

**Sullivan County Legislature
Regular Meeting
August 18, 2011 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:02PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Resolution No. 159-2011 adopted by the Ontario County Board of Supervisors requesting legislation allow the Ontario County Jail to Detain persons under arrest prior to arraignment
2. Sullivan County Comprehensive Annual Financial Report for fiscal year ended December 31, 2010
3. Letter dated August 16, 2011 from Dave Colavito regarding County Ethics Reform
4. Copy of Sullivan County Adult Care Center Financial Statements December 31, 2010 and 2009
5. Copy of Public Hearing notice adopted by the St. Lawrence County Legislature authorizing the adoption of a budget for 2012 that requires a tax levy that is greater than the tax levy limit for the 2012 fiscal year

Chairman Rouis recognized the follow speaker:

1. Barbara Burton.

RESOLUTION NO. 335-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENACT A LOCAL LAW "LOCAL LAW REQUIRING DELINEATION OF NEW YORK STATE AND FEDERAL MANDATED PROGRAMS ON SULLIVAN COUNTY PROPERTY TAX BILLS"

WHEREAS, proposed Local Law entitled "Local Law Requiring Delineation of New York State and Federal Mandated Programs on Sullivan County Property Tax Bills", was presented to the Sullivan County Legislature at a meeting held on August 18, 2011, at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled "Local Law Requiring Delineation of New York State and Federal Mandated Programs on Sullivan County Property Tax Bills", County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mrs. Binder, seconded by Mr. Wood, put to a roll call vote with Mrs. LaBuda and Mr. Armstrong opposed and Mr. Sager absent, resolution carried and **declared duly adopted on motion** August 18, 2011.

**COUNTY OF SULLIVAN
LOCAL LAW NO. 3 OF 2011 ENTITLED,
"LOCAL LAW REQUIRING DELINEATION OF NEW YORK STATE AND
FEDERAL MANDATED PROGRAMS ON SULLIVAN COUNTY PROPERTY
TAX BILLS"**

**BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF SULLIVAN, AS
FOLLOWS:**

Purpose:

It is the intent of this law to provide a mechanism to insure that, on an annual basis, citizens receive information with their tax bill concerning state and federal mandates.

1. Annual Property Tax Bill Data.

The County Manager, the Clerk of the Legislature, and any other required statutory officer are hereby directed to identify on a separate property tax line and description, that portion of each annual property tax bill dedicated to NYS Medicaid Mandates, NYS Welfare Mandates, other NYS Mandates and all Federal Mandates within the taxing purpose section of each bill. There shall be a separate property tax line and description for County Programs.

2. Tax Bill Flyer.

The County Manager, Clerk of the Legislature, and any other required statutory officer are hereby directed to take any and all action necessary to cause a Tax Bill Flyer summarizing financial information regarding state and federal mandates to be included as an enclosure with each annual property tax bill. The Tax Bill Flyer shall include the following sections:

- a. Standard statement defining mandate(s).
- b. Narrative summary of key financial impacts of State and Federal mandates.
- c. A chart illustrating mandated portions of the County budget.
- d. A list of all the names addresses and contact information of the Governor, and federal and state legislators representing areas of the County of Sullivan.

3. Procedure.

The procedures required by this local law shall be carried out in addition to, and in accordance with, other annual tax billing procedures existent within the County of Sullivan.

4. Effective Date.

This law shall become effective 30 days from the date of its enactment, and upon filing with the office of the NYS Secretary of State.

RESOLUTION NO. 336.-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENACT A LOCAL LAW "ESTABLISHING E911 SURCHARGE FOR VOICE-OVER INTERNET PROTOCOL SUBSCRIBERS"

WHEREAS, proposed Local Law entitled "Establishing E911 Surcharge for Voice-Over Internet Protocol Subscribers", was presented to the Sullivan County Legislature at a meeting held on August 18, 2011, at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled "Establishing E911 Surcharge for Voice-Over Internet Protocol Subscribers", County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mrs. Binder, **seconded** by Mr. Sorensen, put to a roll call vote with Mr. Sager absent, unanimously carried as amended and **declared duly adopted on motion** August 18, 2011.

**COUNTY OF SULLIVAN
LOCAL LAW NO. 3 OF 2011 ENTITLED,
“LOCAL LAW REQUIRING DELINEATION OF NEW YORK STATE AND
FEDERAL MANDATED PROGRAMS ON SULLIVAN COUNTY PROPERTY
TAX BILLS”**

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF SULLIVAN, AS FOLLOWS:

Purpose:

It is the intent of this law to provide a mechanism to insure that, on an annual basis, citizens receive information with their tax bill concerning state and federal mandates.

5. Annual Property Tax Bill Data.

The County Manager, the Clerk of the Legislature, and any other required statutory officer are hereby directed to identify on a separate property tax line and description, that portion of each annual property tax bill dedicated to NYS Medicaid Mandates, NYS Welfare Mandates, other NYS Mandates and all Federal Mandates within the taxing purpose section of each bill. There shall be a separate property tax line and description for County Programs.

6. Tax Bill Flyer.

The County Manager, Clerk of the Legislature, and any other required statutory officer are hereby directed to take any and all action necessary to cause a Tax Bill Flyer summarizing financial information regarding state and federal mandates to be included as an enclosure with each annual property tax bill. The Tax Bill Flyer shall include the following sections:

- e. Standard statement defining mandate(s).
- f. Narrative summary of key financial impacts of State and Federal mandates.
- g. A chart illustrating mandated portions of the County budget.
- h. A list of all the names addresses and contact information of the Governor, and federal and state legislators representing areas of the County of Sullivan.

7. Procedure.

The procedures required by this local law shall be carried out in addition to, and in accordance with, other annual tax billing procedures existent within the County of Sullivan.

8. Effective Date.

This law shall become effective 30 days from the date of its enactment, and upon filing with the office of the NYS Secretary of State.

A Local Law Establishing E911 Surcharge for Voice-Over Internet Protocol Subscribers.

The purpose of this Local Law is to establish the policy and procedures in the County of Sullivan for the imposition of a surcharge up to thirty-five cents (\$0.35) per access line per month for E911 for Voice-Over Internet Protocol Subscribers.

Section 2. **AUTHORITY**

This Local Law is enacted under County Law §303 imposing a surcharge up to thirty-five cents (\$0.35) per access line per month on the customers of every service supplier.

Section 3. **DEFINITIONS**

When used in this Local Law, the following definitions apply:

- a. **Place of Primary Use.** The street address that is representative of where the customer's use of the VOIP communications service primarily occurs, which address must be: (i) the residential street address or the primary business street address of the customer, and (ii) within the licensed service area of the service supplier.
- b. **Voice Over Internet Protocol Service or "VOIP Service".** Shall mean any service that (i) enables real-time, two-way voice communications; (ii) requires a broadband connection from the user's location; (iii) requires internet protocol compatible customer premises equipment (CPE); and (iv) permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.
- c. **Service Supplier.** Shall mean (i) a telephone corporation which provides local exchange access service within a 911 service area, or (ii) a provider of "voice over internet protocol service" or "VOIP service" that provides such service within a 911 service area.

Section 4. **SURCHARGE ON VOICE OVER INTERNET PROTOCOL (VOIP) SERVICE COMMUNICATIONS**

There is hereby imposed a surcharge of thirty-five cents (\$0.35) per month on Voice Over Internet Protocol (VOIP) communications service in the County of Sullivan. The surcharge shall be imposed on each VOIP communications device and shall be reflected and made payable on bills rendered for VOIP communications service that is provided to a customer whose place of primary use is within the County of Sullivan.

Section 5. **COLLECTION OF SURCHARGE**

- A. Each service supplier serving the County of Sullivan shall act as collections agent for the County and shall remit the funds collected pursuant to a surcharge imposed under the provisions of this Local Law to the chief fiscal officer of the County of Sullivan every month. Such funds shall be remitted no later than thirty (30) days after the last business day of the month.
- B. Each VOIP communications service supplier shall be entitled to retain, as an administrative fee, an amount equal to two percent of its

collections of a surcharge imposed under the provisions of this local law.

- C. Any surcharge required to be collected by a VOIP communications service supplier shall be added to and stated separately in its billings to customers.
- D. Each VOIP communications service customer who is subject to the provisions of this Local Law shall be liable to the County of Sullivan for the surcharge until it has been paid to the County, except that payment to a VOIP communications service supplier is sufficient to relieve the customer from further liability for such surcharge.
- E. No VOIP communications service supplier shall have a legal obligation to enforce the collection of any surcharge imposed under the provisions of this section; provided, however, that whenever the VOIP communications service supplier remits the funds collected to the County of Sullivan, it shall also provide the County with the name and address of any customer refusing or failing to pay a surcharge imposed under the provision of this local law and shall state the amount of such surcharge remaining unpaid.
- F. Each VOIP communications service supplier shall annually provide to the County of Sullivan an accounting of the surcharge amounts billed and collected in the time and manner provided by the chief fiscal officer of the County of Sullivan.

Section 6. **USE OF SURCHARGE**

All surcharge monies remitted to the County of Sullivan by all service supplier shall be expended only as provided by §308-q of the County Law.

Section 7. **COMMENCEMENT OF SURCHARGE**

All VOIP communications service supplier shall begin to add such surcharge to its customer invoices no later than forty five (45) days following notice from the County of Sullivan directing such action and continuing every month thereafter while this law remains in effect. Any subsequent VOIP communication service suppliers offering VOIP service to customers whose place of primary use is within the County of Sullivan on or after October 1, 2011 shall be required to remit such surcharge without notice.

Section 8. **EFFECTIVE DATE**

This Local Law shall be effective as of the date of filing in the Office of the Secretary of State.

RESOLUTION NO. 337-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO ADOPT THE 2011-2012 SULLIVAN COUNTY COMMUNITY COLLEGE BUDGET

WHEREAS, the Sullivan County Community College Board of Trustees has filed its 2011-2012 Operating Budget with the Sullivan County Legislature, and

WHEREAS, the proposed Budget for 2011-2012 has appropriations in the amount of \$16,306,200 with the County's share to be raised by tax revenue in the amount of \$4,000,000; and

WHEREAS, the executed Memorandum of Agreement required pursuant to Resolution No. 278-11 shall be made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, that the 2011-2012 Operating Budget be approved in the amount of \$16,306,200 and the County's share to be levied and assessed against the taxable real property of Sullivan County on the 2012 tax rolls at \$4,000,000; and

BE IT FURTHER RESOLVED that the executed Memorandum of Agreement required pursuant to Resolution No. 278-11 shall be made a part hereof.

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a roll call vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 338-11 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO ENACT A LOCAL LAW AUTHORIZING SEIZURE AND FORFEITURE OF PROPERTY USED IN CONNECTION WITH MISDEMEANOR CRIMINAL ACTS DEFINED BY ARTICLE 220 AND ARTICLE 221 OF THE PENAL LAW

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on August 18, 2011 a proposed Local Law of the year 2011 entitled "A local law of the County of Sullivan authorizing seizure and forfeiture of property used in connection with misdemeanor criminal acts defined by article 220 and article 221 of the penal law".

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on September 15, 2011, at 1:50 p.m., in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days' notice of public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspaper of said County.

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, there has been introduced and presented at a meeting of the Sullivan County Legislature held on August 18, 2011 a proposed Local Law of the year 2011 entitled "a local law of the County of Sullivan authorizing seizure and forfeiture of property used in connection with misdemeanor criminal acts defined by article 220 and article 221 of the penal law".

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on September 15, 2011 at 1:50 p.m. at which time all persons interested will be heard.

DATED: August 18, 2011

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

RESOLUTION NO. 339-11 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE A PUBLIC HEARING FOR THE SULLIVAN COUNTY ANNUAL IMPLEMENTATION PLAN

WHEREAS, the Sullivan County Office for the Aging is preparing a County Annual Plan for services to the 60+ population of the county, provided through the Older Americans Act and the New York State Community Services for the Elderly Program; and

WHEREAS, State and Federal guidelines require that a public hearing be held concerning this plan so that all interested parties can be heard.

NOW, THEREFORE, BE IT RESOLVED, that one public hearing is scheduled as follows, and that a notice of said public hearings be published in the official newspapers of the County:

Monticello	10/19/11	Monticello Neighborhood Facility Monticello, NY	9:30 AM-12:00PM
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Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 340-11 INTRODUCED BY THE PERSONNEL COMMITTEE TO SET SALARIES FOR CERTAIN MANAGEMENT AND CONFIDENTIAL EMPLOYEES

WHEREAS, the 2011 Sullivan County Budget has been adopted by the County Legislature, and

WHEREAS, the Director of the Community Services Department has consolidated the below management duties, eliminating the need to fill a lead instructor and program manager, and

WHEREAS, the Director of the Community Services Department has recommended that the Deputy Director of Community Services receive a stipend or salary for the work assigned as a lead instructor and program manager for the DDP program; and

WHEREAS, the Commissioner of the Division of Health and Family Services, and the County Manager concur with the recommendation, with the additional compensation of \$4,450

charged to budget line A-4250-10-1015, shall be rescinded upon the assigned duties as a lead instructor and program manager of the DDP program being eliminated, or upon the reduction or elimination of revenues associated with the DDP program from the State of New York; and

WHEREAS, some salary rates for management and confidential employees need to be set or amended.

NOW, THEREFORE, BE IT RESOLVED that the 2011 salary rate for the below set forth management and confidential employee shall be set, effective retroactively to April 1, 2011 as follows:

A-4310-10-1011	Deputy Director of Community Services	\$60,000.00 – effective January 1, 2011
A-4250-10-1015	Deputy Director of Community Services	\$ 4,450.00 – effective April 1, 2011
Total	Deputy Director of Community Services	\$64,450.00 – effective April 1, 2011;

And

BE IT FURTHER RESOLVED that the additional compensation of \$4,450 charged to budget line A-4250-10-1015, shall be rescinded upon the assigned duties as a lead instructor and program manager of the DDP program being eliminated, or upon the reduction or elimination of revenues associated with the DDP program from the State of New York.

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 341-11 INTRODUCED BY THE PERSONNEL COMMITTEE TO ESTABLISH A SALARY SCHEDULE FOR CERTAIN DIVISION OF PUBLIC WORKS' PART-TIME & SEASONAL POSITIONS

WHEREAS, The Division of Public Works hires part-time and seasonal employees for several of its departments; and

WHEREAS, these positions vary in duties, responsibilities and qualifications; and

WHEREAS, the new museum at D&H Canal Lock 50 on Bova Rd., Phillipport, will operate seasonally and requires staffing ; and

WHEREAS, there are two seasonal positions for this museum funded in the 2011 budget; and

WHEREAS, the hourly salaries for said positions have been evaluated and the Division of Public Works and Personnel Department make the following recommendations:

<u>Each</u>	<u>Position</u>	<u>Hourly Rate w/</u>	<u>Additional Per</u>
<u>Experience</u>		<u>No Experience</u>	<u>Year of</u>
cents	Director, County Historical Sites	\$ 10.50	25
cents	Assistant Director, County Historical Sites	\$ 9.50	25

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature adopts the recommended salary schedule effective from the dates of hire.

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 342-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO RE-ESTABLISH THE LEGAL SECRETARY POSITION IN THE SULLIVAN COUNTY ATTORNEY'S OFFICE

WHEREAS, in the 2011 budget the Legal Secretary, Position number 2274, was abolished. That left the County Attorney's Office with only the position of a Confidential Secretary to perform all of the legal secretarial, paralegal and administrative services for the entire department, and

WHEREAS, when the Confidential Secretary is out due to vacation or otherwise the Law Department has no one to perform legal secretarial and paralegal services including electronic filings with courts, and

WHEREAS, by re-establishing the position of Legal Secretary, Position number 2274, the County Attorney would have the ability, subject to funding and the availability of an appropriate individual, to make a temporary appointment for such services when the Confidential Secretary was out due to illness or vacation.

IT IS THEREFORE RESOLVED, that the Sullivan County Legislature hereby authorizes the re-establishment of the position of Legal Secretary, Position number 2274, in the County Attorney's Office.

Moved by Mrs. Goodman, seconded by Mrs. LaBuda, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 343-11 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO APPORTION MORTGAGE TAX

WHEREAS, Section 261 of the Tax Law of the State of New York requires apportionment of the mortgage tax, and

WHEREAS, the County Clerk and the County Treasurer have submitted a quarterly report, for the period of April 2011 to June 2011, to the Clerk of the Legislature, and

WHEREAS, The County Legislature has apportioned, among the various towns and incorporated villages of the County of Sullivan, the equitable share of the mortgage tax;

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer draw checks for each of the towns and villages the quarterly mortgage tax so apportioned, as follows:

	TOWNS	
Bethel		16,690.88

Callicoon	9,667.18
Cochecton	4,638.56
Delaware	5,817.38
Fallsburg	18,524.33
Forestburgh	2,449.00
Fremont	10,571.93
Highland	8,443.44
Liberty	16,345.24
Lumberland	9,942.76
Mamakating	35,751.54
Neversink	8,016.88
Rockland	14,476.17
Thompson	26,088.80
Tusten	7,316.22

VILLAGES

Bloomingburg	455.91
Jeffersonville	473.94
Liberty	2,859.81
Monticello	2,720.79
Woodridge	859.21
Wurtsboro	1,515.09

TOTAL 203,625.06

Moved by Mr. Hiatt, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 344-11 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 Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

See Attached.

RESOLUTION NO. 345-11 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO APPROVE A CORRECTIVE ACTION PLAN FOR THE 2010 MANAGEMENT LETTER ASSOCIATED WITH THE 2010 COMPREHENSIVE ANNUAL FINANCIAL REPORT

WHEREAS, the County's outside auditing firm has completed the 2010 financial audit and provided their management letter to the Management & Budget Committee, and

WHEREAS, the Commissioner of the Division of Management and Budget has formulated a corrective action plan to fix the problems listed in the management letter.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby approves the Corrective Action Plan.

Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

See Attached.

RESOLUTION NO. 346-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PROPERTY IN THE TOWN OF MAMAKATING KNOWN AS MA34.-12-4, ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2009 LIEN YEAR.

WHEREAS, property located in the Town of Mamakating designated on the Sullivan County Real Property Tax Map as MA34.-12-4, Class 314, being 0.23 +/- acres, located on Cottage St W, is owned by the County of Sullivan and formerly owned by Alma & Tracey Wright, was included in the foreclosure of 2009 liens, and

WHEREAS, Domonick Tuderuj has offered to purchase said property for the sum of, FIVE HUNDRED (\$500.00) DOLLARS, more than the amount of the delinquent taxes owed to the County, and

WHEREAS, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcel to Domonick Tuderuj for FIVE HUNDRED (\$500.00) DOLLARS, and

WHEREAS, the purchaser will also be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes, 2011 Town/County taxes, water and sewer charges, if any, and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to Domonick Tuderuj, upon payment of \$500.00 to the County Treasurer, plus fees for the County Clerk, plus the 2011 County/Town taxes.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 347-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PROPERTIES IN THE TOWN OF FALLSBURG VILLAGE OF WOODRIDGE KNOWN AS FA102.-1-4 & FA102.-1-5.3, ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2009 LIEN YEAR.

WHEREAS, properties located in the Town of Fallsburg Village of Woodridge designated on the Sullivan County Real Property Tax Map as FA102.-1-4, Class 430, being 165.00 x 140.00 +/- ft, located on Rsvlt Av Sh 54 & FA102.-1-5.3, Class 330, being 30.00 x 115.00 +/- ft, located on Roosevelt Ave, are owned by the County of Sullivan and formerly owned by Kantrowitz Bros., Inc, were included in the foreclosure of 2009 liens, and

WHEREAS, Mel Hazelnis has offered to purchase said properties for the sum of TWENTY THOUSAND (\$20,000.00) DOLLARS, and

WHEREAS, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcels to Mel Hazelnis for TWENTY THOUSAND (\$20,000.00) DOLLARS, and

WHEREAS, the purchaser will also be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes, 2010/2011 & 2011/2012 Village taxes, water and sewer charges, if any, and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to Mel Hazelnis, upon payment of \$20,000.00 to the County Treasurer, plus fees for the County Clerk, plus the 2010/2011 & 2011/2012 Village taxes.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

**RESOLUTION NO. 348-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL
OF THE TOWN OF LIBERTY FOR TAX MAP #40.-1-28**

WHEREAS, an application dated July 19, 2011 having been filed by Williamsburg Mobile Corp. with respect to property assessed to said applicant on the 2011 tax roll of the Town of Liberty Tax Map #40.-1-28 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the an incorrect entry on the tax roll for a sewer district charge that appeared as 10 Units when in fact it should have reflected 6.1 Units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated August 5, 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 Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION 349-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #46.-4-4.1

WHEREAS, an application dated June 29, 2011 having been filed by Aron Steinberg with respect to property assessed to said applicant on the 2011 tax roll of the Town of Fallsburg Tax Map #46.-4-4.1 pursuant to Section 556 of the Real Property Tax Law, to correct a claimed error on said tax roll resulting from a duplicate assessment of applicant's property.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 21, 2011 recommending this Board deny said application; and

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

(a) That the application be denied because the applicant complained that this property had been split in error and that there was a double assessment on the roll. The Director's investigation revealed that an error occurred in 2002 when a portion of the parcel designated on the Town of Fallsburg Tax Map as #46.-4-4 was conveyed by applicant to another party. The said parcel should have been split at the time of the conveyance, but wasn't. Upon the discovery of this error sometime in 2007, the Sullivan County Real Property Tax Services Department rectified this error by creating the parcel designated on the Town of Fallsburg Tax Map as #46.-4-4.1, which was the portion of the aforementioned parcel that applicant had retained by virtue of the deed in 2002. The remainder of that parcel was designated on the Town of Fallsburg Tax Map as #46.-4-4.2 and assessed to the grantee in the 2002 deed. Although applicant may now claim that he was unfairly assessed for said property, that issue is not a proper subject of a Correction of Errors pursuant to the Real Property Tax Law.

NOW, THEREFORE, BE IT RESOLVED, that the application be denied 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 denial to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

**RESOLUTION NO. 350-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2010 TAX ROLL OF
THE TOWN OF FALLSBURG FOR TAX MAP #46.-4-4.1**

WHEREAS, an application dated June 29, 2011 having been filed by Aron Steinberg with respect to property assessed to said applicant on the 2010 tax roll of the Town of Fallsburg Tax Map #46.-4-4.1 pursuant to Section 556 of the Real Property Tax Law, to correct a claimed error on said tax roll resulting from a duplicate assessment of applicant's property.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 21, 2011 recommending this Board deny said application; and

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

(a) That the application be denied because the applicant complained that this property had been split in error and that there was a double assessment on the roll. The Director's investigation revealed that an error occurred in 2002 when a portion of the parcel designated on the Town of Fallsburg Tax Map as #46.-4-4 was conveyed by applicant to another party. The said parcel should have been split at the time of the conveyance, but wasn't. Upon the discovery of this error sometime in 2007, the Sullivan County Real Property Tax Services Department rectified this error by creating the parcel designated on the Town of Fallsburg Tax Map as #46.-4-4.1, which was the portion of the aforementioned parcel that applicant had retained by virtue of the deed in 2002. The remainder of that parcel was designated on the Town of Fallsburg Tax Map as #46.-4-4.2 and assessed to the grantee in the 2002 deed. Although applicant may now claim that he was unfairly assessed for said property, that issue is not a proper subject of a Correction of Errors pursuant to the Real Property Tax Law.

NOW, THEREFORE, BE IT RESOLVED, that the application be denied 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 denial to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

**RESOLUTION NO. 351-11 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2009 TAX ROLL OF
THE TOWN OF FALLSBURG FOR TAX MAP #46.-4-4.1**

WHEREAS, an application dated June 29, 2011 having been filed by Aron Steinberg with respect to property assessed to said applicant on the 2009 tax roll of the Town of Fallsburg Tax Map #46.-4-4.1 pursuant to Section 556 of the Real Property Tax Law, to correct a claimed error on said tax roll resulting from a duplicate assessment of applicant's property.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 21, 2011 recommending this Board deny said application; and

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

(a) That the application be denied because the applicant complained that this property had been split in error and that there was a double assessment on the roll. The

Director's investigation revealed that an error occurred in 2002 when a portion of the parcel designated on the Town of Fallsburg Tax Map as #46.-4-4 was conveyed by applicant to another party. The said parcel should have been split at the time of the conveyance, but wasn't. Upon the discovery of this error sometime in 2007, the Sullivan County Real Property Tax Services Department rectified this error by creating the parcel designated on the Town of Fallsburg Tax Map as #46.-4-4.1, which was the portion of the aforementioned parcel that applicant had retained by virtue of the deed in 2002. The remainder of that parcel was designated on the Town of Fallsburg Tax Map as #46.-4-4.2 and assessed to the grantee in the 2002 deed. Although applicant may now claim that he was unfairly assessed for said property, that issue is not a proper subject of a Correction of Errors pursuant to the Real Property Tax Law.

NOW, THEREFORE, BE IT RESOLVED, that the application be denied 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 denial to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 352-11 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN AGREEMENT FOR DESIGN SERVICES FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FUNDED, EMBANKMENT STABILIZATION PROJECT ON COUNTY ROAD 178; FEMA 1650-DR-NY; PW # 1436 (THE "PROJECT").

WHEREAS, the Federal Emergency Management Agency (FEMA) and the New York State Office of Emergency Management (OEM) have made funding available through Project Worksheet Number (PW #) 1436 of federally declared FEMA Disaster Number 1650; and

WHEREAS, this Project Worksheet provides for reimbursement of first instance funding in the amount of 75% Federal, 25% State and 0% Local of the eligible costs for engineering and construction services necessary for the stabilization of the embankment failures along County Road Number 178; and

WHEREAS, Resolution No. 99-11 authorized an agreement with McFarland Johnson, Inc. to provide consulting design services for this project; and

WHEREAS, additional design services and field testing are required to advance the preferred design alternative to the construction phase; and

WHEREAS, the Division of Public Works has reviewed the need for additional design services and field testing and recommends the approval of a Modification Agreement for the additional work.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a Modification Agreement for additional consulting design services with, McFarland Johnson, Inc., at a cost not to exceed \$ **35,000**, said Modification Agreement to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 353-11 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO NEGOTIATE A

RE-ASSIGNMENT OF THE CURRENT LEASE WITH ARCADIA AVIATION, THE FIXED BASE OPERATOR (FBO), TO RE-ASSIGN THE REMAINDER OF THE LEASE AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA).

WHEREAS, the County and Arcadia Aviation have negotiated an agreement pursuant to which the County would lease certain land at the Sullivan County Airport to Arcadia Aviation on a long term basis and Arcadia Aviation would construct certain facilities and provide certain services; and

WHEREAS, a long term lease agreement was executed on January 11th, 2008; and

WHEREAS, Arcadia Aviation no longer has the ability to provide the fore-mentioned services and desires to re-assign the lease to Fleet Aviation to continue the operation of the FBO as well as the construction of certain facilities and to provide certain services at SCIA; and

WHEREAS, it is the desire of the County Legislature to authorize the County Manager and the County Attorney to complete the detailed terms of the re-assignment of the lease from Arcadia Aviation to Fleet Aviation and to work out the requisite legal language required for the re-assignment of the lease.

NOW THEREFORE, BE IT RESOLVED that the Sullivan County Legislature hereby authorizes the County Manager to negotiate and enter into a long term lease agreement with Fleet Aviation, providing that such agreement shall be in a form approved by the County Attorney.

Moved by Mr. Hiatt, seconded by Mr. Sorensen, put to a roll call vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 354-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, bids were received for Storm Water Plant Sediment Removal, and

WHEREAS, Fred A. Cook, Jr., Inc., is the lowest responsible bidder for such work, and

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 Fred A. Cook, Jr., Inc., at a contract price not to exceed \$25,000.00 and in accordance with Bid #B-11-42, dated July 29th, 2011 said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 355-11 INTRODUCED BY SUSTAINABILITY POLICY COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, a proposal was received for the design of a solar array to be installed at the Robert B. Travis Building, and

WHEREAS, Sunnyside Solar, Inc. submitted a proposal that satisfies the requirements of the County, 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 Sunnyside Solar, Inc., at a contract price not to exceed \$22,450.00 and in accordance with RFP No. R-11-14 dated July 28, 2011 said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Wood, **seconded** by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 356 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH MEDICAL ANSWERING SERVICES, LLC

WHEREAS, New York State Department of Health (NYS DOH) has entered into agreement with Medical Answering Services, LLC (MAS) for the provision of Medicaid transportation management services on behalf of a number of local Social Service districts including Sullivan County effective 7/1/2011; and

WHEREAS, the agreement between NYS DOH and MAS allows for MAS to pay certain administrative Medicaid transportation related expenses up-front on behalf of participating local Social Service districts and for participating local Social Service districts to reimburse MAS for those administrative Medicaid transportation related expenses; and

WHEREAS, the agreement NYS DOH has implemented for regional Medicaid transportation management services supersedes the agreements for the provision of those services between the Sullivan County Department of Family Services, as the local Social Services district, and MAS; and

WHEREAS, the Sullivan County Department of Family Services, as the local Social Services district, wishes to enter into agreement with MAS for reimbursement of allowable administrative Medicaid transportation related expenses paid by MAS on its behalf.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into agreement with Medical Answering Services, LLC for the period from 7/1/2011 through 6/30/2012; and

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

Moved by Mr. Wood, **seconded** by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 357-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF FOOD STAMP NUTRITION EDUCATION PROGRAM RELATED SERVICES FROM OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012

WHEREAS, the County of Sullivan, through the Department of Family Services, is able to access federal funding for the purpose of a Food Stamp Nutrition Education Program and desires to contract for the provision of those services; and

WHEREAS, the Eat Smart New York program is endorsed by New York State Office of Temporary and Disability Assistance (NYS OTDA) as satisfying the program requirements of the federal Food Stamp Nutrition Education Program; and

WHEREAS, the Cornell Cooperative Extension of Sullivan County New York administers the Eat Smart New York program in Sullivan County New York and will provide those services for the Department of Family Services at the NYS OTDA approved amount, with the cost paid with federal dollars by the department.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreement/s with Cornell Cooperative Extension of Sullivan County for the provision of Food Stamp Nutrition Education services through the Eat Smart New York program during the period from October 1, 2011 through September 30, 2012; and

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

Moved by Mr. Wood, **seconded** by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 358-11 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE A MODIFICATION AGREEMENT BETWEEN THE TOWN OF FALLSBURG (“Fallsburg”) AND THE COUNTY OF SULLIVAN (“County”), REGARDING THE USE OF COUNTY BRIDGE 45 (“CB 45”)

WHEREAS, CB 45, also identified as BIN 3355530, is located on County Road 53 (Old Falls Road) over the Neversink River; and

WHEREAS, Fallsburg and the County entered into an agreement dated December 28, 1983 (“Agreement”) permitting the use of CB 45 to convey Fallsburg’s Force Main; and

WHEREAS, the Agreement needs to be modified due to the fact that the County plans to construct a new bridge at a new location; and

WHEREAS, the modification agreement shall permit the use of the new CB 45 to convey Fallsburg’s Force Main.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be, and hereby is, authorized to execute a modification agreement as detailed above, said modification agreement to be in such form as the County Attorney shall approve.

Moved by Mr. Wood, **seconded** by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 359-11 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO ACCEPT STATE AID FOR PROBATION SERVICES

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) projected State Aid for Probation Services allocation is **\$200,177.00** for the 2011-2012 state fiscal year, and

WHEREAS, based upon the state fiscal year 2011-2012 State Aid for Probation Services appropriation, DCJS will proportionately disburse funds four times during the state fiscal year,

WHEREAS, in order to access said funds it will be necessary for the County to file documents with the New York State Division of Criminal Justice Services,

NOW, THEREFORE, BE IT RESOLVED that the County Manager be and is hereby authorized to execute any and all necessary documents to accept the State Aid, in such form as the County Attorney shall approve.

Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 360-11 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO ACCEPT STATE AID FOR IGNITION INTERLOCK DEVICE MONITORING.

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) projected State Aid for Ignition Interlock Device Monitoring allocation is **\$21,913.00** for the 2010-2011 contract year, and

WHEREAS, based upon the 2010-2011 State Aid for Ignition Interlock Device Monitoring appropriation, DCJS will reimburse eligible expenditures at a rate of \$114.00 for each sentencing order received which requires Ignition Interlock Device installation and monitoring up to the projected allocation,

WHEREAS, in order to access said funds it will be necessary for the County to file documents with the New York State Division of Criminal Justice Services,

NOW, THEREFORE, BE IT RESOLVED that the County Manager be and is hereby authorized to execute any and all necessary documents to accept the State Aid, in such form as the County Attorney shall approve.

Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 361-11 INTRODUCED BY THE PLANNING AND ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE AN APPLICATION TO THE UPPER DELAWARE COUNCIL FOR A TECHNICAL ASSISTANCE GRANT FOR WORK ON MAPPING HIKING TRAILS IN SULLIVAN COUNTY.

WHEREAS, the need for information about hiking opportunities in Sullivan County was described in "Conserving Open Space & Managing Growth: A Strategy for Sullivan County", the County's open space plan completed in 2008, and was reasserted at the Economic Development Charrette in 2009, and

WHEREAS, the Division of Planning and Environmental Management has been working in collaboration with the Sullivan County Visitor's Association (SCVA), the Catskill Mountainkeeper, Delaware Highlands Conservancy (DHC), the National Parks Department

(NPS), Sullivan Renaissance, and Morgan Outdoors to inventory and map the hiking trails of Sullivan County, and

WHEREAS, using existing resources and volunteers, the collaborators have inventoried the trails and gathered on the ground geographic data for the trails using a geographic data positioning unit loaned by DHC, and initial GIS maps have been started, and

WHEREAS, while the remaining trails still need data gathered, the project needs to move forward to make the information available to residents and tourists through the internet, and, none of the collaborators has the technical ability to design a website, and

WHEREAS, the Upper Delaware Council (UDC) offers Technical Assistance Grants (TAG) for which the County and the project are eligible.

NOW, THEREFORE BE IT RESOLVED, that the County Manager is authorized to execute any and all necessary documents to apply for and accept a TAG in an amount not to exceed \$4,000.00, in such form as the County Attorney shall approve, and

BE IT FURTHER RESOLVED, that if funded the Division of Planning and Environmental Management is authorized to administer a TAG for the purpose of starting work on a website for hiking trails in Sullivan County, and

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

Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION NO. 362-11 INTRODUCED BY ELWIN WOOD CHAIRMAN OF THE PERSONNEL COMMITTEE TO CREATE ADDITIONAL POSITION FOR THE HOME ENERGY ASSISTANCE PROGRAM (HEAP) WITHIN THE DEPARTMENT OF FAMILY SERVICES

WHEREAS, there is a great need for the Home Energy Assistance Program (HEAP) within the Sullivan County Department of Family Services; and

WHEREAS, there is an anticipation of an increasing number of Sullivan County residents who will access the HEAP program; and

WHEREAS, the price of energy costs for heating has increased significantly in the last few years with larger increases anticipated in the coming year; and

WHEREAS, there is an insufficient number of trained staff within the Department of Family Services (DFS) to adequately handle the ever-increasing HEAP population; and

WHEREAS, it has been recommended that the creation of the following additional position is necessary in order to accomplish the workload demands of the upcoming HEAP season: the addition of one (1) Temporary Full Time Account Clerk for a period of approximately six months; and

WHEREAS, this position is 100% funded through HEAP funds, the County ceiling costs historically have been 10% due to administrative overhead;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of the aforementioned one (1) position to be added to the staffing of the HEAP Unit of the Department of Family Services.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

**RESOLUTION NO. 363-11 INTRODUCED BY KATHLEEN LABUDA,
DISTRICT 2 LEGISLATOR, TO AUTHORIZE THE SULLIVAN COUNTY
ATTORNEY TO SETTLE LITIGATION WITH RESPECT TO TOWN OF
BETHEL TAX MAP PARCEL SECTION 7 BLOCK 1 LOT 34.2**

WHEREAS, the owner of a parcel of real property designated on the Town of Bethel Tax Map as Section 7 Block 1 Lot 34.2 has commenced litigation against the County of Sullivan in the form of an Order to Show Cause regarding the tax foreclosure, and

WHEREAS, an appeal is currently pending with a stay enjoying the County of Sullivan from taking further action with respect to this parcel, and

WHEREAS, the Town of Bethel has indicated a need for remedial action on the property to correct alleged building code violations, and

WHEREAS, the property owner has offered to settle this litigation in its entirety by paying the outstanding taxes, penalties, interest, repurchase fee and other related costs and additionally, correct the alleged violations, and

WHEREAS, the offer of settlement is reasonable under the circumstances and is in the best interest of the County of Sullivan.

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney is hereby authorized to settle the litigation by executing a stipulation of settlement and the County Treasurer is hereby directed to re-convey the parcel to the prior owner upon payment of all outstanding taxes, penalties, interest, repurchase fee and other related costs and upon a proper showing of sufficient funds for immediate remedial action of the alleged building code violations, and

BE IT FURTHER RESOLVED, that the Chairman of the Sullivan County Legislature is hereby authorized to execute any and all documents necessary to settle this litigation.

Moved by Mrs. LaBuda, seconded by Mr. Hiatt, put to a vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

**RESOLUTION NO. 364-11 INTRODUCED BY JONATHAN ROUIS,
CHAIRMAN OF THE LEGISLATURE, TO CREATE A SECOND DEPUTY
POSITION IN THE TREASURER'S DEPARTMENT**

WHEREAS, there are currently positions in the County Treasurer's office designated as Senior Accountant and Staff Accountant, and

WHEREAS, in order to provide orderly, appropriate and necessary flexibility in management and supervision in the accounting office, the Treasurer has requested the creation and designation of a second Deputy position.

NOW, THEREFORE, BE IT RESOLVED, that the position of **Deputy Treasurer II** is hereby created. The duties of the position shall be developed by the Director of Human Resources, the Personnel Officer, the Treasurer and the County Attorney, it being the intent that the position will be in the Exempt Class of Civil Service. Such job description shall be submitted to the County Legislature for ratification within thirty (30) days.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Treasurer be authorized to fill said position forthwith, said appointee to serve at his pleasure.

BE IT FURTHER RESOLVED, that the Sullivan County Legislature in accordance with the duties set forth in the Sullivan County Code Section 2.02 (E) hereby fix the compensation of the Deputy Treasurer II at \$48,913.

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote with Mr. Sager absent, unanimously carried as amended and declared duly adopted on motion August 18, 2011.

RESOLUTION 365-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AMEND THE CAPITAL PLAN FOR THE REPAIR OF THE ROOF AT THE SULLIVAN COUNTY MUSEUM

WHEREAS, the Department of Public Works has determined that the roof at the Sullivan County Museum is in need of repair, and

WHEREAS, it makes economic sense to repair the roof now rather than wait for further damage and more costly repair in future years, and to protect antiques from water damage, and

WHEREAS, the 2011-2016 Adopted Capital Plan contemplated spending \$215,000 on roof and gutter replacements at the Sullivan County Museum in 2012, and

WHEREAS, there is a need to amend the 2011 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the County of Sullivan, hereby amends the adopted Capital Plan in accordance with Section C2.02(N) of the Sullivan County

Charter, upon a two-thirds vote of the membership thereof as follows:

1. Increase the Sullivan County Museum Roof and Gutter replacement account by \$16,000 to be funded from operating funds.
2. Increase Expense Account A7450-202-21-2102 \$16,000
Decrease Expense Account A1989-99-47-4736 \$16,000

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a roll call vote with Mr. Sager absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 366-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AMEND THE CAPITAL PLAN FOR THE REPLACEMENT OF MODULAR ROOF TOP HVAC UNITS AT THE SULLIVAN COUNTY JAIL

WHEREAS, the Department of Public Works has determined that some of the existing modular roof top HVAC units at the Sullivan County Jail are irreparable and in need of replacement, and

WHEREAS, the 2011-2016 Adopted Capital Plan contemplated spending \$15,000 on the replacement of existing modular roof top HVAC units at the Sullivan County Jail, and

WHEREAS, \$15,000 has already been spent this year on the replacement of existing modular roof top HVAC units at the Sullivan County Jail with unanticipated replacements still needed, and

WHEREAS, there is a need to amend the 2011 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the County of Sullivan, hereby amends the adopted Capital Plan in accordance with Section C2.02(N) of the Sullivan County

Charter, upon a two-thirds vote of the membership thereof as follows:

3. Increase the Sullivan County Jail Modular Roof Top HVAC Units account by \$15,000 to be funded from operating funds.

4. Increase Expense Account	A1620-27-21-2102	\$15,000
Decrease Expense Account	A1989-99-47-4736	\$15,000

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a roll call vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

RESOLUTION 367-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO GRANT AUTHORITY TO SETTLE FEDERAL LAWSUIT

WHEREAS, a former County employee, Lillian Allen, who was employed as a Corrections Officer, has a federal lawsuit pending against the County and the County Sheriff alleging employment discrimination and other claims, and

WHEREAS, pursuant to the practices of the Court the matter has been referred to a Mediator to see whether it can be amicably resolved, and

WHEREAS, the County Attorney believes the County will prevail at trial but also acknowledges there are certain litigation risks and costs and that an appropriate settlement could be in the County's best interest, and

WHEREAS, the County Attorney has requested authority to resolve the matter during mediation if a reasonable settlement can be obtained.

IT IS THEREFORE RESOLVED, that the County Attorney is hereby authorized to negotiate to settle the above set forth federal lawsuit and is further authorized to enter into a settlement provided that the Sheriff, the County Manager and the County Attorney concur that the settlement is in the best interests of the County of Sullivan.

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote with Mr. Sager absent, unanimously carried and **declared duly adopted on motion** August 18, 2011.

At this point, Mr. Hiatt left the meeting.

RESOLUTION NO. 368-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT A MEMBER TO THE LONG TERM CARE COUNCIL FOR SULLIVAN NYCONNECTS (FORMERLY CALLED THE POINT OF ENTRY SYSTEM).

WHEREAS, the County Legislature has authorized the creation of a Long Term Care Council to assist in the development of SULLIVAN NYCONNECTS (formerly called the Point of Entry system), and

WHEREAS, there is a need to appoint a member to the Long Term Care Council, and

WHEREAS, the appointment of a member shall be for either a term to end 12/31/11 or a term to end 12/31/12, and

WHEREAS, the appointment is to commence on the date this resolution is adopted

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint the following member to the SULLIVAN NYCONNECTS (formerly called Point of Entry) Long Term Care Council, for the term to expire on the date opposite of the name.

Representative Member

Dorothy McCoy
(consumer)

12/31/2012

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a roll call vote with Mr. Sager and Mr. Hiatt absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 369-11 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO APPOINT/REAPPOINT MEMBERS TO THE SULLIVAN COUNTY PUBLIC HEALTH SERVICES' HEALTH SERVICES ADVISORY BOARD

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the individual listed below be *re-appointed* to the Health Services Advisory Board for a four-year term (1/1/11-12/31/14) per Public Health Law:

Sonja Hedlund
PO Box 371
Callicoon Center, NY 12724

BE IT FURTHER RESOLVED, that the individuals listed below be *appointed* to the Health Services Advisory Board for a four-year term (1/1/11-12/31/14) per Public Health Law:

Bob Korabik
11 Hamilton Avenue

Monticello, NY 12701

James Lyttle
PO Box 323
Kiamesha Lake, NY 12751

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a roll call vote with Mr. Sager and Mr. Hiatt absent, unanimously carried and declared duly adopted on motion August 18, 2011.

RESOLUTION NO. 370-11 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO MAKE APPOINTMENTS TO SULLIVAN COUNTY PUBLIC HEALTH SERVICES' PROFESSIONAL ADVISORY COMMITTEE

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

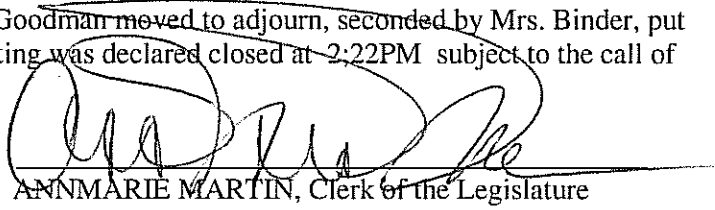
WHEREAS, the terms of the present Professional Advisory Committee members terms have expired as of December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be appointed/re-appointed to Sullivan County Public Health Services' Professional Advisory Committee, pursuant to 10 NYCRR Section 763.11 (a) (13), with the term of 1/1/11-12/31/14.

- | | | |
|----|---|-------------------|
| 1. | Alan Fried MD
PO Box 309
Livingston Manor, NY 12758 | 1/1/11 – 12/31/14 |
| 2. | Paul Salzberg MD
9741 Route 97
Callicoon, NY 12723 | 1/1/11 – 12/31/14 |
| 3. | Deborah Allen
PO Box 5012
100 North St.
Monticello, NY 12701 | 1/1/11 – 12/31/14 |
| 4. | Bonnie Lewis, R.N.
64 Ferndale-Loomis Rd
Liberty, NY 12754 | 1/1/11 – 12/31/14 |

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a roll call vote with Mr. Sager and Mr. Hiatt absent, unanimously carried and declared duly adopted on motion August 18, 2011.

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 2:22PM subject to the call of the Chairman.



ANNMARIE MARTIN, Clerk of the Legislature

August 2011
 Modifications to the 2011 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-1165-42-4201	OFFICE ADVERTISING				500
A-1341-42-4201	OFFICE ADVERTISING				100
A-1341-47-4767	DEPT NYS/US REGISTRY FEES/FINES/ASSESS			100	
A-1341-R1289-R247	GEN GOV DEPT INCOME MISC FEE/REIMBURSMNT		5,000		
A-1420-40-4008	CONTRACT LEGAL SERVICES			20,000	
A-1420-42-4204	OFFICE POSTAGE			300	
A-1420-47-4705	DEPT COUNSEL/WITNESS EXPENSE			8,000	
A-1430-42-4201	OFFICE ADVERTISING			500	
A-1430-42-4201	OFFICE ADVERTISING			1,380	
A-1430-47-4767	DEPT NYS/US REGISTRY FEES/FINES/ASSESS				1,380
A-1450-45-4504	SPEC DEPT SUPPLY ELECTION				200
A-1450-46-4612	MISC SERV/EXP EMPL TRAINING				
A-1490-42-4205	OFFICE PRINTING				125
A-1490-42-4206	OFFICE PUBLICATIONS				300
A-1490-46-4612	MISC SERV/EXP EMPL TRAINING			425	
A-1620-19-45-4527	SPEC DEPT SUPPLY MISC STONE				25
A-1620-19-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY				220
A-1620-19-47-4717	DEPT BLDG/PROP REPAIRS			220	
A-1620-20-47-4717	DEPT BLDG/PROP REPAIRS			25	
A-1620-21-45-4527	SPEC DEPT SUPPLY MISC STONE			20	
A-1620-21-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			230	
A-1620-21-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			2,000	
A-1620-21-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			1,000	
A-1620-21-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS			40	
A-1620-21-47-4702	DEPT EQUIP SERVICE/REPAIRS				100
A-1620-21-47-4717	DEPT BLDG/PROP REPAIRS			760	
A-1620-21-47-4717	DEPT BLDG/PROP REPAIRS			2,600	
A-1620-21-47-4730	DEPT JANITORIAL EXPENSE				150
A-1620-21-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			100	
A-1620-22-21-2102	FIXED BUILDINGS				1,100
A-1620-22-21-2102	FIXED BUILDINGS				800
A-1620-22-21-2102	FIXED BUILDINGS				2,600
A-1620-22-21-2102	FIXED BUILDINGS				345

August 2011
 Modifications to the 2011 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-1620-22-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				750
A-1620-22-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			750	
A-1620-22-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			1,000	
A-1620-22-47-4717	DEPT BLDG/PROP REPAIRS				1,000
A-1620-23-45-4549	SPEC DEPT SUPPLY SAFETY			250	
A-1620-23-46-4609	MISC SERV/EXP SPECIAL SERV/OTHER			17,180	
A-1620-23-47-4766	DEPT CLEAN UP/BEAUTIFICATION			70	
A-1620-23-R1289-R247	GEN GOV DEPT INCOME MISC FEE/REIMBURSMNT	8,590			
A-1620-24-21-2102	FIXED BUILDINGS				150
A-1620-24-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			350	
A-1620-24-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			250	
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				3,000
A-1620-24-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			2,750	
A-1620-24-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			200	350
A-1620-26-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING				200
A-1620-26-47-4717	DEPT BLDG/PROP REPAIRS				200
A-1620-26-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			150	
A-1620-28-44-4402	UTILITY FUEL OIL			25	
A-1989-99-47-4736	DEPT CONTINGENT				42,702
A-3110-30-20-2005	TRACKED EQUIP OTHER			1,250	
A-3110-30-R1510-R247	SHERIFF FEE MISC FEE/REIMBURSMNT	1,250			
A-3150-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER			220	
A-3150-20-2005	TRACKED EQUIP OTHER			4,000	
A-3150-46-4603	MISC SERV/EXP EMPL UNIFORM ALLOWANCE				220
A-3150-46-4603	MISC SERV/EXP EMPL UNIFORM ALLOWANCE				4,000
A-3410-42-4203	OFFICE OFFICE SUPPLIES				200
A-3410-42-4204	OFFICE POSTAGE				20
A-3410-44-4401	UTILITY ELECTRIC				500
A-3410-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY			745	
A-3410-47-4703	DEPT DUES				25
A-4010-33-21-2105	FIXED AUTOMOTIVE EQUIP				3,320
A-4010-33-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE			3,682	
A-4010-33-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK				3,682

August 2011
 Modifications to the 2011 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-4010-33-42-4203	OFFICE OFFICE SUPPLIES			1,000	
A-4010-33-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			3,320	
A-4010-33-47-4701	DEPT RENTALS			3,500	
A-4010-33-47-4774	DEPT PUBLIC HEALTH EDUCATION			13,500	
A-4010-33-R3401-R167	ST AID PUBLIC HEALTH DEPARTMENTAL AID	18,000			
A-4010-35-41-4103	AUTO/TRAVEL MEALS				100
A-4010-35-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				200
A-4010-35-42-4206	OFFICE PUBLICATIONS				17
A-4010-35-45-4501	SPEC DEPT SUPPLY MISC/OTHER			84	
A-4010-35-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL				50
A-4010-35-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			288	
A-4010-35-46-4612	MISC SERV/EXP EMPL TRAINING				5
A-4010-36-10-1011	PERSONAL SERV REGULAR PAY				215
A-4010-36-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				6,000
A-4010-36-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE			6,000	
A-4010-36-47-4703	DEPT DUES			215	
A-4010-37-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE			4,000	
A-4010-37-45-4501	SPEC DEPT SUPPLY MISC/OTHER				4,000
A-4010-44-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				500
A-4010-44-41-4105	AUTO/TRAVEL REGISTRATION FEES				
A-4050-10-1011	PERSONAL SERV REGULAR PAY			500	
A-4050-40-4017	CONTRACT MEDICAL				
A-4050-42-4203	OFFICE OFFICE SUPPLIES			2,000	
A-4050-42-4203	OFFICE OFFICE SUPPLIES			500	
A-4050-42-4203	OFFICE OFFICE SUPPLIES			1,100	
A-4050-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			2,090	
A-4050-46-4603	MISC SERV/EXP EMPL UNIFORM ALLOWANCE				500
A-4050-47-4740	DEPT MEDICAL - OUTPATIENT SERVICES				
A-4050-47-4774	DEPT PUBLIC HEALTH EDUCATION			2,000	
A-4059-41-4102	AUTO/TRAVEL LODGING				4,000
A-4059-41-4103	AUTO/TRAVEL MEALS				780
A-4059-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				75
A-4059-41-4105	AUTO/TRAVEL REGISTRATION FEES				400
A-4059-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE				175
					1,000

August 2011
 Modifications to the 2011 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-4059-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			2,430	
A-4059-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			4,400	
A-4059-R4401-R402	FED AID PUBLIC HEALTH ARRA	4,400			
A-4082-10-1011	PERSONAL SERV REGULAR PAY				5,000
A-4082-45-4501	SPEC DEPT SUPPLY MISC/OTHER			1,000	
A-4082-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			4,000	
A-4220-42-4203	OFFICE OFFICE SUPPLIES			2,000	
A-4220-47-4745	DEPT ALCOHOL/DRUG TESTING			7,111	
A-4220-R4486-R297	FED AID NARCOTC ADDICTN CONTRL SALARY SHARING	9,111			
A-4230-40-4036	CONTRACT ADDICTION SERVICES				43,358
A-4230-R3489-R207	ST AID OTHR HEALTH GAMBLING ADDICTN CONTRL		43,358		
A-4310-R3490-R104	ST AID MENTAL HEALTH ADMINISTRATION		476		
A-4320-40-40-4023	CONTRACT MENTAL HEALTH			42,814	
A-4320-40-R3490-R142	ST AID MENTAL HEALTH CLINIC	64,624			
A-4320-42-R3490-R122	ST AID MENTAL HEALTH CASE MANAGMNT		2,558		
A-4320-42-R3490-R125	ST AID MENTAL HEALTH CASE MANAGMNT - INTENSIVE		18,776		
A-4322-40-4023	CONTRACT MENTAL HEALTH			102,852	
A-4322-R3490-R147	ST AID MENTAL HEALTH OFFICE OF MENTAL HEALTH	82,997			
A-4322-R3490-R395	ST AID MENTAL HEALTH OMRDD	19,855			
A-6010-38-40-4008	CONTRACT LEGAL SERVICES			812	
A-6010-38-40-4008	CONTRACT LEGAL SERVICES			1,000	
A-6010-38-42-4206	OFFICE PUBLICATIONS				1,000
A-6010-38-46-4609	MISC SERV/EXP SPECIAL SERV/OTHER				1,400
A-6010-38-47-4703	DEPT DUES			65	
A-6010-38-47-4705	DEPT COUNSEL/WITNESS EXPENSE			100	
A-6010-38-47-4709	DEPT INTERPRETERS FEES			100	
A-6010-38-47-4710	DEPT MISC/OTHER				1,900
A-6010-38-47-4710	DEPT MISC/OTHER			3,000	
A-6010-38-47-4727	DEPT PROCESS SERVER FEES			100	
A-6010-38-47-4727	DEPT PROCESS SERVER FEES			290	
A-6010-38-47-4740	DEPT MEDICAL - OUTPATIENT SERVICES				355
A-6293-42-4205	OFFICE PRINTING			25	
A-6293-47-4760	DEPT CLIENT EXPENSES				25

August 2011
 Modifications to the 2011 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-6510-42-4203	OFFICE OFFICE SUPPLIES				40
A-6510-42-4205	OFFICE PRINTING			40	
A-7110-82-44-4404	UTILITY PROPANE			810	
A-7110-82-45-4524	SPEC DEPT SUPPLY LUMBER				250
A-7110-82-45-4527	SPEC DEPT SUPPLY MISC STONE				250
A-7110-82-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			25	
A-7110-82-47-4717	DEPT BLDG/PROP REPAIRS				25
A-7110-82-47-4717	DEPT BLDG/PROP REPAIRS				310
A-7110-84-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC				225
A-7110-84-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			225	
A-7450-203-45-4524	SPEC DEPT SUPPLY LUMBER			150	
A-7450-203-47-4717	DEPT BLDG/PROP REPAIRS				150
A-7520-42-4201	OFFICE ADVERTISING				50
A-7520-42-4203	OFFICE OFFICE SUPPLIES			50	
A-7520-43-4301	COMPUTER SUPPLIES			25	
A-7520-45-4501	SPEC DEPT SUPPLY MISC/OTHER			15	
A-7520-45-4527	SPEC DEPT SUPPLY MISC STONE				15
A-7520-47-4717	DEPT BLDG/PROP REPAIRS				25
A-7520-47-4717	DEPT BLDG/PROP REPAIRS				100
A-7520-47-4717	DEPT BLDG/PROP REPAIRS				400
A-7520-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			400	
A-7520-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			100	
A-7610-89-41-4105	AUTO/TRAVEL REGISTRATION FEES				200
A-7610-89-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			200	
A-9901-90-9001	TRANSFERS COUNTY ROAD				2,000
Total General Fund		208,827	70,168	285,008	146,349
CL-8160-45-4501	SPEC DEPT SUPPLY MISC/OTHER			2500	
CL-8160-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			250	
CL-8160-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			4500	
CL-8160-47-4701	DEPT RENTALS			4000	
CL-8160-47-4702	DEPT EQUIP SERVICE/REPAIRS				4000
CL-8160-47-4702	DEPT EQUIP SERVICE/REPAIRS				2750

August 2011
 Modifications to the 2011 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
CL-8160-47-4702	DEPT EQUIP SERVICE/REPAIRS				4500
	Total Solid Waste Fund			11,250	11,250
D-3310-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				100
D-3310-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				50
D-3310-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			50	
D-3310-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			100	
D-5110-45-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				25
D-5110-45-45-4519	SPEC DEPT SUPPLY OIL SURFACE TREATMENT				2,335
D-5110-45-45-4519	SPEC DEPT SUPPLY OIL SURFACE TREATMENT				3,000
D-5110-45-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			3,000	
D-5110-45-45-4541	SPEC DEPT SUPPLY TOOLS			25	
D-5110-45-47-4701	DEPT RENTALS			2,335	
D-5110-46-45-4523	SPEC DEPT SUPPLY REINFORCING STEEL				2,000
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND		2,000		
	Total County Road Fund		2,000	5,510	7,510
DM-5130-49-41-4104	AUTO/TRAVEL MILEAGE/TOLLS			500	
DM-5130-49-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				500
	Total Road Machinery Fund			500	500

Corrective Action Plan for 2010 Fiscal Year Audit

This document outlines actions the County will take or has already begun to undertake, to correct the internal control matters identified in the Management Letter prepared by the County's external auditor, O'Connor Davies Munns & Dobbins, LLP.

Audit Period: For the year ended December 31, 2010.

Capital Projects Fund

Finding:

A lack of financial activity in a capital project over an extended period of time may be an indication of the project's completion. Our review of the Capital Projects Fund indicated that numerous projects have been inactive for periods in excess of one year. These projects represent a combined fund balance in excess of \$1.9 million at December 31, 2010. Upon determination that a capital project has been completed, the governing board should pass a resolution indicating this status and directing the disposition of the unexpended proceeds. If the unexpended balance of the project consists of monies provided from obligation or in certain instances, State or Federal grants, its use will be restricted to the payment of outstanding indebtedness. If the remaining balance consists of a return of a contribution from an operating fund, it should be returned to that fund to be used for any lawful purpose.

Recommendation:

We suggest that, although the County did close out several projects in the prior year, another review of all capital projects be undertaken to determine the status of completion and the proper disposition of available funds.

Corrective Action:

The Office of Management and Budget, the County Treasurer's Office, and the Department of Public Works reviewed all of the existing capital accounts during the spring of 2011. As a result of the review, six capital accounts were closed through adoption of Resolution 233 of 2011. All of the other existing capital accounts are being utilized for ongoing projects.

The Office of Management and Budget will continue to work with the Treasurer's Office and the Department of Public Works on a yearly basis to review and recommend capital accounts for closure where appropriate.

Corrective Action Plan for 2010 Fiscal Year Audit

Budgetary Compliance

Finding:

Our audit disclosed a few instances where certain General Fund expenditures, some the result of year end accounting accruals, resulted in expenditures exceeding budgeted appropriations.

Recommendation:

We suggest that the County try to estimate the impact of these year end accruals, so as not to exceed budgetary authorizations.

Corrective Action:

The Budget Office will work with all departments to factor in twelve month yearend accruals when submitting their yearend budget modifications. While there were certain instances of lines being over budget, overall general fund expenditures were \$5.85 million less than the amended budget.

Capital Asset Reporting

Finding:

The Sullivan County Community College is reflected in the County's financial statements as a discretely presented component unit. A separate audit and financial statement are prepared for the College. In that statement, capital assets (land, buildings, infrastructure and equipment) are reported on its balance sheet but are disclosed in the notes to the financial statements as "assets made available to the College". This is because title to real property of the College vests with the County and bonds and notes for the College related to capital construction costs are issued by the County and are County debt. Therefore, when the College's financial information is incorporated into the County's financial statements, a conversion needs to be made to reflect its balance sheet without the capital assets and related debt. These capital assets would then be reported as part of the assets of the County within the governmental activities column on the Statement of Net Assets. This conversion was not performed, resulting in the duplication of certain assets reported in governmental activities, as well as in the component unit financial statements.

Corrective Action Plan for 2010 Fiscal Year Audit

Recommendation:

We suggest that finance personnel at both the County and the College develop a methodology to convert the College's financial information into a format that presents the capital assets properly, so as to avoid duplication.

Corrective Action:

The County and College began the process of reconciling their respective fixed asset schedules during the year. We were unable to complete the process during 2010. The County fiscal staff will work with the Sullivan County Community College fiscal staff to analyze and determine the best methodology and protocol to incorporate the fixed assets listed on the College's financial statement into the County's financial statement.

Corrective Action Plan for 2010 Fiscal Year Audit

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Corrective Action:

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Corrective Action Plan for 2010 Fiscal Year Audit

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