

Sullivan County Legislature

Regular Meeting

April 26, 2012 at 4:30PM

The Regular Meeting of the County Legislature was called to order at 4:34PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Chairman Samuelson's AND Vice Chairman Benson's designation of April 28, 2012 at "Worker's Day"
2. Chairman Samuelson's appointments to the Fish and Wildlife Management Act District Board
3. Record Destruction Notification submitted by Board of Ethics dated April 2, 2012, Public Works dated April 6, 2012 and Audit and Control dated April 16, 2012
4. 2011 Annual Report of the United State Department of the Interior National Park Service filed by Sean McGuiness, Superintendent
5. 2011 Annual Report including the Annual Audit Report and Annual Financial Report for Fiscal Year 2011 for the Industrial Development Agency
6. 2011 Sullivan County Annual Report filed by County Manager David P. Fanslau
7. Copy of Resolution No. 45 of 2012 adopted by the Schoharie Board of Supervisors calling on all counties to unite to bring about real and meaningful relief in New York State
8. Copy of Resolution No. 103-12 adopted by the Greene County Legislature authorizing participation in local government efficiency grant-Capital Regional Procurement Collaboration Project
9. Copy of Resolution No. 146-12 adopted by the Fulton County Board of Supervisors urging the United States congress to repeal a portion of the Universal Service Fund Surcharge that provides Free Cellular telephone services to "income eligible" individuals

Presentations:

Mrs. LaBuda stated that tonight is a bitter sweet night. She is happy that we are finally having an evening meeting so that more people will have the opportunity to attend. It is so important that people participate in government and that government be transparent. However, tonight I remember my good friend from the Town of Mamakating, Eileen Weil whose sudden and untimely death took us all by sad surprise. Eileen and her husband, Andy, who is here tonight, dedicated so much of their life and energy to good government. Thank you Andy and would you please come up to the podium. She presented Andy Weil with the below Memoriam:

MEMORIAL TRIBUTE

WHEREAS, Eileen Weil was a long time resident of Sullivan County, and a community activist, and

WHEREAS, Eileen Weil taught for nineteen years as an adjunct associate professor at Sullivan County Community College, and

WHEREAS, Eileen Weil with her husband, Andy, founded A&E Management and Contracting which has been in business since 1984, and

WHEREAS, Eileen Weil was a long time member of the Bashakill Area Association, and

WHEREAS, Eileen Weil helped found the Sullivan County Human Rights Commission and the Sullivan Alliance for Sustainable Development, and

WHEREAS, Eileen Weil served as a co-chair for Sullivan Peace and Justice, and

WHEREAS, Eileen Weil was recognized by the New York State Assembly and by the Office of Congressman Maurice Hinchey.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby wishes to express our profound sympathy to her family and a deep sense of loss of one of our community's most dedicated leaders, hard working citizen, friend, and neighbor.

Dated: April 26, 2012

Scott B. Samuelson, Chairman

Gene L. Benson, Vice Chairman

Kathleen M. LaBuda, Majority Leader

Alan J. Sorensen, Minority Leader

Mr. Benson presented the attached to Beth Soto, HVALF the following proclamation:

SULLIVAN COUNTY LEGISLATIVE PROCLAMATION

WHEREAS, THROUGHOUT ITS HISTORY, SULLIVAN COUNTY HAS BEEN FORTUNATE TO HAVE PUBLIC WORKERS, AND DEDICATED CITIZENS WHO HAD BEEN INJURED OR HAD DIED ON THE WORK PLACE, AND

WHEREAS, WE ARE GATHERED HERE TODAY, April 28, 2012 AS THE SULLIVAN/PUTNAM AFL-CIO CENTRAL LABOR BODY HOST THEIR ANNUAL WORKER'S MEMORIAL DAY VIGIL, AND

WHEREAS, EVERY YEAR TENS OF THOUSANDS OF AMERICAN WORKERS ARE KILLED BY WORK RELATED INJURIES AND OCCUPATIONAL DISEASE, AND

WHEREAS, TO THIS DATE MANY OF THE WORKERS ARE LEFT WITH PERMANENT DISABILITIES, AND MILLIONS ARE INJURED OR MADE ILL, AND

WHEREAS, CONCERNED AMERICANS ARE DETERMINED TO PREVENT THESE TRAGEDIES BY RENEWING OUR EFFORTS TO SEEK STRONGER SAFETY AND HEALTH PROTECTIONS, BETTER STANDARDS AND ENFORCEMENT, AND FAIR AND JUST COMPENSATION, AND

WHEREAS, CONCERNED AMERICANS ARE DETERMINED TO RENEWING OUR EFFORTS TO SEEK STRONGER SAFETY AND HEALTH PROTECTIONS, BETTER STANDARDS AND ENFORCEMENT, AND FAIR AND JUST COMPENSATION.

WHEREAS, REDEDICATING OURSELVES TO IMPROVING SAFETY AND HEALTH IN EVERY AMERICAN WORKPLACE, AND

WHEREAS, THE SACRIFICES AND COURAGE SUCH AS THOSE OF WORKER'S SHOULD BE PROPERLY RECOGNIZED AND ACCLAIMED.

NOW, THEREFORE, BE IT RESOLVED, THAT THE SULLIVAN COUNTY LEGISLATURE JOIN WITH CHAIRMAN SCOTT SAMUELSON AND VICE CHAIRMAN GENE BENSON IN PAYING TRIBUTE TO THE WORKER'S MEMORIAL AND THANK THEM FOR ALL THEY HAVE DONE THROUGHOUT THE YEARS FOR PROTECTING FELLOW CITIZENS AND PUTTING THEIR LIVES IN JEOPARDY FOR THE SAFETY OF THE CITIZENS OF SULLIVAN COUNTY, AND,

BE IT FURTHER RESOLVED, THAT APRIL 28, 2012 IS BEING RECOGNIZED AS A DAY TO REMEMBER THESE VICTIMS OF WORK INJURIES, DISABILITIES AND DISEASE, BE IT FURTHER

RESOLVED, THAT THE TEXT OF THIS PROCLAMATION BE CARRIED THROUGHOUT THE COUNTY OF SULLIVAN FOR ALL PEOPLE OF GOOD WILL TO KNOW.

Scott B. Samuelson, Chairman

Gene L. Benson, Vice Chairman

Sullivan County Legislature

Sullivan County Legislature

Dated this Twenty Sixth day of April 2012

Chairman Samuelson recognized the following speakers:

1. Edward Allees
2. Sondra Bauernfeind
3. Tishanna Mccullough
4. Michael Chojnicki
5. Tom Warren
6. Larissa Durszka
7. Anthony Perino
8. Al Larson
9. Bruce Ferguson
10. Karen London

**RESOLUTION NO. 135-12 INTRODUCED BY EXECUTIVE COMMITTEE
REQUESTING THAT THE NEW YORK STATE LEGISLATURE ADOPT BILL NO.
A9566 AND BILL NO. S6780**

WHEREAS, the County agreed in 1996 to provide an improved retirement plan, known as Article 14-b of the Retirement and Social Security Law, specifically, that provision of law known as the “Twenty-Five Year Special Retirement Plan for Sheriffs, Undersheriffs, and Deputy Sheriffs Directly Engaged in Criminal Law Enforcement Activities”, to members of the Sullivan County Patrolmen’s Benevolent Association who meet the criteria for this retirement plan, and

WHEREAS, Sheriff Deputies have to elect coverage within one year of joining the Retirement System or being appointed to the position of deputy sheriff for Sullivan County, and

WHEREAS, there are two (3) deputy sheriffs who did not elect this coverage within the one year time period, as a result special legislation must be enacted by the New York State Legislature for them to be covered in by this special plan, and

WHEREAS, these two (3) deputy sheriffs are Scott Galligan, Sean Grady and Rose Ionta-Tocco.

WHEREAS, due to the Collective Bargaining Agreement, the County is required to provide its deputy sheriffs with this special retirement plan.

WHEREAS, the New York State Legislature requires that the local affected jurisdiction provide a resolution in support of this special legislature, and

WHEREAS, increase of approximately \$4,500 in the annual contributions for the fiscal year ending March 31, 2013, and

WHEREAS, Bill No. A9566 which is to be presented in the New York State Assembly and Bill No.S6780 which is to be presented in the New York State Senate will permit the two (2) deputy sheriffs to elect coverage under Article 14-b of the Retirement and Social Security Law (“Article 14-b”).

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby respectfully requests that the New York State Legislature adopt Assembly Bill No. A9566 and Senate Bill S6780 permitting the three (3) deputy sheriffs to elect coverage under Article 14-b, and

BE IT FURTHER RESOLVED that the Clerk of the Sullivan County Legislature is hereby directed to forward a copy of this Resolution to Assemblywoman Aileen Gunther, Senator John J. Bonacic and Governor Andrew Cuomo.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a roll call vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 136-12 INTRODUCED BY EXECUTIVE COMMITTEE

TO ENACT A LOCAL LAW DESIGNATING TOBACCO FREE ZONES AT COUNTY PLAYGROUNDS AND PARKS

WHEREAS, proposed Local Law entitled "A Local Law Designating Tobacco Free Zones at County Playgrounds and Parks" was presented to the Sullivan County Legislature at a meeting held on April 26, 2012, 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 "A Local Law Designating Tobacco Free Zones at County Playgrounds and Parks" County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mr. Sorensen, seconded by Mr. Steingart, put to a roll call vote, unanimously carried and declared duly adopted on motion April 26, 2012.

A Local Law to Designate Tobacco Free Zones at County Playgrounds and Parks

BE IT ENACTED by the Legislature of the County of Sullivan, as follows:

In order to foster public health the County of Sullivan wishes to enact an appropriate policy with respect to tobacco at County Playgrounds and Parks.

Whereas, smoking is responsible for the premature deaths of over 400,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases, killing more Americans each year than alcohol, illegal drugs, AIDS, car accidents and murders and suicides combined.

And whereas secondhand smoke is responsible for over 50,000 deaths among non-smokers each year and the 2006 Surgeon General's report states that evidence indicates there is no risk-free level of exposure to secondhand smoke.

It is important to role model non-smoking behavior to children and youth and to provide the youth and their families with a safe, smoke-free environment.

Eighty percent of smokers start before the age of eighteen and the average age is twelve years old. It is estimated that everyday 4,000 young people under the age of eighteen try their first cigarette and one third will die prematurely from tobacco related illnesses.

And, whereas, cigarette filter litter is not bio-degradable and litter clean-up costs taxpayer money, has environmental consequences and litter in a community decreases property values seven percent.

Accordingly, the Sullivan County Legislature hereby enacts the following Local Law:

It shall be the policy of the County of Sullivan that all Parks and Playgrounds owned and/or administered by the County of Sullivan are hereby designated Tobacco Free Zones there shall be no tobacco of any kind in Parks and on playgrounds owned and/or administered by the County of Sullivan.

This Local Law shall become effective May 1, 2012.

RESOLUTION NO. 137-12 AMENDING RESOLUTION NO. 477-06 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE REQUIRING ANY AGENCY FUNDED BY THE COUNTY TO SUBMIT ADDITIONAL SUPPORTING PERFORMANCE DOCUMENTS AS RECOMMENDED BY THE COUNTY MANAGER

WHEREAS, the County Manager has recommended that any agency or organization funded by the County of Sullivan shall be required to submit supporting performance documentation as a condition of continued eligibility for the receipt of an appropriation by the County, and

WHEREAS, the required documentation shall include, but not be limited to: (a) a mission statement, (b) a copy of incorporation documents, along with updated bylaws and a listing of individuals that comprise their governing board, (c) an audit of their financial records, performed by an independent auditor, licensed as a certified public accountant eligible to perform such services in the State of New York (required only if annual appropriation is \$50,000 or higher), (d) an annual plan that establishes clearly defined goals and sets specific annual performance targets or performance measures, (e) a statement of specific detailed services that the organization shall perform contractually for the County associated with the appropriation requested, and (f) documentation to support an analysis of their performance as compared to their mission and annual plan, and

WHEREAS any agency or organization funded by the County of Sullivan shall be required to submit a certified copy of all minutes of their governing board with the Clerk of the Legislature

that will be made available for public review, as a condition of continued eligibility for the receipt of an appropriation by the County, and

NOW, THEREFORE, BE IT RESOLVED that the above recitations be incorporated in and made a part hereof and adopted by the Legislature of the County of Sullivan that were effective January 1, 2007, and

BE IT FURTHER RESOLVED that each organization or entity that is identified to submit supporting performance documents shall also be required to complete and support the attached “Budget Summary Sheet for Not-For-Profits”, attached hereto as Schedule “A”, and

BE IT FURTHER RESOLVED that each organization or entity that is identified to submit supporting performance documents shall timely submit the minutes of their organization on at least a quarterly basis, and

BE IT FURTHER RESOLVED that each organization or entity that is identified to submit supporting performance documents shall submit a quarterly report (if annual appropriation is \$50,000 or higher, and annually if the appropriation is 49,999 or less), on their performance, including performance measures associated with their mission and annual plan, and

BE IT FURTHER RESOLVED that each organization or entity that is identified to submit supporting performance documents shall receive quarterly payments from the County after they have submitted quarterly minutes of their organization and quarterly (if annual appropriation is \$50,000 or higher, and annually if the appropriation is 49,999 or less) reports on their performance measures, and

BE IT FURTHER RESOLVED that the additional requirements stipulated in this resolution shall be effective retroactively to April 1, 2012.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 138-12 INTRODUCED BY THE CINDY KURPIL GIEGER, CHAIR OF THE SUSTAINABILITY POLICY COMMITTEE TO MODIFY RESOLUTION NUMBER 21 OF 2012 WITH SULLIVAN ALLIANCE FOR SUSTAINABLE DEVELOPMENT AND AUTHORIZE THE COUNTY MANAGER TO EXECUTE A MODIFICATION AGREEMENT

WHEREAS, resolution number 21 of 2012 authorized a contract with Sullivan Alliance for Sustainable Development (SASD) in an amount not to exceed \$25,000 for the period of January 1, 2012 through December 31, 2012, and

WHEREAS, there is a desire to amend the terms of the contract to provide additional funding to SASD for the period of May 1, 2012 through December 31, 2012,

WHEREAS, this funding is hereby provided as “seed” funding for 2012, with the expectation that SASD will seek grant and other funding beyond 2012, without reliance upon said County funding, however, the Legislature may reconsider funding in the event that grant funding is not secured.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The County Manager is hereby directed to execute a modification agreement with SASD to provide technical assistance and other assistance as may be requested and agreed to by both parties. Such assistance is to include funding strategies, information dissemination to the general public and such other activities as the Legislature deems appropriate.
2. That this funding is hereby provided as “seed” funding for 2012, with the expectation that SASD will seek grant and other funding beyond 2012, without reliance upon said County

funding, however, the Legislature may reconsider funding in the event that grant funding is not secured.

3. The County Manager is hereby authorized to sign and execute a modification agreement with SASD in an amount not to exceed \$60,000. \$25,000 for the period of January 1, 2012 through December 31, 2012 and \$35,000 for the period of May 1, 2012 through December 31, 2012, in a form that is acceptable to the County Attorney.

4. The 2012 Operating Budget is amended to increase expense account A-6989-40-4013 by \$35,000.

Moved by Mrs. LaBuda, seconded by Mrs. Gieger, put to a vote with Mr. Rouis opposed, resolution carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 139-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND THE RULES OF THE SULLIVAN COUNTY LEGISLATURE TO CREATE THE AGRICULTURE AND SUSTAINABILITY POLICY COMMITTEE

WHEREAS, the Sullivan County economy relies heavily upon Agriculture as a top industry in the County, and

WHEREAS, the Sullivan County Legislature hereby declares that Agriculture shall become a part of a standing committee of the Legislature, to provide for the appropriate attention of the Legislature, and

WHEREAS, the Executive Committee of the Sullivan County Legislature hereby amends the Rules of the Sullivan County Legislature to rename and expand the jurisdiction of the Sustainability Policy Committee to the Agriculture and Sustainability Policy Committee, and

WHEREAS, the Agriculture and Sustainability Policy Committee shall retain all of the jurisdictional areas of the current Sustainability Policy Committee, as delineated in the Administrative Code, and shall have jurisdiction over Agriculture Policy, including Agriculture Economic Development that is hereby transferred from the Community and Economic Development Committee, and

WHEREAS, the County Attorney's office shall amend the Rules of the Legislature and file the revised copy with the Clerk to the Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature, through the Executive Committee hereby amends the Rules of the Sullivan County Legislature to rename and expand the jurisdiction of the Sustainability Policy Committee to the Agriculture and Sustainability Policy Committee, and

BE IT FURTHER RESOLVED, that the Agriculture and Sustainability Policy Committee shall retain all of the jurisdictional areas of the current Sustainability Policy Committee, and shall have jurisdiction over Agriculture Policy, including Agriculture Economic Development that is hereby transferred from the Community and Economic Development Committee.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a roll call vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 140-12 INTRODUCED BY SUSTAINABILITY POLICY COMMITTEE TO CREATE A CLIMATE ACTION PLANNING ADVISORY BOARD

WHEREAS, Sullivan County ("County") has an opportunity to foster sustainable development while addressing the challenges faced by climate change impacts, and

WHEREAS, the County would like to develop a Climate Action Plan to outline the steps necessary to reduce the County's carbon footprint while developing a thriving and sustainable economy, and

WHEREAS, the Sullivan County Legislature has determined that it is in the best interest of the County to create a Climate Action Planning Advisory Board for the purposes of developing and implementing this plan, and

WHEREAS, such Climate Action Planning Advisory Board shall include eleven to thirteen community members and elected officials that possess an awareness of business, agriculture, education, renewable energy, finance, economic development, regional history, tourism, art and culture, transportation, housing, building trades and real estate, healthcare, and waste management and landfill issues; and County staff shall serve as non-voting members of the Advisory Board, and

WHEREAS, members of the Climate Action Planning Advisory Board shall be appointed by the Chairman of the Sullivan County Legislature, serve without compensation, at the pleasure of the Legislature, and

WHEREAS, said Advisory Board will meet monthly (more often, if special circumstances arise) for the purpose of developing recommendations to include in a Climate Action Plan for Sullivan County, and to provide recommendations for implementation after the plan has been completed..

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates the Climate Action Planning (CAP) Advisory Board, and

BE IT FURTHER RESOLVED that the Chairman of the Sullivan County Legislature is authorized to appoint members to said Advisory Board.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 141-12 INTRODUCED BY SUSTAINABILITY POLICY COMMITTEE TO CREATE AN AGRICULTURAL ADVISORY BOARD

WHEREAS, the growth and development of Sullivan County's agricultural community is important for the rejuvenation of the local economy, and

WHEREAS, it has been determined that there is a need for improved communication between the farming community and the Sullivan County Legislature in order to provide more effective assistance to Sullivan County Farmers, and

WHEREAS, the Sullivan County Legislature would like to create an Agricultural Advisory Board to foster the sharing of information between farmers and policy makers, and

WHEREAS, such Agricultural Advisory Board shall include eleven to thirteen community members and elected officials that possess an awareness of agriculture, as well as, the needs and strengths of the farming community; and County staff shall serve as non-voting members of the Advisory Board, and

WHEREAS, members of the Agricultural Advisory Board shall be appointed by the Chairman of the Sullivan County Legislature, serve without compensation, at the pleasure of the Legislature, and

WHEREAS, said Advisory Board will meet monthly (more often, if special circumstances arise) for the purpose of reviewing agricultural activities and developing recommendations for the Sullivan County Legislature with regard to the best use of resources to foster the development of Agriculture.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates the Agricultural Advisory Board, and

BE IT FURTHER RESOLVED that the Chairman of the Sullivan County Legislature is hereby authorized to appoint members to said Advisory Board.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 142-12 INTRODUCED BY THE PERSONNEL COMMITTEE TO CREATE A BUS DRIVER POSITION IN THE TRANSPORTATION DEPARTMENT

WHEREAS, the Commissioner of Public Works has requested that a Bus Driver position be created within the Transportation department, and

WHEREAS, the position would allow the department to fulfill its service obligations, and

WHEREAS, the position is a Grade IV on the Teamsters Main Unit Local 445 salary schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates one Bus Driver position in the Transportation Department (A5680), effective immediately.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO 143-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO CREATE A POSITION OF GRANT WRITER WITHIN THE DEPARTMENT OF GRANTS ADMINISTRATION

WHEREAS, the Department of Grants Administration is responsible for the coordination and tracking of all grants throughout the county, and

WHEREAS, the Department Grants Administration is responsible for researching and assisting in writing grants on behalf of all county departments.

WHEREAS, the creation of the position of Grant Writer within the Department of Grants Administration will enable to department to fully meet its responsibilities.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates the position of Grant Writer in the Grants Administration Department at grade XIII of the Teamsters Local 445 salary schedule.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 144-12 INTRODUCED BY THE VETERANS COMMITTEE TO CREATE A VETERANS SERVICE OFFICER POSITION IN THE VETERANS SERVICE AGENCY

WHEREAS, the Director of the Veterans Service Agency has requested that a Veterans Service Officer position be created within the Veterans Service Agency, and

WHEREAS, the position would allow the department to fulfill its service obligations, and

WHEREAS, the position is a Grade IX on the Teamsters Main Unit Local 445 salary schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates one Veterans Service Officer position in the Veterans Service Agency, effective immediately.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 145-12 INTRODUCED BY EXECUTIVE COMMITTEE.

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

WHEREAS, there is a need to re-appoint one (1) member to the Community Services Board; and

WHEREAS, the appointment is to commence on January 1, 2012; and

WHEREAS, the appointment shall be for a four (4) year term ending on December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, the following individual(s) be reappointed to the Sullivan County Community Services Board to reflect a four (4) year term.

RE-APPOINTMENTS TO THE CSB

TERM

Susan Miller

1/1/2012 - 12/31/2015

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 146-12 INTRODUCED BY EXECUTIVE COMMITTEE TO REAPPOINT TWO 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 individuals listed below be reappointed to the Health Services Advisory Board for a four-year term (1/1/2012-12/31/2015) per Public Health Law:

Priscilla Bassett

292 Glade Hill Road

Grahamsville, New York 12740

Zaida Chasi

PO Box 1353

South Fallsburg, New York 12779

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 147-12 INTRODUCED BY EXECUTIVE COMMITTEE TO DESIGNATE THE COUNTY LEGISLATURE AS THE COUNTY'S TRAFFIC SAFETY BOARD

WHEREAS, neither the Sullivan County Charter nor Administrative Code designates the Legislature as the County's Traffic Safety Board, and

WHEREAS, the County will be eligible for New York State Traffic Safety Partnership Grants, and other State Grants only if the County Legislature is designated as a Traffic Safety Board, and

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Legislature hereby designates itself as the County's Traffic Safety Board for a period 1/1/2012-12/31/2015, and

BE IT FURTHER RESOLVED, that the County Manager be and he hereby is authorized to execute any and all necessary documents and papers in connection with the County's Traffic Safety Board, in such form as the County Attorney shall approve.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 148-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2011 AND 2012 COUNTY BUDGET

WHEREAS, the County of Sullivan 2011 and 2012 Budgets require modification,

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

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 149-12 INTRODUCED BY MANAGEMENT AND BUDGET 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, 2010 through June 30, 2011, and

WHEREAS, the annual rent shall total \$51,618.60 (2,133 sq. ft. at a rate of \$24.20 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.

Moved by Ms. Vetter, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 150-12 INTRODUCED BY THE OFFICE OF MANAGEMENT AND BUDGET COMMITTEE TO CLARIFY THE BASE RATES FOR INDIGENT BURIALS

WHEREAS, the Sullivan County (“County”) needs to establish rates and limits on the amount of money that can be spent on indigent burials; and

WHEREAS, the County is required by New York State Social Services Law 141 to provide a burial for indigent people; and

WHEREAS, the County’s Department of Social Services provides for a burial when temporary assistance recipient or other indigent person dies leaving no funds or insurance sufficient to pay the costs and there are no relatives, friends, or other persons liable (pursuant to Section 101 of the Social Service Law) or willing to take responsibility for the burial expenses; and

WHEREAS, if money is spent above the limits established herein, the burial is not an indigent burial and the County of Sullivan is prohibited from paying any money towards the funeral cost.

WHEREAS, the related rates and limits are set forth in the attached schedule of charges; and

WHEREAS, the same rates and policy shall apply to the County’s Veterans Agency who provides burials for our veterans.

NOW, THEREFORE, BE IT RESOLVED, that the attached schedule establishes and clarifies the County’s rates and limits on the amount of money that can be spent on indigent burials effective May 1, 2012.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Ms. Vetter abstaining, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 151-12 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE

TO AUTHORIZE A THREE (3) YEAR STANDARD SOFTWARE MAINTENANCE AGREEMENT (SSMA) WITH NEW WORLD SYSTEMS FOR CONTINUED SUPPORT FOR COMPUTER AIDED DISPATCH (CAD) SOFTWARE IN PLACE IN E911

WHEREAS, resolution 297-03 initially authorized execution of a 5 year contract and SSMA with New World Systems for their CAD system to be put in production at the E911 Center; and

WHEREAS, resolution 226-09 authorized execution of a 3 year SSMA renewal with New World Systems for continued maintenance/support of same; and

WHEREAS, said SSMA expired on March 31, 2012 and needs to be renewed to provide timely upgrades, new releases, fixes, revisions, telephone support and ESRI integration in support of E911’s dispatch capabilities for our emergency responders in Sullivan County; and

WHEREAS, New World Systems is and has been the responsible vendor for such CAD application software.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into a new SSMA with New World Systems for a period of three (3) years at a cost not to exceed \$103,780, said SSMA to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 152-12 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE 2012 ANNUAL SUPPORT FOR THE ALLEN TUNNEL TAX COLLECTION SYSTEM.

WHEREAS, the Allen Tunnel Tax Collection system provides essential capabilities to support tax collection activities for the County and individual Towns in Sullivan County; and

WHEREAS, the County wishes to continue utilizing the Allen Tunnel Tax Collection System and sponsor its use in the individual towns and receive support as provided for in Schedule A of the proposed January 1, 2012 Allen Tunnel Agreement; and

WHEREAS, the Allen Tunnel Corporation will provide 2012 Annual Support for a fee of \$35,370.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to enter into an annual support agreement for 2012 with Allen Tunnel Corporation at a cost not to exceed \$35,370.

BE IT FURTHER RESOLVED, that said agreements to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 153-12 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE EXECUTION OF AGREEMENTS WITH MUNICIPALITIES FOR PARTICIPATION IN THE COUNTY'S 2012 CLEANUP INITIATIVE

WHEREAS, the County remains committed to continuing its municipal cleanup initiative in 2012; and

WHEREAS, an annual no cost cleanup tonnage has been allocated by the County of Sullivan to each municipality in accordance with the attached Schedule A; and

WHEREAS, the cost for any and all cleanup tonnage in excess of that indicated in Schedule A shall be charged to those municipalities exceeding their respective tonnage allocation.

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan hereby provides a tonnage allocation, set forth in Schedule A, at no charge to its municipalities; and

BE IT FURTHER RESOLVED, that each municipality shall be solely responsible for all disposal costs for cleanup tonnage in excess of their respective allocation at a disposal fee of \$76.00 per ton at the Monticello Transfer Station; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute agreements with the participating municipalities said agreements shall be in a form approved by the County Attorney.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 154-12 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH THE NEW YORK STATE BOARD OF ELECTIONS TO ACCEPT A GRANT THROUGH THE HELP AMERICA VOTE ACT (“HAVA”)

WHEREAS, the Sullivan County Board of Elections has been awarded a grant from the New York State Board of Elections, and

WHEREAS, in order for New York State to be compliant with the HAVA, certain revisions to a prior grant and requirements are necessary to achieve/maintain this compliance, and

WHEREAS, the remaining grant is in the amount of \$161,420.48, to reimburse the County of Sullivan (“County”) for funds expended on HAVA-related expenses as permitted, pursuant to the SHOEBOX program, and

WHEREAS, the grant funds can only be accessed to reimburse the County for funds expended by the County in furtherance of the grant purpose, and

WHEREAS, in order to be eligible to access the grant funds the County must enter into a new contract with the New York State Board of Elections.

NOW, THEREFORE, BE IT RESOLVED that the County Manger is hereby authorized to enter into a contract with the New York State Board of Elections to accept the award of the grant detailed above, and

BE IT FURTHER RESOLVED, that said contract shall be in a form approved by the Sullivan County Attorney.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 155-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT

WHEREAS, a bid was received for Standby Generators for various radio tower sites, and

WHEREAS, Cummins Northeast, LLC, 101 Railroad Avenue, Albany, NY 12205, is the lowest responsible bidder for this equipment, and

WHEREAS, the Sullivan County Division of Emergency Management has approved said bid and recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Cummins Northeast, LLC, at a total price not to exceed

\$73,000.00, for five (5) standby generators, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

**RESOLUTION NO. 156-12 INTRODUCED BY PUBLIC SAFETY COMMITTEE
TO AUTHORIZE COUNTY MANAGER TO EXECUTE AGREEMENT WITH NYS
OFFICE OF GENERAL SERVICES TO RECEIVE FOOD FOR INCARCERATED
MINORS AT THE SULLIVAN COUNTY JAIL**

WHEREAS, the State of New York Executive Department, Office of General Services, Division of Food Distribution & Warehousing, hereinafter referred to as the State Distribution Agency (SDA), agrees to distribute USDA foods for the purpose of feeding minors aged 18 years or under who are incarcerated in the Sullivan County Jail, which is authorized under section 17 of the National School Lunch Act, and

WHEREAS, any administrative costs associated with distribution of USDA foods is deducted on a proportionate share from the amount apportioned by the State of New York under the National School Lunch Program, if such costs become applicable, and

WHEREAS, the annual value of the USDA food distributed does not exceed the amount of one thousand five hundred (\$1,500) dollars.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an Agreement for Direct Distribution with the New York State Office of General Services in order to receive USDA foods for incarcerated minors, said agreement to be in a form as approved by the County Attorney's Office, and

BE IT FURTHER RESOLVED, that the term of said agreement shall commence effective September 1, 2011 and shall be considered permanent unless terminated by either party upon thirty (30) days written notice.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

**RESOLUTION NO. 157-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE
TO AUTHORIZE THE NEGOTIATION OF TERMS OF AGREEMENTS WITH THIRD
PARTY LAND OWNERS FOR PROPERTY NECESSARY FOR COMMUNICATION
TOWERS TO PROVIDE SERVICE THROUGHOUT THE COUNTY**

WHEREAS, Resolution No. 600-00 and Resolution No. 458-02 authorized the renewal of agreements for the use of parcels of property for communication towers; and

WHEREAS, in order to provide communication service for the entire County, renewal of certain existing leases and additional leased parcels will be needed on which to construct communication towers; and

WHEREAS, it is in the best interest of the County to renew certain of the existing lease agreements and enter into lease agreements for the additional parcels to ensure continued communication capabilities; and

WHEREAS, the Commissioner of the Division of Public Safety will determine which parcels will best suit the County's needs; and

WHEREAS, the Commissioners of the Divisions of Public Safety and Public Works will negotiate the terms of these leases including price and duration, and submit a report to the County Manager and County Attorney.

NOW, THEREFORE, BE IT RESOLVED:

1. The County's Commissioner of the Division of Public Safety is directed and authorized to determine the best locations for the continuation of existing communication towers and the location of additional communication towers, and
2. The County's Commissioners of the Divisions of Public Safety and Public Works are directed and authorized to negotiate with third parties for the continued lease of property on which existing communication towers are located and with third parties for leases for additional property on which additional communication towers will be located, and
3. Such negotiated renewals and new leases shall be submitted to the County Manager and the County Attorney, with action required by the County Legislature for approval.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 158-12 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT/S FOR THE PROVISION OF PREVENTIVE SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services, contracts for the provision of preventive services; and

WHEREAS, funding to purchase certain New York State Office of Children and Family Services (OCFS) approved preventive services at 63.7% state funds upon availability from OCFS may be passed through the Department of Family Services with a 36.3% local share match, which has been allocated by the County of Sullivan through the Youth Bureau; and

WHEREAS, the County of Sullivan, through the Department of Family Services, desires to contract for the provision of OCFS approved preventive services with Sullivan County Unit - Town of Wallkill Boys and Girls; and

WHEREAS, the Sullivan County Unit - Town of Wallkill Boys and Girls Club, is capable and willing to provide such services at a cost not to exceed amounts funded.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with the Sullivan County Unit - Town of Wallkill Boys and Girls Club at a cost not to exceed amounts approved by NYS OCFS for the period from October 1, 2011 through September 30, 2012; and

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

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 159-12 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH THE SULLIVAN COUNTY CHILD CARE COUNCIL, INC FOR THE PROVISION OF INFORMAL CHILD DAY CARE RELATED SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services has in place an agreement for the provision of Informal Child Day Care related services including the provision of Child Care Time and Attendance (CCTA) services that expires 2/29/2012; and

WHEREAS, the Sullivan County Child Care Council, Inc is capable of and willing to provide these services at a combined cost not to exceed \$112,050.50 during the period from 3/1/2012 through 2/28/2013 through purchase of service agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with the Sullivan County Child Care Council, Inc at a cost not to exceed \$112,050.50 for Informal Child Day Care related and Child Care Time and Attendance (CCTA) services provided during the period from 3/1/2012 through 2/28/2013; and

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

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 160-12 INTRODUCED BY THE HEALTH & FAMILY SERVICES COMMITTEE TO SUBMIT THE COUNTY'S REQUEST FOR A MORATORIUM ON HYDRAULIC FRACTURING TO THE STATE

WHEREAS, pure water, free of any toxic chemicals or other pollutants is essential for life and good health, and

WHEREAS, in Sullivan County substantially all of the water upon which our citizens depend comes from underground aquifers, and

WHEREAS, responsible government officials have an absolute responsibility to scrupulously safe guard our vital water supply against contamination for the protection of the public health and the viability of the County's agriculture, and

WHEREAS, the Sullivan County Legislature is concerned about the possible public health impacts of the hydraulic fracturing which involves the high pressure infusion into deep wells of large quantities of water mixed with a number of chemicals which may or may not be disclosed to the general public and other substances, and

WHEREAS, the New York State Department of Environmental Conservation ("DEC") has acknowledged the potential for negative impacts of hydraulic fracturing with its determination that individual environmental assessments will be required for wells drilled within the New York City and the Syracuse watersheds, and

WHEREAS, the health and welfare of the citizens of Sullivan County are no less important and vital than the health and welfare of the citizens of New York City or Syracuse, and

WHEREAS, Sullivan County's aquifers may be potentially more vulnerable than surface water reservoirs are to contamination by hydraulic fracturing, and

WHEREAS, an environmental engineering report by the engineering firm Hazen and Sawyer has identified numerous risks if hydraulic fracturing is utilized in our region, and

WHEREAS, it has been reported that the Medical Society of the State of New York has called for a moratorium hydraulic fracturing until scientific information on potential health impacts is developed, available and assessed, and

WHEREAS, New York State has not undertaken a health impact assessment to determine possible risks of hydraulic fracturing, and

WHEREAS, it is critical that the State of New York take all necessary and appropriate steps to secure independent and objective evaluations of the potential issues related to hydraulic fracturing and to then carefully assess those evaluations before deep gas well drilling and hydraulic fracturing is allowed to be done in Sullivan County and in any other area dependant on aquifers for its source of essential water.

Now therefore be it Resolved that the Sullivan County Legislature:

1. Urgently requests that the State of New York impose a moratorium on such gas well hydraulic fracturing until further independent, objective scientific studies and evaluations are conducted and the results of such studies and evaluations can be fully, carefully and properly assessed, and
2. Strongly urges the New York State Department of Health to perform a public health assessment of the possible impacts of hydraulic fracturing, and
3. Strongly urges Governor Andrew Cuomo to support such an aforesaid moratorium until the results of such further studies and evaluations can be fully, carefully and properly assessed, including the assessment of all environmental and public health implications, and
4. Directs the Clerk of the County Legislature to transmit an electronic copy of this Resolution to the Governor of the State of New York, the Speaker of the New York State Assembly, the Majority Leader of the New York State Senate, New York State Senator John Bonocic and New York State Assemblywoman Aileen Gunther, the Commissioner of the New York State Department of Environmental Conservation, the Commissioner of the New York State Department of Health and the Administrator of Region III of the New York State Department of Environmental Conservation.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 161-12 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO SUPPORT SENATE BILL S5889-C AND ASSEMBLY BILL A8644 PROVIDING FOR AN IMMEDIATE FREEZE OF LOCAL CONTRIBUTIONS TO THE COST OF MEDICAID FOLLOWED BY THE GRADUAL STATE ASSUMPTION OF ALL NONFEDERAL MEDICAID COSTS OVER AN EIGHT YEAR PERIOD

WHEREAS, the Sullivan County economy remains challenged from the "Great Recession", and locally generated tax revenues are mandated to be sent to Albany, particularly for the nonfederal Medicaid costs that require \$21 million in 2012 from the County's property tax levy, and

WHEREAS, there are identical bills that have been introduced in the New York State Legislature, Senate Bill S5889-C and Assembly Bill A8644 that would provide for an immediate freeze of local contributions to the cost of Medicaid followed by the gradual state assumption of all nonfederal Medicaid costs over an eight (8) year period, and

WHEREAS, S5889-C and A8644 would enact an act to amend chapter 58 of the laws of 2005, relating to authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and the administration thereof, in relation to calculating social services district medical assistance expenditure amounts, and

WHEREAS, this legislation would provide for an immediate freeze of local (County) contributions to the cost of Medicaid, followed by the gradual state assumption of all nonfederal Medicaid costs over an eight (8) year period, providing substantive mandate relief and “real” property tax relief and reduction to the property taxpayers of Sullivan County and throughout New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby proclaims its support of Senate Bill S5889-C and Assembly Bill A8644 that would provide for an immediate freeze of local contributions to the cost of Medicaid followed by the gradual state assumption of all nonfederal Medicaid costs over an eight (8) year period, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature calls upon the Speaker of the New York General Assembly and the Majority Leader of the New York State Senate to make mandate relief a top priority in 2012 and to have S5889-C and A8644 moved out of committee and adopted by their respective Chamber of the State Legislature, and respectfully requests that the legislation be approved by Governor Andrew M. Cuomo, and

BE IT FURTHER RESOLVED, that the Clerk to the Legislature is hereby directed to transmit an electronic copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Senator John Bonacic, Senator Patrick Gallivan, Assemblywoman Aileen Gunther, Assemblywoman Amy Paulin, the Clerk to each County Governing Body, and the New York State Association of Counties.

Moved by Mr. Benson, seconded by Ms. Vetter, put to a vote, unanimously carried as amended and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 162-12 INTRODUCED BY THE PERSONNEL COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A FRAGMENTATION AGREEMENT BETWEEN THE COUNTY, THE SULLIVAN COUNTY COMMUNITY COLLEGE, AND THE IBT LOCAL 445

WHEREAS, the Sullivan County Community College (“the College”) and the County of Sullivan (“County”) are joint employers of employees pursuant to N.Y. Civil Service Law Section 201 et. Seq., and

WHEREAS, the County and Local 445, International Brotherhood of Teamsters (“Teamsters” or “Union”) are parties to a collective bargaining agreement, duration January 1, 2008 to December 31, 2012, covering employees of the County and, among others, the College (“CBA”), and

WHEREAS, the College timely filed a Petition For Certification and/or Decertification with the New York State Public Employment Relations Board, in Case No. C-5981, by and through which the College sought to remove the job titles and positions occupied by employees represented by the Teamsters, and jointly employed by the College and the County, from in the collective bargaining unit as provided by the CBA, and

WHEREAS, the College, County, and Union desire to remove job titles and positions at the College from the current collective bargaining unit as described in the Article II, Section 201 of

the CBA, and create a new collective bargaining unit consisting of job titles and positions jointly employed by the College and the County, as detailed on the attached Schedule "A".

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes and directs the County Manager to execute the agreement attached hereto and made a part hereof as Schedule "A", in a form approved by the County Attorney.

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 163-12 INTRODUCED BY THE PERSONNEL COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE DOCUMENTS AND TO EXECUTE A SETTLEMENT AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, AFSCME, AFL-CIO SULLIVAN COUNTY SHERIFF'S OFFICE JAIL UNIT SULLIVAN COUNTY LOCAL 853 RELATED TO THE TRANSFER OF ACCRUED TIME

WHEREAS, the current Collective Bargaining between the County of Sullivan and the Civil Service Employees Association, Local, Local 1000, AFSCME, AFL-CIO Sullivan County Sheriff's Office Jail Unit Sullivan County Local 853 (CSEA) contains provisions regarding the transfer of accrued time from one employee to another, and

WHEREAS, the County adopted resolution 129 of 2011 that changed the policy with respect to the transfer of accrued sick, vacation, and/or compensatory time from one employee to another, and

WHEREAS, the County Manager, in accordance with his duties as specified in the County Charter, has reached a Tentative Settlement Agreement related to the change in the transfer of accrued time policy, with the CSEA Business Agent, which agreement has been attached hereto as Schedule "A", and

WHEREAS, the CSEA Business Agent has acknowledged that he has the authority to enter into this Tentative Settlement Agreement, and

WHEREAS, it is in the best interests of the County of Sullivan for the County Legislature to ratify said Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Sullivan County Legislature that:

1. The Tentative Settlement Agreement between the County and CSEA, attached hereto as Schedule "A" is hereby ratified.
2. The County Manager is hereby authorized to execute the Side Agreement with the CSEA.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

**Memorandum of Agreement
by and between
Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO
Sullivan County Sheriff's Office Jail Unit**

**Sullivan County Local 853
and**

The County of Sullivan and the Sullivan County Sheriff

Agreement, made and entered this _____ day of April 2012, has been reached between the County of Sullivan, (hereinafter "County"), the Sullivan County Sheriff, (hereinafter "Sheriff") and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO (hereinafter "CSEA").

Policy Providing for the Transfer of Sick, Vacation, and/or Compensatory Time From One CSEA Member Employee to Another

The County and the Sheriff's Office will allow for the transfer of accrued sick, vacation, and/or compensatory time from one CSEA employee to another CSEA employee. CSEA employees may transfer vacation, and or compensatory time to non CSEA employees. All transfer of time requests will be considered pursuant to the following conditions:

Where an employee or their immediate family member; mother, father, spouse, or child 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 employees accrued sick, vacation, and/or compensatory time.

CSEA Member 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
2. The employee who will be receiving the accruals has expended all their own accrued time (sick, vacation, compensatory, holiday, etc.), and
3. The transferring and receiving employees have knowledge of the transfer, and
4. 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
5. Final approval of the transfer must be obtained from the County Manager, and
6. 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.
7. All requests for transfer of accrued time will be posted once approved by the County Manager.

This Agreement shall not impact any other Collective Bargaining Agreements, Side Agreements or Policies of the County. All provisions of the current Collective Bargaining Agreement (i.e. 2008-2012 Collective Bargaining Agreement) between the parties shall be continued, remaining unaffected or unaltered. The above referenced policy supersedes and replaces all previous policies adopted by the Sullivan County Legislature and/or enacted by the Sullivan County Sheriff only with respect to Members of the CSEA.

As part of this agreement the Union will withdraw its improper practice charge.

A copy of this original document has been furnished to representatives of the County, the Sheriff, and the Union.

**CSEA, Local 1000, AFSCME, AFL-CIO
Sullivan County Sheriff's Office Jail Unit**

Sullivan County Local 853

Sullivan County Sheriff

CSEA Unit President

Michael A. Schiff

Sullivan County Sheriff

Christopher P. Decker

CSEA Labor Relations Specialist

County of Sullivan

David P. Fanslau

County Manager

Date: April _____, 2012

**RESOLUTION NO. 164-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE A SETTLEMENT WITH THE NEW YORK STATE NURSES
ASSOCIATION**

WHEREAS, the New York State Nurses Association ("NYSNA") filed a grievance against the County of Sullivan ("County") under the parties' Collective Bargaining Agreement ("CBA"), and

WHEREAS, NYSNA alleged that the County violated the CBA by failing to make certain longevity payments that were due and owing to certain County employees covered by the CBA, and

WHEREAS, the Arbitrator issued an Opinion and Award which sustained the grievance and ordered a remedy, and

WHEREAS, NYSNA filed an improper practice charge with the Public Employment Relations Board for purposes of determining the remedy ordered in the Arbitrator's Award, and

WHEREAS, NYSNA filed a Verified Petition for confirmation of the Award in the Sullivan County Supreme Court, and

WHEREAS, NYSNA and the County wish to provide for prompt payment of the remedy and to clarify the Award, and

WHEREAS, it is the recommendation of the Sullivan County Attorney to execute the attached Settlement Agreement and pay the individuals referenced on the chart attached to the Settlement Agreement as Exhibit A.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Sullivan County Legislature hereby authorizes the County Attorney to settle the aforesaid grievance in accordance with the attached settlement agreement, and
2. the Sullivan County Legislature hereby authorizes the County Manager and the County Attorney to jointly execute the attached Settlement Agreement.

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote with Ms. Vetter abstaining, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 165-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A MODIFICATION TO AN AGREEMENT WITH THE SULLIVAN COUNTY VISITORS ASSOCIATION TO PROVIDE FOR A LOCAL MATCH MARKETING PROGRAM

WHEREAS, on February 16, 2012 the County Legislature passed Resolution No. 36-12 that authorized the County Manager to enter into a contract with the Sullivan County Visitors' Association, in a form to be approved by the County Attorney, for a period commencing on April 1, 2012 and terminating on December 31, 2012, which contract shall provide that the Visitors' Association shall provide the County with tourism promotion services and that the County shall, in accordance with schedules set forth in the contract, pay the Visitors' Association eighty five (85%) per cent of the revenues derived by the County from the imposition of its five (5%) per cent hotel and motel room tax, and

WHEREAS, the County Legislature desires to assure a smooth and uninterrupted flow of tourism promotion services , inclusive of a "Local-Match" tourism marketing program for 2012, and

WHEREAS, the County Legislature had appropriated \$137,500 to the SCVA that would establish 15% or \$20,625 of said funding shall be utilized for the "Local-Match" tourism marketing program, and

WHEREAS, the County Legislature has determined that, as a result of New York State Tax Law, Section 1202-j(9), which provides that not less than eighty five (85%) per cent of the revenue from the imposition of the hotel and motel room tax must be used to employ a not-for-profit corporation to promote tourism in Sullivan County, such an entity is a service with "predetermined rates" as referenced in the County's current Procurement Policy, and

WHEREAS, the County Legislature desires to appropriate 50% of the remaining 15% or \$30,938 to the SCVA of which said funding shall be utilized for the “Local-Match” tourism marketing program.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The Sullivan County Legislature hereby authorizes the following:

- A. The County Manager is hereby authorized to enter into a modification of the contract with the Sullivan County Visitors’ Association, in a form to be approved by the County Attorney, for a period commencing on April 1, 2012 and terminating on December 31, 2012, which contract shall provide that the Visitors’ Association shall provide the County with a “Local-Match” tourism promotion marketing program that shall be funded by \$20,625 of the revenues derived by the County from the imposition of its five (5%) per cent hotel and motel room tax that the County paid in the first quarter of 2012, and that it hereby appropriates 50% of the remaining 15% or \$30,938 to the SCVA of which said funding shall be utilized for the “Local-Match” tourism marketing program. The SCVA shall expend a minimum of \$51,563 on the “Local-Match” tourism marketing program in 2012, from the revenues it is provided by the County.

- B. The Sullivan County Legislature hereby directs that the SCVA “Local-Match” tourism marketing program shall be limited to bona-fide tourism businesses that are located within Sullivan County.

Moved by Ms. Vetter, seconded by Mr. Steingart, put to a vote with Mrs. Edwards abstaining and Mrs. LaBuda, Mrs. Gieger and Mr. Benson opposed, resolution carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 166-12 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE

RESOLUTION TO MODIFY AGREEMENT WITH INFO QUICK SOLUTIONS, INC.

WHEREAS, pursuant to Resolution No. 35-10, adopted by the Sullivan County Legislature on January 21, 2010, the County Manager executed a contract with Info Quick Solutions, Inc., 7460 Morgan Road, Liverpool, NY 13090 (“Original Contract”) for an Integrated Record Management System for the County Clerk’s Office, and

WHEREAS, the County Clerk’s current platform for pistol permit applications and software maintenance is provided by PlastiCard and they can no longer provide the County this service, and

WHEREAS, Info Quick Solutions, Inc. can provide software and maintenance service for the pistol permit applications software, for \$500.00/month, and

WHEREAS, the County Clerk recommends amending the original contract with Info Quick Solutions, Inc. to provide this additional software and maintenance, through February 9, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a modification agreement with Info Quick Solutions, Inc., for an additional monthly cost not to exceed \$500.00, said modification agreement shall be in such form as the County Attorney shall approve.

Moved by Mr. Benson , seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 167-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE A MODIFICATION AGREEMENT

WHEREAS, pursuant to Resolution No. 462-11, adopted on December 15, 2011, the County authorized an agreement with Kristt Company, dated December 30, 2011, (“Original Agreement”) for the lease of multi-function devices, and

WHEREAS, this Resolution should have listed two (2) vendors, both Kristt Company and Catskill Hudson Bank, and

WHEREAS, the agreement was awarded pursuant to RFP, R-11-24, which called for \$.0049/each black and white print and \$.04/ each color print, to be paid directly to the Kristt Company, in addition to the lease payment, and

WHEREAS, the monthly lease amount is to be paid directly to Catskill Hudson Bank.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a Modification Agreement, modifying the Original Agreement by specifically adding Catskill Hudson Bank and acknowledging the per print price, and specifying which vendor is to be paid for print usage and lease payment, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 168-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AMEND THE CAPITAL PLAN TO UTILIZE FEMA FUNDS FOR THE PURCHASE OF STANDBY GENERATORS FOR VARIOUS RADIO TOWER SITES

WHEREAS, Sullivan County has been approved to utilize \$73,000 in FEMA funding for the purchase of five standby generators for use at various radio communication tower sites, and

WHEREAS, there is a need to have a generator on site at the radio towers to supply backup power for the uninterrupted transmission of emergency services radio communication in the event of a power failure, and

WHEREAS, the Sullivan County Office of Emergency Management is able to utilize federal FEMA money for the procurement of five standby generators for use at five radio tower sites.

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 Federal Funding in the amount of \$73,000 associated with the Radio Communication Upgrade Project for the purposes of procuring five standby generators to be utilized at five radio communication tower sites.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a roll call vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 169-12 INTRODUCED BY SUSTAINABILITY POLICY COMMITTEE TO MODIFY A CONTRACT WITH SULLIVAN ALLIANCE FOR SUSTAINABLE DEVELOPMENT, INC.

WHEREAS, Sullivan Alliance for Sustainable Development, Inc. (“SASD”) was awarded a contract for Energy Management Personnel which is funded through a grant from the New York State Energy Research and Development Authority (“NYSERDA”), and

WHEREAS, SASD requested an extension of the project period in order to provide ongoing support for sustainable initiatives, and

WHEREAS, funding is still available from the original grant award to support SASD’s continued efforts, and

WHEREAS, NYSERDA has granted the County of Sullivan (“County”) a 90 day contract extension for the original grant award.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a contract modification with Sullivan Alliance for Sustainable Development to extend the contract period by 90 days, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 170-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2010 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #63.-1-3.8

WHEREAS, an application dated March 7, 2012 having been filed by Harry and Audra Armorer with respect to property assessed to said applicant on the 2010 tax roll of the Town of Fallsburg Tax Map #63.-1-3.8 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from incorrect entry on the taxable portion of the assessment and tax roll of the assessed valuation of an improvement to real property that had been removed prior to the taxable status date for the applicable assessment roll; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated March 21, 2012 recommending this Board approve said application; and

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

- (a) That the application be approved because of an error in essential fact.

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. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 171-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #63.-1-3.8

WHEREAS, an application dated March 7, 2012 having been filed by Harry and Audra Armorer with respect to property assessed to said applicant on the 2011 tax roll of the Town of Fallsburg Tax Map #63.-1-3.8 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from incorrect entry on the taxable portion of the assessment and tax roll of the assessed valuation of an improvement to real property that had been removed prior to the taxable status date for the applicable assessment roll; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated March 21, 2012 recommending this Board approve said application; and

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

- (a) That the application be approved because of an error in essential fact.

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. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 172-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #63.-1-3.8

WHEREAS, an application dated March 30, 2012 having been filed by Harry and Audra Armorer with respect to property assessed to said applicant on the 2012 tax roll of the Town of Fallsburg Tax Map #63.-1-3.8 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from incorrect entry on the taxable portion of the assessment and tax roll of the assessed valuation of an improvement to real property that had been removed prior to the taxable status date for the applicable assessment roll; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated April 9, 2012 recommending this Board approve said application; and

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

(a) That the application be approved because of an error in essential fact.

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. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 173-12 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO WITHDRAW A PARCEL FROM THE 2010 TAX FORECLOSURE PROCEEDING AND TO CANCEL CERTAIN TAXES.

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

WHEREAS, the County Treasurer commenced the 2010 tax foreclosure proceeding for 2010 taxes on November 1, 2010, and

WHEREAS, one parcel, MA 27.A-2-62, meets one or more of the criteria so that it should be withdrawn from the foreclosure proceeding pursuant to Section 1138 of the Real Property Tax Law, and

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, should the Sullivan County Treasurer execute and file a Certificate of Withdrawal pertaining to MA 27.A-2-62 pursuant to Real Property Tax Law Section 1138(1) then he is hereby authorized to issue a Certificate of Cancellation pursuant to Section 1138(6)(b) and to charge back to the affected municipal corporations the amounts so credited or guaranteed pursuant to Section 1138(6)(c), and to issue a Certificate of Prospective Cancellation pursuant to Section 1138(6)(d), and to file a copy of same with the Assessor of the assessing unit in which said parcel is located, and with the County Director of Real Property Tax Services pursuant to Section 1138(6)(d) of the Real Property Tax Law, thereby making said

parcels exempt until this governing body shall determine that said parcel should be restored to the taxable portion of the assessment roll.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 174-12 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CANCEL UNENFORCEABLE TAXES, PENALTIES AND INTEREST ON A PARCEL OWNED BY THE COUNTY OF SULLIVAN, LOCATED IN THE TOWN OF THOMPSON KNOWN AS THOMPSON 23.-1-35 & 23.-1-36

WHEREAS, property located in the Town of Thompson designated on the Sullivan County Real Property Tax Map as Thompson 23.-1-35 & 23.-1-36 was conveyed to The County of Sullivan by deed dated February 29, 2008 and recorded in the Sullivan County Clerk's Office on February 29, 2008 in deed Liber 3451 at Page 127, and

WHEREAS, a tax bills for the years 2009; 2011 & 2012 was generated for these parcels, and

WHEREAS, the aforementioned parcel owned by the County of Sullivan is exempt from taxation under Section 406 of the Real Property Tax Law of the State of New York, and

WHEREAS, these said taxes, penalties and interest are unenforceable, the County Treasurer should cancel any outstanding taxes, penalties and interest due and owing on the aforementioned parcel pursuant to Section 558 of the Real Property Tax Law of the State of New York, and

NOW, THEREFORE, BE IT RESOLVED, the County Treasurer is so authorized to cancel the delinquent taxes, penalties and interest assessed to Thompson 23.-1-35 & TH23.-1-36 and charge back the tax to the appropriate tax districts pursuant to Section 558 of the Real Property Tax Law of the State of New York

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 175-12 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO MODIFY RES. #203-09 TO AUTHORIZE COUNTY TREASURER TO INCLUDE DE28.-1-9.4 IN JUNE 2012 AUCTION OF TAX FORECLOSURE PROPERTIES.

WHEREAS, The County took title to property located in the Town of Delaware designated as DE28.-1-9.4, by Deed dated the 27th day of February, 2009, and recorded in the Sullivan County Clerk's Office on the 27th day of February, 2009, by virtue of a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law, and

WHEREAS, the property has not been offered for public sale pursuant to Res, # 203-09, adopted by the County Legislature on the 21st day of May, 2009, for the public purpose of using said property for an educational farm project, and

WHEREAS, said property is no longer needed for said County purpose, and

WHEREAS, it is in the best interest of the County to offer it for public sale at the June 2012 auction pursuant to the Terms of Sale applicable to all properties offered for sale at said auction, the customary discretion of the County Treasurer, and the final approval of the County Legislature, and

NOW, THEREFORE, BE IT RESOLVED, that Res. # 203-09 adopted by the County Legislature on the 21st day of May, 2009, is hereby modified to authorize the inclusion of DE28.-1-9.4 in the June 2012 auction, pursuant to the Terms of Sale applicable for all properties in said auction, the customary discretion of the County Treasurer and the final approval of the County Legislature.

Moved by Mr. Sorensen, seconded by Mr. Steingart, put to a vote with Mrs. Gieger and Mr. Benson opposed, resolution carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 176-12 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PARCELS TO THE FORMER OWNERS, THAT WERE ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF AN IN REM TAX FORECLOSURE PROCEEDING, PURSUANT TO SULLIVAN COUNTY LOCAL LAW NO. 5 OF 2003, AS AMENDED.

WHEREAS, the County of Sullivan took title to various parcels by virtue of tax foreclosure proceedings by Deed dated the 29th day of February, 2012, and recorded in the Sullivan County Clerk's Office on the 29th day of February, 2012 as Instrument #2012-1350, and

WHEREAS, the County has received applications requesting certain parcels (See Attached Schedule "A") be reacquired by the former owner(s) in consideration for the amount of delinquent taxes, interest and penalties; plus ten (10%) percent of the delinquent taxes, interest and penalties; a surcharge of five (5%) percent of the equalized full assessed value; and other costs & charges, and

WHEREAS, the former owner(s) will be responsible to pay any delinquent Village taxes, if any, the 2012 Town and County Taxes and special district taxes, if any, in addition to any future taxes and charges levied against the property. The former owners must pay the sum of delinquent taxes, interest, and penalties; plus ten (10%) percent of the delinquent taxes, interest and penalties; a surcharge of five (5%) percent of the full equalized assessed value and other costs and charges pursuant to Sullivan County Local Law No. 5 of 2003, and

WHEREAS, the conveyance of such parcels indicated on the attached Schedule "A" will restore the former owner(s) and any lien holders to their respective status prior to the foreclosure once a Court Order is executed restoring said liens and title is conveyed to the former owner(s), and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized conveyances for properties that have participated in the County's repurchase program between March 1, 2012 – April 20, 2012 and have complied with provisions for repurchase as contained in Local Law 5 of 2003, as amended, are hereby approved and ratified including five (5) properties that are granted permission as recommended by the County Treasurer, BE22.-1-28; FA58.-1-24; FA58.-1-25.2; LI36.-1-141 and LI107.-3-8 to participate without paying the full surcharge amounts due to perceived "Mennonite failures", and the County Treasurer is hereby authorized to consummate said conveyances.

Moved by Mr. Benson, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 177-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE SUBMITTAL OF A COMMUNITY CAPITAL ASSISTANCE PROGRAM (CCAP) GRANT TO THE DORMITORY AUTHORITY OF NEW YORK STATE (DASNY) FOR REHABILITATIVE CONSTRUCTION SERVICES AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA) TERMINAL BUILDING, THE "PROJECT"

WHEREAS, the SCIA Terminal Building was constructed in 1967, and many of the original features are in need of repair for safety and aesthetic concerns; and

WHEREAS, the Sullivan County Division of Public Works wishes to submit an application to DASNY for a CCAP Grant for Rehabilitative Construction Services to address some of these needs; and

WHEREAS, NYS Assemblywoman Aileen Gunther has submitted a capital project description and nomination form to the NYS Assembly supporting the project; and

WHEREAS, the DASNY has extended a CCAP Grant offer in the amount of \$75,000.00 requiring the submittal of a Capital Projects Preliminary Application; and

WHEREAS, CCAP is a reimbursement program that provides for 100% project funding by DASNY.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager and/or the Chairman of the County Legislature (as required by the funding source award agreement) to execute any and all necessary documents to submit the CCAP application for funding, to accept the award and enter into an award agreement or contract to administer the funding secured, in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with DASNY by attaching it to any necessary documents in connection with the "PROJECT"; and

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

Moved by Mr. Steingart, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 178-12 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE

TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT A STATE HOMELAND SECURITY PROGRAM (SHSP) 2011 GRANT AWARD FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, the New York State Division of Homeland Security and Emergency Services provides funds to support efforts of emergency management/homeland security; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services provides funds for the law enforcement community to support their terrorism prevention and preparedness efforts; and

WHEREAS, Sullivan County has been awarded a \$225,000.00 reimbursable, two part grant from the New York State Division of Homeland Security and Emergency Services SHSP 2011; and

WHEREAS, Sullivan County has been awarded \$148,950.00 from the State Homeland Security Program for support planning, equipment, training and exercise needs associated with preparedness and prevention activities; and

WHEREAS, Sullivan County has been awarded \$76,050.00 from the State Law Enforcement Terrorism Prevention Program (SLETPP) for the law enforcement community to support their terrorism prevention and preparedness efforts; and

WHEREAS, Sullivan County is not required to provide any local cash match.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute any and all necessary documents to accept the grant award and access the funding retroactively to September 1, 2011, in such 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 by the use of this grant funding.

Moved by Mr. Steingart, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

**RESOLUTION NO. 179-12 INTRODUCED BY THE GOVERNMENT SERVICES
COMMITTEE TO ACCEPT A GRANT AWARDED FROM THE NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES.**

WHEREAS, the Division of Criminal Justice Services operates the Aid to Prosecution program which has awarded Contract # AP11-1054-D00 to the Sullivan County District Attorney's Office, and

WHEREAS, the contract period for this grant is April 1, 2011 through March 30, 2012, and

WHEREAS, the Division of Criminal Justice Services has provided to the County of Sullivan, under the contract, the sum of \$38,800.00, and

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

Moved by Mr. Sorensen, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

**RESOLUTION NO. 180-12 INTRODUCED BY GOVERNMENT SERVICES
COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

WHEREAS, Sullivan County was awarded funding for the installation of a ground mounted photovoltaic system at the Robert Travis Building, and

WHEREAS, Kirchhoff Green Energy LLC, 199 West Road, Suite 101, Pleasant Valley, NY 12569, has submitted a bid, for the installation of such a system and is the most responsible firm to conduct such work, and

WHEREAS, the Sullivan County Office of Sustainability/Division of Public Works has approved said proposal and recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Kirchhoff Green Energy, LLC, at a total price not to exceed \$209,500.00, in accordance with B-12-36, dated April 13, 2012, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

RESOLUTION NO. 181-2012 TO AUTHORIZE THE PLACEMENT OF CERTAIN INFORMATIONAL ITEMS ON THE COUNTY'S WEB-SITE

WHEREAS, from time to time there are items of County-wide interest with respect to which the residents of Sullivan County might wish to provide input to their State elected representatives and/or to State agency heads, and

WHEREAS, the County Legislature is aware some County residents might not have the requisite reference information (such as legislative bill numbers or agency case designations) or other information to include in their communications and might not have the current addresses of the elected officials and/or agency heads with whom they would like to communicate, and

WHEREAS, the County Legislature believes that it is an appropriate service to the residents of the County to place non-partisan information about current issues of County-wide concern, together with relevant addresses of State officials, on the County's web-site so that County residents can better communicate with State elected and/or appointed officials concerning matters of County-wide concern such as mandate relief.

NOW THEREFORE BE IT RESOLVED THAT:

1. Any Legislator may have the County's Management Information Systems Department place downloadable information concerning a current issue of County-wide concern on the County's web-site provided all of the following requirements are met:
 - A. The information, including addresses of potential recipients to whom communications may thereafter be sent by County residents, shall first be reviewed for accuracy by the Legislator seeking to have it posted on the County web-site, and
 - B. In the event the information to be posted includes any draft language which a resident might elect to copy, paste, adopt and send to a State official any such language shall make it clear that the communication is being sent by the individual sender and not by or on behalf of the County government, and
 - C. The information including such draft language to be included in an item sought to be placed on the County's web-site, shall be submitted to both caucuses of the County Legislature exactly as it is proposed to appear on the County's web-site, and
 - D. In the event the Chairperson of the Legislature, the Majority Leader and the Minority Leader all agree in writing that the item, in the form presented, is appropriate to be posted on the County web-site as an informational aid to County residents, the County Manager shall cause the County's Management Information Systems Department will thereafter post said item on the County's web-site, with an appropriate designation, for a reasonable period of time consistent with the nature of the item.
 - E. The item shall not be posted on the County's web-site in a manner permitting it to be forwarded to any recipient via the County's e-mail system but rather shall be posted in such a manner as to permit residents to download the information/language from the County's web-site in PDF form and paste the material into their own e-mails.

Moved by Ms. Vetter, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

**RESOLUTION NO. 182-12 INTRODUCED BY GOVERNMENT SERVICES
COMMITTEE TO AUTHORIZE SULLIVAN COUNTY SHERIFF'S OFFICE TO
APPLY FOR AND ACCEPT FY 2013 STEP GRANT**

WHEREAS, the Sullivan County Sheriff's Office would like to pursue an FY 2013 Selective Traffic Enforcement Program (STEP) grant through the Governor's Traffic Safety Committee, in the amount of \$7,444; and

WHEREAS, the funding would be utilized for the purchase of radar equipment and a traffic safety program; and

WHEREAS, the contract period for the grant is October 1, 2012 through September 30, 2013; and

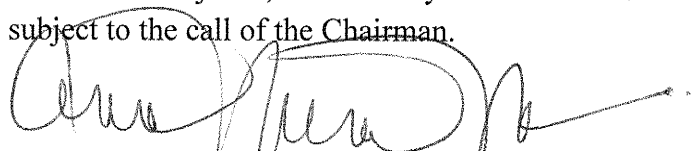
WHEREAS, in accordance with the County Charter the County Treasurer shall be listed as the Fiscal Officer, and agent on said grant.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature, who serves as the Chairman of the Sullivan County Traffic Safety Board is hereby authorized to execute any and all necessary documents to apply for and accept the grant award, in such form as the County Attorney shall approve, and

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

Moved by Mr. Sorensen, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion April 26, 2012.

There being no further business, Mrs. Gieger moved to adjourn, seconded by Mrs. Edwards. The meeting was declared closed at 6:04PM, subject to the call of the Chairman.



AnnMarie Martin, Clerk to the Legislature

April 2012

Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1010-41-4103	AUTO/TRAVEL MEALS			63	63
A-1010-42-4204	OFFICE POSTAGE				50
A-1420-41-4105	AUTO/TRAVEL REGISTRATION FEES			50	
A-1420-43-4311	COMPUTER WEBINAR AND RELATED EXPENSES			2,350	
A-1330-204-47-4721	DEPT TAX ACQ PROPERTY MAINTENANCE				
A-1330-204-R1235-R239	CHRG TAX ADBVERTSNG/REDEMPTION MAIN	2,350			
A-1620-42-4201	OFFICE ADVERTISING			288	
A-1620-22-44-4402	UTILITY FUEL OIL			5,000	
A-1620-22-44-4402	UTILITY FUEL OIL			5,000	
A-1620-22-45-4542	SPEC DEPT SUPPLY WELDING			31	
A-1620-22-47-4717	DEPT BLDG/PROP REPAIRS				31
A-1620-23-45-4549	SPEC DEPT SUPPLY SAFETY				
A-1620-23-47-4717	DEPT BLDG/PROP REPAIRS			3,600	
A-1620-24-44-4404	UTILITY PROPANE				3,600
A-1620-24-44-4404	UTILITY PROPANE				5,000
A-1620-24-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				5,000
A-1620-24-45-4541	SPEC DEPT SUPPLY TOOLS			150	150
A-1620-27-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			150	
A-1620-28-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			150	
A-1680-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER				18,007
A-1680-21-2106	FIXED ELECTRONIC/COMPUTER EQUIP			18,007	
A-1680-43-4301	COMPUTER SUPPLIES				288
A-1989-99-47-4736	DEPT CONTINGENT				31,015
A-1989-99-47-4736	DEPT CONTINGENT			77,323	
A-3315-47-4703	DEPT DUES			212	
A-3315-47-4752	DEPT MISC PROGRAM EXP				212
A-3410-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY			7,500	
A-3410-R3389-R201	ST AID PUBLIC SAFETY FIRE GRANT	7,500			
A-4010-33-10-1011	PERSONAL SERV REGULAR PAY				60
A-4010-33-46-4610	MISC SERV/EXP EMPL NOTARY/CERTIFICATION			60	
A-4010-36-41-4102	AUTO/TRAVEL LODGING				204

A-4010-36-41-4105	AUTO/TRAVEL REGISTRATION FEES				
A-4050-10-1011	PERSONAL SERV REGULAR PAY	204			
A-4050-45-4501	SPEC DEPT SUPPLY MISC/OTHER		3,000		3,000
A-4082-10-1011	PERSONAL SERV REGULAR PAY				326
A-4082-46-4612	MISC SERV/EXP EMPL TRAINING	176			
A-4082-47-4703	DEPT DUES	150			
A-6010-38-42-4201	OFFICE ADVERTISING	31			
A-6010-38-42-4201	OFFICE ADVERTISING	500			500
A-6010-38-42-4205	OFFICE PRINTING				31
A-6010-38-47-4752	DEPT MISC PROGRAM EXP				500
A-6293-40-4002	CONTRACT ACCOUNT/AUDIT/ACTUARIAL SERVICES	3,600			31
A-6293-40-4013	CONTRACT OTHER				
A-6293-43-4311	COMPUTER WEBINAR AND RELATED EXPENSES	350			3,600
A-6293-47-4701	DEPT RENTALS	51,619			
A-6293-47-4760	DEPT CLIENT EXPENSES				350
A-6293-R1989-R313	ECONOMIC ASSIST TANF EMPLOY PROGRM			2,423	350
A-6293-R4789-R329	FED AID OTHR ECONOMIC ASSIST WHEELS TO WORK			20,062	
A-6293-R4791-R178	FED AID WIA DISLOCATED WORKER			5,377	
A-6293-R4791-R336	FED AID WIA YOUTH			12,193	
A-6293-R4791-R341	FED AID WIA ADULT			11,564	
A-6410-40-4011	CONTRACT VISITORS CENTER				
A-6989-40-4013	CONTRACT OTHER				
A-6989-R4989-R402	FED AID HOME/COMM ASSIST ARRA AID	309,413		309,413	277,323
A-7110-82-41-4105	AUTO/TRAVEL REGISTRATION FEES				
A-7110-82-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS	50			50
A-7310-42-4205	OFFICE PRINTING	1,190			
A-7310-47-4707	DEPT MAINTENANCE IN LIEU OF RENT				
A-7520-21-2102	FIXED BUILDINGS	2,250			1,190
A-7520-21-2102	FIXED BUILDINGS	2,200			
A-7520-21-2102	FIXED BUILDINGS	5			
A-7520-45-4526	SPEC DEPT SUPPLY PAINT				500
A-7520-47-4717	DEPT BLDG/PROP REPAIRS				5
A-7520-47-4729	DEPT SPECIAL PROJECTS				1,750
A7610-89-41-4107	AUTO/TRAVEL VOLUNTEER/CLIENT				
A-9901-90-9001	TRANSFERS COUNTY ROAD	31,015			
A-9999-R1113-R239	ROOM OCCUPANCY TAX MAIN				2,200
General Fund Totals		200,000	200,000	370,882	354,655
			525,537		

CL-8160-41-4105	AUTO/TRAVEL REGISTRATION FEES	100			100
CL-8160-42-4201	OFFICE ADVERTISING				100
	Solid Waste Fund Totals	0	0	0	100
D-3310-45-4512	SPEC DEPT SUPPLY GLASS BEADS				1,850
D-3310-45-4515	SPEC DEPT SUPPLY REFLECTIVE SHEETS	2,900			
D-3310-47-4717	DEPT BLDG/PROP REPAIRS	1,850			
D-5110-45-40-4038	CONTRACT CONSTRUCTION				10,000
D-5110-45-40-4038	CONTRACT CONSTRUCTION				750
D-5110-45-45-4527	SPEC DEPT SUPPLY MISC STONE				2,900
D-5110-45-47-4720	DEPT LABORATORY/XRAY EXPENSE	10,000			
D-5110-45-47-4720	DEPT LABORATORY/XRAY EXPENSE	750			
D-5110-46-45-4529	SPEC DEPT SUPPLY CONCRETE				2,200
D-5110-47-40-4038	CONTRACT CONSTRUCTION				2,000
D-5110-47-45-4501	SPEC DEPT SUPPLY MISC/OTHER				500,000
D-5110-47-45-4501	SPEC DEPT SUPPLY MISC/OTHER				750
D-5110-47-45-4518	SPEC DEPT SUPPLY STONE SURFACE TREATMENT	224,359			
D-5110-47-45-4519	SPEC DEPT SUPPLY OIL SURFACE TREATMENT	260,500			
D-5110-47-47-4701	DEPT RENTALS	15,141			
D-5110-47-47-4701	DEPT RENTALS	750			
D-5110-47-47-4720	DEPT LABORATORY/XRAY EXPENSE	2,000			
D-9998-R5031-R209	INTERFUND TRANSFER GENERAL FUND		2,200		
	County Road Fund Totals	0	2,200	518,250	520,450
DM-5130-48-21-2103	FIXED MACHINERY/EQUIPMENT				500
DM-5130-48-45-4541	SPEC DEPT SUPPLY TOOLS	500			
DM-5130-48-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING	500			
DM-5130-49-44-4406	UTILITY WIRELESS COMMUNICATIONS	1,575			
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				1,575
DM-5130-49-45-4541	SPEC DEPT SUPPLY TOOLS				500
	Road Machinery Fund Totals	0	0	2,575	2,575

EI-6020-71-10-1011	PERSONAL SERV REGULAR PAY	8,320
EI-6020-71-40-4014	CONTRACT THERAPY	8,320
	Adult Care Center Fund Totals	8,320
		0
		0

Modifications to the 2011 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1170-46-4609	MISC SERV/EXP SPECIAL SERV/OTHER				\$ 6,000
A-1170-47-4704	DEPT STENOGRAPHIC SERVICES			\$ 5,167	
A-1170-47-4705	DEPT COUNSEL/WITNESS EXPENSE			\$ 1,200	
A-1170-47-4709	DEPT INTERPRETERS FEES				
A-1170-47-4711	DEPT ASSIGNED COUNSEL			\$ 43,071	364
A-1185-10-1011	PERSONAL SERV REGULAR PAY				
A-1185-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				\$ 12,214
A-1185-42-4204	OFFICE POSTAGE				\$ 932
A-1185-45-4501	SPEC DEPT SUPPLY MISC/OTHER				\$ 10
A-1185-47-4704	DEPT STENOGRAPHIC SERVICES			\$ 875	\$ 145
A-1185-47-4713	DEPT CORONERS PHYSICIAN				
A-1185-47-4714	DEPT REMOVALS				\$ 850
A-1185-47-4715	DEPT AUTOPSIES			\$ 2,300	
A-1185-47-4718	DEPT AUTOPSY ASSISTANT			\$ 67,000	
A-1185-47-4719	DEPT MORGUE FEES			\$ 3,020	
A-1185-47-4720	DEPT LABORATORY/XRAY EXPENSE			\$ 450	
A-1185-80-8001	EMPL BENFTS FICA AND MEDICARE				\$ 1,966
A-1185-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				\$ 934
A-1185-80-8005	EMPL BENFTS RETIREMENT				\$ 8,604
A-1185-80-8006	EMPL BENFTS WORKERS COMPENSATION				\$ 4,153
A-1185-80-8007	EMPL BENFTS DISABILITY				\$ 403
A-1185-R3035-R278	ST AID CORONERS REIMBURSE - AUTOPSY	\$ 5,477			\$ 578
A-1230-80-8002	EMPL BENFTS RETIREMENT			\$ 6,883	
A-1325-14-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				
A-1325-15-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				\$ 32,079
A-1341-80-8005	EMPL BENFTS RETIREMENT			\$ 9,476	
A-1343-80-8005	EMPL BENFTS RETIREMENT			\$ 1,876	
A-1343-80-8006	EMPL BENFTS WORKERS COMPENSATION			\$ 1,595	
A-1344-10-1011	PERSONAL SERV REGULAR PAY			\$ 851	
A-1344-10-1013	PERSONAL SERV LONGEVITY			\$ 2,499	
A-1344-80-8005	EMPL BENFTS RETIREMENT			\$ 2,700	
A-1345-10-1013	PERSONAL SERV LONGEVITY			\$ 9,296	
A-1345-42-4205	OFFICE PRINTING			\$ 300	
A-1345-80-8001	EMPL BENFTS FICA AND MEDICARE			\$ 452	
				\$ 1,008	

A-1345-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE		\$	8,372	
A-1345-80-8005	EMPL BENFTS RETIREMENT		\$	5,138	
A-1345-80-8006	EMPL BENFTS WORKERS COMPENSATION		\$	1,090	
A-1345-R1289-R247	GEN GOV DEPT INCOME MISC FEE/REIMBURSEMENT	\$	6,427		
A-1410-11-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE		\$	1,661	
A-1410-11-80-8005	EMPL BENFTS RETIREMENT		\$	16,704	
A-1410-11-80-8006	EMPL BENFTS WORKERS COMPENSATION		\$	2,008	
A-1420-40-4007	CONTRACT LABOR RELATIONS		\$		45,000
A-1420-40-4008	CONTRACT LEGAL SERVICES		\$	76,663	
A-1420-80-8005	EMPL BENFTS RETIREMENT		\$	16,842	
A-1460-10-1012	PERSONAL SERV OVERTIME PAY		\$	102	
A-1460-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK		\$	44	
A-1460-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE		\$	17,148	
A-1460-80-8005	EMPL BENFTS RETIREMENT		\$	2,716	
A-1460-80-8006	EMPL BENFTS WORKERS COMPENSATION		\$	338	
A-1490-80-8005	EMPL BENFTS RETIREMENT		\$	3,036	
A-1620-19-44-4401	UTILITY ELECTRIC		\$	1,795	
A-1620-20-44-4401	UTILITY ELECTRIC		\$	675	
A-1620-21-44-4401	UTILITY ELECTRIC		\$	9,734	
A-1620-24-44-4401	UTILITY ELECTRIC		\$	1,508	
A-1620-25-80-8005	EMPL BENFTS RETIREMENT		\$	3,638	
A-1620-27-44-4401	UTILITY ELECTRIC		\$	6,062	
A-1620-27-44-4407	UTILITY OTHER		\$	13,778	
A-1620-27-80-8005	EMPL BENFTS RETIREMENT		\$	2,082	
A-3020-80-8005	EMPL BENFTS RETIREMENT		\$	19,864	
A-3020-10-1012	PERSONAL SERV OVERTIME PAY		\$	4,500	
A-3110-29-80-8005	EMPL BENFTS RETIREMENT		\$	26,000	
A-3140-17-80-8005	EMPL BENFTS RETIREMENT		\$	1,572	
A-3150-80-8005	EMPL BENFTS RETIREMENT		\$	28,000	
A-3520-40-4001	CONTRACT AGENCIES		\$	476	
A-3520-47-4777	DEPT RABIES RELATED EXPENSES		\$	68	
A-4989-98-80-8008	EMPL BENFTS UNEMPLOYMENT		\$	2,397	
A-6010-38-10-1011	PERSONAL SERV REGULAR PAY		\$		48,230
A-6010-38-21-2105	FIXED AUTOMOTIVE EQUIPMENT		\$		83,847
A-6010-38-20-2005	TRACKED EQUIP OTHER		\$		12,000
A-6010-38-40-4001	CONTRACT AGENCIES		\$		25,795
A-6010-38-42-4203	OFFICE SUPPLIES		\$		12,634
A-6010-38-43-4308	COMPUTER MIS CHARGEBACKS		\$		15,208
A-6010-38-43-4309	COMPUTER WMS CHARGEBACKS		\$		13,691

A-6010-50-10-1011	PERSONAL SERV REGULAR PAY				\$	2,820
A-6010-50-10-1012	PERSONAL SERV OVERTIME PAY				\$	871
A-6010-50-10-1013	PERSONAL SERV LONGEVITY				\$	12,184
A-6010-50-80-8001	EMPL BENFTS FICA AND MEDICARE				\$	1,334
A-6010-50-80-8005	EMPL BENFTS RETIREMENT				\$	10,189
A-6010-51-10-1011	PERSONAL SERV REGULAR PAY				\$	5,870
A-6010-51-10-1012	PERSONAL SERV OVERTIME PAY				\$	1,044
A-6010-51-10-1013	PERSONAL SERV LONGEVITY				\$	8,000
A-6010-51-80-8001	EMPL BENFTS FICA AND MEDICARE				\$	830
A-6010-51-80-8005	EMPL BENFTS RETIREMENT				\$	11,274
A-6010-51-80-8006	EMPL BENFTS WORKERS COMPENSATION				\$	2,039
A-6010-52-10-1012	PERSONAL SERV OVERTIME PAY				\$	4,438
A-6010-52-10-1013	PERSONAL SERV LONGEVITY				\$	32,300
A-6010-54-10-1011	PERSONAL SERV REGULAR PAY				\$	9,409
A-6010-54-10-1013	PERSONAL SERV LONGEVITY				\$	6,200
A-6010-55-10-1011	PERSONAL SERV REGULAR PAY				\$	11,689
A-6010-55-10-1013	PERSONAL SERV LONGEVITY				\$	15,500
A-6010-55-80-8001	EMPL BENFTS FICA AND MEDICARE				\$	2,773
A-6010-55-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				\$	28,071
A-6010-57-10-1011	PERSONAL SERV REGULAR PAY				\$	10,446
A-6010-57-10-1012	PERSONAL SERV OVERTIME PAY				\$	10,349
A-6010-57-10-1013	PERSONAL SERV LONGEVITY				\$	58,400
A-6010-57-80-8001	EMPL BENFTS FICA AND MEDICARE				\$	4,394
A-6010-57-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				\$	36,721
A-6010-57-80-8005	EMPL BENFTS RETIREMENT				\$	49,454
A-6010-57-80-8006	EMPL BENFTS WORKERS COMPENSATION				\$	3,576
A-6055-46-4615	MISC SERV/EXP DFS BICS/MMIS EXPENSE				\$	155,640
A-6055-R1855-R284	DAY CARE REPAYMENT			\$	311	
A-6055-R3655-R167	ST AID DAY CARE DEPARTMENTAL AID			\$	15,384	
A-6055-R4609-R163	FED AID FAMILY ASSIST DAY CARE		\$	57,197		
A-6070-46-4615	MISC SERV/EXP DFS BICS/MMIS EXPENSE				\$	325,893
A-6070-R3670-R167	ST AID SERV FR RECEIPT DEPARTMENTAL AID			\$	334,206	
A-6070-R4615-R167	FLEXBL FUND FR FAMILY SERV(FFFS) DEPARTMENTAL AID		\$	289,301		
A-6070-R4670-R274	FED AID SERV FR RECEIPT PURCHASE OF SERVICE			\$	143,053	
A-6100-58-46-4615	MISC SERV/EXP DFS BICS/MMIS EXPENSE				\$	219,102
A-6109-46-4615	MISC SERV/EXP DFS BICS/MMIS EXPENSE				\$	574,663
A-6119-46-4615	MISC SERV/EXP DFS BICS/MMIS EXPENSE				\$	44,201
A-6119-R1819-R284	CHILD CARE REPAYMENT				\$	
A-6119-R1819-R288	CHILD CARE REPAYMENT - SCHOOL DISTRICTS		\$	202		
					\$	16,691

A-6119-R3619-R167	ST AID CHILD CARE DEPARTMENTAL AID	\$ -			
A-6119-R4609-R205	FED AID FAMILY ASSIST FOSTER CARE	\$ 314,020			
A-6119-R4609-R402	FED AID FAMILY ASSIST ARRA AID	\$ 63,166			
A-6140-46-4615	MISC SERV/EXP DFS BICS/MMIS EXPENSE	\$ 76,302			
A-6141-46-4615	MISC SERV/EXP DFS BICS/MMIS EXPENSE	\$ 5,512			
A-6142-46-4615	MISC SERV/EXP DFS BICS/MMIS EXPENSE	\$ 68,992			
A-6410-40-4011	CONTRACT	\$ 60,983			
A-6610-80-8005	EMPL BENFTS RETIREMENT	\$ 9,779			
A-7110-39-80-8005	EMPL BENFTS RETIREMENT	\$ 4,529			
A-7110-82-80-8005	EMPL BENFTS RETIREMENT	\$ 4,552			
A-8040-80-8005	EMPL BENFTS RETIREMENT	\$ 821			
A-9089-R2770-R2147	MISC REVENUE MISC FEE/REIMBURSEMENT	\$ 34,156			
A-9901-90-9001	TRANSFERS COUNTY ROAD		\$		575,000
A-9901-90-9002	TRANSFERS ROAD MACHINERY			\$ 65,000	
A-9901-90-9037	TRANSFERS SOLID WASTE			\$ 1,610,000	
A-9999-R1110-R239	SALES AND USE TAX MAIN	\$ 611,400			
	Total A Fund	1,347,190	543,801	3,630,080	1,264,731
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND	\$ 575,000			
	Total County Road Fund	-	575,000	-	-
DM-9901-90-9006	TRANSFERS DEBT SERVICE	\$ 65,000			
DM-9997-R5031-R209	INTERFUND TRANSFR GENERAL FUND	\$ 65,000			
	Total Road Machinery Fund	65,000	-	65,000	-
CL-8160-47-4720	DEBT LABORATORY/XRAY EXPENSE	\$ 14,647			
CL-8160-60-6001	DEBT SERV PRINCIPAL B.A.N.	\$ 1,100,000			
CL-8160-80-8005	EMPL BENFTS RETIREMENT	\$ 28,278			
CL-8160-80-8006	EMPL BENFTS WORKERS COMPENSATION	\$ 5,717			
CL-8160-90-9005	TRANSFERS CAPITAL PROJECT	\$ 357,242			
CL-8160-R5031-R209	INTERFUND TRANSFR GENERAL FUND	\$ 1,610,000			
	Total Solid Waste Fund	1,610,000	-	1,505,884	-
V-1380-46-4618	MISC SERV/EXP DEBT ADMIN FEES	\$ 36,707			

V-9710-70-7002	DEBT SERV INTEREST SERIAL BOND			\$	132,526
V-9901-90-9001	TRANSFERS COUNTY ROAD			\$	2,081
V-9901-90-9007	TRANSFERS GENERAL FUND			\$	1,205
V-9901-90-9037	TRANSFERS SOLID WASTE			\$	8,514
V-9901-90-9002	TRANSFERS ROAD MACHINERY			\$	8,753
V-9996-R2401-R223	INTEREST EARNED INTEREST	\$	20,556		
V-9996-R4089-R402	FED AID OTHER ARRA AID	\$	242,549		
V-9996-R5050-R154	INTERFUND TRANSFR FR DEBT SERV COUNTY ROAD		\$	10,230	
V-9996-R5050-R209	INTERFUND TRANSFR DEBT SERV GENERAL FUND	\$	10,230		
V-9996-R5050-R231	INTERFUND TRANSFR FR DEBT SERV LANDFILL/TRANSFER STATIONS	\$	73,319		
	Total Debt Service Fund		273,335		189,786
					-

AGREEMENT

WHEREAS, Sullivan County Community College ("the College") and the County of Sullivan ("County") are joint employers of employees pursuant to N.Y. Civil Service Law § 201 et. seq.

WHEREAS, the County and Local 445, International Brotherhood of Teamster ("Teamsters" or "Union") are parties to a collective bargaining agreement, duration January 1, 2008 to December 31, 2012, covering employees of the County and, among others, the College ("CBA");

WHEREAS, the College timely filed a Petition For Certification and/or Decertification with the New York State Public Employment Relations Board, in Case No. C-5981, by and through which the College sought to remove the job titles and positions occupied by employees represented by the Teamsters, and jointly employed by the College and the County, from in the collective bargaining unit as provided by the CBA and to place these titles in a separate bargaining unit;

WHEREAS, the College, County, and Union have agreed to remove all bargaining-unit job titles and positions at the College from the current collective bargaining unit as described in the Article II, Section 201 of the CBA, and have further agreed to create a new collective bargaining unit consisting of job titles and positions jointly employed by the College and the County;

NOW, THEREFORE, the College, County and Union ("the Parties") agree as follows:

1. Effective immediately, the Parties agree to remove the following job titles jointly employed by the College and the County from the collective bargaining unit as provided in Article II, Section 201 of the CBA, and recognize them as a separate, appropriate collective bargaining unit (hereinafter "Recognized Unit"):

All provisional, probationary, and permanent employees jointly employed by the College and the County, full-time or regular part-time, in the following job classifications: Administrative Assistant to the Director of Student Activities, Administrative Secretary, Assistant to the Coordinator of Student Activities, Assistant to the Dean of Workforce Development, Continuing Education and Lifelong Learning, Building Maintenance Mechanic, Building Maintenance Supervisor, Buildings & Grounds Maintenance Worker I, Buildings & Grounds Maintenance Worker II, Central Services Worker, Childcare Center Aide, Facilities Support Technician, Grounds Maintenance Supervisor, Library Clerk, Maintenance Worker, Principal Account Clerk, Public and Alumni Relations Assistant, Registration Services Database Specialist, Division Secretary, Keyboard Specialist, Secretary I, Secretary II, Senior Account Clerk, Senior Payroll Clerk, Special Electrician, Technical Assistant I/Office Manager Admissions, and Title III Grant Assistant.

2. The College and the County recognize the Union as the collective bargaining representative for the Recognized Unit based, among other reasons, on the Union's long-standing status as the bargaining representative for employees jointly employed by the College and County in the positions listed in Paragraph 1 above.

3. The College and the County agree to abide by the terms of the current CBA through its expiration on December 31, 2012.
4. At a mutually convenient time, the College and Union shall commence negotiations on a collective bargaining agreement for the Recognized Unit to set terms and conditions of employment following the expiration of the CBA. The salary scale, terms and conditions of employment, and all other provisions set forth in the CBA for job titles and positions within the Recognized Unit at the time the CBA expires on December 31, 2012 shall remain in effect until a collective bargaining agreement covering the Recognized Unit is executed.
5. Based on the Parties' agreement to fragment positions jointly employed by the College and the County from the County-wide collective bargaining unit described in Article II, Section 201 of the CBA, and form a separate bargaining unit of positions represented by the Union and jointly employed by the College and the County, the College will withdraw the Petition For Certification/Decertification it filed in Case No. C-5981.

AGREED TO:

Adrian Huff
Secretary/Treasurer
Local 445, International Brotherhood
of Teamsters

William Murabito, Ph.D.
Interim President
Sullivan County Community College

David P. Fanslau
County Manager
County of Sullivan

Dated

4/2/12
Dated

Dated

SETTLEMENT AGREEMENT

Entered into between the New York State Nurses Association ("NYSNA") and Sullivan County (the "County" or the "Employer")

NYSNA Grievance No. 207824;
PERB Case No. A2008-528;
Sullivan County Supreme Court Index No. 2675-2011

WHEREAS, NYSNA filed a grievance (the "Grievance"), bearing NYSNA Grievance No. 207824, against the County under the parties' collective bargaining agreement (the "CBA"), in which NYSNYA alleged that the County had violated the CBA by failing to make certain longevity payments that were due and owing to certain County employees covered by the CBA; and

WHEREAS, NYSNA demanded arbitration of the Grievance pursuant to the CBA; and

WHEREAS, the parties participated in arbitration proceedings concerning the Grievance before Arbitrator Arthur R. Riegel, in PERB Case No. A2008-528; and

WHEREAS, Arbitrator Riegel issued an Arbitrator's Opinion and Award (the "Award") dated September 17, 2010, in which he sustained the Grievance and ordered a remedy; and

WHEREAS, NYSNA has filed an improper practice charge (the "IP Charge") with the Public Employment Relations Board with respect to certain information sought for purposes of determining the remedy ordered in the Award, which IP Charge has been assigned PERB Case No. U-31037; and

WHEREAS, NYSNA has filed a Verified Petition for confirmation of the Award (the "Confirmation Petition") in Sullivan County Supreme Court, which has been assigned Index No. 2675-2011, which Verified Petition was granted by Decision and Order of the Court dated February 15, 2012; and

WHEREAS, the parties wish to provide for prompt payment of the remedy and to clarify the Award;

THEREFORE, in consideration of the mutual promises and benefits contained herein the parties have agreed as follows:

1. Within fourteen (14) days of the date of execution of this Settlement Agreement, the Employer shall pay the individuals referenced on the chart attached hereto as Exhibit A the amounts owed as indicated thereon in compliance with the Award's directive that covered employees "eligible for longevity payments as of December 31, 2008 are to receive forthwith the longevity payments they should have received in or about January 2009." (See Award at 20.)

2. At the same time that the County makes the above-referenced payments, the County shall provide counsel for NYSNA with written notice that such payments have been made.

3. The parties agree that the Award shall not be interpreted to mean that that the CBA requires the County to make longevity payments to employees in January 2010 for longevity earned in 2010; rather, the parties agree that the CBA provides that longevity payments required to be made in January 2010 shall be based on longevity earned up to and including December 31, 2009.

4. Promptly upon confirmation that the payments referenced above have been made, NYSNA shall withdraw the IP Charge with prejudice and discontinue any pending proceedings arising from the Confirmation Petition, with notice to counsel for the County.

5. For purposes of this Agreement, signatures on documents contained in pdf files shall be deemed originals.

6. This Agreement may be executed in counterparts.

Sullivan County

Date: _____

NYSNA

Date: _____

EXHIBIT A
