

**Special Meeting
Sullivan County Legislature
February 23, 2011**

The Special Meeting of the County Legislature was called to order by Chairman Rouis at 12:02PM

Roll Call indicated all legislators present.

The Clerk read the notice of meeting which read as follows:

There will be a Special Meeting of the Sullivan County Legislature on **Wednesday, February 23, 2011, immediately following the adjournment of the Special Executive Committee meeting** in the Legislative Chambers of the County Government Center, Monticello, N.Y. The purpose of the meeting is to take action on any resolutions advanced from the Special Executive Committee Meeting as well as authorizing contracts with Sullivan Alliance for Sustainable Development and operation of the café that will be held on **Wednesday, February 23, 2011 at 9:15 AM** in the Legislative Chambers of the County Government Center, Monticello, N.Y.

There was no public comment.

RESOLUTION NO. 123-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, proposal was received for Energy Management Personnel, and

WHEREAS, Sullivan Alliance for Sustainable Development, Inc., is the lowest responsible contractor for such work, and

WHEREAS, the Office of Sustainable Energy 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 Sullivan Alliance for Sustainable Development, at a contract price not to exceed \$110,000.00, and in accordance with the RFP, R-11-01, dated January 14, 2011 said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Sorensen, seconded by Mr. Wood, put to a vote , unanimously carried and declared duly adopted on motion February 23, 2011.

RESOLUTION NO. 124-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, proposals were received for the Operation of the Café at the Sullivan County International Airport, White Lake, NY, and

WHEREAS, the proposal received from Jessica Butler & Anne Gadziala, is considered the most responsible contractor for such work, and

WHEREAS, the Division of Public Works has 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 Jessica Butler & Anne Gadziala, at a contract price of \$200.00/month, for two (2) years with an option to extend for three (3) yearly renewals through 2016, to be paid to the County and in accordance with the RFP, R-10-33, dated December 17, 2010, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Hiatt, seconded by Mrs. LaBuda, put to a vote , unanimously carried and declared duly adopted on motion February 23, 2011.

RESOLUTION NO. 125-11 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2011 COUNTY BUDGET

WHEREAS, the County of Sullivan 2011 Budget requires modification,

NOW, THEREFORE, BE IT RESOLVED, that the attached budgetary transfers be authorized.

Moved by Mrs. Binder, seconded by Mr. Armstrong, put to a vote , unanimously carried and declared duly adopted on motion February 23, 2011.

See Attached.

RESOLUTION NO. 126-11 INTRODUCED BY EXECUTIVE COMMITTEE: TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF LABOR.

WHEREAS, the Center for Workforce Development rents space from the New York State Department of Labor (NYSDOL) to form the Sullivan Works One Stop Center which is required by the Federal Workforce Investment Act, and

WHEREAS, the Department of Labor leases space at 50 North Street, Monticello, NY, and

WHEREAS, a lease agreement would cover the period July 1, 2009 through June 30, 2010, and

WHEREAS, the annual rent shall total \$50,807.90 (2,299 sq. ft at a rate of \$22.10 per sq. ft.), for charges which shall include cleaning, electricity, and all other costs relating to the use, occupation, operation and maintenance of the space,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into a lease agreement with NYSDOL, and such lease shall be in the form approved by the County Attorney.

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Moved by Mr. Hiatt, seconded by Mrs. LaBuda, put to a vote with Mrs. Binder opposed, resolution carried and declared duly adopted on motion February 23, 2011.

RESOLUTION NO. 127-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO RESCIND RESOLUTION NO. 115-11

WHEREAS, the Sullivan County Legislature adopted Resolution No. 115-11 on February 17, 2011 authorizing the Division of Planning to prepare and submit a Local Government Efficiency grant through the New York State Department of State (DOS); and

WHEREAS, Resolution No. 115-11 contained an error and needs to be rescinded.

NOW, THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby rescinds 115-11 in its entirety.

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote , unanimously carried and declared duly adopted on motion February 23, 2011.

RESOLUTION NO. 128-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO

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AUTHORIZE THE PREPARATION AND SUBMISSION OF A NEW YORK STATE DEPARTMENT OF STATE LOCAL GOVERNMENT EFFICIENCY GRANT FOR SULLIVAN COUNTY FOR SUSTAINABLE SAVINGS

WHEREAS, the New York State Department of State (DOS) has made available funding through its Local Government Efficiency Grants (High Priority Planning Grants), which can be utilized for municipal efficiency planning projects; and

WHEREAS, one objective of the funding is to develop implementation plans to achieve sustainable savings; and

WHEREAS, the total project cost shall be \$50,000, and the funding request for the project shall be \$45,000, with a 10% County match as required by the funding sources, said match funds in the amount of \$5,000.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Division of Planning & Environmental Management shall be authorized to prepare an application under the DOS Local Government Efficiency grant program, and

BE IT FURTHER RESOLVED, the Sullivan County Legislature does hereby authorize the Division of Planning and Environmental Management to apply for, accept and administer funding from DOS in an amount of \$50,000, and to provide the 10% matching funds (\$5,000) necessary to administer the funding.

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute any and all necessary documents to accept the grant award and any funding, should the grant be secured, in such a form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that should the funding be terminated, the County shall not be obligated to continue any action undertaken or contemplated to be undertaken for the use of this funding.

Moved by Mr. Sorensen, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion February 23, 2011.

RESOLUTION NO. 129-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ADOPT A REVISED AND UPDATED POLICY PROVIDING FOR THE TRANSFER OF ACCRUED SICK, VACATION, AND/OR COMPENSATORY TIME FROM ONE EMPLOYEE TO ANOTHER

WHEREAS, there have been many requests of employees to transfer accrued time from one employee to another employee, and

WHEREAS, the transfer of accrued sick time should only be permitted if the transferring employee has exhausted all of their available accrued vacation and compensatory time, and

WHEREAS, the employee transferring accrued time, must first transfer any available vacation and or compensatory time, before any of the transferring employees' sick time may be transferred, and

WHEREAS, the transfer of accrued sick time shall not be permitted from an employee that is terminating their employment with Sullivan County, either through retirement, or voluntary or involuntary termination

WHEREAS, the County Manager has revised and updated the attached policy to provide for the transfer of accrued sick, vacation, and/or compensatory time between employees, and

WHEREAS, the Sullivan County Legislature must adopt this revised and updated policy to effectuate the revisions.

NOW, THEREFORE, BE IT RESOLVED, that the attached policy for the transfer of accrued sick, vacation, and/or compensatory time between employees is hereby adopted, attached hereto as "Schedule A", and

BE IT FURTHER RESOLVED, that this attached policy supersedes and replaces the policy

adopted by Resolution No. 146-10 that amended Resolution No. 269-09.

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote , unanimously carried and declared duly adopted on motion February 23, 2011.

“Schedule A”

COUNTY OF SULLIVAN POLICY TRANSFER OF ACCRUED TIME FROM ONE EMPLOYEE TO ANOTHER

The County of Sullivan will allow for the transfer of accrued sick, vacation, and/or compensatory time from one employee to another employee pursuant to the following conditions:

Where an employee or their immediate family member; mother, father, spouse, child, or sibling has a medical condition which requires the employee to be on extended medical leave or to take frequent time off due to medical appointments. The employee receiving the transfer of time must have used all of their accrued time (sick, vacation, compensatory, holiday, etc.) prior to the County authorizing the transfer of other employee accrued sick, vacation, and/or compensatory time. The employee transferring accrued time, must first transfer any available vacation and or compensatory time, before any of the transferring employees' sick time may be transferred. The transfer of accrued sick time shall not be permitted from an employee that is terminating their employment with Sullivan County, either through retirement, or voluntary or involuntary termination.

Employees wishing to transfer accrued sick, vacation and/or compensatory time to another employee must complete the *Request to Transfer Accrued Sick, Vacation and/or Compensatory Time* form. This form must be submitted to the Payroll Department. The Payroll Department will confirm:

- 1.) The employee who is requesting to transfer their accrued time has the appropriate accruals, and if sick time is being transferred, then the Payroll Department must certify that the transferring employee has exhausted all of their available accrued vacation and compensatory time, and
- 2.) If Payroll does not certify that the transferring employee has exhausted all of their available accrued vacation and compensatory time, then the transfer of accrued sick time shall not be permitted, and
- 3.) The transfer of accrued sick time shall not be permitted from an employee that is terminating their employment with Sullivan County, either through retirement, or voluntary or involuntary termination, and
- 4.) The employee who will be receiving the accruals has expended all their own accrued time (sick, vacation, compensatory, holiday, etc.), and
- 5.) The transferring and receiving employees have knowledge of the transfer, and
- 6.) There is documentation of the medical condition, along with the Physician's statement in the Personnel Department as to the amount of time the employee will be out of work; In all instances the County retains the right to require the receiving employee to provide more documentation, to provide updated documentation or to see a County obtained physician, and
- 7.) Final approval of the transfer must be obtained from the County Manager, and
- 8.) The equivalent accrued time shall be credited to the receiving employee based upon the donating employee's hourly rate or salary, adjusted to the nearest ½ day.

- 9.) All requests for transfer of accrued time will be posted once approved by the County Manager.

RESOLUTION NO. 130-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO INCREASE THE PRIVATE PAY RATE AT THE ADULT CARE CENTER

WHEREAS, the Adult Care Center currently charges private payment residents \$200 per day and \$210 per day for semi-private and private rooms, respectively, and

WHEREAS, the existing private payment rates do not cover the costs per day running the facility, and

WHEREAS, the Adult Care Center Administrator has recommended that the semi-private and private pay rates be set at \$270 and \$280 per day, respectively.

NOW, THEREFORE, BE IT RESOLVED that the semi-private and private pay rates at the Adult Care Center be set at \$270 and \$280 per day, respectively.

Moved by Mr. Sorensen, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion February 23, 2011.

RESOLUTION NO. 131-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO DESIGNATE CHANCELLOR LIVINGSTON AS THE PREFERRED DEVELOPER FOR THE EAST BROADWAY REDEVELOPMENT PROJECT, PARCELS II AND III (THE FORMER APOLLO MALL PROPERTY AND THE FORMER LANDFILL PHASE II PROPERTY) AND TO AUTHORIZE THE SULLIVAN COUNTY ATTORNEY TO COMMENCE NEGOTIATIONS WITH CHANCELLOR LIVINGSTON, LLC

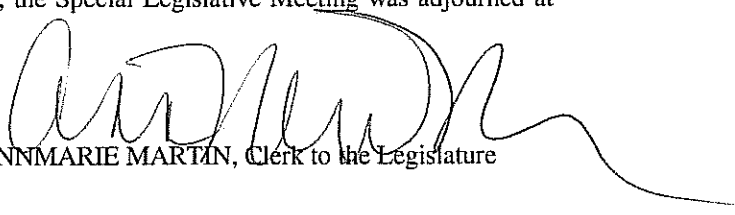
WHEREAS, the County of Sullivan ("County") is interested in negotiating with Chancellor Livingston LLC ("Chancellor Livingston") concerning the possible development for the East Broadway Redevelopment Project, parcels II and III (the former Apollo Mall property and the former Landfill Phase II property) to the uses set forth in the proposals previously submitted by Chancellor Livingston and/or related uses.

NOW THEREFORE BE IT RESOLVED that:

1. Chancellor Livingston is hereby designated as the Preferred Developer to proceed with the Environmental Review and Lease Negotiations for the above parcels, and,
2. The County Attorney is hereby authorized to negotiate with Chancellor Livingston and to make follow up recommendations to the County Legislature concerning this project, and
3. The County Attorney is authorized to retain outside professionals, including attorneys, to assist in the negotiations, the cost of which is to be reimbursed to the County by Chancellor Livingston, and
4. The County Attorney is to respond back to the County Legislature with a report and recommendation within ninety (90) days of the date of the adoption of this resolution.

Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote with Mrs. LaBuda and Mrs. Binder opposed, resolution carried and declared duly adopted on motion February 23, 2011.

Upon motion by Mr. Sorensen, seconded by Mr. Hiatt, the Special Legislative Meeting was adjourned at 12:04PM subject to the call of the Chairman.


ANNMARIE MARTIN, Clerk to the Legislature

Feb 2011
Modifications to 2011 Sullivan County Budget

Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
OMB	A-1340-R2210-R134	GEN SERV OTHR GOV CHARGBK - INTERDEPARTMNTL	240			
Public Health - Healthy Begin.	A-4010-36-R2705-R338	GIFT/DONATION OTHER	500			
Public Health - EI	A-4059-R4401-R402	FED AID PUBLIC HEALTH - ARRA	2,500			
CWD	A-6293-R1989-R313	ECONOMIC ASSIST TANF EMPLOY PROGRAM	23,138			
CWD	A-6293-R4789-R329	FED AID OTHR ECONOMIC ASSIST WHEELS TO WORK	2,346			
CWD	A-6293-R4791-R178	FED AID WIA DISLOCATED WORKER	1,546			
CWD	A-6293-R4791-R336	FED AID WIA YOUTH	10,194			
CWD	A-6293-R4791-R341	FED AID WIA ADULT	13,584			
CWD	A-6293-R4791-R398	FED AID WIA STIMULUS YOUTH	16,823			
CWD	A-6293-R4791-R400	FED AID WIA STIMULUS ADULT	29,336			
CWD	A-6293-R4791-R401	FED AID WIA STIMULUS DISLOCATED WORKER	12,500			
Economic & Comm Dev	A-6989-R3989-R167	ST AID HOME/COMM ASSIST DEPARTMENTAL AID	110,000			
Youth Programs	A-7310-R3820-R337	ST AID YOUTH PROGRAM YOUTH BUREAU	1,195			
Youth Programs	A-7310-R3820-R337	ST AID YOUTH PROGRAM YOUTH BUREAU	57,808			
Youth Programs	A-7310-R3820-R337	ST AID YOUTH PROGRAM YOUTH BUREAU	5,000			
County Legislature	A-1010-42-4205	OFFICE PRINTING			306	306
County Legislature	A-1010-42-4205	OFFICE PRINTING			1,000	1,000
County Legislature	A-1010-42-4206	OFFICE PUBLICATIONS			306	
County Legislature	A-1010-45-4501	SPEC DEPT SUPPLY MISC/OTHER			1,000	
OMB	A-1340-47-4710	DEPT MISC/OTHER			240	
Payroll	A-1343-41-4105	AUTO/TRAVEL REGISTRATION FEES			35	
Payroll	A-1343-42-4204	OFFICE POSTAGE			35	
DPW - Gov't Center	A-1620-21-20-2005	TRACKED EQUIP OTHER			1,400	
DPW - Gov't Center	A-1620-21-44-4406	UTILITY WIRELESS COMMUNICATIONS				1,650
DPW - Gov't Center	A-1620-21-44-4407	UTILITY OTHER				1,400
DPW - Misc Locations	A-1620-23-44-4402	UTILITY FUEL OIL				245
DPW - Misc Locations	A-1620-23-44-4406	UTILITY WIRELESS COMMUNICATIONS			1,650	
DPW - Misc Locations	A-1620-23-44-4406	UTILITY WIRELESS COMMUNICATIONS			245	
DPW - ACC	A-1620-24-45-4526	SPEC DEPT SUPPLY PAINT			100	
DPW - ACC	A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				100
DPW - Court House	A-1620-25-45-4549	SPEC DEPT SUPPLY SAFETY			325	
DPW - Court House	A-1620-25-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				325
DPW - Community Service	A-1620-26-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			150	
DPW - Community Service	A-1620-26-47-4717	DEPT BLDG/PROP REPAIRS				150

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Municipal Assoc Dues	A-1920-47-4703	DEPT DUES	500			
Probation - Main Unit	A-3140-16-40-4001	CONTRACT AGENCIES			9,800	
Probation - Main Unit	A-3140-16-43-4308	COMPUTER MIS CHARGEBACKS	9,400			
Probation - Main Unit	A-3140-16-44-4405	UTILITY PHONE LAND LINES	400			
Public Health - Main Unit	A-4010-33-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			1,000	
Public Health - Main Unit	A-4010-33-45-4543	SPEC DEPT SUPPLY FOOD	1,000			
Public Health - Healthy Begin.	A-4010-36-42-4205	OFFICE PRINTING	500			
Public Health - RHN	A-4010-44-40-4001	CONTRACT AGENCIES			8,000	
Public Health - RHN	A-4010-44-45-4501	SPEC DEPT SUPPLY MISC/OTHER	4,000			
Public Health - RHN	A-4010-44-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL	4,000			
Public Health - EI	A-4059-20-2005	TRACKED EQUIP OTHER	1,500			
Public Health - EI	A-4059-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL	1,000			
SC Airport	A-5610-44-4407	UTILITY OTHER	300			
SC Airport	A-5610-46-4604	MISC SERV/EXP REAL ESTATE TAXES			300	
CWD	A-6293-47-4701	DEPT RENTALS			50,808	
CWD	A-6293-47-4781	DEPT FED ARR (STIMULUS) TRAINING			58,659	
Economic & Comm Dev	A-6989-40-4013	CONTRACT OTHER	110,000			
Parks & Rec - Lake Superior	A-7110-82-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			40	
Parks & Rec - Lake Superior	A-7110-82-45-4549	SPEC DEPT SUPPLY SAFETY	40			
Parks & Rec - Minisink Battle	A-7110-85-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY	10			
Parks & Rec - Minisink Battle	A-7110-85-47-4717	DEPT BLDG/PROP REPAIRS			10	
Youth Programs	A-7310-45-4501	SPEC DEPT SUPPLY MISC/OTHER	5,000			
Youth Programs	A-7310-47-4753	DEPT YTH 100% REIMB DELINQCY PREVENTN	29,165			
Youth Programs	A-7310-47-4761	DEPT YTH 50% REIMB DELINQCY PREVENTN	1,195			
Youth Programs	A-7310-47-4761	DEPT YTH 50% REIMB DELINQCY PREVENTN	28,643			
Fort Delaware	A-7520-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			50	
Fort Delaware	A-7520-45-4549	SPEC DEPT SUPPLY SAFETY	55			
Fort Delaware	A-7520-47-4717	DEPT BLDG/PROP REPAIRS			5	
Planning - Main Unit	A-8020-90-47-4703	DEPT DUES			500	
Total A Fund			\$ 286,710	\$ -	\$ 311,626	\$ 24,916
DPW - Traffic Control	D-3310-45-4511	SPEC DEPT SUPPLY PAINT - TRAFFIC				1,000
DPW - Traffic Control	D-3310-45-4512	SPEC DEPT SUPPLY GLASS BEADS				350
DPW - Traffic Control	D-3310-45-4515	SPEC DEPT SUPPLY REFLECTIVE SHEETS			300	

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Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
DPW - Traffic Control	D-3310-45-4515	SPEC DEPT SUPPLY REFLECTIVE SHEETS			350	
DPW - Traffic Control	D-3310-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY				250
DPW - Traffic Control	D-3310-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			1,700	
DPW - Traffic Control	D-3310-47-4717	DEPT BLDG/PROP REPAIRS				750
DPW - Engineering	D-5020-42-4205	OFFICE PRINTING				69
DPW - Engineering	D-5020-42-4206	OFFICE PUBLICATIONS			69	
DPW - Road Maint	D-5110-45-42-4203	OFFICE OFFICE SUPPLIES			50	
DPW - Road Maint	D-5110-45-45-4501	SPEC DEPT SUPPLY MISC/OTHER				50
Total D Fund			\$ -	\$ -	\$ 2,469	\$ 2,469
Grand Total			\$ 286,710	\$ -	\$ 314,095	\$ 27,385