contract to administer the funding secured, in such form as the County Attorney shall approve; and

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

**Moved by,
Seconded by,
and adopted on motion, 2013**

8A



ORRICK, HERRINGTON & SUTCLIFFE LLP
666 FIFTH AVENUE
NEW YORK, NY 10103-0001
tel 212-506-5000
fax 212-506-5151
WWW.ORRICK.COM

April 16, 2013

Douglas E. Goodfriend
(212) 506-5211 (Direct Dial)
dgoodfriend@orrick.com

VIA E-MAIL

(joshua.potosek@co.sullivan.ny.us; ira.cohen@co.sullivan.ny.us;
nancy.buck@co.sullivan.ny.us)

Mr. Ira Cohen
Mr. Joshua Potosek
Ms. Nancy Buck
County of Sullivan
Government Center
Monticello, New York 12701

Re: County of Sullivan, New York
Road Reconstruction - \$3,500,000 Serial Bonds
Orrick File: 42391-2-New

Dear Ladies & Gentlemen:

In accordance with your recent request, we are enclosing the following relative to the above:

- (1) A suggested form for the bond resolution. As you know, this resolution must be adopted by the affirmative vote of at least two-thirds of the entire voting strength of the County Legislature. You need to add the site of the fire training center.
- (2) A suggested form for the Legal Notice of Estoppel. This Legal Notice of Estoppel should be published once in each of the official newspapers designated in Section 8 of the bond resolution. (Confirm that we have current newspapers please.)

In due course, please furnish us with the following:

- (a) An **ORIGINALLY** certified copy of the bond resolution.
- (b) An **ORIGINAL** printers' affidavit of publication of the Legal Notice of estoppel from both official County newspapers.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

Douglas

Douglas E. Goodfriend

DEG/zmt
Enclosures
160228882.01

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BOND RESOLUTION

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at the County Government Center, in Monticello, New York, on the 18th day of April, 2013, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were:

PRESENT:

ABSENT:

The following resolution was offered by _____, who moved its adoption, seconded by _____, to-wit:

QA

BOND RESOLUTION NO. _____ OF 2013 DATED APRIL 18, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,500,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF ROADS THROUGHOUT AND IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Sullivan, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the reconstruction of roads throughout and in and for the County of Sullivan, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$3,500,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$3,500,000, and that the plan of financing thereof is by the issuance of the \$3,500,000 bonds of said County authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to subdivision 20(c) of paragraph (a) of Section 11.00 of the Local Finance Law.

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Section 4. The faith and credit of said County of Sullivan, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

9C

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full in the *Sullivan County Democrat* and the *River Reporter*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing resolution was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The resolution was thereupon declared duly adopted.

* * * * *

9e

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on April 18, 2013, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Sullivan, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Monticello, New York,

_____, 2013.

Clerk, County Legislature

BOND RESOLUTION NO. _____ OF 2013 DATED APRIL 18, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,500,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF ROADS THROUGHOUT AND IN AND FOR SAID COUNTY.

Class of objects or purposes:	Reconstruction of roads throughout and in and for said County
Period of probable usefulness:	15 years
Maximum estimated cost:	\$3,500,000
Amount of obligations to be issued:	\$3,500,000 bonds
SEQRA status:	Type II Action

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