



SULLIVAN COUNTY LEGISLATURE
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
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EXECUTIVE COMMITTEE
December 19, 2013 at 11:30AM

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: None

IV. DISCUSSION

1. Vacancy Request

V. RESOLUTIONS :

1. Appoint Joshua Potosek as the Sullivan County Manager
2. Authorize the issuance of a RFP to provide professional and technical services to develop a pipeline of actionable projects and overall comprehensive planning
3. Authorize an new agreement with M.L. Zager, P.C. for collection purposes
4. Support of H.R.. 543 Blue Water Navy Vietnam Veterans Act of 2013
5. In support of H.R. 1494 Blue Water Navy Accountability Act
6. Authorize contract extensions
7. Reappoint Gene Benson to the Sullivan County Soil and Water Conservation District Board
8. Reappoint Heather Jacksy and Jill Weyer as alternate to the Upper Delaware Scenic Byway, Inc., Board
9. Reappoint Tom Maloney and Nancy King to the Public Health Services Professional Advisory Committee

VI. PUBLIC COMMENT

Vacancy Request Fact Sheet

Date: December 6, 2013

Department: Adult Care Center

Department Head: Deborah DeJesus

Position/Duties: Food Service Helper #1310 ✓

Tray set up/delivery, washing pots, assisting cooks with meal prep, nourishment set up

Salary: ~~21,334/22,457~~ 23,325/24,553

Benefits: ~~25,451~~ 24,702

Total Cost: ~~47,776~~ 49,255

County Share: ~~1,600~~ 1,650

Federal Share:

State Share:

Other: Balance from Medicare, Medicaid, Private Ins. and Private pay

Mandated: No

Budgeted: Yes Budget Line: EI-6020-75

Date of Vacancy: 9/25/13 ✓

Notes: if approved, this position would be filled by a current part time food service helper

Date Received _____	Date Reviewed <u>12/13/13</u>
Approved _____	Committee Vote: _____
Denied _____	Yes _____ No _____
Held _____	

Deborah DeJesus approved 12/11/2013

**RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO
APPOINT JOSHUA POTOSEK AS THE SULLIVAN COUNTY MANAGER**

WHEREAS, the Sullivan County Legislature has conducted an extensive search for a new County Manager, and

WHEREAS, Mr. Joshua Potosek has well served the County as Commissioner of Management and Budget and has also well performed as Acting County Manager, and

WHEREAS, the Sullivan County Legislature believes that Mr. Potosek will be an excellent County Manager.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby appoints Joshua Potosek to be the Sullivan County Manager and

BE IT FURTHER RESOLVED, that pursuant to the Sullivan County Code it is the intention of the County Legislature to enter into a formal contract with Mr. Potosek during January 2014.

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

To: Sullivan County Legislature

Fr: Joshua Potosek, Acting County Manager

Re: Request for Consideration of a Resolution: Authorize the issuance of a request for proposals to provide professional and technical services

Date: December 19, 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.]

Resolution authorizes issuance of request for proposals to provide professional and technical services to develop a pipeline of actionable projects and overall comprehensive planning. Need exists due to vacancies in the Department of Planning and Environmental Management.

Is subject of Resolution mandated? Explain:

No, this would fill an existing need until such time that the Planning Department is fully staffed.

Does Resolution require expenditure of funds? Yes ___ No

(Funds may be required once proposals are received)

If "Yes, provide the following information:

Amount to be authorized by Resolution: \$ _____

Are funds already budgeted? Yes ___ No ___

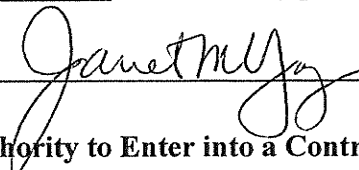
If "Yes" specify appropriation code(s): _____

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.)

Not Applicable PKJ

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

Pre-Legislative Approvals:

A. Director of Purchasing: *K. Anderson* Date 12/17/13

B. Management and Budget: *Janet Myer* Date 12/17/13

C. Law Department: *S. Gascon* Date 12/17/13

D. County Manager: *John Ford* Date 12/17/13

E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE ISSUANCE OF A REQUEST FOR PROPOSALS TO PROVIDE PROFESSIONAL AND TECHNICAL SERVICES TO DEVELOP A PIPELINE OF ACTIONABLE PROJECTS AND OVERALL COMPREHENSIVE PLANNING

WHEREAS, there is a need to increase capacity in the Planning and Environmental Management Department (“the department”) due to existing vacancies, and

WHEREAS, until such time that “the department” is fully staffed it is prudent to supplement the capabilities of “the department” with a professional planning firm, and

WHEREAS, the professional planning firm would be responsible for things such as overall comprehensive planning, developing a pipeline of actionable projects, assisting with grant writing, and developing operating procedures, and

NOW, THEREFORE, BE IT RESOLVED, that Sullivan County Legislature hereby authorizes County staff to prepare a request of proposals (RFP) to provide professional and technical services in relation to overall comprehensive planning, and

BE IT FURTHER RESOLVED, that the County reserves the right to reject any and all proposals received, and shall not be obligated to enter into contract with any firm under this RFP.

RESOLUTION NO. ____ -13 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE A NEW AGREEMENT WITH M.L. ZAGER, P.C. FOR COLLECTION
PURPOSES

WHEREAS, from time to time the County has needed an outside law firm to handle various collection matters, and

WHEREAS, the County has a 2005 agreement with the Law Offices of M.L. Zager, P.C. for various collection purposes and the Legislature wishes to have the County Attorney update and modify said agreement to address a broad array of collection needs, and

WHEREAS, the Division of Planning has needed assistance in collection of judgments against defaulting loan recipients and may continue to do so in the future, and

WHEREAS, the Division of Health and Family Services Commissioner has previously sought assistance in the collection of balances due at the Adult Care Center and has now additionally identified possible collection needs of his Division: a) Safety Net repayment agreements; b) Medicaid repayments; c) Adult Care Center balance recovery; d) Temporary Assistance default payments; e) Child Support due to the County, and

WHEREAS, the Division of Public Works may need assistance in collecting monies owed from haulers who are not in compliance with the County's Solid Waste Management Rules.

NOW THEREFORE BE IT RESOLVED, that the Legislature authorizes the County Attorney to enter into a new agreement with the Law Offices of M.L. Zager, P.C., 461 Broadway, P.O. Box 948, Monticello, NY 12701, as outside counsel for various collection purposes.

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

Resolution No. _____

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE IN SUPPORT OF H.R. 543 "BLUE WATER NAVY VIETNAM VETERANS ACT OF 2013"

WHEREAS, during the Vietnam War, the United States military sprayed 22 million gallons of Agent Orange and other herbicides over Vietnam to reduce forest cover and crops used by the enemy; and

WHEREAS, the United States Congress passed the Agent Orange Act of 1991, to address the plight of veterans exposed to herbicides while serving the Republic of Vietnam; the Act amended Title 38 of the United States Code to presumptively recognize, as service-connected, certain diseases among military personnel who served in Vietnam between 1962 and 1975; and

WHEREAS, pursuant to a 2001 directive, the United States Department of Veterans Affairs policy has denied the presumption of a service connection for herbicide-related illnesses to Vietnam veterans who cannot furnish written documentation that they had "boots on the ground" in-country, making it difficult for countless United States Navy, Marine and Air Force veterans to pursue their claims for benefits; and

WHEREAS, The United States Navy has been excluded ever since Agent Orange has been verified, through various studies and reports, as a wide spreading chemical that was able to reach Navy Ships through the air and waterborne distribution routes; and

WHEREAS, more than 30 Veterans Service Organizations support the Blue Water Navy Vietnam Veterans Act of 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby respectfully urges the Congress of the United States to restore the presumption of a service connection for Agent Orange exposure to United States Veterans who served on the inland waterways, in the territorial waters, and in the airspace over the combat zone, and

BE IT FURTHER RESOLVED, that the Clerk to the Sullivan County Legislature forward official copies of the resolution to the President of the United States, to the President of the Senate and Speaker of the House of Representative of the United States Congress, and to all the members of the New York delegation to Congress with the request that this resolution be officially entered into the Congressional Record as a memorial to the Congress of the United States of America.

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

Resolution No. _____

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE IN SUPPORT OF H.R. 1494 "BLUE WATER NAVY ACCOUNTABILITY ACT"

WHEREAS, the Blue Water Navy Accountability Act directs the Secretary of Defense to review the logs of each Navy ship under the authority of the Secretary of the Navy that is known to have operated in the waters near Vietnam during the Vietnam Era (January 9, 1962, through May 7, 1975), to determine, for each such ship, the date(s) so operated and its closest proximity to shore during such operation, and

WHEREAS, upon a determination that any such ship so operated, the Secretary of Defense shall provide such determination, together with the information described about the ship, to the Secretary of Veterans Affairs, and

WHEREAS, the Secretary of Veterans Affairs shall make publicly available all unclassified information provided to the Secretary.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby supports the health and welfare of all Veterans as a priority and respectfully urges the Congress of the United States to pass H.R. 1494 "Blue Water Navy Accountability Act", and

BE IT FURTHER RESOLVED, that the Clerk to the Sullivan County Legislature forward official copies of the resolution to the President of the United States, to the President of the Senate and Speaker of the House of Representative of the United States Congress, and to all the members of the New York delegation to Congress with the request that this resolution be officially entered into the Congressional Record as a memorial to the Congress of the United States of America.

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

Resolution No. _____

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE
CONTRACT EXTENSIONS**

WHEREAS, there are contracts that will expire on December 31, 2013, and

WHEREAS, the County wishes to minimize disruptions to services that may result from the 2013 resolution process to renew contracts.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager shall have the authority to extend those contracts for a period not to exceed ninety (90) days under the same terms and conditions.

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

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
REAPPOINT GENE BENSON TP THE SULLIVAN COUNTY SOIL AND WATER
CONSERVATION DISTRICT BOARD OF DIRECTORS**

WHEREAS, it is the desire of the Legislature to reappoint Gene Benson to the Sullivan County Soil and Water Conservation District Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby reappoints Gene Benson to the Sullivan County Soil and Water Conservation Board of Directors with the terms to expire on December 31, 2015.

RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE REAPPOINTMENT OF HEATHER JACKSY TO THE UPPER DELAWARE SCENIC BYWAY (“UDSB”) BOARD TO REPRESENT SULLIVAN COUNTY AS A VOTING MEMBER AND TO REAPPOINT JILL WEYER AS AN ALTERNATE MEMBER

WHEREAS, the UDSB Committee recommended that Sullivan County become a voting member along with the cities, towns and villages along the Byway; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby appoints, Heather Jacksy as the Sullivan County representative to the UDSB, and appoints Jill Weyer, as an alternate member of the UDSB effective 1/1/14-12/31/14.

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO RE-
APPOINT MEMBERS 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 or employee compensated by the agency”, and

WHEREAS, the terms of the present Professional Advisory Committee members terms have expired as of December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be re-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.

- | | | |
|----|---|-----------------|
| 1. | Thomas Maloney, RN
HC 69 Box 329A Diehl Rd.
Damascus, Pa. 18415 | 1/1/14-12/31/17 |
| 2. | Nancy King, RN
PO Box 590
Liberty, NY 12754 | 1/1/14-12/31/17 |

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