



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
July 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
Ethics Law Forms
Steve Vegliante – Apollo Update
Amend the Rules

IV. RESOLUTIONS :

1. Extending the current tax rate on sales and uses of tangible personal property
2. Reappoint Sneed, Eidel and Cornwell to the Community Services Board
3. Formalize the Steering Committee for the Comprehensive Economic Development Strategy and Plan for Sullivan County
4. Amend the Rules of the Sullivan County Legislature
5. Approve the Assistance of the Delaware Company
6. Authorize the execution of a license agreement with HITS Film LLC
7. Approve a Tri-Partite Agreement with Sullivan County Community College, the County of Sullivan and Heliosage
8. Set public hearing for August 15, 2013 at 1 :15PM for proposed local law entitled « A Local Law to Amend the Sullivan County Ethics Law by granting the Board of Ethics the power to issue subpoenas and compel the Attendance of Witnesses »
9. Accepting/denying the recommendations of the Sullivan County Solid Waste/Recycling Fee Greivance Committee Second Appeals
10. Authorize contract with H2M Labs, Inc for water sampling and laboratory analysis for various facilities and the landfill

V. PUBLIC COMMENT

Vacancy Request Fact Sheet

Date: July 11, 2013

Department: Public Health Services

Department Head: Carol Ryan

Position / Duties: Pos. #4010-33.1248 - Registered Professional Nurse

Salary: ✓\$56,573 (includes experiential differential, longevity and contractual stipend for last person in position) (The base wage for this position is \$52,073.)

Benefits: ✓\$31,334

Total Cost: ✓\$87,907

County Share: \$0

Federal Share:

State Share:

Other: Medicare, Medicaid and third party insurances cover the personnel cost of this position

Mandated:

Budgeted: ✓Yes **Budget Line:** A4010.33-10-1011 and for the various benefits: A4010-33-80-8001 through A4010-33-80-8007

Date of Vacancy: 6/4/2013

Notes:

Date Received 7/12/13 **Date Reviewed** _____

Approved _____ **Committee Vote:**

Denied _____ **Yes** _____ **No** _____

Held _____

V I

Vacancy Request Fact Sheet

Date: July 11, 2013

Department: Public Health Services

Department Head: Carol Ryan

Position / Duties: Pos. #4010-34.2501 – Registered Professional Nurse

Salary: ✓\$56,573 (includes experiential differential, longevity and contractual stipend for last person in position) (The base wage for this position is \$52,073.)

Benefits: \$31,334

Total Cost: \$87,907

County Share: \$0.00

Federal Share:

State Share:

Other: Medicare, Medicaid and Third Party Insurances

Mandated:

Yes ✓ **Budget Line:** A4010.34-10-1011 and for the various benefits: A4010-34-8001 through A4010-34-80-8007

Date of Vacancy: 4/12/2013

Notes:

Date Received 7/12/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ **No** _____

Held _____

V2

Vacancy Request Fact Sheet

Date: 7/10/13

Department: Public Health Services

Department Head: Carol Ryan, RN, MPH

Position / Duties: Supervising Public Health Nurse. Supervises the clinical work of Registered Nurses, Public Health Nurses and other related staff

Salary: ✓ \$73,846 (includes experiential differential, longevity and contractual stipend for last person in position)

Benefits: ✓ \$39,848

Total Cost: ✓ \$113,694

County Share: \$43,405

Federal Share: \$0

State Share: \$ 57,514

Other: \$12,775: Revenue from insurance companies and Medicaid in 2012

Mandated: Needed for adequate supervision of clinical staff. The Supervising Public Health Nurse previously in this position was promoted to Director of Patient Services beginning 7/31/13 and we request to back fill this position as soon as possible to provide important support and oversight of clinical staff.

Budgeted: Yes **Budget Line:** A4010.33-10-1011 and for the various benefits: A4010-33-80-8001 through A4010-33-80-8007

Date of Vacancy: Will become vacant 7/31/13

Notes: * Public Health Services also requests to backfill any associated and already budgeted nursing positions that become empty as a result of an in house promotion to this position

Date Received 7/12/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ **No** _____

Held _____

✓3

Vacancy Request Fact Sheet

Date: 7/5/13

Department: County Clerk—Records Management

Department Head: Daniel L. Briggs

Position/Duties: 2574 Records Management Coordinator

Salary: Entry \$31,385 Full \$33,037 ^{36,707 (2014)} 2015 for new employee

Benefits: Health Insurance ^{17,739 - 20,238} (\$21,856.65), Dental (\$676.92), Vision (\$129.84), - only if existing employee is appointed

26,656 - 30,940 Longevity (+1900.00) Other Benefits = 8,917 - 9895

Total Cost: \$71,672 59,693 - 67,647

County Cost: \$100 %

Federal Share:

State Share:

Other:

Mandated: No

Budgeted: Yes Budget Line: A-1460

Date of Vacancy: 7/5/13

Notes: Critical

Date Received 7/10/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V4

Vacancy Request Fact Sheet

Date: July 3, 2013

Department: Division of Public Works

Department Head: Edward McAndrew, P.E., Commissioner

Position / Duties: Deputy Commissioner / Engineering
Position assists Commissioner in Management and Administration of major programs, directly supervises professional and technical Engineering staff and may act as head of the department in the absence of the Commissioner of Public Works.

Salary: \$89,349 / annual

Benefits: \$43,947

Total Cost: \$133,296

County Share: 100%

Federal Share:

State Share:

Other:

Mandated:

Budgeted: Yes Budget Line: D-5020 / CL-8160

Date of Vacancy: June 20, 2013

Notes:

Date Received 7/8/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V5

Vacancy Request Fact Sheet

Date: 6/28/13

Department: Sheriff's Office/Jail Division

Department Head: Sheriff Michael Schiff/Chief Hal Smith

Position / Duties: Sergeant pos. #248
 Sergeant pos. #454
 Corporal pos. #2522
 Correction Officer pos. #2515

Salary: Sergeant - $\$63,358 \times 2 = \$126,716 + \$1,900$ uniform allow. = $\$128,616$
Corporal - $\$60,341 + \950 unif. allow. = $\$61,291$

Benefits: Correction officer - $\$38,502 + \950 unif. allow. = $\$39,452$
Sergeant - $\$37,597$

Total Cost: Corporal - $\$36,793$
Correction officer - $\$30,973$

County Share: Total Sergeant $\$101,905 \times 2 = \$203,810$
100% Total Corporal $\$98,084$
Total C.O. $\$70,425$

Federal Share:

State Share:

Other:

Mandated: Yes

Budgeted: Budget Line: A3150

Date of Vacancy:

Notes:

Date Received 7/1/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V6

Vacancy Request Fact Sheet

Date: 7/10/13

Department: Sheriff's Office - Patrol Division

Department Head: Sheriff Michael Schiff

Position / Duties: 2 Corporal positions - #281 and #445
 2 Deputy Sheriff positions, which will be vacant due to promotion to corporal

Salary: [ⓐ]\$76,733 + \$950. uniform allowance = \$77,683 x 2 = \$155,366.
 \$50,878 + \$950. uniform allowance = \$51,828 x 2 = \$103,656.

Benefits: \$43,080 x 4 = \$172,320

Total Cost: \$431,342.

County Share: 100%

Federal Share:

State Share:

Other:

Mandated: No

Budgeted: Y Budget Line: A3110-29

Date of Vacancy: 6/9/13 and 6/18/13 (Retirement of Sattler and Schneider)

Notes:

ⓐ yr 20 Corporal Rate - Rate could be lower (Range = \$68,157 to \$76,733)

Date Received 7/10/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V7

(Please attach additional sheets if needed.)

I, _____, the Complainant herein, being duly sworn, state (or affirm) that having read the provisions of the Ethics Law, the statement(s) contained herein is / are true, except so far as they are stated to be based upon information and belief, and to the extent they are based upon information and belief, I believe them to be true.

This request for advisory opinion was executed on this ____ day of _____, 20____, by:

Signature of Complainant

Print name of Complainant

STATE OF NEW YORK)
COUNTY OF _____)

The foregoing instrument was acknowledged before me in Sullivan County, New York this ____ day of _____, 20____.

Notary Public

My Commission Expires: _____

Any person who requests an Advisory Opinion regarding a potential violation of the Ethics Law knowing that material information provided therein is not true or that the information provided therein was made in reckless disregard for the truth may be subject to criminal prosecution as well as the reasonable costs incurred by the County of Sullivan in investigating the Complaint and the reasonable costs incurred by the accused individual in responding to the Complaint as provided in the Ethics Law.

EF

**ETHICS COMPLAINT
FORM**

(This Form should be filed with Board of Ethics)

Any person may file a Complaint if he or she has information that a public officer or employee has violated the Sullivan County Ethics Law. It is not enough to merely allege that a public officer or employee has acted improperly. A Complaint must contain information supporting the allegation(s) that one or more of the provisions of the Ethics Law have been violated.

This Form is not required, but its use is encouraged as a Complaint. It must be in writing and verified by oath or affirmation. A Complaint must be filed with the Board within one year of the date the offense is alleged to have occurred, unless the offense was incapable of being discovered due to intentional acts on the part of the accused individual. This form is deemed filed upon receipt by the Chairman of the Board of Ethics.

Complainant: _____

Address: _____

Telephone: _____ Email: _____

County Official / Employee subject to complaint (i.e. accused individual):

Public position held by accused individual: _____

Approximate date of alleged violation(s): _____

Description of conduct by accused individual and section of Ethics Law alleged to have been violated:

EP
3

(Please attach additional sheets if needed.)

I, _____, the Complainant herein, being duly sworn, state (or affirm) that, upon review of the Ethics Law, the allegation(s) contained herein is / are true, except so far as they are stated to be based upon information, and to the extent they are based upon information, I believe them to be true.

This Ethics Complaint was executed on this ____ day of _____, 20____, by:

Signature of Complainant

Print name of Complainant

STATE OF NEW YORK)
COUNTY OF _____)

The foregoing instrument was acknowledged before me in Sullivan County, New York this ____ day of _____, 20____.

Notary Public

My Commission Expires: _____

Any person who files a Complaint alleging a violation of the Ethics Law knowing that material information provided therein is not true or that the information provided therein was made in reckless disregard for the truth may be subject to criminal prosecution as well as the reasonable costs incurred by the County of Sullivan in investigating the Complaint and the reasonable costs incurred by the accused individual in responding to the Complaint as provided in the Ethics Law.

EF
24

**NOTICE OF ETHICS COMPLAINT and
RESPONSE FORM FOR ACCUSED INDIVIDUAL**

(This Form should be filed with Board of Ethics)

NOTICE

A sworn Complaint against you or involving you has been filed with the Sullivan County Board of Ethics. Pursuant to the Ethics Law, you have an opportunity to respond to the allegations.

This Form is not required, but its use is encouraged as your Response Form. Any response must be in writing and verified by oath or affirmation. A Response must be filed within fifteen (15) days of your receipt of this Notice. This form is deemed filed upon receipt by the Chairman of the Board of Ethics.

Accused Individual: _____

Address: _____

Telephone: _____ Email: _____

Public position held by Accused Individual: _____

Approximate date of alleged violation(s): _____

Description of conduct alleged to have been undertaken by Accused Individual and section of Ethics Law alleged to have been violated: (to be taken from Complaint form)

RESPONSE BY ACCUSED INDIVIDUAL:

EF
5

(Please attach additional sheets if needed.)

I, _____, the Accused Individual herein, being duly sworn, state (or affirm) that the statements contained herein are true, except so far as they are stated to be based upon information, and to the extent they are based upon information, I believe them to be true.

This Response to an Ethics Complaint was executed on this ____ day of _____, 20____, by:

Signature of Accused Individual

Print name of Accused Individual

STATE OF NEW YORK)
COUNTY OF _____)

The foregoing instrument was acknowledged before me in Sullivan County, New York this ____ day of _____, 20____.

Notary Public

My Commission Expires: _____

Any person who files a Response to a Complaint alleging a violation of the Ethics Law knowing that the information provided therein is not true or that the information provided therein was made in reckless disregard for the truth may be subject to criminal prosecution as well as the reasonable costs incurred by the County of Sullivan and its Board of Ethics in investigating the Response to the Complaint.

EF
JA

RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE EXTENDING THE CURRENT TAX RATE ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Be it enacted by the County Legislature of the County of Sullivan, as follows:

SECTION 1. Section 4-A of Resolution No. 3, enacted by the Board of the Supervisors of the County of Sullivan on January 6, 1975, imposing sales and compensating use taxes, as amended, is amended to read as follows:

“SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there are hereby imposed and there shall be paid: (i) an additional one-half of one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2015; and (ii) an additional one-half of one percent rate of sales and compensating use taxes which is additional to the one-half of one percent rate imposed above in this section, for the period beginning June 1, 2009, and ending November 30, 2015. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.”

SECTION 2. Paragraph (B) of Subdivision (1) of Section 11 of Resolution No. 3, enacted by the Board of Supervisors of the County of Sullivan on January 6, 1975, imposing sales and use taxes, as amended, is amended to read as follows:

“(B)(1) With respect to the additional tax of one-half of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2015, in respect to the use of property used by the purchaser in this county prior to June 1, 2003; and

(2) With respect to the additional tax of one-half of one percent imposed for the period beginning June 1, 2009, and ending November 30, 2015, in respect to the use of property used by the purchaser in this county prior to June 1, 2009. ”

SECTION 3. This enactment shall take effect December 1, 2013.

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

To: Sullivan County Legislature

Fr: Joseph Todora, Director; Dept. of Community Services

Re: Request for Consideration of a Resolution: Reappoint 3 members to the CSB

Date: June 10, 2013

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

Reappoint three members to the Community Services Board.

Is subject of Resolution mandated? Explain:

Yes, per State regulations all municipalities must have a Community Services Board.

Does Resolution require expenditure of funds? Yes ___ 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)	\$ _____
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State	\$ _____	Other	\$ _____
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Federal Government	\$ _____	(Specify)	_____
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Verified by Budget Office: _____

Does Resolution request Authority to Enter into a Contract? Yes ___ No

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with _____ of

Nature of Other Party to Contract: .

Other:

Duration of Contract: From _____ To _____

Is this a renewal of a prior Contract? Yes ___ No ___

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No ___

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): _____

Efforts made to find Less Costly alternative:

Efforts made to share costs with another agency or governmental entity:

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

Person(s) responsible for monitoring contract (Title): Joseph Todora, Director

Pre-Legislative Approvals:

A. Director of Purchasing: _____ Date _____

B. Management and Budget: _____ Date _____

C. Law Department: _____ Date _____

D. County Manager: _____ Date _____

E. Other as Required:  _____ Date 02/13/13

Vetted in _____ Committee on _____

Resolution No. _____

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO RE-APPOINT
THREE (3) MEMBERS TO THE COMMUNITY SERVICES BOARD**

WHEREAS, there is a need to re-appoint three (3) members to the Community Services Board; and

WHEREAS, the appointment is to commence on January 1, 2013; and

WHEREAS, the appointment shall be for a four (4) year term ending on December 31, 2016.

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.

RE-APPOINTMENTS TO THE CSB

TERM

Regina McKenny-Sneed

1/1/2013 - 12/31/2016

Sherry Eidel

1/1/2013 – 12/31/2016

Jason Cornwell

1/1/2013 – 12/31/2016

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

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

To: Sullivan County Legislature

Fr: Jill M. Weyer

Re: Request for Consideration of a Resolution: Economic Development Steering Committee

Date: July 18, 2013

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

Formalize the Economic Development Plan Steering Committee since the Economic Development Corporation was dissolved.

Is subject of Resolution mandated? Explain:

N

Does Resolution require expenditure of funds? Yes ___ No X

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)	\$ _____
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State	\$ _____	Other	\$ _____
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Federal Government	\$ _____	(Specify)	_____
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Verified by Budget Office: _____

Jane Powell

Does Resolution request Authority to Enter into a Contract? Yes ___ No ___

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Pre-Legislative Approvals:

- A. Director of Purchasing: Nancy Jones Date 7/12/13
B. Management and Budget: John Bond Date 7/15/13
C. Law Department: S. Yastrow Date 7/12/13
D. County Manager: John Bond Date 7/15/13
E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO FORMALIZE THE STEERING COMMITTEE FOR THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY AND PLAN FOR SULLIVAN COUNTY

WHEREAS, pursuant to Resolution No. 162-11, the County of Sullivan applied for and was awarded a grant through USDA Rural Development’s Rural Business Opportunity Grant (RBOG) program to fund the development of a Comprehensive Economic Development Strategy and Plan (Economic Development Plan); and

WHEREAS, the work plan identified a Steering Committee to provide guidance to the planning process and to ensure broad based community involvement; and

WHEREAS, in the RBOG application, the Steering Committee committed to an in-kind contribution of \$43,000, at an hourly rate of \$63.50; and

WHEREAS, certain members are chosen because they serve in such a capacity. In these instances, the organization may appoint a designee to attend if the named appointee is unavailable.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the following appointments be made to the Economic Development Plan Steering Committee:

Appointment By Title:

- County Legislative Chairman
- County Manager
- Chairman of PEMRP Legislative Committee
- President of the Partnership for Economic Development
- Chairman of the Chamber of Commerce
- Chairman of the IDA
- Chairman of the SC Visitor Association
- Executive Director of Sullivan Cornell Cooperative Extension
- President of Sullivan County Community College
- Director, Center for Workforce Development

Individual Appointments:

- Amanda Ward
- Darlene Fedun
- George Kinne
- Tom Kappner
- Nadia Rajs
- Andrea Reynosa
- Norman Graves
- Latisha Rodriguez
- Dennis Caro
- Dick Riseling
- Dave Thomson

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

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND
THE RULES OF THE COUNTY LEGISLATURE**

WHEREAS, pursuant to Section 153 of the County Law, the Sullivan County Legislature and its committees shall conduct their meetings in accordance with the Rules of the Legislature, and

WHEREAS, these Rules shall be interpreted by the Executive Committee, with amendments and additional rules to be adopted in accordance with the provisions of Rule 65 after consideration by said committee, and

WHEREAS, in absence of a rule or order not covered by these Rules, Robert's Rules of Order shall govern.

WHEREAS, the Rules need to be amended to reflect current changes to Legislative Committee titles, and

NOW, THEREFORE BE IT RESOLVED, that the Rules are amended to reflect title changes and responsibilities to the Agricultural and Sustainability Policy Committee, Capital Planning and Budgeting Committee and Public Safety and Law Enforcement Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby adopts the Rules of the Legislature as amended.

RULES
OF THE
COUNTY LEGISLATURE
COUNTY OF SULLIVAN
NEW YORK

Rev. 10/15/98, 6/17/99, 8/27/99, 2/28/00, 1/23/03, 3/15/03, 5/17/07, 1/2/08 & 7/ /13

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Rules July 2013

Rules (B)

INTRODUCTION

RULE 1. APPLICABILITY: The Sullivan County Legislature and its committees shall conduct their meetings in accordance with these Rules. These Rules shall be interpreted by the Executive Committee. Amendments and additional rules shall be adopted in accordance with the provisions of Rule 675 after consideration by the said Committee. In absence of a rule or order not covered by these Rules, Roberts' Rules of Order shall govern. These Rules shall continue in effect until modified or amended and shall govern the procedure of the organization meeting of the Legislature.

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RULE 2. DEFINITIONS: Unless the context requires a different meaning, the terms set forth herein shall have the following meaning:

- (a) County: County of Sullivan
- (b) Legislature: County Legislature
- (c) Chair: Chairman of the Legislature
- (d) Vice Chair: Vice Chair of the Legislature
- (e) Clerk: Clerk of the Legislature
- (f) Rules: Rules of the Legislature

| Rules July 2013

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- (g) Legislative Oversight: All manner of supervision properly exercised by an elected legislative body and its committees including but not limited to review, study and investigation of the operations, programs and proposals of a department or agency of the County.

The County Legislature at its organizational meeting, shall elect from its membership a Chair and a Vice Chair pursuant to the provisions of the Sullivan County Code.

RULE 2A. MAJORITY AND MINORITY LEADERS: Annually, the enrolled members of the two political parties which shall have the greatest number of members seated in the Legislature, shall elect a leader of the respective parties, in caucus, prior to the first committee meeting of the year. The leader of the political party whose membership of the Legislature constitutes a majority of the Legislature shall be known as the Majority Leader. The leader of the other party shall be known as the Minority Leader. In the event that neither the members of one party nor the other constitute a majority of the members of the County Legislature, then in said event, the Chairman of the County Legislature shall designate one party leader as the Majority Leader and the other as the Minority Leader for the purpose of budgetary appropriation and other matters.

MEETINGS

RULE 3. REGULAR MEETINGS: The regular meetings of the Legislature shall be held on the third Thursday of each month at two o'clock p.m., effective as of February 1, 1997. When a

Rules July 2013

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date falls on a state or a national holiday, then the regular meeting shall be held as scheduled by the Legislature.

RULE 4. A. SPECIAL MEETINGS: Special meetings of the Legislature shall be held at the call of the Clerk upon direction of the Chair or the Vice Chair, or upon written request signed by a majority of the members of the Legislature. Notice in writing stating the time, place and purpose of the special meeting shall be served personally or by facsimile transmission or by telephone or by mail upon each member of the Legislature at least forty-eight hours before the time fixed for holding the meeting or a member may waive the service of the notice for such meetings by a writing signed by him/her. Only business specified in the notice or otherwise in order may be transacted at a special meeting.

B. EMERGENCY MEETINGS: Emergency meetings are those whose subject matter mandates, in the opinion of the Chair, the Vice Chair or a majority of the members of the Legislature, that said meeting be called with less than forty-eight hours notice. The meeting shall be called at the request of the Chair, the Vice Chair or a majority of the members of the Legislature upon such notice to each member of the Legislature, the public and/or the media as is practicable under the circumstances.

RULE 5. LOCATION OF MEETINGS: All meetings of the Legislature shall be held at the Legislature's Chambers at the Sullivan County Government Center, Monticello, New York, unless provided otherwise by a motion for adjournment or by the call for a special or

emergency meeting.

RULE 6. OPEN MEETINGS: Every meeting of the Legislature, except executive sessions, shall be open to members of the public and media in compliance with the Open Meetings Law of the State of New York.

RULE 7. QUORUM: A majority of the whole number of the membership of the Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn any meeting of the Legislature from time to time.

RULE 8. CONVENING OF MEETING: The Chair, or in the Chair's absence, the Vice-Chair, shall call the meeting of the Legislature to order at the time appointed therefor, and shall be the presiding officer. Upon the appearance of a quorum, the Clerk shall call the roll of Legislators inserting the names of those absent in the minutes. In the event a Legislator arrives late or departs early, the minutes shall so reflect. In the event a quorum is not present, the Legislators present shall request the Clerk to call an adjourned meeting upon appropriate notice.

RULE 9. MINUTES; APPROVAL; MODIFICATIONS; COPIES: The Clerk shall take minutes of all meetings of the Legislature. The minutes of each meeting of the Legislature shall be deemed to be approved without formal motion unless a Legislator desires to make an objection, alteration or addition. The minutes of each meeting shall be transcribed and

made available to each member of the Legislature or the public at the Clerk's Office at least three days prior to the next regular meeting, except that the minutes of a special meeting or emergency meeting shall be transcribed and made available at the Clerk's office within twenty-five hours following said meeting.

RULE 10. ORDER OF BUSINESS

- (a) The order of business at each regular meeting of the Legislature shall be as follows:
- (1) Roll call of Legislators.
 - (2) Reading of the minutes of the preceding meeting in whole or in part, upon the request of a Legislator. (In the absence of any objection or corrections, the minutes shall stand approved without formal motion and without having been read aloud.) (Rule 9)
 - (3) Presentation of communications.
 - (4) Public comment in accordance with Rule 11 (b).
 - (5) Reports of citizen advisory committees, commissions, boards, etc.
 - (6) Unfinished business.
 - (7) Presentation of pre-filed resolutions, laws, acts, ordinances, etc., by committees and members of the Legislature for discussion and vote.
 - (8) Presentation of other motions, resolutions, laws, acts, ordinances, etc., and new business.
 - (9) Good and welfare pursuant to Rule 11(c).

- (10) Recognition of Legislators.
- (11) Announcements from the Chair.
- (12) Meeting adjournment or close.

(b) The order of business at a special or emergency meeting of the Legislature shall be as follows:

- (1) Roll call of Legislators.
- (2) Reading of Notice of Meeting.
- (3) Presentation of Motions, Resolutions, laws or other business for which the meeting was called.
- (4) Other business in order.
- (5) Announcements from the Chair.
- (6) Meeting Adjournment or close.

(c) The order of business at a public hearing of the Legislature shall be as follows:

- (1) Roll call of Legislators.
- (2) Reading of the Notice of Public Hearing.
- (3) Reading of local law or other matter for which hearing is required.
- (4) Public discussion.
- (5) Public Hearing adjournment or close.

RULE 11. CONDUCT OF MEETINGS; PUBLIC DISCUSSION:

(a) The business of the Legislature at meetings thereof, shall be conducted by the

members of the Legislature. Staff of the County of Sullivan may be requested to provide information that is relevant to any subject under discussion before the Legislature.

- (b) A member of the public shall be permitted to make a statement at any regular meeting of the Legislature on any issue for a period of not more than two (2) minutes each in the discretion of the presiding officer. Such period shall commence after the Clerk shall have read any communication received by the Legislature other than statements filed by a speaker. Any speaker may file with the Clerk a written statement, but such written statement shall not constitute a part of the Annual Proceedings of the Legislature, nor shall such statement be read by the Clerk.
- (c) During good and welfare, the presiding officer shall permit public comment on any matter. The length of each comment, as well as the length of this portion of the meeting shall solely be in the discretion of the presiding officer.

DEBATE AND VOTING

RULE 12. PRESIDING OFFICER: The Chair shall preside at all meetings of the Legislature at which the Chair is present, preserve order and decorum and confine discussion to the matter at issue. In the absence of the Chair, the Vice-Chair shall preside at the meeting with all of the powers and authority of the Chair. The presiding officer shall decide all questions of order, subject to appeal by a member. The Chair shall, at the organizational meeting,

appoint a Parliamentarian to assist and advise the presiding officer on questions of order. Except as provided in these Rules, the presiding officer may participate in debate and vote on any question before the Legislature.

RULE 13. APPEALS: On an appeal of the presiding officer's decision on a question of order, the presiding officer may first present the reason for a decision after which any Legislator may speak once thereon before the presiding officer puts the questions, "Shall the presiding officer's ruling be sustained?" The question will be decided without debate by a majority of the Legislature, including the presiding officer's vote. The presiding officer shall have a vote on an appeal.

RULE 14. DEBATE; RECOGNITION: Each Legislator by raising a hand shall be recognized by the presiding officer prior to speaking. When two or more Legislators desire recognition by raising their hands simultaneously, the presiding officer shall determine the order of speaking.

RULE 15. DEBATE; RIGHT TO SPEAK: At the discretion of the presiding officer, no Legislator may speak more than once on any question until all Legislators desiring to speak shall have spoken.

RULE 16. DEBATE; LIMITS; OUT OF ORDER: Legislators shall limit their discussion to the matter before the Legislature and shall speak for a reasonable time. If the presiding officer shall decide that a Legislator has spoken for more than a reasonable time or is otherwise not acting in conformity to the decorum required by these rules, the presiding officer may

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Rules July 2013

interrupt the Legislator and require the Legislator to conclude his/her discussion or call such Legislator out of order. A Legislator called out of order shall immediately cease debate unless the presiding officer shall permit an explanation.

RULE 17. DEBATE; PRIVATE DISCUSSION: While a Legislator is addressing the presiding officer, no other Legislator shall entertain any private discourse, walk about the room, or pass between a speaker and the presiding officer.

RULE 18. METHOD OF ACTION: Except as otherwise expressly provided by law, the power of the Legislature shall be exercised through a local law, resolution, or motion duly adopted by the Legislature.

RULE 19. VOTING; METHOD OF VOTING: All votes of the Legislature shall be by aye or nay unless otherwise required by law. Upon the request of a Legislator or if required by law, the Clerk will take a roll call vote in numerical order on a rotating basis in chronological order by Legislative District, and record said vote in the minutes next to each Legislator's name. When a roll call vote is not required or requested, the Clerk shall record in the minutes next to each Legislator's name an aye vote unless a Legislator shall specifically vote "Nay". An abstention shall not be counted as a vote.

RULE 20. ABSTENTIONS: Every member who shall be physically present in the Legislative Chambers when a question is stated by the Chairman must cast his or her vote on the same. The only exception to this procedure is when a member who, after stating the reason, abstains from voting because such member seeks to avoid a conflict of interest pursuant to the Code of 2013 Ethics Law of the County. If a member wrongfully attempts to avoid casting his or her vote, abstain, or otherwise refuses to vote, the Chairman shall direct the Clerk to record such member's vote in the affirmative on the question or matter being voted upon.

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RULE 21. VOTING; ADOPTION: Except as provided by Rules 22 and 40, a question before the Legislature shall be adopted only when it receives a majority of the vote of the entire number of Legislators.

RULE 22. VOTING; ADOPTION; 2/3 VOTE: Every local law or resolution of the Legislature legalizing informal acts of a town board meeting, village election, town or village officers, authorizing the contracting of a funded debt, taking a vote pursuant to Municipal Home Rule Law §20(4) under a certificate of necessity, ~~appointing the County Manager, or as may~~ otherwise be specified by law, shall require for its passage two-thirds of the vote of the entire number of Legislators.

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RULE 23. VOTING; EQUALLY DIVIDED VOTE: An equally divided vote on any matter before the Legislature shall be deemed a defeat and the question shall be lost.

| Rules July 2013

COMMITTEE OF THE WHOLE

- RULE 24. COMMITTEE OF WHOLE CREATION: The Legislature may, by a majority vote or by order of the Chair, resolve itself into a Committee of the Whole for the purpose of informal discussion by the Legislators which shall be stated in the motion or order therefor.
- RULE 25. COMMITTEE OF THE WHOLE; CHAIR: In the Committee of the Whole, the Chair, or in his/her absence, the Vice Chair, shall serve as the presiding officer thereof.
- RULE 26. COMMITTEE OF THE WHOLE; RULES: These Rules shall govern the Committee of the Whole so far as they may be applicable, except that the limitation of the number of times of speaking shall not apply and the ayes and nays shall not be taken. A motion to rise and report progress shall always be in order and shall be decided without debate.

RESOLUTIONS

- RULE 27. RESOLUTIONS; FILING: Unless unanimous consent of the Legislators present is given to its presentation, no resolution shall be in order unless filed, in writing, with the Clerk prior to noon of the third business day, exclusive of Saturday, Sunday and legal holidays, preceding the meeting at which it is to be offered. This rule shall not apply to the organization meeting, any special or emergency meeting, meetings held in the month of December, or in the month of January in the year in which the Legislature organizes.

RULE 28. RESOLUTIONS; FORM, CAPTIONS, OFFERORS, NUMBERING; DISTRIBUTION: Each resolution shall state the name of the Committee or Legislator offering same and the subject matter thereof. Upon adoption, resolutions shall be consecutively numbered and shall state the names of the Legislators moving and seconding same. The Clerk shall provide certified copies of all adopted resolutions to the departments or agencies having an interest therein. Nothing contained in these rules shall prevent a Legislator from offering any resolution for consideration by the Legislature, except that a resolution tabled by a committee cannot be brought to the floor of the Legislature for a vote by an individual Legislator(s) unless and until the resolution shall have been withdrawn. A resolution tabled by a committee cannot be voted upon by another committee unless specifically tabled to that committee for the purpose of a discussion and vote thereon. A resolution tabled by a committee cannot be tabled more than twice by that committee; after the second table, if it is not voted upon at the next regular meeting of that committee, then it shall be deemed withdrawn.

RULE 29. RESOLUTIONS; EFFECTIVE DATE: Unless a different date is specified, all resolutions shall become effective upon their adoption.

RULE 30. RESOLUTIONS; AGENDA; COPIES; DUTIES OF THE CLERK: Every resolution filed with the Clerk in accordance with Rule 27 shall be placed on the agenda of the next regular meeting. The Clerk shall prepare for each regular meeting copies of each resolution to be acted upon and have same available to the members and the public twenty-four (24) hours

prior to the time of the meeting, except late-filed. Resolutions to be placed on the agenda of a special or emergency meeting shall be prepared by the Clerk and distributed as soon as possible prior to the meeting of which action is to be taken thereon.

RULE 31. RESOLUTIONS; SECOND REQUIRED: Except with respect to nominations, no motion shall be stated, debated or put unless it is seconded.

RULE 32. RESOLUTIONS; WRITTEN FORM: Every motion shall be stated by the presiding officer or read by the Clerk before debate and before the question is taken. Every motion shall be reduced to writing if the Chair or any other Legislator desires. In the discretion of the presiding officer, a number of resolutions can be read and voted upon in a block.

RULE 33. RESOLUTIONS; WITHDRAWAL; CONSENT: After a motion is stated by the Clerk or the presiding officer, it shall be in possession of the Legislature, but may be withdrawn by the introducer with consent of the seconder, at any time before a vote or amendment, if no objection is made. If objection is made, then the same may be withdrawn with the consent of a majority of the vote of the Legislature.

RULE 34. RESOLUTIONS; DIVISION: If the matter in debate contains several distinct propositions, any Legislator may have the same divided.

RULE 35. RESOLUTIONS; PRIORITY: All questions relating to the priority of one question or subject matter over another, under the same order of business, shall be decided by the Chair without debate.

RULE 36. RESOLUTIONS; OTHER MOTIONS: When a motion is under debate, no other motion shall

be entertained except a motion:

- (a) For an adjournment of the Meeting.
- (b) For a roll call of the Legislature.
- (c) For the previous question.
- (d) To lay on the table.
- (e) To postpone indefinitely.
- (f) To postpone to a certain date.
- (g) To go into a Committee of the Whole on the pending subject immediately.
- (h) To commit to the Committee of the Whole.
- (i) To commit to a Standing or Special Committee.
- (j) To amend.

RULE 37. RESOLUTIONS; MOVING QUESTIONS: A previous question shall be as follows: "Shall

the main question be put?" The previous question shall be taken only when demanded by any three Legislators present; and when so ordered and there shall first be taken upon such amendments in reverse order and then upon the main question without further debate or amendment.

RULE 38. RESOLUTIONS; TABLING: Any motion to lay a question on the table shall be decided

without amendment or debate, and a motion to postpone the question indefinitely or to

postpone to a certain date, until it is decided without amendment or debate, shall preclude all amendments to the main question.

RULE 39. RESOLUTIONS, TABLING; REMOVING FROM TABLE: All reports, resolutions and other matters laid on the table may be called therefrom under "unfinished business" in the regular order of business. No report, resolution or other matter postponed indefinitely shall be called from the table except by vote of the majority of the Legislators.

RULE 40. RESOLUTIONS; LAYING OVER QUESTIONS; ORDER OF BUSINESS: All questions laid over by rule or by request of any Legislator for one day shall be considered in order on the succeeding day, or at the next session, under the heading of "unfinished business" as decided by the presiding officer. Such decision may be overruled by a vote of two-thirds of the Legislature.

RULE 41. RESOLUTIONS; RECONSIDERATION: A motion to reconsider any resolution or motion can only be entertained by the presiding officer when moved by a Legislator who originally voted with the majority thereon, when such motion to reconsider is to be voted upon at the same meeting. A motion to reconsider requires a vote of a majority of the Legislature.

RULE 42. RESOLUTIONS; MOTION TO ADJOURN: Unless a vote is in progress, a motion for a meeting's adjournment shall be decided without debate and shall always be in order.

COMMITTEES

RULE 43. COMMITTEES: The following shall constitute the Standing Committees of the Legislature:

- (a) Executive Committee (Rule 49)
- (b) Management and Budget Committee (Rule 50)
- (c) Government Services Committee (Rule 51)
- (d) Public Works Committee (Rule 52)
- (e) Health and Family Services Committee (Rule 53)
- (f) Community and Economic Development Committee (Rule 55)
- (g) Public Safety / Law Enforcement Committee (Rule 56)
- (h) Veterans Committee (Rule 57)
- (i) Planning, Environmental Management, and Real Property Committee (Rule 58)
- (j) Personnel Committee (Rule 54)
- (k) Capital Planning & Budgeting Committee (Rule 59)
- (l) Agricultural & Sustainability Policy Committee (Rule 60)

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RULE 44. COMMITTEES; APPOINTMENT: Appointment of members of the Legislature to its committees, except the Executive Committee and the Public Works Committee, is the sole responsibility and duty of the Chair. The Chair will appoint the Committee Chair, Committee Vice Chair and members within twenty days after the Chair's election, and file a list of said committees with the Clerk. The Chair shall serve ex-officio on any Legislative committee which the Chair has the power to appoint. Each committee shall, to the extent possible,

Rules July 2013

have as a member at least one member of the minority party on the Legislature. Additional Committees, temporary or standing, may be authorized by the Legislature whose Committee Chair and membership shall be appointed by the Chair. Members may be replaced at their request in the discretion of the Chair. (See Rule 6159.)

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RULE 45. COMMITTEES; MEETINGS; LOCATION: All standing Committees other than the Veterans' Committee and the Executive Committee shall have regular meetings, as well as special meetings and emergency meetings as necessary. All other committees shall meet at the call of the Committee Chair as their business requires. All committee meetings shall be held at the Legislative Committee Room at the Sullivan County Government Center, Monticello, New York or at such other location as the Committee Chair may direct. The Committee Chairs shall file with the Clerk annually, the dates and times of the regular meetings of the committees. Notice of special meetings and emergency meetings shall follow the procedure set forth in Rule 4.

RULE 46. COMMITTEES; OPEN MEETINGS; MINUTES; QUORUM; VOTE: All committee meetings shall be public, unless an executive session is called. A quorum shall consist of a majority of the membership of the Committee. Favorable action by a Committee shall require the vote of a majority of the membership of the committee. In the absence of the Committee Chair, the Committee Vice Chair shall preside at a meeting.

RULE 47. COMMITTEES; DUTIES OF CLERK: The Clerk shall print the list of committees, their membership, dates and times of regular meetings and distribute said list to each member of the Legislature, each county division, department and agency, and each town and village clerk. The Clerk shall transcribe minutes of the committee proceedings.

DUTIES OF COMMITTEES

RULE 48. DUTIES OF COMMITTEES: Committees shall have jurisdiction over the departments and agencies under their control as defined in the Sullivan County Code and perform such other duties as may be therein or herein set forth.

RULE 49. THE EXECUTIVE COMMITTEE: There shall be an Executive Committee consisting of the membership of the Legislature with the powers and duties set forth in Section A2-10 of the Sullivan County Code. The Executive Committee shall meet on the call of the Chair or at the request of any four members.

RULE 50. MANAGEMENT AND BUDGET: The functions of the Management and Budget Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the Division of Management and Budget, departments, and agencies set forth in Sections A2-9A(1), A4-2, A6-1, A6-2, A6-3, A7-2 of the Sullivan County Code.
- (b) Review and recommend action with respect to all resolutions relating to

appropriations, issuance of bonds and notes, and other matters of county finance.

- (c) Review budget estimates and formulate, with the County Manager, the tentative budget, and review and recommend action with respect to adoption of the budget.
- (d) Review of all claims which have been audited and paid.
- (e) Legislative oversight over all the financial and administrative actions and functions of county divisions, departments, and agencies.

RULE 51. GOVERNMENT SERVICES: The functions of the Government Services Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the divisions, departments, and agencies set forth in Sections A2-9A(2), A4-4, A5-9, A5-11, A7-1F, A7-2D, A7-4H of the Sullivan County Code.
- (b) Oversee all matters relating to elections.
- (c) Except as provided by Rule 52, approve all purchases, and all bids and contracts for purchases and public work, submitted by the Department of Government Services.
- (d) Review all printing and publication contracts in the manner provided by law.

RULE 52. PUBLIC WORKS: The functions of the Public Works Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the divisions, departments, and agencies set forth in Sections A2-9A(7), A7-3, A7-4A-G, I-J, and A7-5 of the Sullivan County

Code.

- (b) Review and recommend action with respect to the construction, reconstruction and improvement of all County roads and bridges.
- (c) Oversee cooperation with the federal, state and local agencies having jurisdiction over highways, parks, airports, public transportation and the regulation, construction and improvement thereof; review and recommend action with respect thereto.
- (d) Study and recommend action with respect to public transportation and public facilities relating to the general improvement of transportation in the County.
- (e) Oversee and recommend action with respect to maintenance, repair, improvement and purchases of equipment, furniture and fixtures for all buildings, offices, parks and grounds, and approve the acquisition, repair and disposal of all County motor vehicles.
- (f) Review all purchases of equipment by the Commissioner of the Public Works Division with a value in excess of the amount set forth in Section 133 of the Highway Law for purchases chargeable to the county road machinery fund and in excess of the amount set forth in Section 103 of the General Municipal Law in all other cases; approve and recommend action on all rights of way options which shall be filed by the Clerk with the County Attorney.
- (g) Oversight and recommendation of action with respect to solid waste management facilities including operation of the Sullivan County Sanitary Landfill and related facilities.

- (h) Oversight and recommendation of action with respect to administration of local laws and other regulations related to solid waste management control.
- (i) Oversight and recommendation of action with respect to recycling programs and the funding and disposition of revenues therefrom.

Membership: The Public Works Committee shall have a membership consisting of the Chair, the Chairs of the Committees on Management and Budget; Planning, Environmental Management, and Real Property, and four additional members selected by the Chair. The Chair shall also select a Chair for the Committee.

RULE 53. HEALTH AND FAMILY SERVICES: The functions of the Health and Family Services Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the Division of Health and Family Services, departments and agencies as set forth in Section A2-9A(3) and A7-6 of the Sullivan County Code.
- (b) Review and recommend action on all matters subject to the New York State Social Services Law, Labor Law, Health Law, Taxation and Finance Laws and Office of Temporary and Disability Assistance and State Office of Family and Children Services together with the regulations promulgated pursuant to said laws and any other relevant statutes and regulations.
- (c) Recommend policy and maintain contact with voluntary associations providing social services to residents of the county.
- (d) Recommend programs for the purpose of preventing and eliminating poverty in

the county.

- (e) Review and recommend actions on all matters subject to the New York State Public Health Law, Mental Hygiene Law, Family Court Act, Penal Law, Criminal Procedure Law and other laws and regulations relating to the jurisdiction of the Committee.
- (f) Recommend policy and maintain contact with voluntary associations providing alcohol abuse, drug abuse, mental illness, mental retardation, and other community services to residents of the community.
- (g) Study and recommend programs for the purpose of treating and caring for those who suffer from the above.

RULE 54. PERSONNEL: The functions of the Personnel Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the Division of Personnel, and the Department of Risk Management and Insurance as set forth in Sections A2-9A(4), A5-3 and A7-12 of the Sullivan County Code.
- (b) Oversee, review, and recommend, consistent with the provisions of Civil Service Law, Article 10, action relating to the compensation of County officers and employees, including the annual preparation and recommendation of a proposed schedule of salaries and compensation of officers and employees not subject to Article 10 of the Civil Service Law; the hiring, increase and reduction of

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employees in the County.

- (c) Review with the ~~Commissioner of Personnel Officer~~, all matters relating to enforcement of the Civil Service Law.
- (d) Review and recommend action with respect to negotiation and ratification of all agreements with employee organizations.
- (e) Review and recommend, consistent with law, action with respect to all employment programs.
- (f) Oversee and recommend action on all matters relating to the Sullivan County Self-Insurance Plan

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RULE 55. COMMUNITY AND ECONOMIC DEVELOPMENT: The functions of the Community and Economic Development Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the departments and agencies set forth in Sections A2-9A(5), and A7-8Z of the Sullivan County Code.
- (b) Oversee and approve formulation of a publicity program for the County.
- (c) Oversee, participate in and recommend action with respect to economic and industrial development, supervise the operations of the County of Sullivan Industrial Development Agency and the Local Development Corporation of the County of Sullivan.

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RULE 56. PUBLIC SAFETY / LAW ENFORCEMENT REVIEW COMMITTEE: The functions of the Public Safety Committee shall, but not by way of limitation, include the following:

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Rules July 2013

(a) Legislative oversight of the divisions, departments, and agencies set forth in Sections A2-9A(6), A4-6, A4-8, A4-10 and A7-87 of the Sullivan County Code.

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(c) Review and recommend action with respect to civil defense and disaster preparedness and cooperate with federal, state and local civil defense authorities.

RULE 57. VETERANS: The functions of the Veterans' Committee shall, but not by way of limitation, include the following:

(a) Legislative oversight of the department as set forth in Sections A2-9A(9) of the Sullivan County Code.

(b) Review and recommendation of action with respect to veterans' affairs, including assistance; memorials, celebrations, the Sullivan County Veterans' Cemetery and burial of veterans in accordance with law, and the foster cooperation with veterans' organizations.

RULE 58. PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE: The function of the Planning, Environmental Management and Real Property Committee shall, but not by way of limitation, include the following:

(a) Legislative oversight of the Departments of GIS and Mobility Management, Real Property Tax Services and Sullivan County Treasurer (tax enforcement functions) as set forth in Section A2-9A(8), A4-2, A5-4, A5-5 and A7-98 of the Sullivan

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Rules July 2013

County Code.

- (b) Compilation of written policy and procedures regarding the handling of properties taken by the County through in rem foreclosure proceedings, and to establish a structure for the Real Property Administration Department.
- (c) Review and recommend action with respect to:
 - (1) Assessment, levy, collection, and enforcement of all real property taxes and sales taxes.
 - (2) Applications to correct assessment and tax rolls pursuant to the Real Property Tax Law.
 - (3) Determination of the amount of taxes returned as unpaid and the re-levy of same.
 - (4) Adoption of the equalization rates established by the New York State Division of Equalization and Assessment, or in the alternative, upon direction of the Legislature, investigate the ratio and percentage which assessed value of real property bears to the full value of such property and report the percentage for such tax district so determined and recommend action by the Legislature.
 - (5) Adoption of the statement of total valuation, including equalization rates of taxable real property within the County as the basis for the apportionment of the county real property tax levy.
 - (6) Apportionment of all revenue received in the County which is payable to the Villages and Towns.

- (7) Review of special district charges and recommend adoption of such resolutions as may be necessary to levy same on the tax roll.
- (8) Oversee all matters relating to reassessment, revaluation, and tax map.
- (9) Review and recommend action with respect to enforcement and collection of delinquent taxes, manner of bids with respect to sale of real property acquired by tax deed, rejection of bids for real property required by tax deed, retention of title of real property acquired by tax deed and such other methods of disposition of tax title real property as the Committee shall deem appropriate.
- (10) Review and recommend action with respect to condemnation, purchase, and acquisition of all real estate by the County, including options to purchase such real estate.
- (11) Oversee and recommend action on all matters relating to County and regional planning.
- (12) Oversee and recommend action on all matters relating to environmental management, except solid waste management.

RULE 59. CAPITAL PLANNING & BUDGETING COMMITTEE: The function of the Capital Planning & Budgeting Committee shall, but not by way of limitation, include the following:

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- (a) Legislative oversight of the departments as set forth in Section A2-8, A2-9(10) of the Sullivan County Code.
- (b) Review, oversight and recommendation of action and fiscal impacts of capital

Rules July 2013

planning and projects.

- (c) Review and oversight of the preparation of the County's six-year Capital Plan.
- (d) Review and oversight of capital budgeting and planning analyses.

RULE 60. AGRICULTURAL & SUSTAINABILITY POLICY COMMITTEE: The functions of the Agricultural & Sustainability Policy Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the departments as set forth in Section A2-8, A2-9(11) of the Sullivan County Code,
- (b) Review and oversight and recommendations regarding current and future proposed sustainable principles, practices, policies and goals, as well as sustainability technologies in county facilities, including, but not limited to, "green" building standards, renewable energy, and other "best practices".
- (c) Review of County fleet hybrid and alternative fuel vehicles.
- (d) Review and oversight of environmental health and sustainable practices of the County's Department of Public Health.

RULE 5961. COMMITTEES; REMOVAL; REASSIGNMENT: A member who fails or refuses to serve and fulfill the duties of the Committee to which such member has been appointed may be removed at the discretion of the Chair. The vacancy created by such removal shall be filled by the Chair. At the request of a member, the Chair may change the appointment of a member from one Committee to another Committee. The Clerk shall note the removal,

| Rules July 2013

appointment or change of assignment in the minutes.

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MISCELLANEOUS

RULE 6062. ASSESSMENT ROLLS: The Clerk shall procure the assessment roll of each town and have the town verify and correct footings, recapitulation and tabulate the results in such manner as may be required to show assessed valuations for each tax district in each town, on or before the first day of October in each and every year.

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RULE 6163. CLAIMS: Except as otherwise provided by law, all claims against the County shall be submitted on a county voucher, signed by the claimant and approved by the appropriate department head prior to audit and payment. The County Manager shall audit and direct payment of all valid claims within the limits of the appropriations made. The County Manager is authorized to issue such regulations and procedures as may be necessary with respect to the submission and payment of claims.

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RULE 6264. ACCESS BY MEDIA FOR DELAYED OR SIMULTANEOUS TRANSMISSION OF PROCEEDINGS OF THE BOARD OF SUPERVISORS

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- (a) All representatives of newspaper, radio and television shall have equal access to county facilities to obtain information, and to attend and report the proceedings of the Legislature or of any of its committees or of any other hearing or proceeding held at the County Government Center by any public body in accordance with the Freedom of Information Law, Open Meetings Law, and these Rules. In compliance therewith, the Clerk may make and enforce

reasonable regulations as may be mandated by the circumstances.

(b) Subject to the provisions hereinafter set forth, all representatives of newspapers, radio, and television who shall have obtained written authorization from the Clerk shall be permitted to use recording device connections in the Legislature's Chamber at the County Government Center to simultaneously record the proceedings of the Legislature or of any of its committees.

(c) Subject to the provisions hereinafter set forth, all representatives of radio and television shall be permitted, at their own expense, to install at the Legislature's Chamber at the County Government Center, telephone lines or other devices to permit simultaneous broadcast or transmission for delayed broadcast of the proceedings of the Board-Legislature relating to the following matters:

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- (1) Committee hearings on the tentative budget.
- (2) Public Hearings on the tentative budget.
- (3) The meetings of the Legislature with respect to adoption of the budget.

(d) Authorization

- (1) Representatives shall make written application on forms supplied by the Clerk for authorization to use recording devices in accordance with paragraph (b). The Clerk shall approve all bona fide applications. In the event that the number of applicants shall exceed the number of recording device connections, the order of use shall be determined in January of each year by lot and thereafter use at each meeting shall rotate in the order so determined. Failure to exercise rights granted

under this paragraph shall not alter the rotation so established.

(2) Representatives who wish to install devices for simultaneous broadcast as provided in paragraph (c) of this Rule, shall obtain authorization from the Clerk in accordance with paragraph (1) hereof and then make written application to the Commissioner of Public Works for a permit to authorize such installation.

(e) Use of recording device at committee meetings other than those meetings related to subjects described in paragraph (c) may be prohibited at the request of any member of the Committee.

(f) The Legislature may modify, amend or repeal the provisions of this rule or terminate the use of recording or broadcasting devices at any time for any reason without liability.

(g) Except as herein provided, or as may be permitted by any other public body, the use of recording and broadcasting devices shall be prohibited.

RULE 6365. RULES; DELEGATION OF AUTHORITY: Nothing herein shall be deemed to authorize the delegation of any powers, duties or responsibilities of the Legislature to any other officer.

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RULE 6466. RULES; SUSPENSION: Unless otherwise provided by law, the Legislature may suspend its rules on unanimous vote of the Legislators present and voting at any regular, special or emergency meeting.

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Rules July 2013

RULE ~~6567~~. RULES; AMENDMENTS: Unless otherwise provided by law, the Legislature, by a majority vote, may amend these rules upon recommendation of the Executive Committee.

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RULE 68. EFFECTIVE DATE; CAPTIONS; REPEAL: These Rules shall be effective on the date of adoption by the Legislature. Captions for each rule shall be used for the purpose of identification only and shall not limit the content or meaning of any rule. Any rules heretofore in effect are hereby repealed.

COUNTY LEGISLATURE
County of Sullivan
RULE 64 APPLICATION

Name of Applicant _____

Name of News Organization _____

Address of News Organization _____

Applicant requests authorization to: (Check applicable provision)

- 1. Use recording device connections.
- 2. Install broadcasting equipment in Legislature's Chamber to simultaneously broadcast proceedings of public bodies. (Annex plans)

Applicant understands that any authorization granted herein may be revoked, suspended or modified if Rule 64 is violated, amended or repealed, or if employment with or as an authorized representative of the above news organization is terminated. Applicant has received a copy of Rule 64.

Dated _____ Signed _____

Approval of Commissioner of Public Works:

I have examined the annexed plans for installation of broadcast equipment and I approve/disapprove the plans and authorize installation in accordance with said plans.

Dated _____ Signed _____

AUTHORIZATION

In accordance with Rule 64 of the Rules of the County Legislature I hereby approve/disapprove this application for the authorization requested.

Dated _____

Clerk of the County Legislature

NOTE: This Permit is not transferable. Complete in triplicate. If disapproved, set forth reasons on back.

Rules July 2013

TABLE OF CONTENTS

<u>TO BE REVISED ONCE RULES ARE FINALIZED AND ADOPTED</u>		
RULE 1.	<u>APPLICABILITY:</u>	<u>42</u>
RULE 2.	<u>DEFINITIONS:</u>	<u>24</u>
RULE 2A.	<u>MAJORITY AND MINORITY LEADERS:</u>	<u>3</u>
	<u>MEETINGS</u>	
RULE 3.	<u>REGULAR MEETINGS</u>	<u>42</u>
RULE 4.	A. <u>SPECIAL MEETINGS</u>	<u>42</u>
	B. <u>EMERGENCY MEETINGS</u>	<u>4</u>
RULE 5.	<u>LOCATION OF MEETINGS</u>	<u>63</u>
RULE 6.	<u>OPEN MEETINGS</u>	<u>63</u>
RULE 7.	<u>QUORUMS</u>	<u>63</u>
RULE 8.	<u>CONVENING OF MEETING:</u>	<u>63</u>
RULE 9.	<u>MINUTES; APPROVAL; MODIFICATIONS; COPIES:</u>	<u>63</u>
RULE 10.	<u>ORDER OF BUSINESS</u>	<u>74</u>
RULE 11.	<u>CONDUCT OF MEETINGS; PUBLIC DISCUSSION:</u>	<u>85</u>
	<u>DEBATE & VOTING</u>	
RULE 12.	<u>PRESIDING OFFICER:</u>	<u>95</u>
<u>Rules July 2013</u>		

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R36

TABLE OF CONTENTS

RULE 13.	<u>APPEALS:</u>	105
RULE 14.	<u>DEBATE; RECOGNITION:</u>	106
RULE 15.	<u>DEBATE; RIGHT TO SPEAK:</u>	116
RULE 16.	<u>DEBATE; LIMITS; OUT OF ORDER:</u>	116
RULE 17.	<u>DEBATE; PRIVATE DISCUSSION:</u>	11-6
RULE 18.	<u>METHOD OF ACTION:</u>	11 6
RULE 19.	<u>VOTING; METHOD OF VOTING:</u>	126
RULE 20.	<u>ABSTENTIONS:</u>	13 7
RULE 21.	<u>VOTING; ADOPTION:</u>	13 7
RULE 22.	<u>VOTING; ADOPTION; 2/3 VOTE:</u>	13 7
RULE 23.	<u>VOTING; EQUALLY DIVIDED VOTE:</u>	13 7
	<u>COMMITTEE OF THE WHOLE</u>	
RULE 24.	<u>COMMITTEE OF WHOLE CREATION:</u>	14 -7
RULE 25.	<u>COMMITTEE OF THE WHOLE; CHAIR:</u>	14-7
RULE 26.	<u>COMMITTEE OF THE WHOLE; RULES:</u>	14-7
<u>Rules July 2013</u>		

Formatted: Centered

R37

TABLE OF CONTENTS

<u>RESOLUTIONS</u>	
RULE 27.	<u>RESOLUTIONS; FILING:</u> 14 &
RULE 28.	<u>RESOLUTIONS; FORM, CAPTIONS, OFFERORS, NUMBERING:</u> <u>DISTRIBUTION:</u> 15-8
RULE 29.	<u>RESOLUTIONS; FORM; EFFECTIVE DATE</u> 15-8
RULE 30.	<u>RESOLUTIONS; AGENDA; COPIES; DUTIES OF THE CLERK:</u> 8 16
RULE 31.	<u>RESOLUTIONS; SECOND REQUIRED:</u> 916
RULE 32.	<u>RESOLUTIONS; WRITTEN FORM:</u> 916
RULE 33.	<u>RESOLUTIONS; WITHDRAWAL; CONSENT:</u> 916
RULE 34.	<u>RESOLUTIONS; DIVISION:</u> 916
RULE 35.	<u>RESOLUTIONS; PRIORITY:</u> 917
RULE 36.	<u>RESOLUTIONS; OTHER MOTIONS:</u> 917
RULE 37.	<u>RESOLUTIONS; MOVING QUESTIONS:</u> 108
RULE 38.	<u>RESOLUTIONS; TABLING:</u> 108
RULE 39.	<u>RESOLUTIONS, TABLING; REMOVING FROM TABLE:</u> 108
RULE 40.	<u>RESOLUTIONS; LAYING OVER QUESTIONS; ORDER OF BUSINESS:</u> 189

Formatted: Centered

Rules July 2013

R38

TABLE OF CONTENTS

RULE 41.	<u>RESOLUTIONS; RECONSIDERATION:</u>	109
RULE 42.	<u>RESOLUTIONS; MOTION TO ADJOURN:</u>	109
	<u>COMMITTEES</u>	
RULE 43.	<u>STANDING COMMITTEES:</u>	119
RULE 44.	<u>COMMITTEES; APPOINTMENT:</u>	1120
RULE 45.	<u>COMMITTEES; MEETINGS; LOCATION:</u>	1120
RULE 46.	<u>COMMITTEES; OPEN MEETINGS; MINUTES; QUORUM; VOTE:</u>	2112
RULE 47.	<u>COMMITTEES; DUTIES OF CLERK:</u>	121
	<u>DUTIES OF COMMITTEES</u>	
RULE 48.	<u>DUTIES OF COMMITTEES:</u>	121
RULE 49.	<u>THE EXECUTIVE COMMITTEE:</u>	121
RULE 50.	<u>FINANCIAL MANAGEMENT & Budget:</u>	122
RULE 51.	<u>GOVERNMENT GENERAL SERVICES:</u>	123
RULE 52.	<u>PUBLIC WORKS:</u>	123
RULE 53.	<u>HEALTH AND FAMILY SERVICES:</u>	25-14

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Rules July 2013

R39

TABLE OF CONTENTS

RULE 54.	<u>PERSONNEL:</u>	<u>26-45</u>
RULE 55.	<u>PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT:</u>	<u>27-45</u>
RULE 56.	<u>PUBLIC SAFETY/LAW ENFORCEMENT REVIEW COMMITTEE:</u>	<u>27-46</u>
RULE 57.	<u>VETERANS:</u>	<u>28-46</u>
RULE 58.	<u>PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE:</u>	<u>28-46</u>
Rule 59.	<u>CAPITAL PLANNING AND BUDGETING COMMITTEE.....</u>	<u>30</u>
Rule 60.	<u>AGRICULTURAL & SUSTAINABILITY POLICY COMMITTEE.....</u>	<u>30</u>
RULE 5961.	<u>COMMITTEES; REMOVAL; REASSIGNMENT:</u>	<u>31-47</u>
RULE 620.	<u>ASSESSMENT ROLLS:</u>	<u>32-48</u>
RULE 634.	<u>CLAIMS:</u>	<u>32-48</u>
RULE 642.	<u>ACCESS BY MEDIA FOR DELAYED OR SIMULTANEOUS TRANSMISSION OF PROCEEDINGS OF THE BOARD OF SUPERVISORS</u>	<u>32-48</u>
RULE 653.	<u>RULES; DELEGATION OF AUTHORITY:</u>	<u>34-49</u>

Rules July 2013

R40

TABLE OF CONTENTS

RULE 664.	<u>RULES; SUSPENSION:</u>	34—19
RULE 675.	<u>RULES; AMENDMENTS:</u>	35—19
RULE 686.	<u>EFFECTIVE DATE; CAPTIONS; REPEAL:</u>	36—20

R41

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

To: Sullivan County Legislature

Fr: S. Yasgur

Re: Request for Consideration of a Resolution: Authorize DPW to collaborate with the Delaware Company to identify needed/desirable projects.

Date: 7/15/13

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

DPW & The Delaware Co will collaborate to identify needed/desirable projects which could be funded and accomplished by the Delaware Co on or with respect to County facilities. Such projects will be presented to the Legislature for review & approval. The Delaware Co will gift each such project to the County & the Legis will accept such gifts on a project by project basis.

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? Yes ___ 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)	_____

Verified by Budget Office: 

Does Resolution request Authority to Enter into a Contract? Yes ___ No

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with [_____] of [_____]

Nature of Other Party to Contract: _____

Other: _____

Duration of Contract: From _____ To _____

Is this a renewal of a prior Contract? Yes ___ No ___

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No ___

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): _____

Efforts made to find Less Costly alternative:

Efforts made to share costs with another agency or governmental entity:

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

procurement not applicable, if

Person(s) responsible for monitoring contract (Title): _____

Pre-Legislative Approvals:

- A. Director of Purchasing: Nancy Jones Date 7/15/13
- B. Management and Budget: John Bond Date 7/15/13
- C. Law Department: S. Gasque Date 07/15/2013
- D. County Manager: John Bond Date 7/15/13
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPROVE THE ASSISTANCE OF THE DELAWARE COMPANY

WHEREAS, Fort Delaware and the Minisink Battleground are two important County facilities which not only preserve County history, but which also afford the general public an opportunity to witness and appreciate such history in a hands on manner, and

WHEREAS, Fort Delaware and the Minisink Battleground are also significant in that they are a part of the County's tourism assets and thus assist in bringing visitors to the County, and

WHEREAS, during these stressful economic times it has been difficult for the County to allocate the level of funding to these assets, particularly Fort Delaware, which would be appropriate and desirable to assure their enhanced viability, and

WHEREAS, the County has been most fortunate to have been the beneficiary of the efforts of many volunteers who have: (a) served as re-creators/interpreters, (b) provided costuming and artifacts necessary to provide realism, and (c) have given their time to running and operating these County facilities, and

WHEREAS, a number of public spirited citizens have offered to create a formal structure through which donations may be raised through which they could fund projects to enhance these facilities and enhance the experience of those who visit the facilities, and

WHEREAS, these individuals established The Delaware Company of New York, Inc. (hereinafter the "Delaware Company"), on November 13, 2012, to act as a vehicle to engage in such projects and in other enhancement projects along the upper Delaware, and

WHEREAS, the Delaware Company is a not-for-profit corporation pursuant to section 501(c)(3) of the Internal Revenue Code, with an address of P.O. Box 185, Barryville, NY 12719 and

WHEREAS, the Delaware Company has a Board of Directors and an Advisory Board made up of individuals committed to the preservation and enhancement of a number of sites along the Upper Delaware including the referenced County facilities, and

WHEREAS, the Delaware Company proposes that it will collaborate with the County's Division of Public Works to identify needed/desirable projects which could be funded and accomplished by the Delaware Company on or with respect to these County facilities, and

WHEREAS, it is anticipated that such projects will be gifted to the County, and

WHEREAS, the Sullivan County Legislature welcomes the concept presented by the Delaware Company.

5

NOW THEREFORE BE IT RESOLVED THAT:

1. The Sullivan County Legislature authorizes the Division of Public Works to collaborate with the Delaware Company to identify needed/desirable projects which could be funded and accomplished by the Delaware Company on or with respect to County facilities.
2. Upon identifying such projects the Division of Public Works and the Delaware Company will present them to the Sullivan County Legislature for review and approval.
3. The Delaware Company will gift each such project to the County and the Sullivan County Legislature will accept such gifts on a project by project basis.

Moved by _____,

Seconded by _____,

Put to a vote and declared duly adopted on motion on July 18, 2013

5A

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

To: Sullivan County Legislature

Fr: S. Yasgur

Re: Request for Consideration of a Resolution: To Authorize with Hits Film

Date: 7/15/13

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

To authorize a contract with Hits Film to permit the use of two County properties with respect to the shooting of a movie

Is subject of Resolution mandated? Explain:

No

Does Resolution require expenditure of funds? Yes ___ 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)	_____

Verified by Budget Office: _____

John P. ...

Does Resolution request Authority to Enter into a Contract? Yes No ___

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with [Hits Film, LLC] of []

Nature of Other Party to Contract: Out Of County Vendor Other:

Duration of Contract: From 07/18/2013 To 11/30/2013

Is this a renewal of a prior Contract? Yes ___ No

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Use of County sites for movie shoot.

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): Hits will pay County \$1,000

Efforts made to find Less Costly alternative:

N/A

Efforts made to share costs with another agency or governmental entity:

N/A

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

N/A - Not applicable

Person(s) responsible for monitoring contract (Title): DPW

Pre-Legislative Approvals:

- A. Director of Purchasing: *Patricia Jones* Date 7/15/13.
- B. Management and Budget: *John V. Bond* Date 7/15/13
- C. Law Department: *S. J. Jorgensen* Date 7/15/13
- D. County Manager: *John Bond* Date _____
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE THE EXECUTION OF A LICENSE AGREEMENT WITH HITS FILM,
LLC**

WHEREAS, Hits Film, LLC is a production company with an address in Brooklyn, NY that seeks to utilize certain County property, to wit, the Legislative meeting room and the Highland transfer station for the filming of scenes in a movie with the working title of Hits, and

WHEREAS, the Sullivan County Legislature desires to authorize Hits Film, LLC to use the aforesaid County sites for such filming, and

WHEREAS, a License Agreement has been negotiated between the County and Hits Film, LLC which satisfactorily deals with all applicable technical and other issues including insurance.

NOW THEREFORE BE IT RESOLVED:

1. The Sullivan County Legislature authorizes the Chairman to execute a License Agreement, substantially in the form previously shown to the Legislature, with Hits Film, LLC.
2. The final License Agreement shall be in a form approved by the County Attorney.

Moved by _____,

Seconded by _____,

Put to a vote and declared duly adopted on motion on July 18, 2013

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

To: Sullivan County Legislature

Fr: S. Yasgur

Re: Request for Consideration of a Resolution: To authorize a tri-partite agreement with the
Community College and HelioSage

Date: 7/15/13

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

The tri-partite agreement will authorize HelioSage to design and construct a solar array at the College at no cost to the County.

Is subject of Resolution mandated? Explain:

NO

Does Resolution require expenditure of funds? Yes ___ 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: _____

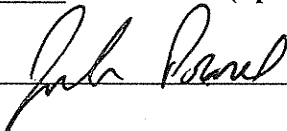
Estimated Cost Breakdown by Source:

County \$ _____ Grant(s) \$ _____

State \$ _____ Other \$ _____

Federal Government \$ _____ (Specify) _____

Verified by Budget Office: _____



Does Resolution request Authority to Enter into a Contract? Yes No ___

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with [College and HelioSage] of
[_____]

Nature of Other Party to Contract: Out Of County Vendor Other: College

Duration of Contract: From 08/01/2013 To 07/31/2033

Is this a renewal of a prior Contract? Yes ___ No

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

unknown at present

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Will assist College to reduce energy costs

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): _____

Efforts made to find Less Costly alternative:

N/A

Efforts made to share costs with another agency or governmental entity:

N/A

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

procurement not applicable, if

Person(s) responsible for monitoring contract (Title): _____

Pre-Legislative Approvals:

- A. Director of Purchasing: *Kathy Jones* Date 7/15/13
- B. Management and Budget: *Julie Poterel* Date 7/15/13
- C. Law Department: *S. J. Grogan* Date 7/15/13
- D. County Manager: *Julie Poterel* Date 7/15/13
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPROVE A TRI-PARTITE AGREEMENT WITH SULLIVAN COUNTY COMMUNITY COLLEGE, THE COUNTY OF SULLIVAN AND HELIOSAGE

WHEREAS, the County of Sullivan (“County”) owns the land occupied by the Sullivan County Community College (“College” or “SCCC”) and holds such land in Trust for the College for educational use, and

WHEREAS, HelioSage Energy, of 117 4th Street, S.E., Suite B, Charlottesville, VA 22902, (“HelioSage”) is a solar project development firm which has designed and installed solar array projects at a number of government and corporate facilities in the Northeast, and

WHEREAS, HelioSage has applied for a New York State Sun Grant which HelioSage would like to apply to the construction of a solar array at the College, and

WHEREAS, the project would be designed and installed at no cost to the College or the County and would provide: (1) a reduced cost of energy for the College during the project’s estimated twenty year life and (2) an on-site educational venue for the College in future courses relating to green energy, and

WHEREAS, the College is desirous of entering into an agreement with HelioSage for the construction of the project, and

WHEREAS, given the County’s status as landowner the project requires a tri-partite agreement among the College, the County and HelioSage, and

WHEREAS, the County Legislature is supportive of the project.

NOW THEREFORE BE IT RESOLVED THAT:

1. The County Manager and the County Attorney are hereby authorized to participate in the negotiation/drafting of a tri-partite agreement among the College, the County and HelioSage for the aforesaid project.
2. The Chairman of the County Legislature is hereby authorized to execute such a tri-partite agreement.
3. Said tri-partite agreement shall be in such form as approved by the County Attorney.

Moved by _____ ,

Seconded by _____ ,

Put to a vote and declared duly adopted on motion on July 18, 2013

7A

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

To: Sullivan County Legislature

Fr: S. Yasgur

Re: Request for Consideration of a Resolution: To Set a Public Hearing

Date: 7/15/13

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

To set a public for a Local Law to amend the Ethics Local Law by granting the Board of Ethics the Power to issue subpoenas and compel the attendance of witnesses.

Is subject of Resolution mandated? Explain:

The hearing is required for a Local Law

Does Resolution require expenditure of funds? Yes ___ 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)	_____

Verified by Budget Office: _____

Does Resolution request Authority to Enter into a Contract? Yes ___ No

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with [_____] of
[_____]

Nature of Other Party to Contract: -

Other:

Duration of Contract: From _____ To _____

Is this a renewal of a prior Contract? Yes ___ No ___

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No ___

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): _____

Efforts made to find Less Costly alternative:

N/A _____

Efforts made to share costs with another agency or governmental entity:

N/A _____

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

N/A - Not applicable / Kf. _____

Person(s) responsible for monitoring contract (Title): _____

Pre-Legislative Approvals:

- A. Director of Purchasing: *Cathy Jones* Date 7/15/13.
- B. Management and Budget: *John P. Stone* Date 7/15/13
- C. Law Department: *S. J. Grogan* Date 7/15/13
- D. County Manager: *John P. Stone* Date 7/15/13
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

**RESOLUTION NO. _____-13, INTRODUCED BY THE EXECUTIVE COMMITTEE,
TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED "A
LOCAL LAW TO AMEND THE SULLIVAN COUNTY ETHICS LAW BY GRANTING
THE BOARD OF ETHICS THE POWER TO ISSUE SUBPOENAS AND COMPEL THE
ATTENDANCE OF WITNESSES"**

WHEREAS, on May 23, 2013, pursuant to Resolution 227 of 2013, the Sullivan County Legislature enacted a new ethics law, and

WHEREAS, said Ethics Law is scheduled to become effective approximately July 18, 2013, and

WHEREAS, the Sullivan County Legislature desires to amend the aforesaid Ethics Law so as to grant the Board of Ethics the power to subpoena witnesses and compel their attendance, and

WHEREAS, the amendment of a Local Law must be accomplished by a Local Law, following a hearing on notice.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed Local Law by the Sullivan County Legislature on August 15, 2013 at 1:15PM, in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days' notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

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

8

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly enacted a local law 3 of 2013 adopted on May 23, 2013 " The Sullivan County Ethics Law".

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on amendments to Local Law No. 3 of 2013 , "A Local Law to Amend the Sullivan County Ethics Law by Granting the Board of Ethics the Power to Issue Subpoenas and Compel the Attendance of Witnesses" at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on August 15, 2013 at 1:15PM at which time all persons interested will be heard.

DATED: Monticello, New York

July 18, 2013

ANNMARIE MARTIN

Clerk of the Legislature

County of Sullivan, New York

SA

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

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”) after reviewing written appeals that have been denied from property owners, that they have an opportunity to personally meet with the Appeal Board, and

WHEREAS, the Committee wishes to report its Recommendations/Denys’ to the Legislature, and

WHEREAS, the Committee has personally met with John Fink the owner on parcel De25.-1-4.69, and it recommends reduction of the fee” from nine hundred sixty dollars (\$960.00) to three hundred dollars (\$300.00)

NOW, THEREFORE, BE IT RESOLVED, that the Legislature acknowledges receipt of the Committee’s.

BE IT FURTHER RESOLVED, that the Legislature hereby authorizes the Sullivan County Treasurer, on behalf of the Committee to notify the property owner regarding the accepting of their respective second appeals.

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

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

To: Sullivan County Legislature

Fr: Edward McAndrew, P.E.

Re: Request for Consideration of a Resolution: Authorize award & execution of agreement

Date: July 18, 2013

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

Award and execute an agreement with H2M Labs., Inc. for water sampling and laboratory analysis for various county facilities and the landfill.

Is subject of Resolution mandated? Explain:

Does Resolution require expenditure of funds? Yes No

If "Yes", provide the following information:

Amount to be authorized by Resolution: \$ 120,000.00

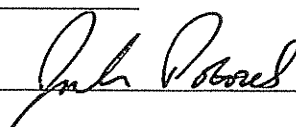
Are funds already budgeted? Yes No

If "Yes" specify appropriation code(s): various facility codes (A-1620's) and CI

If "No", specify proposed source of funds: _____

Estimated Cost Breakdown by Source:

County	\$ <u>120,000.00</u>	Grant(s)	\$ _____
State	\$ _____	Other	\$ _____
Federal Government	\$ _____	(Specify)	_____

Verified by Budget Office: 

Does Resolution request Authority to Enter into a Contract? Yes No

If "Yes", provide information requested on Pages 2 and 3.

Request for Authority to Enter into Contract with [_____] of
[H2M Labs., Inc. _____]

Nature of Other Party to Contract: _____

Other: _____

Duration of Contract: From 08/01/2013 To 07/31/2014

Is this a renewal of a prior Contract? Yes ___ No

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Yes, five (5) one year terms.

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes No ___

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

Required testing by NYSDOH and NYSDEC.

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \$120000

Efforts made to find Less Costly alternative:

Firm was selected through a competitive bid process.

Efforts made to share costs with another agency or governmental entity:

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)
Competitive bid. B-13-32

Person(s) responsible for monitoring contract (Title): Edward McAndrew, P.E., Com.

Pre-Legislative Approvals:

- A. Director of Purchasing: Kathy Jones Date 7/17/13
- B. Management and Budget: John Poter Date 7/17/13
- C. Law Department: _____ Date _____
- D. County Manager: John Poter Date 7/17/13
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

Resolution No. _____

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE
RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

WHEREAS, bids were received for Water Sampling and Laboratory Analysis for various Sullivan County Facilities and the Landfill, and

WHEREAS, H2M Labs., Inc. is the lowest responsible bidder for this project, and

WHEREAS, the Sullivan County Division of Public Works has approved said bid and recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with H2M Labs., Inc., at a total price not to exceed \$120,000, for Water Sampling and Laboratory Analysis, in accordance with B-13-32, said contract to be in such form as the County Attorney shall approve.

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