

**Sullivan County Legislature
Regular Meeting
January 20, 2011 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:11PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Chairman Rouis' appointment to the Workforce Development Board of Sullivan, Inc. dated January 4, 2011
2. Letter dated January 4, 2011 from the Sullivan County PBA President clarifying that the PBA has not joined with other unions, will not pay for an audit of the county's finances and will not file a grievance locally or with PERB regarding wage freezes contemplated by the 2011 budget
3. 2010 Department of Motor Vehicle Monies Report filed by County Clerk Daniel L. Briggs on January 7, 2011.
4. Letter dated January 7, 2011 from Phil Vallone, President of the Rolling V Bus Corporation indicating that it is a good move for the county to approach New York Lawmakers to amend a municipal law to give the county some flexibility to award contracts to local vendors.
5. Records Destruction Notifications filed by the Board of Elections dated December 14, 2010 and Risk Management and Insurance dated January 4, 2011.
6. Chairman Rouis' appointments to the 2011 Fire Advisory Board

Chairman Rouis recognized the follow speakers:

1. Ken Walter stated that this is a follow up to a discussion that took place and clarification on Carbon Harvest they mentioned a website that they have and he spoke to them briefly afterwards to see if he had it right and they use it up in Vermont. What it is, is a web based ordering system where if you are the customer, you place an order with the supplier which gets delivered to Carbon Harvest who takes it down on their regular ride to New York City or where ever it has to go, saving on carbon fuels in the process. They are willing to work with people who are willing to work with them and they are client based. It also permits them to ship in a smaller quantity without worrying to run down to NYC and dropping off ten pieces here and fifty pieces there. They already have that existing in Vermont.
2. Dave Colavito stated he hopes that the Legislature will vote on the accountability resolution that we discussed earlier.
3. John Reed who is a board member of the Bashakill Area Association, strongly urged the legislature to adopt the resolution which would allow public access to the county and state tax incentives provided by agencies representing Sullivan County residents. Particular interest is knowing who receives IDA exemptions and whether employment targets offered in exchange of these exemptions are being met.
4. Sandy Shaddock, Local 445, stated she has a couple of things that she wanted to mention. She submitted a request that she believes every legislator received a copy on back in the beginning of January which is critical to their membership, if we are going to go through any agreement with the county as far as the wage freeze. She has not only gotten an answer but she hasn't received any of the documents that she requested. Those documents include public salary information, which is supposed to be public information, as well as documents that would have been used in the budget process. A lot of people have spoken that the Teamsters should give back their raises and their longevity bonuses and freezing it. The average teamster makes \$30,000, their 4 percent raise is \$1200. That is \$100 a month, \$25 a week before taxes. She represents people who make \$22,000 who are at Step I on the salary schedule that aren't even getting the \$1200. It is impossible for them to contribute more to their healthcare and survive. It is not something that they can sustain. Some other issues that have come up is that there were no layoffs in the budget. However, there is one department specifically. That is the Transportation Department. Those five people provide Meals on Wheels, provide Veteran's Transportation and provide transportation for the elderly to get to Doctor appointments. Those full time employees make approximately \$30,000 a year. Their budget for half time is \$15,000. If they go to part time status, they have to pay 50% of

their benefits. If they have a family plan, that is \$9,000. You cannot expect someone to work part time for \$5,000; four to five days a week before taxes and survive. The services that they currently provide are looking to be contracted out to an outside agency which is yet another violation of the Teamster Contract. The public needs to be aware that these issues do exist and why Teamsters are fighting for their raises and longevity bonuses. Most of our members use the longevity bonuses to pay their taxes.

RESOLUTION NO. 01-11 INTRODUCED BY EXECUTIVE COMMITTEE, REQUESTING AN EXTENSION OF NEW YORK STATE TAX LAW §1210(33) WHICH AUTHORIZED AN INCREASE TO THE THREE PERCENT RATE AUTHORIZED BY STATE TAX LAW FOR THE PERIOD BEGINNING DECEMBER 1, 2011 AND ENDING NOVEMBER 30, 2013, FOR A TOTAL SALES TAX RATE OF 8%, 4% OF WHICH WOULD BE REVENUE FOR SULLIVAN COUNTY

WHEREAS, pursuant to State Tax Law §1210(33) the New York State Legislature authorized Home Rule Legislation that approved an increase in sales tax in the County of Sullivan by a one half percent (½ %) from seven percent (7%) to seven and one half percent (7 ½%) and an additional one half percent (½ %) from seven and one half percent (7 ½ %) to eight percent (8%), four percent (4%) of which would be revenue for Sullivan County, and

WHEREAS, both of the one-half of one percent increases in the sales tax are set to sunset or expire on November 30, 2011, and

WHEREAS, the Sullivan County Legislature desires to extend the current sales tax rate until November 30, 2013; and

WHEREAS, the County of Sullivan is dealing with significant losses of revenue due to the continuing "Great Recession" and resulting economic downturn, and the requested increase is both necessary and in the best interest of the County and its citizens.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby requests that the New York State Legislature adopt Home Rule Legislation extending the expiration of New York State Tax Law §1210(33) which raised the sales tax in the County of Sullivan by a one half percent (½%) from seven percent (7%) to seven and one half percent (7 ½%) and an additional one half percent (½%) from seven and one half percent (7 ½ %) to eight percent (8%), four percent (4%) of which would be revenue for Sullivan County, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby requests that the Sullivan County Sales Tax rate that is scheduled to sunset on November 30, 2011, be extended to sunset or expire on November 30, 2013, and

BE IT FURTHER RESOLVED, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a certified copy of this resolution to the Honorable Andrew M. Cuomo, Governor of the Great State of New York; Honorable John J. Bonacic, State Senator representing the 42nd Senatorial District, the Honorable Aileen M. Gunther, Assemblywoman representing the 98th Assembly District, the New York State Legislature's Ways and Means Committees; the Honorable Dean Skelos, Majority Leader of the Senate; the Honorable Sheldon Silver, Speaker of the General Assembly; and the New York State Association of Counties (NYSAC).

Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 02-11 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE ESTABLISHING A STANDARD WORK DAY FOR ELECTED OFFICIALS

WHEREAS, effective August 12, 2009, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System, and

WHEREAS, one (1) three month record of work activities were submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature.

Title Elected	Name	Standard Work Day/(hrs/day)	Term	Participates in Employers Time Keeping System	Days per month based on Record of Activities	Filed 30 or 90 day record
Coroner	Elton Harris	6	1/1/09-12/31/12	Y	6	30

BE IT FURTHER RESOLVED, that the Sullivan County Legislature does hereby attest that the above appointed officials have submitted a thirty day log or three month log of activities and such is on file with the Clerk to the Legislature.

Moved by Mr. Armstrong, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 03-11 INTRODUCED BY THE PERSONNEL COMMITTEE TO ABOLISH , CREATE AND DOWNGRADE POSITIONS WITHIN THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Sullivan County Department of Community Services has evaluated its staffing needs and; and

WHEREAS, there are several positions that would better serve the department by being abolished, created and/or titles downgraded; and

WHEREAS, the Department of Community Services has determined the needs of the department to be more appropriately served by abolishing, creating and downgrading these positions; and

WHEREAS, the funds appropriated in the 2010 Adopted Budget would need to be transferred as well.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby authorizes the abolishment, creation and downgrading of the following positions within the Department of Community Services as noted below:

- ABOLISH:**
A4320-40 2324 SSW-RPT
- ABOLISH:**
A4310 2318 Community Services Coord.
- CREATE:**
A4220 Program Coord I-SCADAS (GradeXII)
- ABOLISH:**
A4320-42 1911 ASW II-Case Management
- CREATE:**
A4320-42 ASW I-Case Management (Grade VII)
- ABOLISH:**
A4320-42 0293 SSW II-Case Management
- CREATE:**
A4320-42 SSW I – Case Management (Grade IX)

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 4-11 INTRODUCED BY THE HEALTH AND FAMILY SERVICES COMMITTEE TO CREATE AND ABOLISH POSITIONS IN THE OFFICE FOR THE AGING

WHEREAS, the Director of the Office for the Aging (OFA) has requested a revised restructuring within the OFA, and

WHEREAS, the Commissioner of the Division of Health and Family Services has recommended that the requested OFA restructuring be adopted, and

WHEREAS, the County Manager concurs with the request of the Director of the OFA and the recommendation of the Commissioner of the Division of Health and Family Services, and recommends that the County Legislature effectuate same.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby abolishes and creates the following positions:

ABOLISH:

A-7610-89 SUPERVISOR, RSVP PROGRAM TEAMSTERS 445 CBA
GRADE VII

CREATE:

A-7610-89 RSVP PROGRAM COORDINATOR TEAMSTERS 445 CBA
GRADE X

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 05-11 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REQUESTING THE STATE LEGISLATURE TO PROVIDE FOR LOCAL PREFERENCE RULES FOR PROCUREMENT OF GOODS AND SERVICES

WHEREAS, the State of New York is a Home Rule State and Sullivan County is a Charter County, and

WHEREAS, New York State Constitution Article IX provides that every local government shall have broad powers to enact local legislation relating to the welfare of its citizens, but preemption by the State regarding procurement policies fundamentally limits those powers, and Charter Counties must have the ability to provide for public policy that is in the best socio-economic interest of its citizens, and

WHEREAS, New York has a multitude of procurement statutes applicable to public entities, with the underlying purpose is to assure the prudent use of public moneys and to facilitate the acquisition of high quality goods and services at the lowest possible cost, and

WHEREAS, the Sullivan County Legislature hereby finds and declares that millions of dollars worth of contracts for goods and services are expended by Sullivan County each year that are necessary to perform essential functions of Sullivan County government, and

WHEREAS, the County Legislature further finds that the current economic downturn being experienced by the Hudson Valley, as a result of the continued "Great Recession", is adversely affecting local business through a reduction in business activity and a concomitant loss of jobs, and

WHEREAS, the Sullivan County Legislature further finds and determines that many of these contracts are awarded to individuals or entities that are located outside of Sullivan County and the Hudson Valley, and

WHEREAS, the Sullivan County Legislature also finds and determines that the award of such contracts to individuals or entities outside of both Sullivan County and the Hudson Valley at a time when Sullivan County is experiencing an economic downturn and less economic activity than many neighboring regions have achieved tends to exacerbate the economic difficulty currently experienced in Sullivan County, and

WHEREAS, the Sullivan County Legislature also determines that the award of such contracts to individuals or entities located within Sullivan County and the Hudson Valley would help promote local economic activity and thereby generate additional sales tax revenues which would alleviate fiscal and budgetary constraints currently being experienced by Sullivan County, and

WHEREAS, the purpose of permitting local governments to provide for local preference procurement rules is to limit the award of such contracts to individuals or entities located and doing business within Sullivan County and the Hudson Valley when practical and in the best interests of the County and to promote the use of local businesses as County vendors and consultants so as to encourage increased economic activity in Sullivan County and the Hudson Valley by putting County tax dollars to work at home, and

WHEREAS, the Sullivan County Legislature understands the rationale of the statutory mandate that contracts be awarded to the “lowest responsible bidder”, but finds and declares that local preference rules shall be limited to provide for a maximum of ten percent (10%) variance from the established lowest responsible and responsive bidder, if same is not an in-County vendor, would be in the best socio-economic interest of Sullivan County, and

WHEREAS, there is a need to amend New York State General Municipal Law sections 100-a and 103 to provide an exception to County Governments to enact Local Laws that would provide for local preference rules for the procurement of goods and services and shall be limited to provide for a maximum of ten percent (10%) variance from the established lowest responsible and responsive bidder, if same is not an in-County vendor, related to the principle of the “lowest responsible bidder” doctrine.

NOW, THEREFORE, BE IT REOLVED by the Sullivan County Legislature that the New York State Legislature is hereby requested to provide local governments the ability to provide for local preference rules for procurement of goods and services, and

BE IT FURTHER RESOLVED that the Sullivan County Legislature hereby finds and declares that millions of dollars worth of contracts for goods and services are expended by Sullivan County each year that are necessary to perform essential functions of Sullivan County government, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature further finds that the current economic downturn being experienced by the Hudson Valley, as a result if the continued “Great Recession”, is adversely affecting local business through a reduction in business activity and a concomitant loss of jobs, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature further finds and determines that many of these contracts are awarded to individuals or entities that are located outside of Sullivan County and the Hudson Valley, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature also finds and determines that the award of such contracts to individuals or entities outside of both Sullivan County and the Hudson Valley at a time when Sullivan County is experiencing an economic downturn and less economic activity than many neighboring regions have achieved tends to exacerbate the economic difficulty currently experienced in Sullivan County, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature also determines that the award of such contracts to individuals or entities located within Sullivan County and the Hudson Valley would help promote local economic activity and thereby generate additional sales tax revenues which would alleviate fiscal and budgetary constraints currently being experienced by Sullivan County, and

BE IT FURTHER RESOLVED, that the purpose of permitting local governments to provide for local preference procurement rules is to limit the award of such contracts to individuals or entities located and doing business within Sullivan County and the Hudson Valley when practical and with the best interests of the County and to promote the use of local businesses as County vendors and consultants so as to encourage increased economic activity in Sullivan County and the Hudson Valley by putting County tax dollars to work at home, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature understands the rationale of the statutory mandate that contracts be awarded to the “lowest responsible bidder”, but finds and declares that local preference rules shall be limited to provide for a maximum of ten percent (10%) variance, from the established lowest responsible and responsive bidder, if same is not an in-County vendor, would be in the best socio-economic interest of Sullivan County, and

BE IT FURTHER RESOLVED, that there is a need to amend New York State General Municipal Law sections 100-a and 103 to provide County Governments the ability to enact Local Laws that would provide for local preference rules for the procurement of goods and services and shall be limited to provide for a maximum of ten percent (10%) variance from the established lowest responsible and responsive bidder, if same is not an in-County vendor , related to the principle of the “lowest responsible bidder” doctrine, and

BE IT FURTHER RESOLVED that the Clerk of the County Legislature is hereby directed to transmit a certified copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader Dean G. Skelos, Senate Minority Leader John L. Sampson, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian M. Kolb, State Senator John J. Bonacic, Assemblywoman Aileen M. Gunther, all Towns and Villages in Sullivan County, the Sullivan County Economic Development Corporation, all New York State Counties, and the New York State Association of Counties.

Moved by Mrs. LaBuda, seconded by Mrs. Goodman, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 6-11 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE AWARD OF ENGINEERING SERVICES FOR THE

PREPARATION OF BID SPECIFICATIONS OF AN AIRPORT RESCUE AND FIREFIGHTING (ARFF) VEHICLE FOR THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)

WHEREAS, Resolution No. 340-09 authorized the County Manager to apply for and execute a General Aviation (GA) Airport Security Grant with the New York State Department of Transportation; and

WHEREAS, a grant has been fully executed in the amount of \$230,000.00 inclusive of \$7,800.00 for the preparation of bid specifications and \$222,200.00 for the acquisition of the ARFF vehicle; and

WHEREAS, the grant is issued at 90% participation rate from the New York State Transportation Bond Act GA Airport Security Grant Program funded by the Rebuild and Renew New York State Transportation Bond Act of 2005; and

WHEREAS, the County has completed a qualifications-based selection process for an Airport Consultant and has selected Passero Associates and recommends the award of the engineering services to the firm Passero Associates.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager to sign the necessary agreements, contracts and documentation, in such form as the County Attorney shall approve, to retain the services of Passero Associates for a contract amount not to exceed \$7,800.00 for Engineering services; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the NYSDOT by attaching it to any necessary agreements in connection with this project: and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 7-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO EXTEND THE CONTRACT FOR 2011 WITH UNITED WAY OF SULLIVAN COUNTY TO MANAGE CLIENT FUNDING FOR CHILDREN WHO ARE SERIOUSLY EMOTIONALLY DISTURBED.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a contract with United Way of Sullivan County; and

WHEREAS, such a contract needs to be extended for children who are seriously emotionally disturbed for the year 2011 in order to ensure continuity of services and timely payments to the agency; and

WHEREAS, this contract was adopted by resolution #495-09, subject to annual appropriation; and

WHEREAS, this contract is subject to availability of funding and adjustment to State aid increases or decreases.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to extend the contract for the term from January 1, 2011 to December 31, 2011, not to exceed the maximum amount of State and County funding through OMRDD, OMH including New Initiative monies, Reinvestment Monies and/or Cost of Living Adjustments:

United Way of Sullivan County - \$14,564

BE IT FURTHER RESOLVED, the contract can be extended for two additional one year terms said extensions to be subject to annual appropriations by the Legislature; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO 8-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO EXTEND THE CONTRACT FOR 2011 WITH HUDSON TRANSIT D/B/A SHORTLINE BUS/COACH USA TO PROVIDE TRANSPORTATION FOR DEPARTMENT OF COMMUNITY SERVICES LOW INCOME PARTICIPANTS TO AND FROM THE COMMUNITY SERVICES BUILDING.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a need to assist low income participants to get to the Department's Liberty location; and

WHEREAS, such a contract needs to be extended for 2011 in order to ensure continuity of services and timely payments to the Shortline Bus/Coach USA, Company.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to extend the contract for the term from January 1, 2011 to December 31, 2011, adjustable, not to exceed the maximum amount of State and County funding through OMRDD, OMH including New Initiative monies, Reinvestment Monies and/or Cost of Living Adjustments:

Shortline Bus/Coach USA to provide transportation - \$5,000

BE IT FURTHER RESOLVED, the contract can be extended for two additional one year terms said extensions to be subject to annual appropriations by the Legislature; and

BE IT FURTHER RESOLVED, the contract is subject to availability of funding and adjustment of State aid increases or decreases; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 9-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO EXTEND THE CONTRACT FOR 2011 WITH THE SULLIVAN COUNTY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE FOR GAMBLING TREATMENT AND PREVENTION PROGRAMS.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a contract with Sullivan County Council on Alcoholism Substance Abuse for Gambling Treatment and Prevention Programs; and

WHEREAS, such a contract needs to be extended for 2011 in order to ensure continuity of services and timely payments to the agency.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to extend the following contract for a term from January 1, 2011 to December 31, 2011 not to exceed the maximum amount of State funding through OASAS, and/or Cost of Living Adjustments:

The Sullivan County Council on Alcoholism and Substance Abuse for:
Gambling Prevention & Treatment Programs \$164,675

BE IT FURTHER RESOLVED, the contract can be extended for two additional one year terms said extensions to be subject to annual appropriations by the Legislature; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 10-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF CASE MANAGEMENT SERVICES FOR PERIOD FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, the County of Sullivan, through the Department of Family Services (DFS), desires to contract for case management services for Temporary Assistance recipients placed in emergency housing by DFS, and

WHEREAS, Rehabilitation Support Services, Inc (RSS), is experienced in providing residential, vocational, and case management services and is willing to furnish such services to Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with Rehabilitation Support Services, Inc during the period from January 1, 2011 through December 31, 2011 to provide such services, bringing the contract onto the Calendar Year contract cycle; and

BE IT FURTHER RESOLVED, that the maximum amount of this twelve-month case management services contract shall not exceed \$85,161; and

BE IT FURTHER RESOLVED, that the form of said contract will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO 11-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO EXTEND THE CONTRACT FOR 2011 WITH SULLIVAN COUNTY BOARD OF COOPERATIVE EDUCATION SERVICES (BOCES) FOR SETRC/PARENTS FOR PARENTS PROGRAM.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a contract with Sullivan County BOCES for SETRC/Parents for Parents Program; and

WHEREAS, such a contract needs to be extended for 2011 in order to ensure continuity of services and timely payments to the agency; and

WHEREAS, this contract was adopted by resolution #498-09, subject to annual appropriation and is subject to availability of funding and adjustment to State aid increases or decreases.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to extend the following contract from January 1, 2011 to December 31, 2011 not to exceed the maximum amount of State aid and County funding through OMH, New Initiative monies, Reinvestment Monies and/or Cost of Living Adjustments:

Sullivan County BOCES, for SETRC/Parents for Parents Program - \$28,623

BE IT FURTHER RESOLVED, the contract can be extended for two additional one year terms said extensions to be subject to annual appropriations by the Legislature; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 12-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO EXTEND THE CONTRACT FOR 2011 WITH NYSARC, INC. SULLIVAN COUNTY CHAPTER, DBA SULLIVANARC FOR OPERATION OF A SHELTERED WORKSHOP PROGRAM.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a contract with Sullivan ARC; and

WHEREAS, such a contract needs to be extended for the operation of a Sheltered Workshop Program for the year 2011 in order to ensure continuity of services and timely payments to the agency; and

WHEREAS, this contract was adopted by resolution #496-09, subject to annual appropriation and is subject to availability of funding and adjustment to State aid increases or decreases.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to extend the following contract for an term from January 1, 2011 to December 31, 2011 not to exceed the maximum amount of State aid and County funding through OMRDD, OMH including New Initiative monies, Reinvestment Monies and/or Cost of Living Adjustments:

Sullivan Association for Retarded Citizens, Inc. for Sheltered Workshop Program - \$892,029.

BE IT FURTHER RESOLVED, the contract can be extended for two additional one year terms said extensions to be subject to annual appropriations by the Legislature; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote with Mrs. Binder abstaining, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 13-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO EXTEND THE CONTRACT FOR 2011 WITH ACTION TOWARD INDEPENDENCE (ATI) TO PROVIDE PEER SUPPORT, MICA PEER SUPPORT, FAMILY SUPPORT, AND DEAF INTERPRETER SERVICES.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a contract with Action Toward Independence (ATI); and

WHEREAS, such a contract needs to be extended to provide Peer Support, MICA Peer Support, Family Support and Deaf Interpreter Services (at \$50 per hour) for the year 2011 in order to ensure continuity of services and timely payments to the agency; and

WHEREAS, this contract was adopted by resolution #497-09 subject to annual appropriation and is subject to availability of funding and adjustment to State aid increases or decreases.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to extend the following contract for a term from January 1, 2011 to December 31, 2011 not to exceed the maximum amount of State aid and County funding through OMRDD, OMH including New Initiative monies, Reinvestment Monies and/or Cost of Living Adjustments:

Action Toward Independence for Peer Support, MICA Peer Support, Family Support Program and Deaf Interpreter Services (at \$50 per hour) \$117,292

BE IT FURTHER RESOLVED, the contract can be extended for two additional one year terms said extensions to be subject to annual appropriations by the Legislature; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 14-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO RENEW A CONTRACT BETWEEN THE SULLIVAN COUNTY DEPARTMENT OF COMMUNITY SERVICES AND CHARLES CHUNG, MD.

WHEREAS, there is a state mandate to provide psychiatric services to the inmates in the Sullivan County Jail; and

WHEREAS, these psychiatric services are mandated to be provided after the Department's hours of operation and on holidays.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with Charles Chung, MD for the period of January 1, 2011 to December 31, 2011 to provide after hours and holiday psychiatric services at the Sullivan County Jail; and

BE IT FURTHER RESOLVED, this renewal contract is at the County's discretion, subject to annual appropriation; and

BE IT FURTHER RESOLVED, the total cost of said contract will not exceed \$30,000 for psychiatric services provided in 2011; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 15-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO RENEW A CONTRACT FOR 2011 WITH A PROFESSIONAL SERVICE CONSULTANT IN THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a Professional Service Contract with various individuals; and

WHEREAS, such contract needs to be renewed for 2011.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute a contract for the period of January 1, 2011 to December 31, 2011, with the following individuals at the rate set opposite his/her name:

Steven B. Silverman, Ph.D. \$80.00 per hour

BE IT FURTHER RESOLVED, this renewal contract is at the County's discretion, subject to annual appropriation; and

BE IT FURTHER RESOLVED, the maximum of the Professional Service Contract not exceed the 2011 Department of Community Services' budgeted amount for Professional Services; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 16-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO RENEW A CONTRACT FOR 2011 WITH A PROFESSIONAL SERVICE CONSULTANT IN THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a Professional Service Contract with various individuals; and

WHEREAS, such contract needs to be renewed for 2011.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute a contract for the period of January 1, 2011 to December 31, 2011, with the following individual at the rate set opposite his/her name:

Dr. Charles Chung, Psychiatrist	\$90.00 to \$110.00 per hour
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BE IT FURTHER RESOLVED, this renewal contract is at the County's discretion, subject to annual appropriation; and

BE IT FURTHER RESOLVED, the maximum of the Professional Service Contract not exceed the 2010 Department of Community Services' budgeted amount for Professional Services; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 17-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEETO RENEW A CONTRACT FOR 2011 WITH IRVING STILLMAN, MD AS A PROFESSIONAL SERVICE CONSULTANT IN THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a Professional Service Contract with Irving Stillman, MD; and

WHEREAS, such contract needs to be renewed for 2011.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute a contract for the period of January 1, 2011 to December 31, 2011, with the following individuals at the rate set opposite his/her name:

Dr. Irving Stillman, Child Psychiatrist	\$130.00 per hour
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BE IT FURTHER RESOLVED, this renewal contract is at the County's discretion, subject to annual appropriation; and

BE IT FURTHER RESOLVED, the maximum of the Professional Service Contract not exceed the 2011 Department of Community Services' budgeted amount for Professional Services; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 18-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO RENEW A CONTRACT FOR 2011 WITH A PROFESSIONAL SERVICE CONSULTANT IN THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a Professional Service Contract with various individuals; and

WHEREAS, such contract needs to be renewed for 2011.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute a contract for the period of January 1, 2011 to December 31, 2011, with the following individuals at the rate set opposite his/her name:

Dr. Nambi Salgunan, Psychiatrist	\$120.00 per hour
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BE IT FURTHER RESOLVED, this renewal contract is at the County's discretion, subject to annual appropriation; and

BE IT FURTHER RESOLVED, the maximum of the Professional Service Contract not exceed the 2011 Department of Community Services' budgeted amount for Professional Services; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 19-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO RENEW AN AGREEMENT WITH THE DELAWARE VALLEY ARTS ALLIANCE (DVAA) INC.

WHEREAS, the furtherance of the arts and cultural activities are necessary functions for society and development of the County of Sullivan; and

WHEREAS, Delaware Valley Arts Alliance, Inc. has demonstrated a commitment to the arts and to the community; and

WHEREAS, the County of Sullivan has appropriated \$21,375 in the 2011 County budget for the Delaware Valley Arts Alliance, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute an agreement between the County and the Delaware Valley Arts Alliance, Inc. for provision of art services to the residents, artists and art groups of the County, which services shall include management and distribution of the County Cultural Calendar, referral services relating to County arts resources, and acting as a conduit for grant funds for the County's individual artists and non-profit arts groups for \$21,375 for the period from January 1, 2011 to December 31, 2011 said contract to be in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 20-11 INTRODUCED BY THE HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO AMEND THE CONTRACT WITH CATSKILL ORAL SURGERY, P.C., FOR SERVICES TO THE SULLIVAN COUNTY ADULT CARE CENTER

WHEREAS, the Sullivan County Adult Care Center has a need to amend the contract for oral surgery; and

WHEREAS, Catskill Oral Surgery, P.C. desires to amend the contract and provide oral surgery to the residents of the Sullivan County Adult Care Center; and

WHEREAS, the original resolution 354-08 was approved for a maximum of \$5,000/year for a total contract price of \$10,000 to begin 1/1/09 and expire 12/31/11 and resolution 239-10 increased the amount of the contract for 2010 to \$7,500 ; and

WHEREAS, due to the significant amount of services already having been provided, the contract was amended by resolution 421-10 from \$7,500 to \$10,000 for 2010; and

WHEREAS, there has been an additional need for oral surgery services at the Adult Care Center;

NOW, THEREFORE, BE IT RESOLVED, that the County Legislature does hereby authorize the County Manager to execute a modification agreement with Catskill Oral Surgery, P.C. to provide oral surgery at a total cost not to exceed \$12,000 for 2010 and \$5,000 for 2011; and

BE IT FURTHER RESOLVED, that form of said contract be in a form to be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 21-11 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ONEIDA COUNTY SHERIFF TO PROVIDE FOR SECURITY FOR INMATES RECEIVING MENTAL HEALTH TREATMENT AT CENTRAL NEW YORK PSYCHIATRIC CENTER IN MARCY, NEW YORK

WHEREAS, the Sullivan County Sheriff sends inmates of the Sullivan County Jail to the Central New York Psychiatric Center in Marcy, New York for mental health treatment, and

WHEREAS, the Oneida County Sheriff has agreed to furnish deputies to provide for the security of such inmates at a rate of \$165.00 per day, per inmate, and

WHEREAS, the contract will be in effect from January 1, 2011 through December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Manager and Sullivan County Sheriff are hereby authorized to execute a contract with Oneida County and the Oneida County Sheriff's Department and that such form shall be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman , seconded by Mr. Wood, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 22-11 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE CONTRACT FOR NUTRITIONIST/DIETICIAN SERVICES FOR THE SULLIVAN COUNTY PUBLIC HEALTH SERVICE'S LONG TERM HOME HEALTH CARE PROGRAM FOR THE PERIOD 1/1/2011 - 12/31/2011

WHEREAS, the Sullivan County Public Health Services' Long Term Home Health Care Program (LTHHCP) is certified to provide Nutritionist/Dietician services for patients admitted to the Long Term Home Health Care Program, and

WHEREAS, Cornell Cooperative Extension of Sullivan County employs appropriately credentialed professional available to provide Nutritionist/Dietician services under contract with Sullivan County Public Health Services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be hereby authorized to enter into a contract with Cornell Cooperative Extension of Sullivan County to provide Nutritionist/Dietician services to LTHHCP patients, for the period 1/1/2011 - 12/31/2012, at the rate of \$90 per visit; and

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

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 23-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH ORCHID CELLMARK, INC. FOR THE PROVISION OF GENETIC (DNA) TESTING AND REPORTING SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services, is in need of genetic identity (DNA) testing and reporting to establish parentage in child support enforcement cases; and

WHEREAS, the Department of Family Services has in place an agreement with Orchid Cellmark, Inc for those services that expires on March 31, 2011; and

WHEREAS, Orchid Cellmark, Inc is capable of and willing to provide such services at locally negotiated rates.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into agreement with Orchid Cellmark, Inc for the provision of DNA testing and reporting services at a cost not to exceed \$8,000 during the period from April 1, 2011 through March 31, 2012; and

BE IT FURTHER RESOLVED, that the form of said contract will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 24-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH THE SULLIVAN COUNTY CHILD CARE COUNCIL, INC FOR THE PROVISION OF INFORMAL CHILD DAY CARE RELATED SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services has in place an agreement for the provision of informal child day care related services that expires on February 28, 2011; and

WHEREAS, federal funding is available to be reclaimed by the Department of Family Services against the cost for the provision of such services; and

WHEREAS, the Sullivan County Child Care Council, Inc is capable of and willing to provide such services at a cost not to exceed \$49,400 during the period from March 1, 2011 through February 29, 2012 through a purchase of service agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with the Sullivan County Child Care Council, Inc at a cost not to exceed \$49,400 for informal/ child day care related services provided during the period from March 1, 2011 through February 29, 2012; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the form of said agreement will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 25-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT FOR THE PROVISION OF PROFESSIONAL SERVICES FOR PERIOD FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, the County of Sullivan, through the Department of Family Services, requires the use of certain professional services through purchase of service contracts, and

WHEREAS, the Department of Family Services desires to contract with Experian for consumer credit reporting services at a cost not to exceed \$7,800 for the period from January 1, 2011 through December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreement for the provision of professional services with Experian for the period from January 1, 2011 through December 31, 2011; and

BE IT FURTHER RESOLVED, that the form of said contracts will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 26-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR FUNDING AND FOR THE PROVISION OF CHILD CARE RELATED SERVICES FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, the County of Sullivan, through the Department of Family Services, is able to provide for certain child care related services for eligible Sullivan County families by obtaining funding through a state memorandum of understanding with the New York State Office of Children and Family Services (OCFS); and

WHEREAS, the Department of Family Services desires to enter into an agreement through memorandum of understanding with OCFS to obtain funding; and

WHEREAS, the Department of Family Services also desires to enter into agreement with the Sullivan County Child Care Council for the provision of child care registration and inspection related services, at a cost not to exceed the amount funded by OCFS.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements to attain funding and provide services for the provision of child care registration and inspection related services during the period January 1, 2011 through December 31, 2011 at a cost not to exceed the amount funded by OCFS; and

BE IT FURTHER RESOLVED, that the form of said contracts will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 27-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE FOR A CONTRACT FOR 2011 WITH EFREN MARQUEZ, MD AS A PROFESSIONAL SERVICE CONSULTANT IN THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has Professional Service Contracts with Efren Marquez, MD.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute a contract for the period of January 1, 2011 to December 31, 2011, and renewal up to three years with the following individual at the rate set opposite his/her name:

Dr. Efren Marquez, Psychiatrist	\$110.00 per hour
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BE IT FURTHER RESOLVED, this contract is at the County's discretion, subject to annual appropriation; and

BE IT FURTHER RESOLVED, the maximum of the Professional Service Contract not exceed the 2011 Department of Community Services' budgeted amount for Professional Services; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 28-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO EXTEND THE CONTRACT FOR 2011 WITH REHABILITATION SUPPORT SERVICES (RSS) TO PROVIDE BEHAVIORAL HEALTH SERVICES AND SUPPORT TO ADULTS AND CHILDREN WITH MENTAL ILLNESS.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a contract with Rehabilitation Support Services (RSS) to provide behavioral health services and support to adults and children with mental illness; and

WHEREAS, such a contract needs to be extended for 2011 in order to ensure continuity of services and timely payments to the agency; and

WHEREAS, this contract was approved by resolution # 493-09, subject to annual appropriation and availability of funding and adjustable State aid increases and decreases.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to extend the following contract from January 1, 2011 to December 31, 2011 not to exceed the maximum amount of State and County funding through OMRDD, OMH including New Initiative monies, Reinvestment Monies and/or Cost of Living Adjustments:

Rehabilitation Support Services for Behavioral Health Services & Support - \$1,177,851

BE IT FURTHER RESOLVED, the contract can be extended for two additional one year terms said extensions to be subject to annual appropriations by the Legislature; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 29-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF VARIOUS MEDICAL ASSISTANCE PROGRAM RELATED SERVICES FOR PERIOD FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, the County of Sullivan, through the Department of Family Services, is required to arrange for the provision of various Medical Assistance (MA or Medicaid) program services for eligible Sullivan County individuals, and

WHEREAS, the Department of Family Services desires to contract with: Mobilemedic EMS for Non-Emergency Medicaid Transportation services; Rolling V Bus Corporation for Continuing Day Treatment Medicaid Transportation services; one or more contract provider/s for Adult Day Care Medicaid Transportation services; GTL Link-to-Life for Personal Emergency Response System (PERS) services; with Family Empowerment Council, Inc; Independent Living, Inc; Wellness Home Care, Ltd; and Willcare d/b/a Litson Health Care, Inc for personal care services, and

WHEREAS, payments for the aforementioned services shall be made at New York State approved rates.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements for the provision of various Medical Assistance program services, as detailed above, for the period from January 1, 2011 through December 31, 2011; and

BE IT FURTHER RESOLVED, that the form of said contracts will be approved by the Sullivan County Law Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 30-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF DOMESTIC VIOLENCE RELATED SERVICES FOR THE PERIOD FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, the County of Sullivan, through the Department of Family Services, is required to provide certain domestic violence related services for Sullivan County individuals and desires to do so through purchase of service contract, and

WHEREAS, the Department of Family Services desires to contract with Community Action Commission to Help the Economy (CACHE) for the provision of domestic violence related services, at a cost not to exceed \$92,000 for the period from January 1, 2011 through December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreement for the provision of domestic violence related services during the period from January 1, 2011 through December 31, 2011, and

BE IT FURTHER RESOLVED, that the form of said contracts will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 31-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF PREVENTIVE SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services, is required to provide certain preventive services for Sullivan County youth and families, and

WHEREAS, the cost of contracted services listed below shall not exceed \$862,500 for the period from January 1, 2011 through December 31, 2011, and

WHEREAS, the Department of Family Services desires to contract with: Astor Home for Children, Inc for Non-Secure Detention services at a cost not to exceed \$114,610; Community Action Commission to Help the Economy (CACHE) for Family Advocacy services at a cost not to exceed \$220,000; Montefiore Medical Center for Child Sexual Abuse Assessment Related services at a cost not to exceed \$30,000; Occupations, Inc for Clinical Case Work services at a cost not to exceed \$205,000; Rehabilitation Support Services (RSS) for Multi-Systemic Therapy services at a cost not to exceed \$320,000; and Mary May Schmidt, LMHC for therapeutic services at a cost not to exceed \$22,500.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements as detailed above for the provision of the above mentioned preventive services during the period from January 1, 2011 through December 31, 2011, and

BE IT FURTHER RESOLVED, that the form of said contracts will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 32-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF CHILD SUPPORT COLLECTION LEGAL SERVICES FOR PERIOD FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, the County of Sullivan, through the Department of Family Services, is mandated to provide legal services to Sullivan County residents seeking child support services, and

WHEREAS, said legal services are best provided through purchase of service agreements to eliminate conflicts of interest where the Department of Family Services is approached by both parents in child support enforcement, and

WHEREAS, local attorneys are willing and able to provide said legal services as described under Section 111-g of the New York State Social Services Law, and

WHEREAS, the cost of said legal services shall not exceed \$5,000 collectively for the period from January 1, 2011 through December 31, 2011, and

WHEREAS, costs incurred in the provision of said legal services are to be reimbursed to the County of Sullivan by the client, the respondent or by federal and state funding.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements for the provision of legal services during the period from January 1, 2011 through December 31, 2011, and

BE IT FURTHER RESOLVED, that the form of said contracts will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 33-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT FOR THE PROVISION OF WELFARE TO WORK AND EMPLOYMENT RELATED SERVICES FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, the County of Sullivan, through the Department of Family Services, is required to provide for various welfare-to-work and employment related services, and

WHEREAS, the cost of contracted services listed below shall not exceed \$8,000 for the period from January 1, 2011 through December 31, 2011, and

WHEREAS, the Department of Family Services desires to contract with Industrial Medicine Associates, PC for medical examination and reporting services, at a cost not to exceed \$8,000.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements, as detailed above, for the provision of welfare-to-work and employment related services during the period from January 1, 2011 through December 31, 2011; and

BE IT FURTHER RESOLVED, that the form of said contracts will be approved by the Sullivan County Department of Law.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 34-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO ENTER INTO A CONTRACT FOR 2011 WITH FRIENDS AND ADVOCATES FOR MENTAL HEALTH (FAMH) TO PROVIDE BEHAVIORAL HEALTH SERVICES AND SUPPORT SERVICES FOR INDIVIDUALS WITH MENTAL ILLNESS AND THEIR FAMILIES.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a contract with Friends and Advocates for Mental Health (FAMH) to provide behavioral health and support services for individuals with mental illness; and

WHEREAS, such a contract needs to be entered into for 2011 in order to ensure continuity of services and timely payments to the agency.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to enter into the following contract for an initial contract term of January 1, 2011 to December 31, 2011 not to exceed the maximum amount of State and County funding through OMRDD, OMH including New Initiative monies, Reinvestment Monies and/or Cost of Living Adjustments:

Friends and Advocates for Mental Health for behavioral health services and support services - \$273,205

BE IT FURTHER RESOLVED, the contract can be extended for three additional one year terms said extensions to be subject to annual appropriations by the Legislature; and

BE IT FURTHER RESOLVED, the form of said contract be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 35-11 INTRODUCED BY RON HIATT, CHAIRMAN OF THE HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE AGREEMENTS WITH RURAL HEALTH NETWORK SUBCONTRACTORS

WHEREAS, Resolution # 497-06 of December 21, 2006 accepted the Rural Health Network Grant from Catskill Regional Medical Center (CRMC) to Sullivan County Public Health Services (PHS), for the grant year 2007 – 2008, and this was repeated for February 1, 2008-January 31, 2009, February 1, 2009-January 31, 2010, and February 1, 2010-January 31, 2011, and

WHEREAS, Sullivan County Public Health Services has recently been advised by the NYS Department of Health that grant funding in the amount of \$214,487 has been awarded to continue the Rural Health Network for the grant year February 1, 2011 – January 31, 2012, and

WHEREAS, to perform the responsibilities of the grant, it is necessary to contract with various vendors, as follows:

- **Recovery Center (also known as the Council on Alcohol and Drug Abuse)** for staff facilitation for the Community That Cares Coalition (CARECORPS) which reduces the use of substance abuse by young people, for an amount not to exceed \$30,000.
- **Maternal Infant Services Network (MISN)** to provide county-wide preconception and prenatal classes to reduce poor maternal and child health outcomes for an amount not to exceed \$15,000.
- **PRASAD Children's Dental Health Program** to provide dental health education and treatment to Sullivan County children in need and their parents for an amount not to exceed \$22,268.
- **Catskill Regional Medical Center (CRMC)** for a portion of the cost to recruit a medical practitioner to serve western Sullivan County for an amount not to exceed \$20,500, and for partial support of the Rape Intervention Services and Education (RISE) program for an amount not to exceed \$23,500, and \$1,000 for a Cyraphone translation system for underserved Sullivan County residents.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to sign contracts with the above providers not to exceed the amounts shown above for the contract year February 1, 2011 – January 31, 2012, and ongoing contracts, if funded by the NYS Department of Health, and

BE IT FURTHER RESOLVED that should the NYS Department of Health reduce or eliminate the grant funding in the amount of \$214,487 to continue the Rural Health Network for the grant year February 1, 2011 – January 31, 2012, then the above contracts shall be reduced and or abolished in an amount per vendor at the discretion of the County Legislature, and

BE IT FURTHER RESOLVED that the Sullivan County General Fund or property tax levy shall not absorb any reduction or elimination of grant funds from the NYS Department of Health, as that shall not be construed as a local expense; and

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

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 36-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH LITERACY VOLUNTEERS OF SULLIVAN COUNTY FOR THE YEAR 2011 AT A COST NOT TO EXCEED \$4,275

WHEREAS, the Literacy Volunteers of Sullivan County is a not-for-profit organization that provides a variety of free services to help people achieve personal goals through literacy; and

WHEREAS, through a trained corps of volunteer tutors it is the mission of the Literacy Volunteers of Sullivan County to foster and enhance family literacy and assist adults functioning at low levels of literacy and further proficiency in English as a second language; and

WHEREAS, it is the goal of the Literacy Volunteers of Sullivan County to halt the rising tide of illiteracy in Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorize the County Manager to enter into a contract with the Literacy Volunteers of Sullivan County for the year 2011 at a cost not to exceed \$4,275, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 37-11 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2011 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CREATIVE THINK TANK, INC.

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2011 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2011 annual contract with the Creative Think Tank, Inc. at the following maximum funding level for the period January 1, 2011 through December 31, 2011:

1. **CREATIVE THINK TANK, INC.** – maximum amount \$48,600.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 38-11 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2011 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND THE TOWN OF WALLKILL BOYS AND GIRLS CLUB ®

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract(s) with this agency needs to be renewed for 2010/2011 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2010/2011 annual contract(s) with the Town of Wallkill Boys and Girls Club ® at the following maximum funding level for the period of September 1, 2010 through August 31, 2011:

2. **TOWN OF WALLKILL BOYS AND GIRLS CLUB ®** – maximum amount \$60,750.

BE IT FURTHER RESOLVED, that the form of such annual contract(s) be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 39-11 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2011 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND YMCA OF SULLIVAN COUNTY.

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the County of Sullivan has appropriated \$27,000 in the 2011 Sullivan County Budget to provide funding to such agency for its program; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2011 annual contract with the YMCA of Sullivan County at the following maximum funding level for the period January 1, 2011 through December 31, 2011:

3. **YMCA OF SULLIVAN COUNTY** – maximum amount \$27,000.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 40-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF A YEAR 2011 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY HEAD START, INC.

WHEREAS, the County of Sullivan contracts with Sullivan County Head Start, Inc. for services pertaining to preschool programs for low income families, among other things; and

WHEREAS, the annual contracts with Sullivan County Head Start, Inc. needs to be renewed for the year 2011 to assure the continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2011 annual contract, for the period January 1, 2011 through December 31, 2011, with Sullivan County Head Start, Inc., at a maximum funding level of \$46,170, in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 41-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2011 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CORNELL COOPERATIVE EXTENSION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2011 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2011 annual contract at the following maximum funding level for the period January 1, 2011 through December 31, 2011:

CORNELL COOPERATIVE EXTENSION – maximum amount \$415,000.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 42-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH THE PARTNERSHIP FOR ECONOMIC DEVELOPMENT IN SULLIVAN COUNTY

WHEREAS, the Partnership for Economic Development in Sullivan County, a not-for-profit corporation, consisting of various public and private agencies and businesses of the County of Sullivan, provides promotional and advertising services, new business acquisition, existing business expansion and other related activities; and

WHEREAS, the most recent agreement between the County and the Partnership for Economic Development expired on December 31, 2010; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with the Partnership for Economic Development in the amount of \$75,000 for the year 2011, in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED that the Partnership for Economic Development shall submit as plan for the specific uses of the appropriation of \$75,000 in 2011 to the County Manager, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 43-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2011 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY SOIL & WATER CONSERVATION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2011 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2011 annual contract at the following maximum funding level for the period January 1, 2011 through December 31, 2011:

4. **SULLIVAN COUNTY SOIL & WATER CONSERVATION** – maximum amount \$198,535.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 44-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2011 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND VISITORS ASSOCIATION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2011 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2011 annual contract at the following maximum funding level for the period January 1, 2011 through December 31, 2011:

- VISITORS ASSOCIATION** – maximum amount of \$700,000 or the actual revenues received from the County's Room Tax

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 45-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO APPROPRIATE \$15,390 TO CATSKILL ASSOCIATION OF TOURISM SERVICES (CATS) FOR PROMOTION OF REGIONAL TOURISM

WHEREAS, Resolution No. 470-01 provided for an appropriation for promotion of regional tourism,

WHEREAS, each county within the region agreed to contribute funding for regional tourism marketing as per the terms of Senator John Bonacic's initiative, and

WHEREAS, the County of Sullivan is a member of the region and as such committed to participating in regional promotion.

NOW, THEREFORE, BE IT RESOLVED, that \$15,390 be appropriated for the promotion of regional tourism payable to Catskill Association of Tourism Services for the fiscal year 2011, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 46-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF A CONTRACT WITH THE FEDERATION OF SPORTSMEN'S CLUBS OF SULLIVAN COUNTY

WHEREAS, the Federation of Sportsmen's Clubs of Sullivan County provides services, activities and programs related to habitat improvement and public access to hunting, fishing and wildlife conservation/improvement; and

WHEREAS, the County of Sullivan has appropriated \$18,000 in the 2011 County Budget for the Federation of Sportsmen's Clubs of Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into a contract at a cost of \$18,000 with the Federation of Sportsmen's Clubs of Sullivan County to enable payment of the budgeted appropriation in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 47-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH COMMUNITY ACTION COMMISSION TO HELP THE ECONOMY (CACHE)

WHEREAS, the Community Action Commission to Help the Economy (CACHE) is a private non-profit agency operating in Sullivan County under an approved federal program as defined in Section 99-h of the General Municipal Law; and

WHEREAS, the County of Sullivan has appropriated \$27,000 in the 2011 Sullivan County Budget to provide funding to such agency for its program; and

WHEREAS, CACHE has requested such funding to defray the cost of such program operated by it.

NOW, THEREFORE, BE IT RESOLVED,

1. The County Manager shall execute an agreement with the Community Action Commission to Help the Economy (CACHE) for the purpose of providing funds for the period from January 1, 2011 to December 31, 2011 in an amount not to exceed \$27,000 per year, to defray costs of the program not paid by federal funding, said sum to be paid upon voucher in quarterly installments, said contract to be in a form approved by the County Attorney.
2. CACHE shall, at its own cost and expense, provide such books, records and fiscal information as may be required by the Office of Audit and Control.

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 48-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH THE SULLIVAN COUNTY LIBRARY ALLIANCE

WHEREAS, the Sullivan County Legislature has appropriated \$11,543 in the 2011 Budget for the Sullivan County Library Alliance; and

WHEREAS, the County of Sullivan is desirous of supporting the Library Alliance.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized by the Sullivan County Legislature to execute a contract for the period January 1, 2011 through December 31, 2011 with the Sullivan County Library Alliance in an amount not to exceed \$11,543 and in such form approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 49-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE CONTRACT EXTENSION

WHEREAS, the current contract with Blue Wing Services for Communications Consulting Services has ended, and

WHEREAS, Sullivan County is entering the next phase of the project which includes design, implementation, tower planning, liaise with vendors and oversight of the installation of radio equipment, and

WHEREAS, the Department of Emergency Management has recommended the continued services of Blue Wing Services in representing Sullivan County's interest in the technical development of this radio system, and

WHEREAS, the Department of Emergency Management has received a grant allocation to cover these planning services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a contract with Blue Wing Services, for an amount, not to exceed \$172,000.00 , said contract extension to be in such form as the County Attorney shall approve.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 50-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, bids were received for General Aviation Apron Rehabilitation, and

WHEREAS, Boland's Excavating & Topsoil, Inc., 1403 Milburn Drive, Conklin, NY 13748, is the lowest responsible contractor for such work, an

WHEREAS, the Division of Public Works approved said proposal and recommends that a contract be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a contract with Boland's Excavation & Topsoil, Inc., at a contract price not to exceed \$1,221,358.20, and in accordance with the bid, B-10-04, dated January 25, 2010 said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 51-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO PROVIDE UP TO \$7,650 TO THE EAGLE INSTITUTE

WHEREAS, the Sullivan County Legislature has supported efforts to publicize the presence of the national symbol, the American Bald Eagle, in the County for purposes of tourism development, and

WHEREAS, the increase in the number of these magnificent birds in the County has resulted in numerous newspaper articles and other publicity generating public attention to the area, and

WHEREAS, the Eagle Institute, a fledgling organization, is solely responsible for guiding visitors to the observation sites, and

WHEREAS, the increase in the number of tourist throughout various communities in the County is of benefit to restaurants, bed and breakfasts and other tourism related businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes a sum up to \$7,650 to the Eagle Institute for eagle activities for the year 2011, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 52-11 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO WITHDRAW PARCELS FROM THE 2010 TAX FORECLOSURE PROCEEDING AND TO CANCEL CERTAIN TAXES

WHEREAS, the County Treasurer is the real property tax Enforcement Officer for the County of Sullivan pursuant to the Real Property Tax Law of the State of New York; and

WHEREAS, five parcels, TH23.-1-66; TH 23.-1-67.1; TH 23.-1-67.2; TH 121.-2-1; TH121.-2-2, meet one or more of the criteria so that they should be withdrawn from the foreclosure proceedings pursuant to Section 1138 of the Real Property Tax Law; and

WHEREAS, with regard to said parcel, the County Treasurer has determined that the commencement of supplementary proceedings pursuant to Section 1138(5) of the Real Property Tax law in the manner provided by Section 990 of the Real Property Tax Law would not be an effective means to enforce collection of the delinquent tax liens at the present time because the property owner is an entity with no apparent assets; and

WHEREAS, there is no practical method to enforce the collection of the delinquent tax liens regarding said parcels and a supplementary proceeding to enforce collection of the taxes would not be effective; and

WHEREAS, it would be in the best interest of the County to have the County Treasurer execute and file a Certificate of Cancellation and a Certificate of Prospective Cancellation affecting said parcels; and

WHEREAS, the County has made the other tax districts whole regarding the delinquent tax liens affecting said parcels; and

WHEREAS, it would be in the best interest of the County to charge back to the various municipal corporations the amount so credited or guaranteed.

NOW, THEREFORE, BE IT RESOLVED, should the Sullivan County Treasurer execute and file a Certificate of Withdrawal pertaining to TH 23.-1-66, TH 23.-1-67.1, TH 23.-1-67.2, TH 121.-2-1, TH 121.-2-2 pursuant to Real Property Tax law Section 1138(1) then he is hereby authorized to issue a Certificate of Cancellation pursuant to Section 1138(6)(b) and to charge back to the affected municipal corporations the amounts so credited or guaranteed pursuant to Section 1138(6)(d), and to file a copy of same with the Assessor of the assessing unit in which said parcel is located, and with the County Director of Real Property Tax Services pursuant to Section 1138(6)(d) of the Real property Tax law, thereby making said parcels exempt until this governing body shall determine that said parcels should be restored to the taxable portion of the assessment roll.

Moved by Mrs. Binder, seconded by Mr. Sager, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 53-11 INTRODUCED BY EXECUTIVE TO AUTHORIZE A SETTLEMENT IN A LAWSUIT

WHEREAS, DeVincentis Construction, Inc. (“DeVincentis”), filed a lawsuit in the State of New York Supreme Court, County of Sullivan against the County of Sullivan (“County”), and

WHEREAS, the complaint against the County is for monies due pursuant to a 2006 contract for replacement of County Bridge 158 (the Craigie Claire Bridge) in Livingston Manor.

DeVincentis claimed it incurred additional costs in bridge steel truss fabrication due to the intervention of the State Department of Transportation. The complaint sets forth \$80,930.00 in damages, and

WHEREAS, pursuant to our engineers the County made numerous payments on the contract, and the engineers have determined \$71,639.57 remained in dispute, and

WHEREAS, following depositions the Law Department has reviewed the matter again and believes that a reasonable and appropriate settlement can be achieved which is in the best interests of the County.

NOW THEREFORE BE IT RESOLVED, that the County Attorney is hereby authorized to settle the above suit on such terms and conditions as he, the County Manager and the Commissioner of Public Works shall deem reasonable and appropriate and in the best interests of the County.

Moved by Mr. Wood, seconded by Mr. Sager, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 54-11 INTRODUCED BY THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO SETTLE AGRI-BUSINESS LOAN PAYMENT DISPUTE WITH DOUG & GLORIA WOODS DBA TREES OF THE WOODS

WHEREAS, on or about August 30, 2004, the County of Sullivan entered into a Agri-Business Loan Agreement with Douglas Woods and Gloria Woods d/b/a Trees of the Woods (“borrowers”), pursuant to which the County loaned the sum of \$30,000.00; and

WHEREAS, the Term Sheet of the Loan included a 25% grant provision, so long as the borrowers paid 75% of the loan amount in a timely manner; and

WHEREAS, the borrowers fell behind on the repayment but have now offered to remit \$9,500.00 due to the County; and

WHEREAS, the borrowers have tendered a check in the sum of \$5,000 for deposit with the remaining \$4,500 due on or before June 1, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature authorizes this Agri-Business Loan Settlement.

BE IT FURTHER RESOLVED, upon receipt and bank clearance of the tendered funds the Agri-Business Loan with the borrowers shall be deemed satisfied in full. If the balance is not paid by June 1, 2011, the County will commence litigation to recover the funds.

Moved by Mrs. LaBuda, seconded by Mr. Armstrong, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 55-11 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO COMMENCE LITIGATION ON JON ROSSAL DBA MAPLE HILL FARM FOR DEFAULT OF AN AGRI-BUSINESS REVOLVING LOAN

WHEREAS, on August 29, 2002 the County of Sullivan entered into an Agri-Business Loan Agreement with Jon Rossal d/b/a Maple Hill Farm (“borrowers”), pursuant to which the County loaned the sum of \$45,000; and

WHEREAS, the borrowers last paid the County in December 2008, for payment through September 2008, and

WHEREAS, to date, the County has received a total of \$26,390.62, leaving a remaining principal balance of \$24,869.69; and

WHEREAS, the Loan Agreement provides for late payment penalties and interest on the Loan, which, when added to the principal balance due, totals \$28,342.31; and

WHEREAS, the County has given the borrower numerous occasions to remit payment to the County and the borrower has not responded to our communications.

WHEREAS, the Sullivan County Agri Business Revolving Loan Fund Advisory Board has recommended litigation to collect the balance of the debt; and

WHEREAS, the County needs to make its best efforts to recover the funds it loans to all borrowers so that monies are available to loan out to other individuals and businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature authorizes the County Attorney to commence litigation against the borrowers to recover the full Loan amount due.

Moved by Mrs. Binder, seconded by Mr. Hiatt put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 56-11 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO COMMENCE LITIGATION ON PAUL & ALEXANDRA DENCH-LAYTON DBA VIOLET HILL FARM FOR DEFAULT OF AN AGRIBUSINESS REVOLVING LOAN

WHEREAS, on September 18, 2003 the County of Sullivan (the “County”) entered into an Agri-Business Micro-Enterprise Loan Agreement with Paul & Alexandra Dench-Layton d/b/a Violet Hill Farm (“borrowers”), pursuant to which the County loaned them the sum of \$23,264.27; and

WHEREAS, the borrowers last paid the County in May 2006, for payment due on the loan through August 2005; and

WHEREAS, to date, the County has received a total of \$4,028.73, leaving a remaining principal balance of \$19,235.54; and

WHEREAS, the Loan Agreement provides for late payment penalties and interest on the Loan, which, when added to the principal balance due, totals \$22,843.33; and

WHEREAS, the County has afforded the borrower numerous opportunities to remit payments in an effort to become current with their obligations, yet the borrowers have not responded to any communications; and

WHEREAS, the Sullivan County Agri Business Revolving Loan Fund Advisory Board has recommended litigation to collect the balance of the debt; and

WHEREAS, the County needs to make its best efforts to recover the funds it loans to all borrowers so that monies are available to loan out to other individuals and businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature authorizes the County Attorney to commence litigation against the borrowers to recover the full Loan amount due.

Moved by Mr. Hiatt, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

The following resolutions were approved in the Executive and PEMRP meetings today.

TECHNICALLY CORRECTED

~~A~~ RESOLUTION NO. 57-11 INTRODUCED BY THE EXECUTIVE COMMITTEE IN FURTHERANCE OF INCREASED ACCESS AND PUBLIC DISCLOSURE BY CERTAIN OUTSIDE AGENCIES AND ORGANIZATIONS

WHEREAS, the County of Sullivan, either alone, or in conjunction with the State of New York, provides funding to and/or retains a number of agencies and organizations which the County believes can assist with economic development within the County, and

WHEREAS, by Resolution 477-06 the Sullivan County Legislature required that agencies or organizations funded by the County of Sullivan be required to submit certain performance documentation as a condition of continued eligibility for the receipt of County funding, and

WHEREAS, the County Legislature now finds that the same requirements previously applied to funded agencies by Resolution 477-06 should also be applied to any agency or organization with respect to whom the County Legislature has the right to appoint a member or members to their Boards of Directors or has the right to approve appointments thereto, and

WHEREAS, the County Manager previously directed that the County's MIS Department create a webpage on the Sullivan County website (www.co.sullivan.ny.us) dedicated to the maintenance of **full board** minutes of the Sullivan County Legislature, and the Boards of external organizations and agencies which receive funding from the County and agencies that have Board of Directors appointed by the Legislature or the Legislature approves the appointments thereto.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Legislature that the following Disclosure and Accountability Program is hereby adopted as the public policy of the County of Sullivan:

1. Each outside agency or organization that is either subject to the requirements of Resolution 477-06 or this resolution, shall submit any and all documents required and requested by the County to the County Manager in a timely manner, as frequently as appropriate, but not less than annually. Documents and reports that are otherwise created or available more frequently shall be transmitted to the County Manager in a timely manner.
2. The County Manager shall have the MIS Department create and maintain an exclusive webpage on the County's website on which all of the reports and documents due to be submitted pursuant to this Resolution and pursuant to Resolution 477-06 shall be placed in a timely manner.
3. The website shall contain and be updated as frequently as data is created or available in a timely manner, on at least an annual basis, to contain the policy's and procedures employed by the entity in granting incentives, and any and all measurement tools employed by the agency. The measurement tools employed by the agency shall be in easily understood language, with clearly defined goals and expectations. This includes, but is not limited to, information on (1) the type and location of the project; (2) the project applicant; (3) the nature and value of all tax exemptions granted to the project and the annual PILOT payments due from and actually paid by the project; (4) the status of new jobs to be created or existing jobs to be retained during the period of financial assistance. Any decision by the agency to (1) continue financial assistance to a project that has changed corporate ownership; (2) extend or alter the terms of a current financial assistance agreement; (3) issue additional debt to support a current project; or (4) re-finance outstanding debt shall be reported and disclosed in a timely manner in accordance with this resolution.
4. The website shall contain and be updated, on at least an annual basis, a comprehensive list of those projects receiving any county agency granted assistance or incentives, and an analysis of the performance of each project. Such analysis should concisely convey, in easily understood language, performance over the most recent reporting period and cumulatively over the life of the project incentive agreement. Such analyses will include, though not be limited to, declaring the following performance elements: total net tax exemption, tax exemption for each respective jurisdiction and class; full-time equivalent employment estimated to result from each project incentive agreement; net full-time equivalent employment change, as determined by the current number of full-time equivalents minus the number of full-time equivalents before the project incentive agreement.
5. There shall be a required policy in accordance with applicable law to determine the process of "Employment Goal Deficits" of financial assistance provided to a project, if that project failed to satisfy any clearly defined goals and expectations associated with the project. Said policy shall include, but not be limited to (1) the nature and value of all tax exemptions granted to the project and the annual PILOT payments due from and

actually paid by the project; and (2) the status of new jobs to be created or existing jobs to be retained during the period of financial assistance.

6. There shall be an annual report to the County Legislature on the overall financial impacts that resulted from the Agency's assistance and incentive programs that once accepted shall become part of the dedicated Website.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 58-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A CONTRACT WITH SULLIVAN LEGAL AID PANEL, INC. FOR THE FISCAL YEAR 2011

WHEREAS, pursuant to County Law Section 722, Sullivan County is required to provide counsel to persons charged with a crime or who are entitled to counsel pursuant to Section 262 or Section 1120 of the Family Court Act Article 6-C of the Correction Law or Section 407 of the Surrogate's Court Procedure Act, who are financially unable to obtain counsel; and

WHEREAS, Sullivan Legal Aid Panel, Inc., a not-for-profit corporation, has provided, under an existing contract, such services and legal representation of indigents in all matters in Sullivan County which are mandated by statute or case law; and

WHEREAS, the contract with Sullivan Legal Aid Panel, Inc. expired on December 31, 2010 and both parties are desirous of renewing said contract.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with Sullivan Legal Aid Panel, Inc. for one (1) year commencing January 1, 2011, in an amount not to exceed Seven Hundred Forty-One Thousand (\$741,657) and Six hundred Fifty-Seven Dollars, said contract be in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that the Sullivan Legal Aid Panel, Inc. shall deliver a document of financial guarantee to the County Attorney; and

BE IT FURTHER RESOLVED, that the County Manager shall negotiate the primary coverage areas between Sullivan Legal Aid Panel, Inc. and the Sullivan County Conflict Legal Aid, Inc. to provide for an more equitable distribution of the caseload involved; and

BE IT FURTHER RESOLVED, that the County Manager shall provide a written report on the results of the negotiations and a recommended plan of primary coverage to the County Legislature within fifteen days of the adoption of this resolution; and

BE IT FURTHER RESOLVED, that the County Manager is hereby directed to develop a Request for Proposal (RFP) for these services for an award from such RFP to be completed in advance of the 2012 Fiscal year.

Moved by Mrs. LaBuda, seconded by Mrs. Goodman, put to a vote with Mr. Sorensen opposed, resolution carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 59-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A CONTRACT WITH SULLIVAN COUNTY CONFLICT LEGAL AID, INC.

WHEREAS, the County has adopted a Plan for representation of persons who are financially unable to obtain counsel pursuant to County Law Section 722; and

WHEREAS, in order to provide the required legal counsel to indigents the County shall enter into a contract with Sullivan Legal Aid Panel, Inc. commencing January 1, 2011 through December 31, 2011; and

WHEREAS, the County has a State mandated responsibility to provide representation of indigents in the event there is a conflict of interest with the Sullivan Legal Aid Panel, Inc.; and

WHEREAS, it is in the best interest of the County of Sullivan to contract with Sullivan County Conflict Legal Aid, Inc. to perform this service.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with Sullivan County Conflict Legal Aid, Inc. for one (1) year commencing January 1, 2011, in an amount not to exceed Four Hundred Fifty-Five Thousand (\$455,000) Dollars, said contract be in such form to be approved by the County Attorney; and

BE IT FURTHER RESOLVED, that the Sullivan County Conflict Legal Aid, Inc. shall deliver a document of financial guarantee to the County Attorney; and

BE IT FURTHER RESOLVED, that the County Manager shall negotiate the primary coverage areas between Sullivan Legal Aid Panel, Inc. and the Sullivan County Conflict Legal Aid, Inc. to provide for an more equitable distribution of the caseload involved; and

BE IT FURTHER RESOLVED, that the County Manager shall provide a written report on the results of the negotiations and a recommended plan of primary coverage to the County Legislature within fifteen days of the adoption of this resolution; and

BE IT FURTHER RESOLVED, that the County Manager is hereby directed to develop a Request for Proposal (RFP) for these services for an award from such RFP to be completed in advance of the 2012 Fiscal year.

Moved by Mrs. LaBuda, seconded by Mrs. Goodman, put to a vote with Mr. Sorensen opposed, resolution carried and declared duly adopted on motion January 20, 2011.

RESOLUTION 60-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A SERVICE AGREEMENT WITH PROACT, INC., FOR DISCOUNT PROGRAM SERVICES

WHEREAS, ProAct, Inc. ("ProAct"), offers a pharmacy prescription drug discount card plan for the dispensing of prescription drugs to eligible individuals as determined by ProAct, and

WHEREAS, the County of Sullivan Community Services Department desires to engage ProAct to perform services relating to the prescription discount card program in substitution of the present NACO discount card program, and

WHEREAS, ProAct will also provide additional discount services including but not limited to vision, LASIK, hearing and dental, and

WHEREAS, ProAct is qualified to perform the matters referred to in the Service Agreement, which is annexed hereto, and

WHEREAS, ProAct is responsible for any pharmacy network administration fees and therefore the County of Sullivan shall incur no expense as demonstrated in the Service Agreement (attached), and

WHEREAS, the eligible individuals are entitled to pay the cash discount pharmacy reimbursement rates as set forth in Exhibit A of the Service Agreement (attached), and

WHEREAS, the agreement shall become effective February 1, 2011 for a term of three (3) years and thereafter shall continue in effect for an additional one (1) year term.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a Service Agreement with ProAct and said agreement to be in the form approved by the County Attorney.

Moved by Mr. Hiatt, seconded by Mr. Sager, put to a vote unanimously carried and declared duly adopted on motion January 20, 2011.



PROACT, INC.
SERVICE AGREEMENT
with
SULLIVAN COUNTY
for
DISCOUNT PROGRAM SERVICES

ProAct, Inc.
1230 U.S. Highway 11
Gouverneur, NY 13642

SERVICE AGREEMENT

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PROACT, INC. SERVICE AGREEMENT

THIS SERVICE AGREEMENT, hereinafter referred to as the "AGREEMENT," is entered into this 1st day of January, 2011, and shall be effective on the 1st day of February, 2011 (the "Effective Date"), between ProAct Inc., with offices located at 1230 U.S. Highway 11, Gouverneur, NY 13642, hereinafter referred to as "ProAct," and Sullivan County, hereinafter referred to as "Client," with offices located at 100 North Street, Monticello, NY 12701-5012.

WHEREAS, Client is a municipality organized under the laws of the State of New York and desires to offer a pharmacy prescription drug discount card plan providing for the dispensing of prescription drugs to Covered Persons; and

WHEREAS, Covered Persons may obtain discount services principally through the ProAct Pharmacy Network at negotiated prescription drug prices; and

WHEREAS, Client desires hereby to engage ProAct to perform services relating to prescription Discount Card Program processing, pricing and reporting required by Client. ProAct will also provide additional discount services including but not limited to Vision, LASIK, Hearing and Dental; and

WHEREAS, ProAct is qualified to perform the matters referred to hereunder and is willing to do so upon and subject to the terms and conditions hereof.

NOW THEREFORE, in consideration of the mutual promises and agreement herein contained, Client and ProAct hereby agree as follows:

ARTICLE I DEFINITIONS

- 1.1 Average Wholesale Price.
The term "Average Wholesale Price" or "AWP" means the published wholesale price of a prescription drug or medication based upon the applicable drug manufacturer's published wholesale price as found in the most current First Data Bank electronic pricing compendia.
- 1.2 Covered Person.
"Covered Person" shall refer to those individuals and their dependents who are entitled to prescription discount card services through the Discount Card Program.
- 1.3 Discount Card Program.
The term "Discount Card Program" shall mean a discount program where a Covered Person is entitled to pay the Cash Discount Pharmacy Reimbursement Rates set forth on Exhibit A hereof pursuant to the Discount card Program maintained by ProAct through the ProAct Pharmacy Network.
- 1.4 Implementation Date.
The Implementation Date shall be the date on which the Discount Card Program becomes effective, currently scheduled for February 1, 2011.
- 1.5 ProAct Pharmacy Network.
The "ProAct Pharmacy Network" consists of a pharmacy network established by ProAct to provide covered prescription drugs and other products under the Discount Card Program.

ARTICLE II DUTIES TO BE PERFORMED BY CLIENT

- 2.1 Covered Persons. Client understands that ProAct will provide Discount Cards to all persons within Sullivan County that ProAct deems to be eligible to participate in the Discount Card Program. Client understands that the Discount Card Program will be exclusively offered through the ProAct Pharmacy Network.
- 2.2 Transaction Charges. Client and ProAct acknowledge that the ProAct Pharmacy Network (and not the Client) is responsible for any applicable transaction charges associated with the Discount Card Program.

- 2.3 Pharmacy Network Administration. Client and ProAct understand and agree that the ProAct Pharmacy Network and contracting pharmacies (and not the Client) are responsible for a Pharmacy Network Administration fee.

ARTICLE III
DUTIES TO BE PERFORMED BY PROACT

- 3.1 Provision of Services to Client. ProAct agrees to provide to Client the following services: Explanation of Benefits (“EOBs”) sent to participating pharmacies which detail each Claim.
- 3.2 Collection of Payment of Participating Pharmacies. Prior to providing to Covered Person any of the discount services to which such Covered Person is or may be entitled, **ProAct** Pharmacy Network shall be required to collect from Covered Persons the Discount Card Reimbursement Rates set forth on Exhibit A for the applicable prescription drug.
- 3.3 Confidential Covered Persons Information. ProAct and Client agree that all Covered Persons information relating to covered drugs prescribed by a physician, and other records identifying Covered Persons, shall be treated as confidential except to the extent that disclosure may be required pursuant to state or federal laws or regulations or as may be permitted by Client.
- 3.6 Hours of Service. ProAct shall provide an 800 Help Line which shall be available to Client and the ProAct Pharmacy Network during ProAct's regular hours of business. These hours shall be Monday through Friday, 7:00 am to 7:00 pm and Saturday, 8am to 4:30pm Eastern Standard Time (EST) and Eastern Daylight Time (EDT). Restat Pharmacy help desk hours will be Monday through Friday 7:00 am to 12:am. Saturday, 8:00 am to 8:00 pm EST and EDT and Sunday, 8:00 am to 8:00 pm EST and EDT. These hours do not include national holidays, and may be altered at any time. It is agreed, however, that Client and the ProAct Pharmacy Network shall be notified of any changes to schedule of business hours.
- 3.7 HIPAA Compliance. For the purposes of this Agreement, ProAct agrees that ProAct is deemed to be Client’s “Business Associate/Clearinghouse” as the terms are defined in the Privacy Standard of the Federal Register, published on December 28, 2000. ProAct agrees to comply with all applicable regulations published pursuant to the Health Insurance Portability and Accountability Act of 1996, Subtitle F – Administrative Simplification, (referred to in this Agreement as “HIPAA”), prior to the effective enforcement date of each standard. In addition, without limiting any other provision of this Agreement:
- a. all services provided by ProAct under this Agreement will be provided in such a manner as to enable Client to remain at all times in compliance with all HIPAA regulations applicable to Client, to the extent that Client’s compliance depends upon the manner in which such services are performed by ProAct; and
 - b. all software, application programs and other products licensed or supplied by ProAct under this Agreement will contain such characteristics and functionality (including as applicable, but not limited to, the ability to accept and securely transmit data using the standard HIPAA transaction sets) as necessary to ensure that Client’s use of such software, application programs and other products and associate documentation from ProAct will fully comply with the HIPAA regulations applicable to Client.

In the event any amendment to this Agreement is necessary for Client to comply with the HIPAA regulations as they relate to this Agreement or its subject matter, including, but not limited to, requirements pertaining to Business Associate agreements, Client and ProAct will negotiate in good faith to amend, and will amend, this Agreement accordingly, such amendment to be effective prior to the date compliance is required under each standard of the HIPAA regulations.

ARTICLE IV
RECORDS

- 4.1 Maintenance of Records. ProAct shall maintain, in the original form or other media, information received from the ProAct Pharmacy Network. Upon notification to ProAct, Client shall have access to such records during normal business hours.
- 4.2 Ownership of Records. All information obtained by ProAct shall be the property of ProAct. These records shall remain accessible for examination and audit by Client for six (6) years after the date of payment of claims, upon prior written notice, at reasonable intervals during the regular business hours of ProAct.

ARTICLE V
ASSIGNMENT

- 5.1 Assignment by Client. Client may not assign this Agreement or any portion thereof to any service or organization without first having obtained prior written consent of ProAct, which consent shall not be unreasonably withheld.
- 5.2 Assignment by ProAct. ProAct may not assign this Agreement or any portion thereof to any service or organization without first having obtained prior written consent of Client, which consent shall not be unreasonably withheld.

ARTICLE VI
HOLD HARMLESS

- 6.1 Indemnity by ProAct. ProAct shall indemnify and hold harmless Client, and its employees and other agents, from and against any claims, liabilities, damages, judgments or other losses (including attorneys' fees) imposed upon or incurred by them arising out of or as a result of any acts or omissions of ProAct, or its officers, directors, employees or other agents, in connection with the performance of any of their respective obligations under this Agreement.

ARTICLE VII
GRIEVANCE PROCEDURE

[Intentionally Omitted]

ARTICLE VIII
REBATE ADMINISTRATION

- 8.1 Rebate Disclosure. As constituted, the Discount Card Program will not qualify for rebates from drug manufacturers.

ARTICLE IX
GENERAL PROVISIONS

- 9.1 Use of Software. Client acknowledges that ProAct asserts ownership of the entire software system used by ProAct in processing Claims and preparing reports including computer programs, system and program documentation, and other documentation relating thereto, and that such software system is the exclusive and sole property of ProAct. Client disclaims any rights to the system, reports, procedures or forms developed by ProAct.
- 9.2 Waiver. The waiver by either party of any breach of this Agreement shall not constitute a waiver of any subsequent breach of any term or condition hereof.
- 9.3 Severability. If any provision of this Agreement shall be invalid, illegal, or unenforceable by a court of competent jurisdiction, the remaining provisions hereof shall not in any way be affected or impaired thereby.
- 9.4 Choice of Law. This Agreement shall be construed, interpreted, and governed according to the laws of the State of New York.
- 9.5 Force Majeure. Neither ProAct nor Client shall be liable for a failure or delay in performance hereunder arising from acts of God, acts of a public enemy, acts of a sovereign nation or any state or political subdivision or any department or regulatory agency thereof or entity created thereby, acts of any person engaged in a subversive activity or sabotage,

fires, floods, earthquakes, explosions, strikes, slow-downs, lockouts or labor stoppage, or freight embargoes, unless caused by either party.

9.6 Entire Agreement. This Agreement and the exhibits identified below contain the entire agreement of the parties hereto and supersede all prior agreements, representations and understandings, whether written or oral, between the parties relating to the subject matter hereof. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original.

9.7 Notice. Any notice required or permitted by this Agreement, unless otherwise specifically provided for in this Agreement, shall be in writing and shall be deemed given three (3) days after the date it is deposited in the Client States mail, postage prepaid, registered or certified mail, or hand delivered addressed as follows:

To ProAct: David B. Warner, President
1230 U.S. Highway 11
Gouverneur, NY 13642

To Client: Jonathan Rouls, Legislative Chair
100 North Street
Monticello, NY 12701

With a copy to: Samuel S. Yasgur, County Attorney
100 North Street
Monticello, NY 12701

9.8 Use of Name. Neither party shall use the other party's name, trade or service mark, logo, or the name of any affiliated company in any advertising or promotional material, presently existing or hereafter established by Client, except in the manner and to the extent permitted by prior written consent of the other party.

9.9 Independent Contractors. Client and ProAct are independent entities and nothing in this Agreement shall be construed or be deemed to create a relationship of employer and employee or principal and agent or any relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the provisions of this Agreement. Nothing in this Agreement is intended to be construed, or be deemed to create, any rights or remedies in any third party, including but not limited to an Eligible Member.

9.10 Consent to Amend. This Agreement or any part or section of it may be amended at any time during the term of the Agreement by an amendment in writing executed by duly authorized representatives of ProAct and Client.

9.11 Headings. The headings of articles and sections contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

9.12 Compliance with Laws and Regulations. This Agreement will be in compliance with all pertinent federal and state statutes and regulations. If this Agreement, or any part hereof, is found not to be in compliance with any pertinent federal or state statute or regulation, then the parties shall renegotiate the Agreement for the sole purpose of correcting the non-compliance.

9.13 Protection of Confidentiality and Programs. ProAct agrees to ensure the confidentiality of all information obtained from Client including but not limited to: financial, utilization, or any other information related to the delivery of health care. Information may be used in a blinded, cumulative manner by ProAct for general plan performance comparisons.

ARTICLE X EXCLUSIVITY

10.1 Client agrees that, during the term hereof, ProAct shall be the sole and exclusive agent for the purpose of administration of Client's discount pharmacy services program to its Covered Persons, as described herein.

ARTICLE XI TERM AND TERMINATION

- 11.1 Term. This Agreement shall become effective on the Implementation Date for a term of three (3) years and thereafter shall continue in effect for additional one (1) year terms unless terminated on its anniversary date by either party by certified or registered mail at least ninety (90) days prior to such date. Termination shall have no effect upon the rights and obligations of the parties arising out of any transactions occurring prior to the effective date of such termination.
- 11.2 Termination. This Agreement may be terminated at any time by either party for failure to comply with any terms or conditions herein stated or for any other just and sufficient cause provided, however, that sixty (60) days' written notice of such failure shall be given to the offending party and such party shall have the opportunity to cure such noncompliance during such sixty (60) day notice period.
- 11.3 Termination Without Cause. This agreement may be terminated at any time by either party without cause; provided, however, that thirty (30) days' written notice of termination shall be given to the other party.
- 11.4 Immediate Termination. This Agreement may be terminated by either party upon written notice to the other party in the event: the other party makes an assignment for the benefit of creditors, files a petition of bankruptcy, is adjudicated insolvent or bankrupt, has a receiver or trustee appointed for a substantial part of its property, change of ownership, or has a proceeding commenced against it which will substantially impair its ability to perform hereunder.

The provisions of this Agreement shall bind and inure to the benefit of the parties hereto and their heirs, legal representatives, successors and assignees. This Agreement constitutes the entire understanding between the parties hereto.

PROACT, INC.

SULLIVAN COUNTY

DAVID B. WARNER, R.Ph.
PRESIDENT

DAVID P. FANSLAU
COUNTY MANAGER

DATE

DATE

APPROVED AS TO FORM:

SAMUEL S. YASGUR, COUNTY ATTORNEY

**EXHIBIT A
FEE SCHEDULE**

PROCESSING FEE: **\$0.00 PER PAID CLAIM**

Processing services include the following:

- Monthly utilization and savings reports
- Quarterly network pharmacy utilization reports
- Administration of a standard MAC program (MAC – Maximum Allowable Cost)
- EOB claims payment detail sent to network pharmacies

Discount Card Reimbursement Rates:

Covered Persons shall pay to pharmacies participating in the ProAct Pharmacy Network one hundred percent (100%) of the calculated price of each prescription as follows:

Retail Store Rate

Brand:	AWP – 13% + \$4.00 Dispensing Fee
Generic:	AWP – 15% or MAC + \$4.00 Dispensing Fee

Mail Order Rate

Brand:	AWP – 18% + \$3.25 Dispensing Fee
Generic:	AWP – 48% + \$3.50 Dispensing Fee

Vision, LASIK, and Hearing Discount Services

Above and beyond the stated Prescription Drug Discount Card Services, ProAct, Inc. will provide access to Vision, Hearing, and LASIK service discounts. These services and any future discount services will continue to be provided at no cost to the County and no premium cost to participants, who will pay only the discounted rate for such services.

Discounted Dental Plan

Above and beyond the stated Prescription Drug Discount Card Services, ProAct, Inc. will also provide access to discounted dental plans. This service will be provided at no cost to the County with a premium cost to the participant, who will pay the discounted rate for the selected plan.

RESOLUTION NO. 61-10 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY OF SULLIVAN TO PURSUE LEAD AGENCY STATUS FOR THE SEQRA PROCESS FOR THE PROPOSED PUBLIC SAFETY COMMUNICATIONS SYSTEM PROJECT

WHEREAS, the County of Sullivan is in the process of investigating the upgrade of its Emergency and Public Radio Communications System (“Project”), and

WHEREAS, the Project is subject to the requirements of the State Environmental Quality Review Act (SEQRA) as defined in Title 5 NYCRR Section 617, and

WHEREAS, the Project will include acquisition of new communication frequencies and the acquisition of new equipment, rehabilitation of existing transmission towers and construction of new transmission towers, and

WHEREAS, in accordance with the SEQRA requirements the County of Sullivan is eligible to act as Lead Agency for the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County of Sullivan to pursue designation of and act as Lead Agency for the SEQRA process for the Project.

Moved by Mr. Sorensen, seconded by Mr. Sager, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO 62-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE EXECUTION OF A CONTRACT WITH THE SULLIVAN COUNTY LONG BEARDS NEW YORK STATE CHAPTER, NATIONAL WILD TURKEY FEDERATION INC.

WHEREAS, the Sullivan County Long Beards New York State Chapter, National Wild Turkey Federation Inc. provides services, activities and educational programs for the youth in Sullivan County; and

WHEREAS, the County of Sullivan has appropriated \$2,000 in the 2011 County Budget for the Sullivan County Long Beards New York State Chapter, National Wild Turkey Federation Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into a contract at a cost of \$2,000 with the Sullivan County Long Beards New York State Chapter, National Wild Turkey Federation Inc. to enable payment of the budgeted appropriation in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Wood, seconded by Mr. Sager put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

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RESOLUTION NO. 63-11 INTRODUCED BY THE EXECUTIVE COMMITTEE URGING THE STATE OF NEW YORK TO ELIMINATE THE UNFUNDED MANDATES AND REDUCE THE UNDERFUNDED MANDATES THAT CAUSE COUNTY PROPERTY TAX INCREASES IN CONJUNCTION WITH IMPOSING A CAP ON COUNTY PROPERTY TAXES

WHEREAS, Governor Andrew Cuomo and many State Legislators are supportive of a cap on Local and County property tax levies of 2%, or inflation, whichever is less; and

WHEREAS, little or no action has been taken by the State of New York to decrease or control the costs of unfunded State mandates, which have been driving County property tax levels for decades; and

WHEREAS, without mandate reform, such a cap would be disingenuous because State mandates make up as much as 75 to 85 percent of a County budget, and these State costs increase substantially each year, well over the proposed 2% cap. Some examples:

- County payments to the NYS Retirement System are expected to rise 15% in 2012.
- The local cost of Medicaid rises 3% each year, and Sullivan County will send approximately \$20.5 million of local tax money to Albany in 2012.
- The State continues to shift its costs to Counties in the 2010-11 budget and likely will shift costs in the 2011-12 State budget.
- New York State currently owes Sullivan County about \$15 million, overdue for State services rendered by Sullivan County.

- During the 2010 legislative session, the State shifted over \$100 million in costs to Counties for delivering state services locally in child welfare and youth detention programs, representing yet another unfunded mandate.
- The State of New York has cut aid to Public Nursing Homes.
- The Mental Hygiene mandates require more than \$2 million of property tax revenues annually in Sullivan County.
- Health Insurance premiums through NYSHIP grew by more than 13% in 2011, requiring an additional \$1 million from Sullivan County's property tax levy, or more than a 2% increase.

WHEREAS, Counties are mandated by the State to use County tax dollars to pay for State programs such as Medicaid, mental hygiene, early intervention services, pre-school special education services, public assistance, child welfare, youth detention, jails, and numerous other programs; and

WHEREAS, the property tax cap proposal does nothing to reduce or eliminate the current mandates; and

WHEREAS, the property tax cap proposal allows County boards to override the cap with a two-thirds majority vote, thereby not only shifting costs to County governments, but also unfairly shifting blame to County leaders for property tax increases that are actually caused by the State Government.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature urges the State not to impose a Local or County property tax cap, unless it is coupled with the elimination of the unfunded and underfunded State mandated programs that directly cause County property tax increases; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall transmit copies of this resolution to Governor ~~Andrew Cuomo~~ ~~David Paterson~~, Senate Majority Leader Dean Skelos, Senate Minority Leader John Sampson, Assembly Speaker Sheldon Silver, Assembly Republican Leader Brian Kolb, State Senator John J. Bonacic, 42nd Senatorial District, Assemblywoman Aileen M. Gunther, 98th Assembly District, all New York State County Governing Bodies, all Sullivan County Towns and Villages, and the New York State Association of Counties.

Moved by Mrs. LaBuda, seconded by Mr. Sager, put to a vote, unanimously carried and declared duly adopted on motion January 20, 2011.

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RESOLUTION NO. 64-11 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO WITHDRAW PARCELS FROM THE 2010 TAX FORECLOSURE PROCEEDING AND TO CANCEL CERTAIN TAXES

WHEREAS, the County Treasurer is the real property tax Enforcement Officer for the County of Sullivan pursuant to the Real Property Tax Law of the State of New York; and

WHEREAS, five parcels, TH23.-1-66; TH 23.-1-67.1; TH 23.-1-67.2; TH 121.-2-1; TH121.-2-2, meet one or more of the criteria so that they should be withdrawn from the foreclosure proceedings pursuant to Section 1138 of the Real Property Tax Law; and

WHEREAS, with regard to said parcel, the County Treasurer has determined that the commencement of supplementary proceedings pursuant to Section 1138(5) of the Real Property Tax law in the manner provided by Section 990 of the Real Property Tax Law would not be an effective means to enforce collection of the delinquent tax liens at the present time because the property owner is an entity with no apparent assets; and

WHEREAS, there is no practical method to enforce the collection of the delinquent tax liens regarding said parcels and a supplementary proceeding to enforce collection of the taxes would not be effective; and

WHEREAS, it would be in the best interest of the County to have the County Treasurer execute and file a Certificate of Cancellation and a Certificate of Prospective Cancellation affecting said parcels; and

WHEREAS, the County has made the other tax districts whole regarding the delinquent tax liens affecting said parcels; and

WHEREAS, it would be in the best interest of the County to charge back to the various municipal corporations the amount so credited or guaranteed.

NOW, THEREFORE, BE IT RESOLVED, should the Sullivan County Treasurer execute and file a Certificate of Withdrawal pertaining to TH 23.-1-66, TH 23.-1-67.1, TH 23.-1-67.2, TH 121.-2-1, TH 121.-2-2 pursuant to Real Property Tax law Section 1138(1) then he is hereby authorized to issue a Certificate of Cancellation pursuant to Section 1138(6)(b) and to charge back to the affected municipal corporations the amounts so credited or guaranteed pursuant to Section 1138(6)(d), and to file a copy of same with the Assessor of the assessing unit in which said parcel is located, and with the County Director of Real Property Tax Services pursuant to Section 1138(6)(d) of the Real property Tax law, thereby making said parcels exempt until this governing body shall determine that said parcels should be restored to the taxable portion of the assessment roll.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

**RESOLUTION NO. 65-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011
TAX ROLL OF THE TOWN OF CALLICOON FOR TAX MAP #22.-1-26**

WHEREAS, an application dated January 4, 2011 having been filed by Richard and Diane Conroy with respect to property assessed to said applicant on the 2011 tax roll of the Town of Callicoon Tax Map #22.-1-26 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure to apply the Enhanced STAR to the School Tax which was relieved onto the 2011 Town and County Tax Roll; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 12, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

**RESOLUTION NO. 66-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011
TAX ROLL OF THE TOWN OF HIGHLAND FOR TAX MAP #29.-1-9.5**

WHEREAS, an application dated January 5, 2011 having been filed by Robert W. Nelson Jr. & Beatrice M. Nelson with respect to property assessed to said applicant on the 2011 tax roll of the Town of Highland Tax Map #29.-1-9.5 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the vacant property being incorrectly charged a solid waste fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 12, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 67-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF MAMAKATING FOR TAX MAP #10.-1-21.1

WHEREAS, an application dated January 3, 2011 having been filed by Town of Mamakating with respect to property assessed to said applicant on the 2011 tax roll of the Town of Mamakating Tax Map #10.-1-21.1 pursuant to Section 554 of the Real Property Tax Law, to correct an unlawful entry on said tax roll resulting from the property being used for highway purposes and as such should have been wholly exempt; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 12, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of an unlawful entry.

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 68-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF MAMAKATING FOR TAX MAP #32.-8-2

WHEREAS, an application dated January 5, 2011 having been filed by Patricia M. Tunick with respect to property assessed to said applicant on the 2011 tax roll of the Town of Mamakating Tax Map #32.-8-2 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being incorrectly charged the maximum solid waste fee for its class when it should have been charged for only 5 units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 12, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 69-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF MAMAKATING FOR TAX MAP #76.-5-1

WHEREAS, an application dated January 5, 2011 having been filed by Westbrookville Volunteer Fire Co. with respect to property assessed to said applicant on the 2011 tax roll of the Town of Mamakating Tax Map #76.-5-1 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the vacant property being incorrectly charged a solid waste fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 12, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

**RESOLUTION NO. 70-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT 2009 TAX
ROLL OF THE TOWN OF CALLICOON FOR TAX MAP #28.-1-53**

WHEREAS, an application dated January 6, 2011 having been filed by John and Valerie Denier with respect to property assessed to said applicant on the 2009 tax roll of the Town of Callicoon Tax Map #28.-1-53 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the erroneous calculation of the Disabled Veterans Exemption; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 18, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error.

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute and order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

**RESOLUTION NO. 71-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT 2010 TAX
ROLL OF THE TOWN OF CALLICOON FOR TAX MAP #28.-1-53**

WHEREAS, an application dated January 6, 2011 having been filed by John and Valerie Denier with respect to property assessed to said applicant on the 2010 tax roll of the Town of Callicoon Tax Map #28.-1-53 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the erroneous calculation of the Disabled Veterans Exemption; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 18, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error.

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute and order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

**RESOLUTION NO. 72-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011
TAX ROLL OF THE TOWN OF CALLICOON FOR TAX MAP #28.-1-53**

WHEREAS, an application dated January 6, 2011 having been filed by John and Valerie Denier with respect to property assessed to said applicant on the 2011 tax roll of the Town of Callicoon Tax Map #28.-1-53 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the erroneous calculation of the Disable Veterans Exemption; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 18, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

**RESOLUTION NO. 73-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011
TAX ROLL OF THE TOWN OF ROCKLAND FOR TAX MAP #45.-1-34.2**

WHEREAS, an application dated January 4, 2011 having been filed by LuAnne Roberts with respect to property assessed to said applicant on the 2011 tax roll of the Town of Rockland Tax Map #45.-1-34.2 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being incorrectly classified as commercial when it should have reflected a vacant land classification which caused it to be incorrectly charged a solid waste fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 18, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

**RESOLUTION NO. 74-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE A MASS
CORRECTION OF ERRORS TO CORRECT THE 2011 TAX ROLLS OF THE COUNTY
OF SULLIVAN PURSUANT TO RPTL 556-B.**

WHEREAS, an application dated January 12, 2011 having been filed by David Fanslau, County Manager, on behalf of the County of Sullivan with respect to properties assessed to property owners on the 2011 tax roll of the Towns of Bethel, Callicoon, Cochection, Delaware, Fallsburg, Forestburgh, Fremont, Highland, Liberty, Lumberland, Mamakating, Neversink, Rockland, Thompson, and Tusten Tax Map #'s on the list attached to the application which is on file in the offices of the Clerk to the Sullivan County Legislature and the Director of Real Property Tax Service, pursuant to Section 556-b of the Real Property Tax Law, to correct a clerical error, on said tax roll by the erroneous entry of solid waste fees that had been charged analogous to a unit of service provided by a special district, and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 19, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because Solid Waste Fees were erroneously charged against several properties throughout Sullivan County. With respect to those properties on the list filed in the offices of the Clerk to the Legislature and Director of Real Property Tax Services they have been

changed to reflect the intent of the Local Law 7 of 2009, as amended, and the rate schedule set by the Legislature pursuant to Resolution No. 540-10.

- (b) It is the intention of this Legislature that the Correction of Errors provisions of the Real Property Tax Law be applicable to applications to correct solid waste fees on a case by case basis in the same manner as said provisions would be applicable to a tax. When it is determined by a town assessor and the County Director of Real Property Tax Services that an application to correct a solid waste fee is not covered by any Correction of Errors provisions of the Real Property Tax Law then an application shall be made to and determined by the Grievance or Appeals Board established by the Solid Waste Fee Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this board on the application, execute and order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the clerk of the County Legislature, and

BE IT FURTHER RESOLVED, that the amount of any refund pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so refunded and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the refund made pursuant to this resolution includes a relieved school tax, the Treasurer shall comply with the provisions of Section 556 (6) (b) of the Real Property Tax Law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

RESOLUTION NO. 75-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE A MASS CORRECTION OF ERRORS TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF LIBERTY PURSUANT TO RPTL 556-B.

WHEREAS, an application dated January 10, 2011 having been filed by Hon. John Schmidt, Supervisor, Town of Liberty with respect to properties assessed to his constituents on the 2011 tax roll of the Town of Liberty Tax Map #'s on the list attached to the application which is on file in the offices of the Clerk to the Sullivan Legislature and the Director of Real Property Tax Service, pursuant to Section 556-b of the Real Property Tax Law, to correct a clerical error, on said tax roll resulting from incorrect sewer district rates of SD033; SD036 and SD042, in the Town of Liberty, caused by a key punch error using the wrong roll year; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 19, 2011 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because the tax rate for the aforementioned sewer districts in the Town of Liberty has been recalculated and has changed.

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this board on the application, execute and order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the clerk of the County Legislature, and

BE IT FURTHER RESOLVED, that the amount of any refund pursuant to this

Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so refunded and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the refund made pursuant to this resolution includes a relieved school tax, the Treasurer shall comply with the provisions of Section 556 (6) (b) of the Real Property Tax Law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion January 20, 2011.

Recognition of Legislators

Mr. Hiatt stated he mentioned earlier that he plans to go around to various departments and talk with the employees about things that are occurring with our budget. Since he is subject of a lawsuit in the southern district, he has been advised by counsel that he shouldn't go. He is going to follow the advice that he gives his own clients. So he is sorry but he can't at this point come around and talk to everyone as he wanted to.

Mrs. Goodman stated she knows that Mrs. Shaddock wanted to meet with her today and she is not blowing her off, but we received a letter from our counsel and they advised us not to. Her apologies.

Chairman Rouis stated he doesn't know what everyone's schedule is like but if we do need to have a meeting next week, he would recommend scheduling an Executive Committee Meeting on Thursday morning at 9AM if that works.

Mr. Sorensen asked if it would be possible to have it at 8:30AM. He has to be on the road at 9:30AM. Mr. Sager stated he physically can't, his kids get on the bus at 8:30AM.

There being no further business, Mrs. Goodman moved to adjourn, seconded by Mrs. Binder, put to a vote and carried. The Regular Meeting was declared closed at 2:28PM subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk of the Legislature