



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
November 21, 2013 at 12:30PM

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. PRESENTATION:

1. Jeff Siegel---Update on Bagel Festival (15 mins)

IV. DISCUSSION

1. Vacancy Requests

V. RESOLUTIONS :

1. Rescinding Resolution No. 90-12 and authorizing the transfer of the East Broadway Development properties to the Sullivan County Funding Corporation
2. Create a new Probation Officer within the Probation Department's Alternatives to Incarceration Pre-Trial Release Program
3. Modify Resolution No. 182-13 requiring Board of Ethics members to file an annual Financial Disclosure Statement
4. Appoint Ellsweig to the Public Health Services' Health Services Advisory Board
5. Appoint Skoda to the Sullivan County Public Health Services Professional Advisory Committee
6. Appoint Fields to the Office for the Aging Advisory Committee
7. Authorize an agreement with Bethel Woods
8. Establish a protocol for the coordinated defense of tax certiorari and tax exemption proceedings by towns, school district and the County of Sullivan on an annual basis

VI. PUBLIC COMMENT

Vacancy Request Fact Sheet

Date: 11/1/13

Department: DFS

Department Head: Randy J. Parker, Commissioner

Position/Duties: Family Services Investigator Trainee w/ Backfills Budget Position: 459 ✓

Works on the Front End Detection System (FEDS) to investigate certain state-recommended indicators to prevent the pay out of unnecessary welfare benefits. Position also investigates reports of fraudulent behavior in order to recoup overpayments or referring to law enforcement for arrest.

Salary: \$33,037

Benefits: \$18,198

Total Cost: \$51,235

County Share: \$17,958

Federal Share: \$25,617

State Share: \$7,660

Other:

Mandated:

Budgeted:	\$33,037	Budget Line:	A6010 55 10
	\$18,198		A6010 55 80
	(\$18,096)		A6010 52 R4610 R228
	(\$ 7,521)		A6010 53 R4610 R228
	(\$ 7,660)		A6010 53 R3610 R104

Date of Vacancy: 10/10/2013

Notes: _____

Date Received 11/7/13

Date Reviewed _____

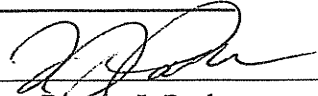
Approved _____

Committee Vote:

Denied _____

YES _____ NO _____

Held _____

Reviewed: 
Randy J. Parker

VII

Vacancy Request Fact Sheet

Date: 11/1/2013

Department: DFS

Department Head: Randy J. Parker, Commissioner

Position/Duties: Social Welfare Examiner w/ Backfills

Budget Position: 2422 ✓

Conducts in-depth interviews to elicit sufficient information to approve or deny the applicants financial eligibility for assistance. Makes an evaluation of applicant's financial eligibility for assistance, may determine initial categorical eligibility, and evaluates available resources details regarding financial eligibility. Prepares and computes budget for the applicant. Makes referrals for full field investigation where presumption of fraud is indicated. Replaces employee moved to Sr. Caseworker in Services.

Salary: ~~\$34,780~~ 34,544

Benefits: ~~\$17,679~~ 27,758

Total Cost: ~~\$52,459~~ 62,302

County Share: 0

Federal Share: ~~\$26,230~~ 31,151

State Share: ~~\$26,229~~ 31,151

Other:

Mandated:

Budgeted:	\$34,780 34,544	Budget Line:	A6010 53 10
	\$17,679 27,758		A6010 53 80
	\$26,230 31,151		A6010 53 R4610 R228
	\$26,229 31,151		A6010 53 R3610 R104

Date of Vacancy: 10/7/2013

Notes: _____

Date Received 11/7/13

Date Reviewed _____


Approved _____

Committee Vote:

Denied _____

YES _____ NO _____

Held _____

Reviewed: 
Randy J. Parker

V2

Vacancy Request Fact Sheet

Date: September 9, 2013

Department: Dept. of Community Services

Department Head: Joe Todora, Director; DCS

Position/Duties: Staff Social Worker II (#977) ✓ / This person provides intakes & screenings of new clients. The position evaluates & diagnoses patients & their problems. They provide individual, group & family therapy. The Social Worker II helps patients with the recovery from mental illness & developing social supports in their environment: refers clients to other agencies; writes all necessary clinical documentation for assessment and treatment as per regulation; participates in team meetings regarding the more difficult clients; supervises SSW I positions including signing off on notes, treatment plans, letters to various courts and other agencies. This supervision provides the Department with quality assurance as well as allows the Department to bill insurance for revenue for services provided by less credentialed staff.

Salary: \$43,120 / \$45,389

Benefits: \$29,637 / \$30,240

Total Cost: \$72,757 / \$75,629

County Share: 0

Federal Share: 0

State Share: 0

Other: Revenues \$72,757/\$75,629 plus from Medicaid, Medicare, 3rd party insurance & billing

Mandated: No

Budgeted: Yes Budget Line: A4320-40-10-10-11

Date of Vacancy: 09/03/2013

Notes: Person will retire as of 9/3/2013

Date Received 10/10/13 Date Reviewed _____

Approved _____ Committee Vote:

Denied _____ YES _____ NO _____

Held _____


Randy J. Parker, Commissioner

V3

Vacancy Request Fact Sheet

Date: October 1, 2013

Department: Division of Public Works

Department Head: Edward McAndrew, P.E., Commissioner of Public Works

Position / Duties: Motor Equipment Operator - Position #1484 ✓

MEO's operate automotive & construction equipment removing snow, transport sand, stone, asphalt, other materials & supplies; operates sanders, rollers & other paving equipment; operates an air compressor breaking pavement & chain saws in clearing brush and trimming trees; performs manual labor such as loading trucks, digging ditches, cleaning basins, installing guide rail. Requires CDL Class B license. This is an essential position in DPW's ops & not filling it will result in excessive overtime.

Salary: \$47,406

Benefits: \$34,917.51

Total Cost: \$82,323.51

County Share: 100%

Federal Share:

State Share:

Other:

Mandated:

Budgeted: YES Budget Line: A-1620-21

Date of Vacancy: September 26, 2013

Notes: Retirement

Date Received 10/3/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V4

Vacancy Request Fact Sheet

Date: 9/17/2013

Department: DFS

Department Head: Randy J. Parker, Commissioner

Position/Duties: Senior Account Clerk/Typist Budget Position: 877 ✓

Responsible for processing court orders, adjusting cases for public assistance openings and closings and preparing Satisfactions of Judgment. Helps clients/respondents at the window and takes payments. Makes accounting adjustments to cases (refunds, moving money, adjusting due, etc.) and batch entries. Monitors and moves money to/from the suspense account. Has an understanding of NYS child support rules, regulations and procedures. Prepares and checks bank deposit and brings them to the bank.

Salary: ~~\$34,779~~ 32,203

Benefits: \$28,679

Total Cost: ~~\$63,458~~ 60,882

County Share: \$31,729 30,441

Federal Share: \$31,729 30,441

State Share:

Other:

Mandated:

Budgeted: \$34,779 Budget Line: A6010-56-10
 \$28,679 A6010-56-80
 (\$31,729) A6010-56-R4610R228

Date of Vacancy: 9/30/2013

Notes:

Date Received 09/17/2013 Date Reviewed _____
Approved [Signature] Committee Vote:
Denied _____ YES _____ NO _____
Held _____

V5

Vacancy Request Fact Sheet

Date: 9/12/13

Department: Probation

Department Head: Jeffrey Mulinelli

Position / Duties: Probation Officer (General Supervision) Pos 2859
Supervision of a general population criminal caseload of 60 to 70 offenders.
Initiate Intake proceedings for family offense/domestic violence complaints for
Family Court.

Salary: \$38,880.00

Benefits: ~~\$22,663.00~~ 28,145

Total Cost: ~~\$61,543.00~~ 67,025

County Share: 88% 58,982

Federal Share: 0

State Share: 12% 8,043

Other: N/A

Mandated: No

Budgeted: Y Budget Line: 2859 A3140-16-10-1011 + 80-8001-8007

Date of Vacancy: 08/21/13

Notes: Officers are overburdened due to offenders from this caseload being distributed to existing caseloads. Inadequate supervision can result due to large caseloads.

Date Received 9/12/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V6

Vacancy Request Fact Sheet

Date: 9/12/13

Department: Probation

Department Head: Jeffrey Mulinelli

Position / Duties: Probation Officer (Investigative Unit) Pos 2500

Preparation of pre-sentence reports for County, Family, and Justice Courts.
Initiate Intake proceedings for family offense/domestic violence complaints for Family Court.

Salary: \$38,880.00

Benefits: ~~\$22,663.00~~ 28,145

Total Cost: ~~\$61,543.00~~ 67,025

County Share: 88% 58,982

Federal Share: 0

State Share: 12% 8,043

Other: N/A

Mandated: No

Budgeted: Y Budget Line: 2500 A-3140-1670-1011A 80-8001-8007

Date of Vacancy: 7/30/13

Notes: Supervision officers are being diverted from their duties in order to prepare pre-sentence reports. Less field work is being accomplished. Inadequate supervision can result due to resources being redirected.

Date Received 9/12/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V7

Vacancy Request Fact Sheet

Date: 8/27/13

Department: Adult Care Center

Department Head: Deborah DeJesus

Position / Duties: Building Safety Monitor pos 2414 ✓ Part Time
answering phones, Monitoring residents in entrance area, greeting visitors
This position covers the days off of the full time Building Safety Monitors

Salary: 11.4723/hr 16,225.00

Benefits: ~~5,437.00~~ 8,038

Total Cost: ~~21,662.00~~ 24,263

County Share: 727,00 813

Federal Share: 4,949.00 5,544

State Share: 13,507.00 15,128

Other: 2,479 2,778

Mandated:

Budgeted: Budget Line: 6020-77-10-1011|1013|1014|1015| 8001-8007

Date of Vacancy: 8/15/13

Notes: position became vacant due to the individual in it being appointed to a full time position

Date Received 8/28/13

Date Reviewed _____

Approved [Signature]

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V8

Vacancy Request Fact Sheet

Date: 8/23/13

Department: Adult Care Center

Department Head: Deborah DeJesus

Position / Duties: Fiscal Administrative Officer #2664

Responsible for overseeing the accounting, auditing and fiscal policies for the facility. Performs accounting, auditing, and fiscal related duties. Prepares reports with respect to ACC's fiscal operations and budget. Assists in preparation of ACC's budget and projecting costs. Maintains accounts receivable system. Supervises fiscal office staff.

Salary: ~~65,808~~ - 60,000

Benefits: ~~41,037~~ - 34,229

Total Cost: ~~106,845~~ 94,229

County Share: ~~3,584~~ 3,157

Federal Share: ~~24,410~~ 21,484

State Share: ~~66,622~~ 58,799

Other: ~~12,229~~ 10,789

Mandated:

Budgeted: Budget Line: 6020-79-10-1011 | 1013 | 8001 - 8007

Date of Vacancy: 8/27/13

Notes:

Date Received 8/28/13

Date Reviewed _____

Approved [Signature]

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V9

Vacancy Request Fact Sheet

Date: 10/03/2013

Department: Sullivan County District Attorney's Office

Department Head: James R. Farrell, District Attorney

Position/Duties: Senior Stenographer Pos. # 60 ✓

Salary: ~~\$41,438.00~~ 32,203

Benefits: ~~\$34,569.64~~ 27,134

Total Cost: ~~\$76,007.64~~ 59,337

County Share: ~~\$76,007.64~~ 59,337

Federal Share: N/A

State Share: N/A

Other:

Mandated:

Budgeted:

Budget Line:

Date of Vacancy: 01/31/2014

Notes:

Date Received 10/4/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

V10

Vacancy Request Fact Sheet

Date: 09/17/2013

Department: Sullivan County District Attorney's Office

Department Head: James R. Farrell, District Attorney

Position/Duties: Assistant District Attorney 1 w/ Backfills
Pos# 1689

Salary: \$96,050.00

Benefits: \$49,789.99

Total Cost: ~~\$148,339.99~~ 145,839.99

County Share: ~~\$146,550.70~~ 144,050.70

Federal Share: N/A

State Share: \$1,789.29 (Stop DWI)

Other:

Mandated:

Budgeted:

Budget Line:

Date of Vacancy: 01/31/2014

Notes:

Date Received 10/3/13

Date Reviewed _____

Approved _____

Committee Vote:

Denied _____

Yes _____ No _____

Held _____

VII

**RESOLUTION NO. __-13 INTRODUCED BY EXECUTIVE COMMITTEE BY
RESCINDING RESOLUTION NO. 90-12 AND AUTHORIZING THE TRANSFER
OF THE EAST BROADWAY DEVELOPMENT PROPERTIES TO THE
SULLIVAN COUNTY FUNDING CORPORATION**

WHEREAS, by Resolution 90-12 the Sullivan County Legislature Rescinded Resolution 325-11 and authorized the sale of the referenced East Broadway Re-Development Properties/Parcels to the Sullivan County Funding Corporation (hereinafter the "SCFC") pursuant to certain terms and conditions specified therein, and

WHEREAS, the collective East Broadway Re-Development Properties included the former Apollo Mall properties and the County's Phase II Landfill Expansion area, and

WHEREAS, in contemplation of the expansion of the County Landfill, the County had previously acquired certain real property including:

Thompson 31.-1-94	2.4 Acres
Thompson 31.-1-10.2	4.75 Acres
Thompson 31.-1-10.3	1.01 Acres
Thompson 130.-1-19	77.42 Acres
Thompson 130.-1-17	9.29 Acres

(said parcels collectively constitute the "Landfill Expansion Parcels" as referenced herein), and

WHEREAS, (1) the County has closed the adjacent Phase I Landfill, and (2) such closure is monitored and regulated by the New York State Department of Environmental Conservation (hereinafter "NYSDEC") to assure compliance with applicable environmental regulations, and (3) a number of wells around the perimeter of the Phase I Landfill have been and continue to be regularly tested to assure there are no excursions of noxious substances from the Phase I Landfill into the groundwater, and (4) based on that testing there are no excursions of noxious substances from the Phase I Landfill into the groundwater, and

WHEREAS, (1) the County acquired the Landfill Expansion Parcels to expand its existing Landfill and, in connection therewith, the County prepared a full Environmental Impact Statement, and (2) on or about May, 2009, by Resolution, the County Legislature determined to close the existing Phase I Landfill and also determined not to expand Landfill operations onto the area of the Landfill Expansion Parcels, and (3) as a result of that determination the Landfill Expansion Parcels became available for other uses including economic development, and

WHEREAS, by means of a tax foreclosure, proceeding pursuant to Article 11 of the Real Property Tax Law, the County acquired the following properties known as the East Broadway Re-Development Parcels:

Thompson 130.-1-14	23.18 Acres
Thompson 130.-1-9.1	1.35 Acres
Thompson 130.-1-9.2	130.05' x 195.2', and

WHEREAS, in about October, 2010, a Request for Proposals (with follow up addenda) was issued with respect to the potential development of the East Broadway Re-Development Parcels, and the County Legislature, the County Legislature initially selected Chancellor Livingston LLC as the entity to which the County would transfer the East Broadway Re-Development Parcels for commercial development, and

WHEREAS, (1) Sullivan County Funding Corporation (hereinafter the "SCFC") is a legal entity which was created and exists pursuant to Section 1411 of New York's Not-for-Profit Corporation Law (hereinafter "NPCL") for the purpose of fostering economic development within the County, and (2) the SCFC does not have any interests which would be in conflict with commercially developing the East Broadway Re-Development Properties to the maximum extent possible, and (3) the SCFC is willing to take on the responsibility of negotiating a Development Agreement for the East Broadway Re-Development Properties with a qualified developer and to thus see to the development of those properties in a manner consistent with the best interests of the County, and

WHEREAS, pursuant to Resolution 90-12 the Chancellor Livingston group was given an opportunity to acquire the East Broadway Re-Development Parcels in accordance with the terms and conditions set forth in Resolution 90-12, but did not acquire the East Broadway Re-Development Parcels as provided in Resolution 90-12, and

WHEREAS, the Legislature has determined that it would be in the best interests of the County rescind Resolution 90-12 and to authorize the transfer of the East Broadway Re-Development Parcels, via the SCFC, to SULLIVAN PROPERTY ACQUISITIONS I, LLC (hereinafter referred to as "SPA-I") pursuant to the terms and conditions set forth herein, and

WHEREAS, on March 8, 2013 the SCFC has entered into a document titled Outline of Terms of Options (hereinafter "Term Sheet") with SPA-I and is willing to take on the responsibility of negotiating a final Option Agreement (hereinafter "Option Agreement"), in accordance with the provisions of such Term Sheet. The SCFC would transfer the East

1A

Broadway Re-Development Parcels to SPA-I in accordance with the provisions of such executed Option Agreement, and

WHEREAS, a copy of the Term Sheet is annexed hereto and incorporated herein with the same force and effect as though all of its provisions were separately written into the body of this Resolution, and

WHEREAS, (1) it was determined that the annexation by the Village of Monticello of a narrow strip of land along the edge of the East Broadway Re-Development Parcels into the Village of Monticello would be desirable, and (2) both the Town of Thompson and the Village of Monticello concurred that such annexation would be appropriate, and (3) the annexation was completed on October 15, 2013, taking approximately six months longer to accomplish than had been anticipated, (4) as a result on or about October 23, 2013 the SCFC and SPA-I executed a First Amendment to the Term Sheet and agreed that all of the dates in the Term Sheet should be extended by six months, and (5) it is agreed by the County, the SCFC and SPA-I that all of the deadlines set forth in the aforesaid Term Sheet should be extended by six months, and

WHEREAS, a building on Thompson 130.-1-17 (the so called "ARC Building") is presently being used for the storage of electronic voting machines, and

WHEREAS, the County Legislature has determined that, given the provisions of the Term Sheet and the ability of the County to house the voting machines elsewhere in the future if the Options are executed, the Landfill Expansion Parcels including the ARC building are no longer necessary for a public use, and

WHEREAS, (1) the proposed transfer of the East Broadway Re-Development Parcels to the SCFC may be lawfully accomplished following the applicable public hearing by the Legislature, and (2) the Legislature properly noticed and conducted said hearing, and (3) has duly considered said public hearing, and

WHEREAS, the Sullivan County Legislature has determined that it would be in the best interest of the County of Sullivan to rescind Resolution 90-12 and to adopt this Resolution authorizing the transfer of the East Broadway Re-Development Parcels to the SCFC for further transfer of such parcels to SPA-I pursuant to the terms, conditions and limitations of this Resolution and the annexed Term Sheet.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1B

1. County Resolution 90-12 is hereby rescinded.
2. The Legislature hereby authorizes the transfer of the East Broadway Re-Development Properties to the SCFC subject to the terms, conditions and limitations of this Resolution and the terms and conditions set forth in the annexed and incorporated Term Sheet.
3. The SCFC shall enter into a formal Option Agreement, compliant with the terms and conditions of the Term Sheet and the terms and conditions of this Resolution, within sixty (60) days of the passage of this Resolution, provided that all dates in the Term Sheet dated March 8, 2013 shall be extended by six months when incorporated in the Option Agreement. The failure to have executed such an Option Agreement within such period shall render this Resolution null and void except as to Paragraph "1" above.
4. Title to the East Broadway Re-Development Properties shall be transferred by the County to the SCFC within fifteen (15) days of the date that the SCFC and SPA-I execute the above referenced Option Agreement.
5. The County shall ensure that, on the date of the transfer of title of the East Broadway Re-Development Properties to the SCFC, the Phase I Landfill shall remain in environmental compliance. For this purpose, environmental compliance may be evidenced by a showing that the most recent regular testing of perimeter wells demonstrates that there have been no excursions of noxious materials into the groundwater from the Phase I Landfill.
6. Transfer of title shall be by quit-claim deed. The SCFC and SPA-I shall accept the property "as is/where is and with all faults". The County makes no representation or warranty of any kind or character, express or implied, including, but not limited to, any representation or warranty as to fitness for use or habitability. The transfer shall be subject to any obligations provided for by the Environmental Remediation Fund. The foregoing notwithstanding, the County shall remain obligated to comply with all applicable environmental requirements until such time as title to the property has been transferred to SPA-I.
7. Once title to the applicable portion of the East Broadway Re-Development Parcels has been transferred SPA-I the SPA-I shall be responsible:
 - A. For maintaining all test/monitoring wells on the property with respect to which title has actually been transferred.

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- B. For removing, in compliance with applicable NYSDEC rules and regulations, the C&D or other material on the property with respect to which title has actually been conferred.
8. In the event the SCFC shall sell all or any portion of the East Broadway Re-Development Properties to SPA-I, the SCFC shall remit to the County, within thirty (30) days after it receives the same from the purchaser, ninety (90%) percent of the net sales price after deduction for the usual and customary transfer costs.
 9. Any payments received by the County under Section 7 or 8 next above which relate to the Landfill Expansion Parcels, in whole or in part (allocated on a pro rata basis by acreage) shall be placed in a debt service reserve account or, in the Discretion of the County Legislature, shall be used to defease the County General Obligation Bonds were initially issued to fund the acquisition of the Landfill Expansion Parcels and to fund the capital requirements of the Phase I Landfill.
 10. The SCFC and the County shall cooperatively address such details of the transfer as may be required.
 11. The County and the SCFC shall execute and deliver any and all instruments, agreements and documents, containing such terms and conditions as the County deems necessary and appropriate to effectuate the purposes, terms and conditions of this Resolution, including any instruments or agreement executed and delivered in connection with the proposed transfer of title herein.
 12. The Legislature hereby authorizes the Chairman of the Legislature to execute any appropriate transfer documents and related agreements, which documents shall be in a form approved by the County Attorney.
 13. In the event any term(s) or condition(s) of the Option Agreement between the SCFC and SPA-I for the East Broadway Re-Development Properties are not accomplished in accordance with the provisions of the Option Agreement, the County, as determined by a majority vote of the County Legislature, shall have the right to require the SCFC to re-convey the East Broadway Re-Development Properties to the County without cost to the County. Any such re-conveyance shall take place within sixty (60) days of any such Resolution. The Option Agreement shall contain appropriate provisions to enable the SCFC to comply with this requirement.

Resolution No. _____

**RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO
CREATE A NEW PROBATION OFFICER POSITION WITHIN THE PROBATION
DEPARTMENT'S ALTERNATIVES TO INCARCERATION PRE-TRIAL RELEASE
PROGRAM.**

WHEREAS, the Director of the Probation Department has demonstrated the need to create an additional Probation Officer in the Pre-Trial Release Program, and

WHEREAS, the County Legislators concur with the request of the Director of the Probation Department to create said position for a Probation Officer,

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of an additional Probation Officer position within the Probation Department's Alternatives to Incarceration Pre-Trial Release Program with a starting salary of \$35,511.00, Grade Level VIII of the Teamster's Local 445 Salary Schedule.

Moved by
Seconded by
Adopted on motion

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

To: Sullivan County Legislature

Fr: Jeffrey Mulinelli, Director of Probation II, Probation Department

Re: Request for Consideration of a Resolution: To create a new Probation Officer position

Date: November 13, 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.]

Addition of a Probation Officer will relieve overburdened ATI/Pre-Trial Release staff. This will allow for a more expeditious screening of defendants incarcerated and facilitate their release from jail. This will result in a substantial savings to the county in reference to the cost of incarceration and need to board out inmates.

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: \$ 57,726.00 Annual Rate

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 \$50,799.00

State \$6,927.00

Federal Government \$

Grant(s)

Other

(Specify)

\$

\$

Verified by Budget Office:

Janet M. Y...

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.)

Not Applicable

Person(s) responsible for monitoring contract (Title): Jeffrey Molinelli

Pre-Legislative Approvals:

- A. Director of Purchasing: Kathy Jones Date 11/15/13
- B. Management and Budget: Janet Myer Date 11/25/13
- C. Law Department: S. Hargrett Date 11/25/13
- D. County Manager: John Poter Date 11/19/13
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY
RESOLUTION NO. 182-13 ADOPTING A LIST OF THOSE PUBLIC OFFICIALS AND
EMPLOYEES OF THE COUNTY OF SULLIVAN WHO ARE REQUIRED TO FILE A
FINANCIAL DISCLOSURE STATEMENT BY ADDING THE FIVE BOARD OF ETHICS
MEMBERS TO THE LIST**

WHEREAS, the Sullivan County Legislature adopted a list of persons required to file a Financial Disclosure Statement on April 18, 2013, and

WHEREAS, since the Board of Ethics became effective on September 25, 2013, the members of the board are not listed on the resolution and the list should reflect that they are required to file an annual financial disclosure statement.

NOW, THEREFORE BE IT RESOLVED that Resolution No. 182-13 is hereby modified and should reflect that all five Ethics Board Members is be required to file an annual Financial Disclosure Statement.

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO
APPOINT A NEW MEMBER TO THE SULLIVAN COUNTY PUBLIC HEALTH
SERVICES' HEALTH SERVICES ADVISORY BOARD**

WHEREAS, Section 357 of the Public Health Law mandates that two members of the Health Services Advisory Board (HSAB) be licensed physicians, with the remaining seven to be known as public members selected on the basis of their interest and knowledge regarding health needs, resources and facilities of the community, and

WHEREAS, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members shall have fixed terms of four years, which shall be deemed to run from the first day of the year in which the appointment was made, and

WHEREAS, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members may not serve for more than two terms consecutively, and

WHEREAS, a vacancy exists for the term of 1/1/2011 to 12/31/2014 on the Health Services Advisory Board due to an absentee member, and

WHEREAS, the vacancy needs to be filled for the unexpired term ending 12/31/2014.

NOW, THEREFORE, BE IT RESOLVED, that the individual listed below be appointed to the Health Services Advisory Board for a one-year term (1/1/14-12/31/14) according to Public Health Law Section 357.

- 1) Bruce Ellsweig, MD
 31 Norris Road
 Forestburgh, NY 12777

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

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT
A NEW MEMBER TO THE SULLIVAN COUNTY PUBLIC HEALTH SERVICES
PROFESSIONAL ADVISORY COMMITTEE**

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

WHEREAS, the term of one of the present Professional Advisory Committee members will expired as of December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the following individual be appointed to Sullivan County Public Health Services Professional Advisory Committee, pursuant to Section 763.11 (13) of NYCRR, with the term of 1/1/14-12/31/17.

Rebecca Skoda
PO Box 271
Ferndale, NY 12734

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

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Resolution No.

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE

RESOLUTION TO REAPPOINT ONE MEMBER TO THE OFFICE FOR THE AGING ADVISORY COMMITTEE

WHEREAS, it is the desire to reappoint Dorothy Fields to the Office for the Aging Advisory Committee, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following member to the Office for the Aging Advisory Committee, for the term to expire on the date opposite of name.

OFA REAPPOINTMENT:

TERM:

Dorothy Fields
P O Box 1351
South Fallsburg NY 12779

10/31/2016

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

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RESOLUTION NO. ____ -13 INTRODUCED BY THE EXECUTIVE COMMITTEE
AUTHORIZING AN AGREEMENT WITH BETHEL WOODS

WHEREAS, Sullivan County Public Health Services, through the Rural Health Network (“RHN”), is sponsoring a forum for physicians treating Sullivan County residents, and

WHEREAS, the purpose of the forum is to aid in preventing prescription drug abuse, and

WHEREAS, the RHN located an appropriate facility for the forum at Bethel Performing Arts Center, LLC (“Bethel Woods”), and

WHEREAS, in order to secure the rooms necessary for the forum, the County must enter into an agreement with Bethel Woods, and

WHEREAS, the cost of the facility shall not exceed \$2,450.00 and shall be paid from grant funding secured by the RHN.

NOW THEREFORE BE IT RESOLVED, that the County Manager is hereby authorized to execute an agreement with Bethel Woods so that a public health forum can be conducted at Bethel Woods, said agreement to be in a form approved by the County Manager.

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

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ESTABLISH A
PROTOCOL FOR THE COORDINATED DEFENSE OF TAX CERTIORARI AND TAX
EXEMPTION PROCEEDINGS BY TOWNS, SCHOOL DISTRICT AND THE COUNTY OF
SULLIVAN ON AN ANNUAL BASIS**

WHEREAS, tax certiorari proceedings are commenced against assessing units by the owners of real property to reduce assessments, and

WHEREAS, tax exemption proceedings are also commenced against assessing units by the owners of real property seeking exemptions from paying real property taxes, and

WHEREAS, while the Towns are the assessing entities and as such are the named parties in such proceedings/actions, the County and the school districts have a significant interest in the results of such tax certiorari and tax exempt proceedings, and

WHEREAS, presently there are a number of tax certiorari and tax exempt proceedings which seek assessment reductions or exemptions in the millions of dollars, and

WHEREAS, in such significant tax certiorari proceedings individual towns will often benefit from the financial and resource assistance which the County and school districts could provide, and

WHEREAS, in the past the County Treasurer, Deputy Treasurer and County Attorney have reached out to individual towns on a one on one basis to offer such assistance, and

WHEREAS, the County Legislature finds that the issue of tax certiorari and tax exempt proceedings is an annual event requiring a more formal and regular coordination of efforts among the three tax districts, and

WHEREAS, in those tax certiorari and tax exempt proceedings in which a town, a school district and the County agree to co-operate, it would be in the best interest of all three tax districts for one of the three to retain the attorney and the appraiser and for the costs of such experts to then be shared on a pro rata basis, based upon their respective percentages of tax impact.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Chairman of the County Legislature shall, annually during the month of September invite the Town Supervisors, Town Assessors, Town Attorneys, School District Superintendents, School District Business Agents and School District Attorneys to meet to discuss the newly filed tax certiorari and tax exempt proceedings, to attempt to reach agreement to cooperatively defend, pursuant to an Inter Municipal Agreement executed by the three tax districts, those proceedings that the representatives believe have

significant tax impacts. The decision on behalf of the County shall be made by the County Legislature, after recommendation by the majority vote of a committee comprised of the County Manager, the County Attorney, the County Treasurer, the Deputy County Treasurer and the Director of Real Property Tax Services.

2. The, the committee shall solicit proposals from qualified expert counsel to represent and work on behalf of and serve as the County's counsel in such matters, and shall recommend the retention of such counsel to the County Legislature. ,upon the majority vote of said committee members.

The committee shall solicit proposals from real property appraisers who are expert with respect to particular types of property to serve as the County's appraisers for such matters and shall recommend the retention of such appraisers to the County Legislature, upon the majority vote of said committee members.

3. As required on a case by case basis, the committee shall solicit proposals from other specialized experts, such as engineers, who may be required with respect to certain proceedings and shall recommend the retention of such experts to the County Legislature. upon the majority vote of said committee members.
4. The County Attorney, cooperatively with the County Manager, the County Treasurer, the Deputy County Treasurer and the County's Director of Real Property Tax Services shall develop inter-municipal agreements to be entered into among towns, school districts and the County to provide, amongst other things for the cooperative defense of said significant tax certiorari and tax exempt proceedings, that the County be the entity that pays for the professional services contemplated by the Resolution, the allocation of expenses among the parties to such agreement and the pro rata reimbursement to the County.
5. The County Attorney is directed to seek consent to intervene in those tax certiorari proceedings and tax exemption actions which are determined by the majority vote of said committee members and the County Legislature to be significant matters requiring County participation and to which the applicable Town and/or the applicable School District has agreed to joint participation. In the event that there is not unanimous consent to the intervention of the County and the School District, the County Attorney is directed to make the appropriate motion(s) seeking permission of the court for the County and School District to intervene.
6. The execution of an Inter Municipal Agreement as described above, shall be authorized by the adoption of a resolution, upon the majority vote of the County Legislature.

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7. The County Legislature hereby authorizes the initial sum of Fifteen Thousand Dollars (\$15,000.00) to be paid to an appraiser selected by the committee to obtain preliminary evaluation analyses for the initial several parcels that the committee agrees to submit to the appraiser for the purpose of evaluating whether or not it would be prudent and cost effective to intervene in. Upon the report thereafter submitted by the appraiser, the committee will recommend specific parcels to the County Legislature for its approval to proceed in the defense of.

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