



**EXECUTIVE COMMITTEE**  
**November 20, 2014 at 2:30PM**

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

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

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

**III. PRESENTATION**  
None

**IV. DISCUSSION**

1. Vacancies
2. Charter Commission
3. 2015 Legislative Meeting Schedule

**V. RESOLUTIONS :**

1. Appoint Nancy Buck as Sullivan County Treasurer
2. Appoint Maureen Stewart to the Community Services Board
3. Reappoint three members to the Sullivan County Public Health Services Health Services Advisory Board
4. Authorize Sullivan County Treasurer to provide a \$2,000 check to NYSAC
5. Appoint Ed Homenick as Director of Real Property Tax Services III
6. Authorize contract modification with Frances S. Clemente, Attorney at Law
7. Authorize Memorandum of Agreement between Sullivan County Sheriff's Office and the Town of Liberty to provide Court Security
8. Appoint Gladys Walker to the Sullivan Public Health Services' Health Services Advisory Board
9. Authorize agreement with Sullivan County Carecorps Coalition and Sullivan County Sheriff's Office
10. Sell county-owned real property located in the Town of Fremont
11. Set public hearing for proposed local law 12/18/14 at 1 :40PM entitled « Authorizing the County of Sullivan, Notwithstanding, Section 215 of the County Law, to Enter Into a Lease of County Owned Real Property For a Specific Project for a Term of up to 30 Years »

**VI. PUBLIC COMMENT**

Vacancy Request Fact Sheet

Date: 10/28/14

Department: District Attorney

Department Head: James R. Farrell, District Attorney

Position / Duties:

Assistnat District Attorney 2 (with backfills)

Pos 237 <sup>✓</sup> <sub>ok</sub>

Salary: \$86,825.00

Benefits: \$46,448.27

Total Cost: \$133,273.27

County Share: \$133,273.27

Federal Share:

State Share:

Other:

Mandated:

Budgeted: Yes  No

Budget Line: A1165

Date of Vacancy: 11/07/2014

Notes:

<i>For Administrative/Legislative Use ONLY</i>	
Date Received <u>10/30/14</u>	Date Reviewed _____
Approved _____	Committee Vote:
Denied _____	Yes ___ No ___
Held _____	

Vacancy Request Fact Sheet

**Date:** 10/27/14

**Department:** Sheriff's Office - Jail Kitchen

**Department Head:** Sheriff Michael Schiff/Chief Hal Smj

**Position / Duties:**

Position #1311 - Cook. Cooking meals for inmates, prepping food, cleaning kitchen.

✓ OK

**Salary:** \$32,248.00

**Benefits:** \$28,533.00

**Total Cost:** \$60,781.00

**County Share:** \$60,781.00

**Federal Share:** \$0.00

**State Share:** \$0.00

**Other:** \$0.00

**Mandated:** No

**Budgeted:** Yes  No  **Budget Line:** A3150

**Date of Vacancy:** 10/27/14 - Joseph Papp ✓

**Notes:**

Benefits figured as follows: \$950 uniform; \$18,513 family health ins. (\$1542.77/mo.); \$798 hazard pay; \$8,272 benefits at 25.65%

<i>For Administrative/Legislative Use ONLY</i>	
Date Received <u>10/28/14</u>	Date Reviewed _____
Approved _____	Committee Vote: _____
Denied _____	Yes ___ No ___
Held _____	

V2

Vacancy Request Fact Sheet

**Date:** October 9, 2014

**Department:** Public Health Services

**Department Head:** Nancy McGraw, Public Health Director

**Position / Duties:** Account Clerk/Database - Pos 2961 ✓<sub>ok</sub>

**Salary:** Hired on or after September 1, 2010:  
Entry rate - \$23,325, Full rate \$24,553

Hired prior to September 1, 2010:  
Entry rate - \$25,917, Full rate - \$27,281

**Benefits:** Hired on or after September 1, 2010:  
Entry: \$24,979, Full: \$25,306

Hired prior to September 1, 2010:  
Entry: \$25,669, Full: \$26,033

**Total Cost:** Hired on or after September 1, 2010:  
Entry: \$48,304, Full: \$49,859

Hired prior to September 1, 2010:  
Entry: \$51,586, Full: \$53,314

**County Share:** Total cost as noted above

**Federal Share:** \$0.00

**State Share:** \$0.00

**Other:** \$0.00

**Mandated:** No, but filling this position will ensure adequate staffing in our Early Care Program. The staff will accomplish workloads and resolve billing issues with EI providers' insurance denials, resulting in a lower dollar amount having to be made from the county's 2014 Escrow payment account, saving local taxpayer dollars. Also, this additional position will give added reasonable assurance of the timely filing of Pre-school Medicaid claims.

**Budgeted:** Budget Line: 4059

**Date of Vacancy:** October 24, 2014 ✓

**Permission to backfill if the position is filled by a result of an internal promotion**

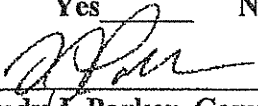
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**Date Received** 10/16/14      **Date Reviewed** \_\_\_\_\_

**Approved** \_\_\_\_\_      **Committee Vote:**

**Denied** \_\_\_\_\_      **Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Held** \_\_\_\_\_

  
Randy J. Parker, Commissioner

V3

Vacancy Request Fact Sheet

**Date:** October 9, 2014

**Department:** Public Health Services

**Department Head:** Nancy McGraw, Public Health Director

**Position / Duties:** Community Health Nurse (pos. #4010-207-983) ✓<sup>ok</sup>

**Salary:** \$63,320 (This total includes the contractual stipend, 4 year experience differential, and the longevity of the person previously in this position, but it excludes the 2014 bonus of \$750.)

**Benefits:** \$33,052

**Total Cost:** \$96,372

**County Share:** \$0.00

**Federal Share:** \$0.00

**State Share:** \$0.00

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

**Mandated:** Yes, although this position will perform home visits for the CHHA, he/she will be assigned to the Maternal/Child Health program, which is a core program.

**Budgeted:** Budget Line: 4010-207

**Date of Vacancy:** December 12, 2014

**Notes:** Permission to backfill if the position is filled by a result of an internal promotion

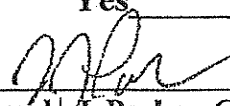
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**Date Received** 10/16/14                      **Date Reviewed** \_\_\_\_\_

**Approved** \_\_\_\_\_                      **Committee Vote:**

**Denied** \_\_\_\_\_                      **Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Held** \_\_\_\_\_

  
\_\_\_\_\_  
Randy J. Parker, Commissioner

V4

Vacancy Request Fact Sheet

Date: October 9, 2014

Department: Public Health Services

Department Head: Nancy McGraw, Public Health Director

Position / Duties: Community Health Nurse – Position#4010-33.2372 ✓

Salary: \$63,220.00 (This total includes the contractual stipend, 4 year experience differential, and the longevity of the person previously in this position, but it excludes the 2014 bonus of \$750.)

Benefits: \$33,026.00

Total Cost: \$96,246.00

County Share: \$0.00

Federal Share: \$0.00

State Share: \$0.00

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

Mandated: No, but this is a revenue producing position. Visits generated by third party insurances cover the cost of the position, and nursing positions are critical to fill at this time.

Budgeted: Yes Budget Line: A4010-33-10-1011 – Personal Services

Regular Pay and for the various benefits: A4010-33-80-8001 through A4010-33-80-8007

Date of Vacancy: 7/21/14 ✓

Notes: Permission to backfill if the position is filled by a result of an internal promotion

Date Received 10/16/14

Date Reviewed \_\_\_\_\_


Approved \_\_\_\_\_

Committee Vote:

Denied \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

Help \_\_\_\_\_

  
\_\_\_\_\_  
Randy J. Parker, Commissioner

V5

Vacancy Request Fact Sheet

**Date:** October 14, 2014

**Department:** Public Health Services

**Department Head:** Nancy McGraw, Public Health Director

**Position / Duties:** Public Health Nurse – 4010-33-1664 ✓

**Salary:** \$64,799 (This total includes the contractual stipend, 4 year experience differential, and the longevity of the person previously in this position, but it excludes the 2014 bonus of \$750.)

**Benefits:** \$33,240

**Total Cost:** \$98,039

**County Share:** \$0.00

**Federal Share:** \$0.00

**State Share:** \$0.00

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

**Mandated:** No, but this is a revenue producing position. Visits generated by third party insurances cover the cost of the position, and nursing positions are critical to fill at this time.

**Budgeted: Yes** Budget Line: 4010-33

**Date of Vacancy:** 10/27/2014 ✓

**Notes:** Permission to backfill if the position is filled by a result of an internal promotion

**Date Received** 10/16/14

**Date Reviewed** \_\_\_\_\_

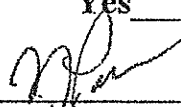
**Approved** \_\_\_\_\_

**Committee Vote:**

**Denied** \_\_\_\_\_

**Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Held** \_\_\_\_\_

  
\_\_\_\_\_  
Randy J. Parker, Commissioner

V6

Vacancy Request Fact Sheet

**Date:** October 14, 2014

**Department:** Public Health Services

**Department Head:** Nancy McGraw, Public Health Director

**Position / Duties:** Senior Typist -4010-33-2981 ✓

**Salary:** Entry \$25,373 /Full \$26,708 – Hired on or after 9/1/10  
Entry \$28,192/Full \$29,676 –Hired prior to 9/1/10

**Benefits:** Entry \$27,468 /Full \$27,824 – Hired on or after 9/1/10  
Entry \$28,220/Full \$28,615 –Hired prior to 9/1/10

**Total Cost:** Entry \$52,841 /Full \$54,532– Hired on or after 9/1/10  
Entry \$56,412/Full \$58,291 –Hired prior to 9/1/10

**County Share:** See total cost above. (Note: a portion of this position is funded with revenue generated from home visits by CHHA nurses.)

**Federal Share:** \$0.00

**State Share:** \$0.00

**Other:** \$0.00

**Mandated:** No, but due to the heavy workload in the CHHA Intake Office, this position is needed to give reasonable assurance that work in the Intake Office remains current. (One responsibility is obtaining physicians' signatures on Plans of Care. Medicare & Medicaid bills can't be submitted for payment if these are unsigned.)

**Budgeted:** Yes **Budget Line:** A4010-33

**Date of Vacancy:** September 26, 2014 ✓ Previous position was abolished as per Res. # 310-14 on 8/21/14., employee accepted a different position in County Clerk's office effective 9/26/14, and this Sr. Typist position was created as per Res. # 310-14 on 8/21/2014.

**Notes:** Permission to backfill if the position is filled by a result of an internal promotion

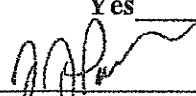
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**Date Received** 10/16/14                      **Date Reviewed** \_\_\_\_\_

**Approved** \_\_\_\_\_                      **Committee Vote:**

**Denied** \_\_\_\_\_                      Yes \_\_\_\_\_ No \_\_\_\_\_

**Held** \_\_\_\_\_

  
\_\_\_\_\_  
Randy J. Parker, Commissioner

V7



Vacancy Request Fact Sheet

Date: 10/16/2014

Department: DFS

Department Head: Randy J. Parker, Commissioner

Position/Duties: Senior Social Welfare Examiner (TA) with Backfills Budget Position: 2251 ✓  
Supervises of a group of workers establishing financial eligibility for the various programs administered by the local social services district. Serves as a working supervisor over a small group of Social Welfare Examiners. Reviews Social Welfare Examiner's recommendations and approves or disapproves it. Maintains communications with clients, vendors and other agencies via telephone, correspondence and personal contact to verify eligibility for services and update information on file.

Salary: \$ 34,709.00

Benefits: \$ 29,404.22

Total Cost: \$ 64,113.22

County Share: \$16,028.31

Federal Share: \$ 32,056.61

State Share: \$ 16,028.30

Other:

Mandated:

Budgeted:	Budget Line:
\$34,709.00	A-6010.52.10
\$29,404.22	A-.6010.52.80
\$32,056.61	A-6010.52R4610R228
\$16,028.30	A-6010.52.R3610R167

Date of Vacancy: 11/21/2014

Notes:

Date Received 10/10/14 Date Reviewed \_\_\_\_\_

Approved \_\_\_\_\_

Committee Vote:

Denied \_\_\_\_\_

YES \_\_\_\_\_ NO \_\_\_\_\_

Held \_\_\_\_\_

Reviewed: [Signature]  
Randy J. Parker

V8



Vacancy Request Fact Sheet

Date: 10/16/2014

Department: DFS

Department Head: Randy J. Parker, Commissioner

Position/Duties: Caseworker w/ backfills

Budget Position: 78 ✓

Provides casework services for individual and/or their families including children to assist them in their economic, emotional, social and environmental difficulties. The social case work is performed under direct supervision of a supervisory level Caseworker. The caseworker in consultation with the supervisor formulates and carries out plans to meet the individual needs of the cases assigned.

Salary:	\$34,709.00
Benefits:	\$29,404.22
Total Cost:	\$64,113.22
County Share:	\$16,028.31
Federal Share:	\$32,056.61
State Share:	\$16,028.30

Budgeted:	Budget Line:
\$34,709.00	A6010.57.10
\$29,404.22	A6010.57.80
\$32,056.61	A6010.57.R4610R228
\$16,028.30	A6010.57.R3610R167

Date of Vacancy: 10/18/2014 ✓  
Notes:


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Date Received 10/10/14                      Date Reviewed \_\_\_\_\_

Approved \_\_\_\_\_                      Committee Vote:

Denied \_\_\_\_\_                      YES \_\_\_\_\_ NO \_\_\_\_\_

Held \_\_\_\_\_

Reviewed:   
Randy J. Parker

V10

Vacancy Request Fact Sheet

Date: October 9, 2014

Department: Adult Care Center

Department Head: Shennoy Wellington

Position/Duties: Supervising Social Worker

Budget Position: 1981 ✓

Supervises and administers the social work activities of the facility. Supervises and participates in individual, group and family therapy. This individual is a team leader in conferences designed for diagnosis of and treatment of residents. Participates in long range of planning toward the development of comprehensive programs for residents.

Impact if Position is not filled: this position is required by the New York State Department of Health

Salary: \$ 50,726

Benefits: \$ 31,702

Total Cost: \$ 82,428

County Share: 2,761

Federal Share: 18,835

State Share: 51,394

Other: 9,438

Mandated: yes

Budgeted: yes Budget Line: EI-6020-71

Date of Vacancy: 11/06/2014 ✓

Notes:

Date Received 10/10/14

Date Reviewed \_\_\_\_\_

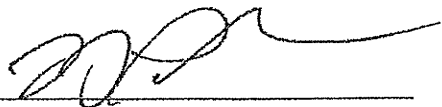
Approved \_\_\_\_\_

Committee Vote:

Denied \_\_\_\_\_

YES \_\_\_\_\_ NO \_\_\_\_\_

Held \_\_\_\_\_

Reviewed:   
Randy J. Parker

Vacancy Request Fact Sheet

Date: 11/20/2014

Department: DFS

Department Head: Randy J. Parker, Commissioner

Position/Duties: Senior Caseworker w/ backfills

Budget Position: 67 ✓

Senior Caseworker provides professional case work in specialized areas which may involve investigation of and resolution of difficult problem cases as well as the determination and recommendation of the needs for services and the development of plans to resolve the problem. Reviews and approves service plans recommended by the Caseworker to carry out goals to meet the needs of individuals or families.

Salary: 44,497

Benefits: 21,252

Total Cost: 65,749

County Share: 12,492

Federal Share: 32,875

State Share: 20,382

Other:

Mandated: Yes

Budgeted: Yes

Budget Line:	A6010-57-10	44,497
	A6010-57-80	21,252
	A6010-57-R4610R228	32,875
	A6010-57-R3610R167	20,382

Date of Vacancy: 11/3/2014

Notes: \_\_\_\_\_

Date Received 11/14/14

Date Reviewed \_\_\_\_\_

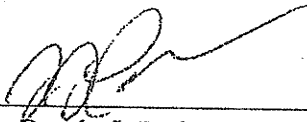
Approved \_\_\_\_\_

Committee Vote:

Denied \_\_\_\_\_

YES \_\_\_\_\_ NO \_\_\_\_\_

Held \_\_\_\_\_

Reviewed:   
Randy J. Parker

V12

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

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT NANCY BUCK AS SULLIVAN COUNTY TREASURER**

**WHEREAS**, due to the tragic death of Ira J. Cohen a vacancy exists in the office of the Sullivan County Treasurer, and

**WHEREAS**, the Sullivan County Legislature received a letter from County Clerk Daniel Briggs informing it of the vacancy and the Sullivan County Legislature's authority to fill that vacancy, and

**WHEREAS**, Nancy Buck, due to her position as Deputy County Treasurer, has assumed the duties and obligations of the County Treasurer and has assumed the title of Acting County Treasurer, and

**WHEREAS**, in her tenure as the Deputy County Treasurer and now as the Acting County Treasurer the Sullivan County Legislature has worked with Ms. Buck on many projects and issues and is well aware of her ability to expertly perform the functions and duties required of the Sullivan County Treasurer, and

**WHEREAS**, the Legislature believes it is in the best interest of the County to appoint Ms. Buck as the Sullivan County Treasurer, and

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to the authority vested in it by Section 2.02 (J) of the Sullivan County Charter the Sullivan County Legislature hereby appoints Nancy Buck to the currently vacant position of Sullivan County Treasurer, and

**BE IT FURTHER RESOLVED**, that said appointment will commence immediately and Ms. Buck shall hold the office of the Sullivan County Treasurer by virtue of said appointment until the certification of the results of the next general election held for the office of the Sullivan County Treasurer.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2014.

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

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE.**

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

WHEREAS, there are several vacancies on the Community Services Board, and

WHEREAS, there is a need to appoint one (1) member to fill a vacancy on the Community Services Board.

NOW, THEREFORE, BE IT RESOLVED, the following individual to be appointed to fill a vacancy on the Sullivan County Community Services Board to reflect the date set opposite his/her name:

**APPOINTMENT TO THE CSB**

**TERM**

Maureen Stewart  
(to fill vacancy left by Robyn Sellet, LCSW)

11/01/2014 to 12/31/2016

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2014.

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

To: Sullivan County Legislature

Fr: Joseph A. Todora; Director

Re: Request for Consideration of a Resolution: To appoint one (1) person to the CSB.

Date: November 6, 2014

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 fill a vacant term on the Community Services Board (CSB) by appointing one (1) person to this board.

Is subject of Resolution mandated? Explain:

Yes, planning, maintaining and overseeing of the Local Government Unit is done through the CSB, as well as advising the Director of DCS of changes in the behavioral health field.

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: No funds required

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.

2A



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): \_\_\_\_\_

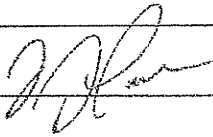
Pre-Legislative Approvals:

A. Director of Purchasing: \_\_\_\_\_ Date \_\_\_\_\_

B. Management and Budget: \_\_\_\_\_ Date \_\_\_\_\_

C. Law Department: \_\_\_\_\_ Date \_\_\_\_\_

D. County Manager: \_\_\_\_\_ Date \_\_\_\_\_

E. Commissioner:  \_\_\_\_\_ Date 10/16/2014

Vetted in \_\_\_\_\_ Committee on \_\_\_\_\_

**RESOLUTION NO.            INTRODUCED BY EXECUTIVE COMMITTEE TO  
REAPPOINT MEMBERS 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the individual listed below be *re-appointed* to the Health Services Advisory Board for a four-year term (1/1/15-12/31/18) per Public Health Law:

Bob Korabik  
54 Dwyer Avenue  
Liberty, NY 12754

James Lyttle  
PO Box 323  
Kiamesha Lake, NY 12751

Dr. Bruce Ellsweig  
31 Norris Road  
Forestburgh, NY 12777

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

**RESOLUTION NO. \_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
AUTHORIZE THE SULLIVAN COUNTY TREASURER TO PROVIDE A CHECK IN THE  
AMOUNT OF \$2,000 TO NYSAC**

**WHEREAS**, the Treasurer and the County Attorney advise that there is a potentially critical litigation in which Wayne County is the Defendant currently ongoing in Western District of New York Federal Bankruptcy Court, and

**WHEREAS**, Wayne County properly took a parcel of Real Property in a foreclosure action pursuant to Article 11 of the Real Property Tax Law and subsequently sold the property in a public auction, and

**WHEREAS**, the new owner invested substantial time and money in making home improvements on the property, and

**WHEREAS**, after all of the foregoing the former owner filed a Bankruptcy Petition claiming that the County did not receive fair market value for the property at the foreclosure auction (based on an appraisal which included the improvements) and further claiming that because the County did not receive fair market value the sale constituted a “fraudulent transfer” which is voidable in Bankruptcy, and

**WHEREAS**, the Wayne County case and a similar case in Clinton County pose a real and present threat to other Counties, including Sullivan, that enforce collection of real property taxes pursuant to Article 11, and

**WHEREAS**, the New York State Association of Counties (“NYSAC”) has become actively involved in these cases as an Amicus and supporter of the position of the Counties, and

**WHEREAS**, NYSAC has solicited financial support of \$2,000 per County from other Counties to support these litigation defense efforts, and

**WHEREAS**, the Sullivan County Legislature believes that supporting such legal defense efforts is necessary, appropriate and reasonable.

**NOW THEREFOR BE IT RESOLVED that:**

1. The Sullivan County Legislature earnestly supports the efforts of Wayne County, Clinton County and NYSAC to defend against the aforesaid claims in Bankruptcy Court, and
2. The Sullivan County Legislature authorizes the Treasurer to provide a check in the amount of \$2,000 to NYSAC for such purposes.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2014.



# NYSAC

NEW YORK STATE  
ASSOCIATION OF COUNTIES

540 Broadway, 5<sup>th</sup> Floor, Albany, New York 12207 | Phone: (518) 465-1473 | Fax: (518) 465-0506 | [www.nysac.org](http://www.nysac.org)

President: Anthony J. Picente Jr., Oneida County Executive Director: Stephen J. Acquario, Esq.

October 6, 2014

Dear County Attorney:

Wayne County is currently involved in litigation that has the potential to seriously disrupt the In Rem Tax foreclosure procedure. This challenge to Article 11 of the Real Property Tax Law is being tried in Western District of New York Bankruptcy Court and has the following fact pattern:

- 1) The plaintiff and original property owner owed \$7,292 in unpaid property taxes.
- 2) Wayne County and the plaintiff entered into an installment payment agreement, which was later defaulted upon after one payment.
- 3) After proper notice, the In rem tax foreclosure process was commenced, with the transfer of title going to Wayne County and the property subsequently sold at public auction for \$4,000.00 to a new investor.
- 4) This investor, now with title, proceeded to make home improvements investing substantial time and money into rehabbing the property.
- 5) The plaintiff, subsequent to all the above actions and within the 24 month window of title transfer, filed an Adversary Proceeding in Federal Bankruptcy Court claiming the transfer commenced through the in rem proceeding is void and should be construed as a fraudulent transfer under Section 548 of the US Bankruptcy Code. Essentially the argument is under Section 548 of the US Bankruptcy Code a transfer is voidable if it was conducted within two years of a bankruptcy petition and that transfer receives "less than reasonably equivalent value".
- 6) This bankruptcy court has indicated it would accept the fair market value for the property in this matter to equal \$49,000.00, well above the \$4,000.00 received at auction. The determination of this number was derived by the plaintiff's appraiser approximately one and one-half years after transfer and includes the improvements made by the new investor/auction purchaser. The county has indicated that using this appraisal may be a triable issue of fact.
- 7) Due to the fact that bankruptcy law is a specialized knowledge base, Wayne County hired outside counsel to defend their and New York State's process. Wayne County retained the services of Bankruptcy Attorney David MacKnight from Rochester New York. Due to the complexity of this matter legal fees have already reached approximately \$151,000.00 to the county.
- 8) There is a scheduled court date on this matter on October 23, 2014 where the Court is asking the parties to state their intentions, settle or trial. The County Legislative Board may not approve ongoing litigation, including appellate costs.

4A

The purpose of this letter is to make you all aware of the threat this and other similar cases (such as Clinton County) pose to your county. The in rem tax foreclosure process is the only method counties have under New York State law to ensure local property taxes are paid not just to counties but to all local governments. Additionally, please be aware that the settlement Wayne County may be forced into is a choice between bad and worse. The settlement options are to either vacate the transfer of the property, returning it to the plaintiff with improvements and pay the auction purchaser tens of thousands in reimbursement costs, or pay the plaintiff the court determined market value minus taxes owed (\$49,000.00 minus \$7,000.00). Either way the county has expended significant amounts of local taxes to defend a valid state statute.

There is a third option. That is to continue to litigate this matter in bankruptcy court and file and pursue any necessary appeal. Unfortunately due to the legal costs Wayne County is not in a financial position to continue the litigation and therefore the county will not be able to achieve clarification in this conflict of laws case.

At NYSAC we have supplied an Amicus Brief on this matter and have created an In Rem Tax Foreclosure Subcommittee consisting of County Attorneys and County Treasurers. The goal of this subcommittee is to determine the best way to overcome matters such as this case that threaten the In Rem process, drive down auction bids and disrupt a county's ability to collect taxes for services provided by all local governments. Part of the Subcommittee evaluation is to determine if State or Federal Bankruptcy laws (which appear to be in conflict) need/can be changed through lobbying efforts and awareness. However changing this section of Federal law may be a difficult process considering it was just recently amended.

Please consider supporting Wayne County in this matter. Due to the impact this case has on all counties, we are asking that the counties of New York collectively create a financial pool to help fund this current matter and any subsequent appeal. We believe that \$2,000.00 per county could help Wayne County make the determination to keep fighting this matter and that in turn this investment will save all counties substantial court fees later on. NYSAC will provide the necessary invoice to your county for this representation.

Again, the other option is to continue to litigate in court. There is an encouraging holding stemming out of a Michigan Bankruptcy Court with a similar fact pattern (cite: 2014 WL 197692 (Bkrcty.E.D.Mich.)). Here the court determined the State laws and the local government rights to foreclose on property to collect taxes supersede Section 547 of the US Bankruptcy Code. If we can get a determination at an appellate level stating the same we may be able to stop this issue before it spreads across the state.

Please contact Patrick Cummings, Assistant Counsel of NYSAC at [pcummings@nysac.org](mailto:pcummings@nysac.org) if you can support this litigation. You may also contact Daniel Connors, Wayne County Attorney, at 315-946-7442. I thank you in advance for your consideration.

Sincerely,



Stephen J. Acquario  
Executive Director

4B

Committed to counties since 1925

Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Pulnam, Rensselaer, Queens, Richmond, Rockland, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

**RESOLUTION NO.        INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
CONFIRM APPOINTMENT OF DIRECTOR OF REAL PROPERTY TAX SERVICES  
III**

**WHEREAS**, the position of Director of Real Property Tax Services III has been vacant since February 20, 2014 with a term that expires on September 30, 2019; and

**WHEREAS**, pursuant to Section 1530 of the Real Property Tax Services it is necessary to appoint a Director of Real Property Tax Services III for the County of Sullivan to the unexpired term; and

**WHEREAS**, pursuant to the provisions of Section A5-4 of the Sullivan County Administrative Code, Edward Homenick has been appointed by the County Manager to the position of Director of Real Property Tax Services III, said appointment subject to Legislative approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby confirms the appointment made by the County Manager of Edward Homenick as the Director of Real Property Tax Services III, as set forth in Section A5-4 of the Sullivan County Administrative Code; and

**BE IT FURTHER RESOLVED**, that the salary for said position be set at \$82,261 per year, subject to annual merit increases.

**Moved by           , seconded by                            declared duly adopted on motion**

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

**To:** Sullivan County Legislature

**Fr:** Joshua Potossek, County Manager

**Re:** Request for Consideration of a Resolution: Confirm the appointment of E. Homenick

**Date:** 11/20/2014

**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.]

Confirm the appointment of Edward Homenick as the Director of Real Property Tax Services III.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Is subject of Resolution mandated? Explain:**

yes pursuant to Section 1530 of the Real Property Tax Services

\_\_\_\_\_

\_\_\_\_\_

**Does Resolution require expenditure of funds? Yes  No**

**If "Yes, provide the following information:**

**Amount to be authorized by Resolution:** \$ 129,138.00

**Are funds already budgeted? Yes  No**

**If "Yes" specify appropriation code(s):** A1355-10-1011

**If "No", specify proposed source of funds:** \_\_\_\_\_

**Estimated Cost Breakdown by Source:**

County	\$ _____	Grant(s)	\$ _____
State	\$ _____	Other	\$ _____
Federal Government	\$ _____	(Specify)	_____

**Verified by Budget Office:** \_\_\_\_\_

*Janet Mygale*

**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.**

JA



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): \_\_\_\_\_

**Pre-Legislative Approvals:**

- A. Director of Purchasing: Lacey Jones Date 11/17/14.
- B. Management and Budget: Janet Meyer Date 11/17/14
- C. Law Department: S. Geseher Date 11/17/14
- D. County Manager: John Brown Date 11/17/14
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

Vetted in Executive Committee on 11/20/2014

**Resolution No.**

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE**

**RESOLUTION TO AUTHORIZE A CONTRACT MODIFICATION TO THE 2014-2015 CONTRACT BETWEEN SULLIVAN COUNTY OFFICE FOR THE AGING AND FRANCES S. CLEMENTE, ATTORNEY AT LAW.**

**WHEREAS**, the County of Sullivan, through the Office for the Aging, provides mandated Legal Services for senior citizens in Sullivan County, and

**WHEREAS**, Frances S. Clemente, Attorney at Law can provide Legal Services.

**WHEREAS**, by Resolution No. 123-14, adopted by the Sullivan County Legislature on March 20, 2014 that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with Frances S. Clemente, Attorney at Law for provision of mandated legal services for senior citizens as required by the New York State Office for the Aging, for the Title IIIB grant not to exceed \$7,904.00 for the period of 01/01/2014-12/31/2014 of which \$7,114.00 is received from Title IIB Federal funds and \$790.00 from County funds, and not to exceed \$7904.00 for the period of 01/01/2015-12/31/2015 of which \$7,114.00 is received from Title IIB Federal funds and \$790.00 from County funds for a total of \$15,808.00 for 01/01/2014-12/31/2015 of which \$14,228.00 is received from Title IIB federal funds and \$1,580.00 from County funds; and

**WHEREAS**, a contract modification agreement is necessary to increase the amount from \$7,904.00 to 8,161.00 for 01/01/14-12/31/14 an increase of \$257.00 as required by the New York State Office for the Aging, for the Title IIIB grant, Legal Services and the amount for 01/01/15-12/31/15 will remain the same \$7,904.00 as required by the New York State Office for the Aging, for the Title IIIB grant, Legal Services for Frances S. Clement, Attorney at Law for provision of mandated legal services for senior citizens. Contract period is 01/01/2014- 12/31/2015.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract modification to the agreement with Frances S. Clemente, Attorney at Law for the increased amount for provision of mandated legal services for senior citizens from \$7,904.00 to 8,161.00 for 01/01/14-12/31/14 and the amount for 01/01/15-12/31/15 will remain \$7,904.00 for the remainder of the contract period of 01/01/2014-12/21/2015, subject to approval of the office of the County Manager, and

**BE IT FURTHER RESOLVED**, that the form of such agreement be approved by the Sullivan County Department of Law.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2014.

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

**To:** Sullivan County Legislature

**Fr:** Deborah E. Allen, Director, Office for the Aging

**Re:** Request for Consideration of a Resolution:

**Date:** 11/13/14

**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.]

Authorize a Contract Modification of 2014-2015 contract between Sullivan County Office for the Aging and Francis S. Clemente, Attorney at Law for mandated legal services for senior citizens as required by the New York State Office for the Aging, for the Title IIIB grant for legal services.

**Is subject of Resolution mandated? Explain:**

Yes, Mandated/Budgeted.

**Does Resolution require expenditure of funds? Yes  No**

**If "Yes, provide the following information:**

Amount to be authorized by Resolution: \$ 16,065.00

Are funds already budgeted? Yes  No

If "Yes" specify appropriation code(s): A7610-87-40-4008

If "No", specify proposed source of funds: \_\_\_\_\_

**Estimated Cost Breakdown by Source:**

County	<u>\$1,606.00</u>	Grant(s)	<u>\$0.00</u>
State	<u>\$0.00</u>	Other	<u>\$0.00</u>
Federal Government	<u>\$14,459.00</u>	(Specify)	<u>funds for 2 year contract</u>

**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.**

6A

Request for Authority to Enter into Contract with [Francis S. Clemente] of  
[Attorney at Law]

Nature of Other Party to Contract: Professional Other: Consultant

Duration of Contract: From 01/01/2014 To 12/31/2015

Is this a renewal of a prior Contract? Yes  No

If "Yes" provide the following information:

Dates of prior contract(s): From 01/01/2014 To 12/31/2015

Amount authorized by prior contract(s): 7,904.00

Resolutions authorizing prior contracts (Resolution #s): 123-14

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:

New York State Office for the Aging for the Title IIIB grant provision of mandated  
Legal services for senior citizens.

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): \$16,065.00 for 2 year period (\$8,161.00/\$7,904.00)

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

Person(s) responsible for monitoring contract (Title): Deborah E. Allen, Director/OFA

**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** \_\_\_\_\_

**Vetted in** \_\_\_\_\_ **Committee on** \_\_\_\_\_

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A MEMORANDUM OF AGREEMENT BETWEEN THE SULLIVAN COUNTY SHERIFF'S OFFICE AND THE TOWN OF LIBERTY TO PROVIDE COURT SECURITY**

**WHEREAS**, on April 1, 2011, the Village of Liberty Justice Court was dissolved into the Town of Liberty Justice Court, and

**WHEREAS**, the increased volume of cases in the Town Court has raised security concerns, and

**WHEREAS**, the Town of Liberty has approached the Sheriff's Office to provide court security, and

**WHEREAS**, the deputies from the Jail Division are the best suited for this assignment, being extremely familiar with the judges, their courts and most of the defendants who appear in court, and

**WHEREAS**, the deputies from the Jail Division are New York State peace officers authorized to make warrantless arrests, and

**WHEREAS**, the Town of Liberty has requested to enter into a Memorandum of Agreement with the Sullivan County Sheriff's Office to provide court security.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager and Sullivan County Sheriff are authorized to enter into a Memorandum of Agreement with the Town of Liberty to provide court security for the period December 1, 2014 through December 31, 2015, with reimbursement at the deputy's current rate of pay plus benefits, such memorandum to be in a form as approved by the County Attorney's Office.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2014

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

To: Sullivan County Legislature

Fr: Sheriff Michael Schiff

Re: Request for Consideration of a Resolution: To authorize agreement with Town of Liberty for court security

Date: 11/20/14

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.]

Will provide the Town of Liberty Justice Court with a security officer, who will be a deputy from the jail, and the town will reimburse the county for the deputy's hourly rate plus benefits.

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.

TA



Request for Authority to Enter into Contract with [ Town of Liberty ] of  
[ \_\_\_\_\_ ]

Nature of Other Party to Contract: .

Other:

Duration of Contract: From 12/01/2014 To 12/31/2015

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): \_\_\_\_\_

**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 \_\_\_\_\_

Vetted in \_\_\_\_\_ Committee on \_\_\_\_\_

**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.

**NOW, THEREFORE, BE IT RESOLVED**, that the following individual listed below be *appointed* to the Health Services Advisory Board for a four-year term (1/1/15-12/31/18) per Public Health Law:

Gladys Walker  
26 Michele Drive  
Monticello, NY 12701

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

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

**To:** Sullivan County Legislature

**Fr:** Nancy McGraw, Public Health Director

**Re:** Request for Consideration of a Resolution: To appoint new member to the HSAB

**Date:** November 6, 2014

**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 ensure compliance with Section 357 of the Public Health Law, we request that the a new individual be appointed

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**Is subject of Resolution mandated? Explain:**

Compliance with Section 357 of the Public Health Law is required.

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**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.**

8A

Request for Authority to Enter into Contract with [ \_\_\_\_\_ ] of  
[ \_\_\_\_\_ ]

Nature of Other Party to Contract: Professional \_\_\_\_\_ 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): Nancy McGraw, Public Health 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 \_\_\_\_\_

Vetted in \_\_\_\_\_ Committee on \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE  
TO ENTER AN AGREEMENT BETWEEN SULLIVAN COUNTY CARECORPS  
COALITION AND THE SULLIVAN COUNTY SHERIFF'S OFFICE**

**WHEREAS**, Sullivan County Carecorps Coalition located at 11 Hamilton Avenue, Monticello, New York, is a sub-entity of the Recovery Center whose purpose is to address risk factors within the community, and

**WHEREAS**, Sullivan County Carecorps Coalition has grant funds available in the amount of \$6,000.00 which it wishes to pay to the Sullivan County Sheriff's Office in exchange for services to be provided by the Sullivan County Sheriff's Office relating to party dispersal activities due to underage drinking pursuant to the Social Host Law (Local Law No. 4 of 2012), and

**WHEREAS**, Sullivan County Carecorps Coalition and the Sullivan County Sheriff's Office wish to enter into an Agreement memorializing their mutual rights and responsibilities,

**NOW, THEREFORE, BE IT RESOLVED** that the County Manager and the Sheriff are hereby authorized to execute a Memorandum of Agreement with the Sullivan County Carecorps Coalition for a term of November 20, 2014 to December 31, 2014, in a form approved by the County Attorney's Office.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2014

**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE  
TO SELL COUNTY OWNED REAL PROPERTY LOCATED IN THE TOWN OF  
FREMONT**

**WHEREAS**, the County of Sullivan is the owner of certain real property located in the Town of Fremont identified as tax lot no. 26.-2-A consisting of approximately 0.01 acres, (the "Property") and

**WHEREAS**, it has been recently discovered that the well of contiguous landowners, Nathaniel Zaur and Rebecca Zaur (the "Zaurs"), is contained within the bounds of the Property, and

**WHEREAS**, the Zaurs are willing to pay the sum of fifteen hundred dollars to acquire the Property from the County of Sullivan, and

**WHEREAS**, the Zaurs are willing to accept the Property subject to a highway maintenance easement,

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Legislature of the County of Sullivan is authorized to sign all documents necessary to consummate the conveyance of the Property to the Zaurs.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2014



**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED "AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR A TERM OF UP TO 30 YEARS"**

**WHEREAS**, there has been introduced at a meeting of the Sullivan County Legislature held on November 20, 2014 a proposed Local Law entitled "AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR TERM OF UP TO 30 YEARS."

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held on said proposed local law by the Sullivan County Legislature on December 18, 2014 at 1:40 p.m., 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 \_\_\_\_\_, 2014.

COUNTY OF SULLIVAN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on November 20, 2014, a proposed Local Law entitled the "AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR A TERM OF UP TO 30 YEARS."

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on December 18, 2014 at 1:40 p.m. at which time all persons interested will be heard.

DATED: Monticello, New York  
November 20, 2014

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

11A.