

**Sullivan County Legislature
Regular Meeting
August 16, 2012 at 4:30PM**

The Regular Meeting of the County Legislature was called to order at 5:02PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated Mrs. Gieger absent.

The Clerk Read the following communications:

1. Copy of County of Sullivan resolution to support NYS Legislation S504A/A7301B adding Kings, Queens, Bronx, Richmond, and New York Counties to the Off-Track Betting Region of New York State, no date.
2. Copy of Town of Mamakating Board resolution regarding the support to maintain the Sullivan County Sheriff's Road Patrol, filed July 17, 2012.
3. Copy of Town of Delaware Board resolution 54-2012 regarding the acceptance of Final Generic Environmental Impact Statement, filed July 24, 2012.
4. Copy of Town of Thompson Board resolution regarding the support of maintaining the Sullivan County's Sheriff's Road Patrol, filed July 26, 2012.
5. Copy of Town of Bethel Board resolution regarding the acceptance of the Final Generic Environmental Impact Statement as final for the local road use and preservation law, filed July 26, 2012.
6. Record Destruction Notifications filed by Payroll on July 27, 2012, Risk Management and Insurance on August 1, 2012, and the Treasurer's Office on August 15, 2012.
7. Copy of Town of Bethel Board resolution regarding the opposition of the creation of a Law Enforcement Commission, filed August 1, 2012.
8. Copy of Town of Thompson notice of Public Hearing regarding Planned Resort Development Comprehensive Development Plan, filed August 3, 2012.
9. Copy of a letter from Donald J. Groth, President and Chief Executive Officer of the Off-Track Betting Corporation, to Chairman Scott B. Samuelson regarding the support for NYS Legislation S504A/A7301B, filed August 6, 2012.
10. Copy of Chairman Scott B. Samuelson's approval for appointments to the Workforce Development Board of Sullivan County, August 8, 2012.
11. Copy of Chairman Scott B. Samuelson's approval for appointments to the Climate Action Planning Advisory Board, filed August 8, 2012.

Majority Leader LaBuda distributed Certificates of Recognition to the following Beauty Pageant winners:

Anabelle Wagner	<i>Miss Sullivan County- Young Miss of 2012</i>
Abigail Keller	Miss Sullivan County Young Miss of 2012
Stephanie Krom	Miss Sullivan County Pre-Teen of 2012
Annarose Mongiello	Miss Sullivan County International of 2012
Marina Lopez-Braddock	Miss Teen Sullivan County International of 2012
Bridgette Kleinberger	Mrs. Sullivan County International of 2012

Chairman Samuelson recognized the following speakers:

1. Nancy Mahoney stated she wanted to comment on one issue. She has been a resident of Sullivan County for 35 years. Her father was a Korean War Veteran and Purple Heart recipient. Her husband is retired from the Army and NYPD. He served in Iraq three times. Her son is currently in the Marine Corp. One of her concerns on the agenda is the Police Commission Review Board. We are talking about taxes and there is a lot of stress about people worried about losing their homes and with all that stress in the county, she hopes when you are forming this review

board, that you thoroughly have people on the board that understand and know about safety. Safety is important and this country's safety is important and the county's safety is important. The Sheriff is an elected official by the people. We are losing money. The taxes are ridiculous. Crime is going to be even more as we know it is. Please look at what you are doing. She wanted to thank everyone here who made a public comment because she really appreciates it.

2. Jim Reed thanked the legislature for doing this thankless job. He doesn't know why anyone would want to do it with these economic times that we have now. The only way we are going to generate revenue in this county is by building private industry. He is here to support the principle of our Sheriff's Department overall. It is the only independent, elected law official we have in this county. He is not run by the President, the Governor, or Mayor. He is elected by the people and adheres to the laws of our country in the Constitution of the United States. As our society continues to deteriorate, that office is going to be more important as our District Attorney's Office and County Court system.
3. Gary Maas, Supervisor from the Town of Cohecton stated he was here the other day at the Public Safety Committee public hearing on the Law Enforcement Panel. At that hearing, he was here was a few of his fellow supervisors and at that time, we presented you with a resolution that we adopted with a 12-0 vote. The only response that we got after public comment was from a committee member was we don't tell you how to run the towns, so don't tell us how to run the county. He believes that most of the supervisors felt it was pretty insulting. We are all residents of the County of Sullivan. Granted, you may not tell us how to run the towns and he is sure you live in a town in Sullivan County and if you have issue with your town, you take care of your business with your own town. But being members of Sullivan County, he believes that was a public hearing and we were worthy of giving you input. He is sorry if that feels a little rough but that is the way it is. All we were trying to say is the Supervisors didn't want to see another layer of government in Sullivan County. We believe you have the resources already with the Public Safety Committee. You have the ability to gain outside expertise. Subpoena and talk directly to your Sheriff's Department, Probation Department or District Attorney's Office. I am sure they are willing to work with you. All we are asking the legislators to do is do their job. Roll up your sleeves and get to work. Good Luck!

Order of Business:

RESOLUTION NO. 279-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPROVE THE APPOINTMENT OF EDWARD McANDREW, P.E., DEPUTY COMMISSIONER OF THE DIVISION OF PUBLIC WORKS AS DEPUTY SUPERINTENDANT OF HIGHWAYS

WHEREAS, Robert A. Meyer, P.E., is the Commissioner of the Sullivan County Division of Public Works and the duly appointed County Superintendent of Highways, and

WHEREAS, Edward McAndrew, P.E., is the Deputy Commissioner of the County Division of Public Works, and

WHEREAS, pursuant to Section 102-a of New York's Highway Law, Commissioner Meyer, by letter dated August 7, 2012, has, subject to approval of the County Legislature, appointed Deputy Commissioner McAndrew to serve as Deputy Superintendent of Highways.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby approves of the appointment of Edward McAndrew, Deputy Commissioner of the Division of Public Works, to also serve, pursuant to the provisions of Section 102-a of the Highway Law, as the County's Deputy Superintendent of Highways.

Moved by, Mrs. LaBuda, **seconded by** Mr. Sorensen, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 280-12 INTRODUCED BY EXECUTIVE COMMITTEE TO REAPPOINT THREE MEMBERS TO THE RSVP ADVISORY COMMITTEE

WHEREAS, it is the desire to reappoint Eleanor Glassel, Marylin Toomey and Laura Solomon to the RSVP Advisory Committee, and

WHEREAS, the above reappointment is to commence on the date this resolution is adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following members to the RSVP Advisory Committee, for the term to expire on the date opposite of name.

RSVP APPOINTMENT:

TERM:

Eleanor Glassel
175 Schwartz Road
Callicoon NY 12723-5714

7/31/2015

Marylin Toomey
P O Box 118
Forestburgh NY 12777

8/31/2015

Laura Solomon
P O Box 313
Kiamesha Lake NY 12751

7/31/2015

Moved by, Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

RESOLUTION NO. 281-12 INTRODUCED BY EXECUTIVE COMMITTEE TO REAPPOINT ONE MEMBER TO THE RSVP ADVISORY COMMITTEE

WHEREAS, it is the desire to reappoint Shirley Anne Wood to the RSVP Advisory Committee, and

WHEREAS, the above reappointment is to commence on the date this resolution is adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following member to the RSVP Advisory Committee, for the term to expire on the date opposite of name.

RSVP APPOINTMENT:

TERM:

Shirley Anne Wood
P O Box 9
Roscoe NY 12776

7/31/2015

Moved by, Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

Ms. Vetter stated she would like to remind everyone that this is a state mandation. None the less, she finds a 27% increase highly objectionable in these dire times. She knows that there have been no raises in 14 years, but that doesn't negate our present dire straits. Most businesses have a zero percent increase. I cannot vote for this increase.

Mrs. Edwards inquired what are the penalties for not complying with this resolution? County Attorney Yasgur indicated that state law sets the salary of the District Attorney. They did that in the late 70's when they provided that a predecessor board could create a full time District Attorney which the then Board of Supervisors did. Once we create a full time District Attorney, we committed ourselves to pay that individual what state law requires which is the same amount as a County Court Judge.

RESOLUTION NO. 282-12 INTRODUCED BY EXECUTIVE COMMITTEE TO SET THE SALARY FOR THE DISTRICT ATTORNEY

WHEREAS, the compensation of the District Attorney is required by Judiciary Law § 183-a to be "equivalent to that of the county judge in the county in which the district attorney is elected . . .", and;

WHEREAS, the New York State Legislature formed a Judicial Compensation Commission that was tasked with reviewing statewide judicial salaries and making recommendations on new salary levels for all judges, including County Court Judges, and;

WHEREAS, the Judicial Compensation Committee recommended a 27% increase in the current salary levels of all County Court Judges to be implemented over a 3 year period as follows, and, as pertinent to Sullivan County:

COUNTY COURT JUDGES			
Current Salary	Eff. April 1, 2012	Eff. April 1, 2013	
\$127,000	\$148,700	\$155,200	

WHEREAS, as of April 1, 2012 the salary of the Sullivan County Court Judge has been increased by the Office of Court Administration to \$148,700 and subsequent increases effective on April 1, 2013 are set forth above, and;

WHEREAS, the Department of Criminal Justice Services has notified the Sullivan County District Attorney that the District Attorney Salary Aid Program has increased \$21,700.00, to fund 100% of the difference between the minimum salary for a full time District Attorney prior to April 1, 2012 (\$127,000) and the minimum salary of the District Attorney after April 1, 2012 (\$148,700). This aid will offset the increased salary costs that the county will incur for the period covering April 1, 2012 through March 31, 2013, the state fiscal year., and;

WHEREAS, the County Legislature must increase the salary of the District Attorney to comply with state law and the increases of the compensation of the Sullivan County Judge as implemented by the Office of Court Administration and the Judicial Compensation Commission, and

WHEREAS, the County of Sullivan would expect the State of New York to continue to fund mandated salary increases for the District Attorney at 100% from State Funds, otherwise this would be another State imposed unfunded or underfunded mandate, and

WHEREAS, Sullivan County is required to comply with Judiciary Law Section 183-a, and notwithstanding Section C2.02(E) of the Sullivan County Charter, the salary of the District Attorney shall increase or decrease in accordance with the salary stipulated as required to comply with Judiciary Law Section 183-a.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby establishes the annual salary for the District Attorney for the period April 1, 2012 through March 31, 2013 at \$148,700, and for the period April 1, 2013 through March 31, 2014 at \$155,200, and

BE IT FURTHER RESOLVED that the County of Sullivan would expect the State of New York to continue to fund mandated salary increases for the District Attorney at 100% from State Funds, otherwise this would be another State imposed unfunded or underfunded mandate, and

BE IT FURTHER RESOLVED that Sullivan County is required to comply with Judiciary Law Section 183-a, and notwithstanding Section C2.02(E) of the Sullivan County Charter, the salary of the District Attorney shall increase or decrease in accordance with the salary stipulated as required to comply with Judiciary Law Section 183-a.

Moved by, Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. Gieger absent, and Ms. Vetter opposed, resolution carried as amended and declared duly adopted on motion August 16, 2012.

After some questions, Mr. Sorensen moved to go into Executive Session to discuss litigation at 5:25PM, seconded by Mr. Steingart, agreed and carried.

Mrs. LaBuda moved to come out of Executive Session at 5:29PM, seconded by Ms. Vetter, agreed and carried.

RESOLUTION NO. 283-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A SETTLEMENT

WHEREAS, the Marine Shale Processors Site PRP Group filed a demand against the County of Sullivan with respect to a prospective violation of 42 U.S.C. Section 9601 (the Comprehensive Environmental Response, Compensation and Liability Act) and the Louisiana Revised Statutes 30:2271, and

WHEREAS, the Sullivan County Attorney has received an offer of an initial Settlement and agreement in the aforesaid demand, and

WHEREAS, the Sullivan County Attorney has been in discussions with the principals involved in the matter and believes it would be possible to enter into an agreement that would be in the best interests of the County.

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

Moved by, Mr. Rouis, seconded by Mrs. Edwards, put to a vote with Mrs. Gieger absent and Ms. Vetter and Mr. Sorensen opposed, resolution carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 284-12 INTRODUCED BY THE PERSONNEL COMMITTEE TO AUTHOIZE THE COUNTY MANAGER TO EXECUTE DOCUMENTS AND TO EXECUTE A SETTLEMENT AGREEMENT WITH THE NEW YORK STATE NURSES ASSOCIATION

WHEREAS, the New York State Nurses Association brought a Grievance against the County of Sullivan in July of 2010 claiming a violation of the post probationary discipline provision of the Collective Bargaining agreement, and

WHEREAS, an arbitration was held on or about June 20, 2011 which resulted in an Interim Award and further hearings of the matter, and

WHEREAS, a hearing was scheduled to proceed before the Arbitrator assigned to hear the matter on July 25, 2012, and

WHEREAS, the parties are desirous to settle the Arbitration and have come to an agreement and have adjourned the July 25, 2012 hearing indefinitely to resolve the dispute, and

WHEREAS, due to the confidential nature of this matter, involving personnel issues, the Sullivan County Legislature has been advised of the terms and conditions of the settlement in executive session, 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 the New York State Nurses Association as discussed in executive session is hereby ratified.
2. The County Manager is hereby authorized to execute the Settlement Agreement with the New York State Nurses Association.

Moved by, Mr. Rouis, seconded by Mrs. Edwards, put to a vote with Mrs. Gieger absent, and Ms. Vetter abstaining, unanimously carried and **declared duly adopted on motion August 16, 2012.**

Ms. Vetter moved to amend by adding that two of these departments are headed by elected officials and they should be included in the deliberations and feels should be part of this package. The 911 Department should be included when it comes to the second whereas. She also believes that deliberations should be open to the public, seconded by Mr. Sorensen, put to a vote, motion fails 2-6 with Chairman Samuelson, Mrs. LaBuda, Mr. Rouis, Mrs. Edwards, Mr. Benson and Mr. Steingart opposed.

Mr. Sorensen asked for clarification on the proposed amendment where the Chairman shall appoint and have consultation with other legislators. It was his understanding that he would be able to select a person---he then asked Chairman Samuelson to define what it means "in consultation with". Chairman Samuelson stated we were waiting for Mr. Sorensen's recommendation.

Mrs. LaBuda stated in all due respect, Mr. Sorensen was sent emails months ago and you were asked for a couple of names. Mr. Sorensen stated we have names---he wants to make it clear that once he gives a name, that will be the person that is appointed. Chairman Samuelson stated it will be everyone's decision. It will be in consultation with the full legislature.

RESOLUTION NO. 285-12 INTRODUCED BY THE PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO CREATE THE LAW ENFORCEMENT REVIEW PANEL

WHEREAS, the County Legislature has placed a priority on public safety, and

WHEREAS, the County Legislature hereby creates the Law Enforcement Review Panel with a primary purpose to comprehensively review the law enforcement needs of the County, including an inventory of available resources from the New York State Police and the Sheriff's Office, the District Attorney's Office and the Probation Department; and

WHEREAS the cost in the aggregate of the law enforcement agencies should be analyzed, prior to developing a plan to maintain sustainable revenue sources to comprehensively fund public safety for the future; and

WHEREAS, the Law Enforcement Review Panel would analyze the fiscal prudence of providing certain levels of law enforcement services at the County level, supported by county tax revenues,

WHEREAS, a study of the assignments of all levels of law enforcement would need to be charted to reduce potential waste of public resources, duplication of effort, and to improve efficiencies, and control the costs associated with Law Enforcement; and

WHEREAS, the need for law enforcement is known to protect the citizens of the county, the cost must be reviewed to keep the budget stable; and

WHEREAS, this Review Panel will provide advice and recommendations to the Sullivan County Legislature regarding the level of law enforcement services that would be provided at the County Government level in Sullivan County; and

WHEREAS, part of the mission would be to evaluate and provide advice and recommendations to the County Legislature on the level of adequate "Aid-to-Localities"; and

WHEREAS, the Sullivan County Legislature wants to ensure that the way in which they are providing the services is the most effective.

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

1. The Law Enforcement Review Panel is hereby created, with nine (9) members, whose membership shall serve without compensation at the pleasure of the Legislature.
2. The Law Enforcement Review Panel will comprehensively review the law enforcement needs throughout the County, starting with an inventory of available resources from the New York State Police, the Sheriff's Office, the District Attorney Office, and District Attorney's Office and the Probation Department.
3. The cost in the aggregate of the law enforcement agencies should be analyzed, prior to developing a plan to maintain sustainable revenue sources to comprehensively fund public safety for the future.
4. A study of the assignments of all levels of law enforcement would need to be charted to reduce potential waste of public resources, duplication of effort, and to improve efficiencies, and control the costs associated with Law Enforcement.
5. Evaluate and provide advice and recommendations to the County Legislature on the level of adequate "Aid-to-Localities".
6. This Review Panel will provide advice and recommendations to the Sullivan County Legislature regarding the level of law enforcement services that would be provided at the County Government level in Sullivan County.
7. An initial scoping document shall be completed by September 1, 2012.
8. Final Report with recommendations due October 15, 2012.

; and

BE IT FURTHER RESOLVED, that the Chairman of the Legislature is hereby authorized to appoint the nine (9) members of the Law Enforcement Review Panel, after consultation with the members of the Legislature.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Mrs. Gieger absent and Mr. Rouis, Mr. Sorensen and Ms. Vetter opposed, resolution carried as amended and **declared duly adopted on motion August 16, 2012.**

RESOLUTION 286-12 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE A PUBLIC HEARING FOR THE SULLIVAN COUNTY ANNUAL IMPLEMENTATION PLAN

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

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

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

Monticello 10/17/12 Monticello Neighborhood Facility 9:30 AM-12:00PM
Monticello, NY

Moved by, Mrs. LaBuda, **seconded by** Mr. Benson, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 287-12 INTRODUCED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO SUPPORT RETAINING JOBS AT FRONTIER INSURANCE COMPANY DURING THE COURT ORDERED REHABILITATION PLAN PROCEEDINGS

WHEREAS, the New York State Liquidation Bureau (NYLB) acting as receiver for the Superintendent of the New York State Department of Financial Services is in the process of liquidating Frontier Insurance Company as part of a court ordered rehabilitation plan proceeding, and

WHEREAS, as part of the rehabilitation plan proceeding the NYLB has the responsibility to administer the remaining insurance policies and has the ability to determine the physical location where the remaining "run-off" business will be performed, and

WHEREAS, Frontier Insurance Company employees approximately 50 people at their Rock Hill, New York offices, processing the "run-off" business, and

WHEREAS, the loss of these 50 jobs will have a detrimental impact on the lives of the employees and on the economy of Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby requests that the NYLB allow the remaining "run-off" business to continue to be performed in Rock Hill, New York, and

BE IT FURTHER RESOLVED, that the Clerk to the Legislature shall transmit an electronic copy of this resolution to Governor Andrew M. Cuomo, Senator John Bonacic, Assemblywoman Aileen Gunther, and Benjamin M. Lawskey, Superintendent of the New York State Department of Financial Services.

Moved by, Mr. Steingart, **seconded by** Mr. Sorensen, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 288-12 INTRODUCED BY PUBLIC WORKS COMMITTEE TO SELL SURPLUS EQUIPMENT TO SULLIVAN COUNTY DIVE AND RESCUE TEAM, INC.

WHEREAS, the County of Sullivan is in possession of a 1991 Zodiac Model Pro 410 boat, Yamaha outboard motor and 1992 EZ Loader trailer, which was used by the Sullivan County Dive Team; and

WHEREAS, based on research by the Commissioner of Public Safety and given the condition of the equipment, the fair market value of the equipment is \$100.00; and

WHEREAS, the equipment is no longer of use to the County and is surplus equipment; and

WHEREAS, the Commissioner of Public Safety is desirous of transferring the boat, outboard motor and trailer to the Sullivan County Dive and Rescue Team Inc. for the amount of One Hundred Dollars (\$100.00).

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby approves the transfer of the above-mentioned boat, outboard motor and trailer to the Sullivan County Dive and Rescue Team Inc. for the amount of \$100.00 and authorizes the County Manager to execute any documents to effect said transfer.

Moved by, Mr. Benson, **seconded by** Mrs. Edwards, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 289-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN EASEMENT TO NEW YORK STATE ELECTRIC & GAS (“NYSEG”) ON COUNTY OWNED PROPERTY ALONG SUNSET LAKE ROAD IN THE TOWN OF LIBERTY KNOWN AS SBL 23.-1-123.2

WHEREAS, the County of Sullivan (“County”) owns a parcel of on Sunset Lake Road, said parcel is designated on the Real Property Tax Map in the Town of Liberty shown as Section 23, Block 1, Lot 123.2 (“Property”); and

WHEREAS, NYSEG is planning to install a tie line along the existing telephone line which will provide a more reliable continuity of service to the area; and

WHEREAS, NYSEG is requesting an easement to enter on the described Property along Sunset Lake Road to perform the line installation, trim and remove any trees and provide future line maintenance as required; and

WHEREAS, the easement area shall be thirty (30) feet by approximately three hundred seventy eight (378) feet beginning at a point about twenty one (21) feet westerly of the centerline of Sunset Lake Road (TH 94) and extending in a southerly direction a distance of approximately three hundred seventy eight (378) feet to a pole and angles left across said road as depicted on a plan submitted to the County dated June 25, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents to grant a permanent easement in regard to the Property to NYSEG, in such form as approved by the County Attorney; and

BE IF FURTHER RESOLVED, that the Grantee will provide the appropriate legal descriptions necessary and requested by the County at their cost and expense.

Moved by, Mr. Benson, **seconded by** Mr. Rouis, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 290-12 INTRODUCED BY PUBLIC WORKS COMMITTEE AUTHORIZING THE FILING OF AN APPLICATION FOR A TECHNICAL ASSISTANCE GRANT FROM THE UPPER DELAWARE COUNCIL FOR IMPROVED SITE INTERPRETATION AT MINISINK BATTLEGROUND PARK

WHEREAS, the County of Sullivan owns and operates Minisink Battleground Park; and

WHEREAS, Minisink Battleground Park is a unique feature within the Upper Delaware Scenic and Recreational River Corridor; and

WHEREAS, the County of Sullivan had previously utilized grant funding to improve the historical interpretation of this Revolutionary War Battle Site; and

WHEREAS, Minisink Battleground Park users would benefit from additional site interpretation; and

WHEREAS, Sullivan County Division of Public Works/Department of Parks & Recreation is deemed eligible to submit an application for Technical Assistance funding.

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 Technical Assistance Grant 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 should the Technical Assistance Grant funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by, Mrs. LaBuda, **seconded by** Mr. Benson, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

**RESOLUTION NO. 291-12 INTRODUCED BY PUBLIC WORKS COMMITTEE
AUTHORIZING THE FILING OF AN APPLICATION FOR AN ENVIRONMENTAL
INITIATIVE GRANT FROM SULLIVAN RENAISSANCE FOR IMPROVED AGRICULTURAL
INTERPRETATION AT FORT DELAWARE MUSEUM OF COLONIAL HISTORY**

WHEREAS, the County of Sullivan owns and operates Fort Delaware Museum of Colonial History; and

WHEREAS, the County of Sullivan had previously written a letter of support for the Tusten Heritage Garden organization to utilize Fort Delaware grounds for a portion of their Sullivan Renaissance Grant project; and

WHEREAS, Tusten Heritage Garden project has since changed scope and no longer will utilize the Fort Delaware grounds for their grant; and

WHEREAS, Sullivan Renaissance recognizes the potential of the proposed project at Fort Delaware and has encouraged the County of Sullivan to apply for funds independently; and

WHEREAS, the Sullivan County Legislature hereby authorizes the County Manager and/or the Chairman of the County Legislature to execute any and all necessary documents to accept the award, should one be granted, and enter into an award agreement or contract in order to administer the funding secured, in such form as the County Attorney shall approve.

NOW, THEREFORE, BE IT RESOLVED, that the filing of an application in the form required by Sullivan Renaissance is hereby authorized.

Moved by, Mrs. LaBuda, **seconded by** Mr. Sorensen, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

**RESOLUTION NO. 292-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE
TO DECLARE THE COUNTY OWNED ‘T’ HANGAR AT THE SULLIVAN COUNTY
INTERNATIONAL AIRPORT (SCIA) ‘SURPLUS PROPERTY’ AND TO AUTHORIZE THE
DIVISION OF PUBLIC WORKS TO SELL THE ‘T’ HANGAR IN ACCORDANCE WITH THE
PROVISIONS OF THE COUNTY CODE**

WHEREAS, the Sullivan County Division of Public Works believes it is in the best interest of the County to declare the 40+ year old County “T” Hangar at the Airport to be surplus property; and

WHEREAS, the Division of Public Works wishes to sell the ‘T’ Hangar in accordance with County Code §164 in an effort to realize income.

NOW, THEREFORE, BE IT RESOLVED, that the County Legislature declares the 40 year old ‘T’ Hangar Building at the Sullivan County Airport to be surplus property and authorizes the Division of Public Works to sell the “T” Hangar Building to the highest responsible bidder in accordance with the County Code.

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

Moved by, Mr. Benson, seconded by Mr. Sorensen, put to a roll call vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

RESOLUTION 293-12 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO ENTER INTO A CONTRACT AGREEMENT WITH THE NYS OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) TO ACCEPT GRANT MONIES FOR THE OF SULLIVAN COUNTY PUBLIC HEALTH SERVICES' HEALTHY FAMILIES OF SULLIVAN FOR THE CONTRACT PERIOD 9/1/2012 TO 8/31/2017.

WHEREAS, Sullivan County Public Health Services applied for and was awarded grant monies from the NYS Office of Children and Family Services (NYSOCFS), for the period September 1, 2012 – August 31, 2017, and

WHEREAS, pursuant to Resolution # 289-07, the County Manager was authorized to enter into a contract with the NYSOCFS to accept such grant monies, and

WHEREAS, the Sullivan County Public Health Services Department recently has been awarded grant monies for the Healthy Families of Sullivan program for a five-year contract period (9/1/2012-8/31/2017).

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to enter into a contract with NYSOCFS to accept grant monies in the amount of \$245,512 for year one (9/1/12-8/31/13) of the contract for the Healthy Families of Sullivan program, and

BE IT FURTHER RESOLVED, that the County Manager is authorized to execute contract renewals for the Healthy Families of Sullivan program on an annual basis over the five year contract term, and

BE IT FURTHER RESOLVED, that should the NYSOCFS reduce or eliminate the grant funding for Healthy Families of Sullivan program for the grant period September 1, 2012 – August 31, 2017, then the above contracts shall be reduced and or abolished in an amount per vendor at the discretion of the County Legislature, and

BE IT FURTHER RESOLVED, that the County Manager be hereby authorized to execute such contract renewals using the NYSOCFS Contract Management System, and

BE IT FURTHER RESOLVED, that the form of such contract agreement (s) be approved by the Sullivan County Attorney's office.

Moved by, Mr. Sorensen, seconded by Mr. Benson, put to a vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

RESOLUTION 294-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PROPERTY IN THE TOWN OF MAMAKATING KNOWN AS MA18.-1-16.4, ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2006 LIEN YEAR.

WHEREAS, property located in the Town of Mamakating designated on the Sullivan County Real Property Tax Map as MA18.-1-16.4, Class 314, being 10.02 +/- acre, located on Fordham Road, is owned by the County of Sullivan and formerly owned by Fordham Estates, LLC & Fordham Estates 2, LLC, was included in the foreclosure of 2006 liens, and

WHEREAS, Summitville Fire Company has offered to purchase said property for the sum of, SEVEN THOUSAND (\$7,000.00) DOLLARS, more than the amount of the delinquent taxes owed to the County, and

WHEREAS, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcel to Summitville Fire Company for \$7,000.00 because this property was not sold at the June 2012 auction, and

WHEREAS, the purchaser will also be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes, 2012 Town/County taxes, 2012/2013 School taxes, water and sewer charges.

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to Summitville Fire Company, upon payment of \$7,000.00 to the County Treasurer, plus 10% of sale price for auctioneer's commission, plus fees for the County Clerk, plus the 2012 County/Town taxes, including but not limited to, omitted & pro rata taxes and water and sewer charges, if any.

Moved by, Mrs. LaBuda, **seconded by** Mr. Benson, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO 295-12 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE CONTRACTS FOR THE HISTORICAL AND CULTURAL ASSISTANCE PROGRAM (HCAP)

WHEREAS, the Sullivan County Legislature established and allocated funding for the creation of the Economic Development Assistance Program (EDAP) in 1998; and

WHEREAS, the Sullivan County Legislature changed the name of the program in 2007 to the Historical and Cultural Assistance Program (HCAP); and

WHEREAS, funds have been allocated in subsequent years to continue the HCAP; and

WHEREAS, the Sullivan County Legislature has authorized that \$4,750 be allocated in FY2012; and

WHEREAS, eligible program activities include renovation of locally historic structures, creation or expansion of museums and enhancing the viability of existing cultural attractions; and

WHEREAS, the Sullivan County Legislature approved the administration of the program by the Division of Planning & Environmental Management, and pursuant to Resolution No. 219-07 adopted on May 17, 2007; and

WHEREAS, the following applications for funding have been submitted, and are recommended by the Division of Planning and Environmental Management:

Lumberland Emergency Generator	\$1,500
Tusten/Narrowsburg Big Eddy Esplanade	\$1,500
Liberty/Walnut Mountain Restrooms	\$ 600

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature approves these projects and the disbursement of the associated funds, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorize the County Manager to enter into a contract(s) with these applicant(s) for these projects that meet the guidelines of the HCAP, said contracts to be in a form approved by the County Attorney.

Moved by, Mr. Sorensen, **seconded by** Mr. Benson, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 296-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2010 TAX ROLL OF THE TOWN OF TUSTEN FOR TAX MAP #9.-10-21

WHEREAS, an application dated June 25, 2012 having been filed by PA Lines LLC Norfolk Southern with respect to property assessed to said applicant on the 2010 tax roll of the Town of Tusten Tax Map #9.-10-21 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 tax roll, of the assessed valuation of an improvement to real property which was present on a different parcel: to wit, the value of the Narrowsburg Lumber Co. building was assessed on two parcels of real property when in fact only a portion of the building should have been assessed to each parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 25, 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. Steingart, **seconded by** Ms. Vetter, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 297-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF TUSTEN FOR TAX MAP #9.-10-21

WHEREAS, an application dated June 25, 2012 having been filed by PA Lines LLC Norfolk Southern with respect to property assessed to said applicant on the 2011 tax roll of the Town of Tusten Tax Map #9.-10-21 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 tax roll, of the assessed valuation of an improvement to real property which was present on a different parcel: to wit, the value of the Narrowsburg Lumber Co. building was assessed on two parcels of real property when in fact only a portion of the building should have been assessed to each parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 25, 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. Steingart, **seconded by** Ms. Vetter, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 298-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF TUSTEN FOR TAX MAP #9.-10-21

WHEREAS, an application dated June 25, 2012 having been filed by PA Lines LLC Norfolk Southern with respect to property assessed to said applicant on the 2012 tax roll of the Town of Tusten Tax Map #9.-10-21 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 tax roll, of the assessed valuation of an improvement to real property which was present on a different parcel: to wit, the value of

the Narrowsburg Lumber Co. building was assessed on two parcels of real property when in fact only a portion of the building should have been assessed to each parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 25, 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. Steingart, **seconded by** Ms. Vetter, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 299-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2010 TAX ROLL OF THE TOWN OF TUSTEN FOR TAX MAP #12.-1-3

WHEREAS, an application dated May 7, 2012 having been filed by Roger Dirlam with respect to property assessed to said applicant on the 2010 tax roll of the Town of Tusten Tax Map #12.-1-3 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 tax roll, of the assessed valuation of an improvement to real property which was present on a different parcel: to wit, the value of the Narrowsburg Lumber Co. building was assessed on two parcels of real property when in fact only a portion of the building should have been assessed to each parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 25, 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. Steingart, **seconded by** Ms. Vetter, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 300-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF TUSTEN FOR TAX MAP #12.-1-3

WHEREAS, an application dated May 7, 2012 having been filed by Roger Dirlam with respect to property assessed to said applicant on the 2011 tax roll of the Town of Tusten Tax Map #12.-1-3 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 tax roll, of the assessed valuation of an improvement to real property which was present on a different parcel: to wit, the value of the Narrowsburg Lumber Co. building was assessed on two parcels of real property when in fact only a portion of the building should have been assessed to each parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 25, 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. Steingart, **seconded by** Ms. Vetter, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 301-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF TUSTEN FOR TAX MAP #12.-1-3

WHEREAS, an application dated May 7, 2012 having been filed by Roger Dirlam with respect to property assessed to said applicant on the 2012 tax roll of the Town of Tusten Tax Map #12.-1-3 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 tax roll, of the assessed valuation of an improvement to real property which was present on a different parcel: to wit, the value of the Narrowsburg Lumber Co. building was assessed on two parcels of real property when in fact only a portion of the building should have been assessed to each parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 25, 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. Steingart, seconded by Ms. Vetter, put to a vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

RESOLUTION NO. 302-12 INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT SCOTT B. SAMUELSON TO THE SULLIVAN COUNTY JURY BOARD

WHEREAS, in accordance with Judiciary Law Section 503 (a) (1), a member of the Sullivan County Legislature needs to be appointed as a member, and

NOW, THEREFORE, BE IT RESOLVED, that County Legislative Chairman Scott B. Samuelson be and he hereby is appointed as the legislative representative to serve on the Sullivan County Jury Board for a term to expire December 31, 2015.

Moved by, Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Mrs. Gieger absent and Mr. Samuelson abstaining, unanimously carried and declared duly adopted on motion August 16, 2012.

Ms. Vetter questioned the procedure of hiring out of Sullivan County. Carol Ryan, PHS Director got up and explained.

Ms. Vetter made a motion to add that it doesn't set a future precedent for future hirings, seconded by Mr. Sorensen put to a vote and failed 3-5.

RESOLUTION NO. 303-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE WAIVING THE RESIDENCY REQUIREMENT FOR A NUTRITIONIST IN PUBLIC HEALTH SERVICES

WHEREAS, the Director of Public Health Services was authorized to fill a vacant Nutritionist position; and

WHEREAS, the Director of Public Health Services has expressed her desire in filling the Nutritionist position due to its vital role in Public Health Services; and

WHEREAS, the Director of Public Health Services has reported to the County Manager that she has a desire to offer the Nutritionist position to a non-county resident and the Director of Public Health Services has requested a waiver for this position from the County's residency requirement policy, and

WHEREAS, the Director of Public Health Services has stated that the Nutritionist position has been difficult to fill with a qualified County resident; and

WHEREAS, the Director of Public Health Services has stated that the selected candidate for the Nutritionist position, Angela L. Koenig, has stated that complying with the residency requirement will place an undue hardship upon her; and

WHEREAS, the Director of Public Health Services has requested that the Legislature waive the residency requirement as it pertains to Angela L. Koenig for the position of Nutritionist at Public Health Services for a permanent appointment from a Certification of Eligibles, Exam Number 69970 – date of certification August 3, 2012; and

WHEREAS, the County Manager has recommended that the Legislature waive the residency requirement as requested by the Director of Public Health Services for the position of Nutritionist for Angela L. Koenig from a Certification of Eligibles, Exam Number 69970 – date of certification August 3, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby waives said position of Nutritionist at Public Health Services for a permanent appointment from a Certification of Eligibles, Exam Number 69970 – date of certification August 3, 2012 from the residency requirement policy, specific to Angela L. Koenig; and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit a copy of this resolution to the Human Resources Department and the Payroll Department.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

RESOLUTION NO. 304-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO SIGN AN INTERIM AGREEMENT FOR A FIXED BASE OPERATION (FBO) AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)

WHEREAS, the previously authorized FBO at SCIA, Fleet Aviation, neglected to comply with its FBO Agreement and thereafter vacated the Airport premises; and

WHEREAS, as a result, any agreement between the County and Fleet was terminated effective as of July 16, 2012;

WHEREAS, the County operates SCIA pursuant to an FAA Operating Certificate and the failure to provide maintenance and fuel services at the SCIA may violate the Certificate and may negatively impact the day to day operation of the Airport; and

WHEREAS, since July 16, 2012 Woodstock Aircraft Service, Inc. has effectively provided the necessary maintenance and fuel services to keep SCIA in operation; and

WHEREAS, the County desires to permit Woodstock Aircraft Service, Inc. to continue to provide interim maintenance and fuel services at the Airport until such time as a Request for Proposal (RFP) for a permanent FBO is issued and a contract is awarded.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an agreement with Woodstock Aircraft Service, Inc. to provide interim maintenance and fuel services at SCIA until such time as a permanent FBO is selected. Such Agreement is to be in a form approved by the County Attorney.

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

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

RESOLUTION NO. 305-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2012 COUNTY BUDGET

WHEREAS, the County of Sullivan 2012 Budget requires modification,

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

Moved by Mrs. Edwards, seconded by Mr. Rouis, put to a vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

See Attached

RESOLUTION NO. 306-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE RESOLUTION TO APPORTION COST OF THE COUNTY SELF-INSURANCE PLAN AND LEVYING TAXES THEREFORE

WHEREAS, the Risk Management & Insurance Department (“Risk Management”) hereby files a report by which it has estimated that the sum of \$4,890,499.00 will be necessary for the calendar year 2013 to meet the payments and expenses of the Workers’ Compensation Self - Insurance Plan; and

WHEREAS, Risk Management has determined the share of such estimated amount chargeable to each participant of the County Workers’ Compensation Self Insurance Plan as provided by Local Law No. 5-1979, as well as provisions of the Workers Compensation Law; and

WHEREAS, the amount chargeable to each participant of the County Workers' Compensation Self-Insurance Plan is detailed on the Self Insurance Fund Charges, attached hereto as Appendix I and by this reference made a part hereof; and

WHEREAS, the total amount of \$4,890,499.00 to be raised for the 2013 calendar year was calculated as detailed in the Estimate of Expenses to run the Self Funded Workers' Compensation Plan for Sullivan County, attached hereto as Appendix II and by this reference made a part hereof; and

WHEREAS, Appendix I and Appendix II shall collectively be considered Risk Management's 2013 calendar year's report for the funding estimate and participant apportionment costs for the County's Workers' Compensation Self-Insurance Plan,
(Risk Management's 2013 Plan)

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby adopts Risk Management's 2013 Plan and directs that the amount set opposite the name of each participant on Appendix I of the County Workers' Compensation Self - Insurance Plan be apportioned and charged to each respectively; with such amount so apportioned to the County and the Towns be levied and raised by tax in the next annual tax levy against the taxable property of the County and the Towns and such amount apportioned to the Villages to be directly billed to the Villages by Risk Management; and

BE IT FURTHER RESOLVED, that the amount apportioned to the County and the Towns shall be collected by inclusion in the next succeeding tax levy of each Town, and that when collected such amount shall be paid by the respective tax collectors to the County Treasurer, said amounts to be credited to the County Workers' Compensation Self - Insurance Fund and the amount billed to the Villages shall be paid directly to the Sullivan County Treasurer.

Moved by, Mr. Rouis, **seconded by** Mr. Steingart, put to a vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION NO. 307-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO ADOPT THE 2012-2013 SULLIVAN COUNTY COMMUNITY COLLEGE BUDGET

WHEREAS, the Sullivan County Community College Board of Trustees has filed its 2012-2013 Operating Budget with the Sullivan County Legislature, and

WHEREAS, the proposed Budget for 2012-2013 has appropriations in the amount of \$17,316,432 with the County's share to be raised by tax revenue in the amount of \$4,000,000; and

NOW THEREFORE BE IT RESOLVED, that the 2012-2013 Operating Budget be approved in the amount of \$17,316,432 and the County's share to be levied and assessed against the taxable real property of Sullivan County on the 2013 tax rolls at \$4,000,000.

Moved by, Mr. Benson, **seconded by** Mrs. LaBuda, put to a roll call vote with Mrs. Gieger absent, unanimously carried and **declared duly adopted on motion August 16, 2012.**

RESOLUTION 308- 12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO APPROVE A CORRECTIVE ACTION PLAN FOR THE 2011 MANAGEMENT LETTER ASSOCIATED WITH THE 2011 COMPREHENSIVE ANNUAL FINANCIAL REPORT

WHEREAS, the County's outside auditing firm has completed the 2011 financial audit and provided their management letter to the Management & Budget Committee, and

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

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby approves the attached corrective action plan.

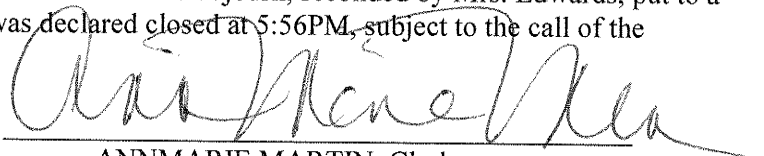
Moved by, Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. Gieger absent, unanimously carried and declared duly adopted on motion August 16, 2012.

Mr. Sorensen made a motion to waive the rules of the legislature for the purpose of reintroducing the resolution that went through the Management and Budget Committee to amend the Capital Plan for the Sheriff's Office. We did receive a grant for \$32,000, it is federal funds that have come to the State. He knows that one member was absent in the Management and Budget committee meeting and he would ask that the question be called here now. Mr. Sorensen's motion was seconded by Ms. Vetter, put to a vote, motion failed 4-4 with Mr. Samuelson, Mrs. LaBuda, Mrs. Edwards and Mr. Benson opposed.

Recognition of Legislators:

1. Gene Benson read the attached statement.
2. Cora Edwards thanked everyone who made comments today. All of the grants that we approved today have gone through an extensive process through the Department of Grants Administration. From here on in, the options get more and more limited. The basic premise is what happens when you spend more than you take in? Until we come to grips with that simple equation, we cannot keep going back to property tax payers to keep putting more in. We are maxed out and we are taxed out. When the press writes their articles, please impress people to participate in this important process.
3. Kitty Vetter stated that she appreciates everyone coming and always agrees that public input is very important. She feels that there is not enough transparency in our government.
4. Kathy LaBuda stated that County Attorney Sam Yasgur will be at the Grahamsville Fair and he will be sitting at the pie booth on Sunday.

There being no further business, Mrs. LaBuda moved to adjourn, seconded by Mrs. Edwards, put to a vote and carried. The Regular Meeting was declared closed at 5:56PM, subject to the call of the Chairman.



ANNMARIE MARTIN, Clerk
Sullivan County Legislature

August 2012
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1410-11-42-4204	OFFICE POSTAGE			850	
A-1410-11-42-4206	OFFICE PUBLICATIONS				15
A-1410-11-47-4708	DEPT INSURANCE			15	
A-1410-11-R1255-R168	CLERK FEE DMV FEES	850			
A-1420-41-4102	AUTO/TRAVEL LODGING			550	
A-1420-41-4103	AUTO/TRAVEL MEALS			500	
A-1420-41-4104	AUTO/TRAVEL MILEAGE/TOLLS			600	
A-1420-42-4203	OFFICE OFFICE SUPPLIES			200	
A-1420-42-4205	OFFICE PRINTING				200
A-1420-47-4704	DEPT STENOGRAPHIC SERVICES			1,200	
A-1420-47-4705	DEPT COUNSEL/WITNESS EXPENSE				600
A-1420-R1265-R247	ATTORNEY FEE MISC FEE/REIMBURSMNT	2,250			
A-1430-42-4201	OFFICE ADVERTISING			1,995	
A-1430-46-4612	MISC SERV/EXP EMPL TRAINING				300
A-1430-47-4704	DEPT STENOGRAPHIC SERVICES				400
A-1430-R1260-R130	PERSONNEL FEE CHARGBCK - ADVERTSNG	1,295			
A-1620-22-44-4401	UTILITY ELECTRIC				2,500
A-1620-22-44-4401	UTILITY ELECTRIC				3,000
A-1620-22-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC			10	
A-1620-22-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING				510
A-1620-22-47-4717	DEPT BLDG/PROP REPAIRS			500	
A-1620-22-47-4717	DEPT BLDG/PROP REPAIRS			3,000	
A-1620-22-47-4717	DEPT BLDG/PROP REPAIRS			2,500	
A-1620-23-21-2102	FIXED BUILDINGS			116	
A-1620-23-45-4520	SPEC DEPT SUPPLY TRUE/LEVELING PATCH			600	
A-1620-23-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC				216
A-1620-23-45-4541	SPEC DEPT SUPPLY TOOLS			100	
A-1620-24-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				500
A-1620-24-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			1,000	
A-1620-24-45-4549	SPEC DEPT SUPPLY SAFETY			500	
A-1620-24-47-4702	DEPT EQUIP SERVICE/REPAIRS			100	
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				100
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				2,500

August 2012
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-1620-24-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			1,500	
A-1620-26-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			250	
A-1620-26-47-4717	DEPT BLDG/PROP REPAIRS				250
A-3010-42-4203	OFFICE OFFICE SUPPLIES			64	
A-3010-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY				64
A-3010-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY				2,500
A-3020-42-4203	OFFICE OFFICE SUPPLIES			250	
A-3020-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY				250
A-3410-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY			5,000	
A-3410-R3389-R201	ST AID PUBLIC SAFETY FIRE GRANT	2,500			
A-4010-33-45-4543	SPEC DEPT SUPPLY FOOD			200	
A-4010-33-47-4726	DEPT SECURITY EXPENSE				200
A-4050-10-1011	PERSONAL SERV REGULAR PAY				100
A-4050-41-4104	AUTO/TRAVEL MILEAGE/TOLLS			100	
A-4050-44-4406	UTILITY WIRELESS COMMUNICATIONS			1,022	
A-4050-45-4501	SPEC DEPT SUPPLY MISC/OTHER			500	
A-4050-47-4702	DEPT EQUIP SERVICE/REPAIRS				1,022
A-4050-47-4726	DEPT SECURITY EXPENSE				500
A-4082-10-1011	PERSONAL SERV REGULAR PAY				2,270
A-4082-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			800	
A-4082-42-4205	OFFICE PRINTING			70	
A-4082-44-4406	UTILITY WIRELESS COMMUNICATIONS			400	
A-4082-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			1,000	
A-4220-80-8004	EMPL BENFTS HLTH INSUR OPT OUT			1,500	
A-4220-R1631-R247	ALCOHOLISM PROGRAM FEE MISC FEE/REIMBURSMNT		245,932		
A-4220-R3486-R167	ST AID NARCOTC ADDICTN CONTRL DEPARTMENTAL AID				1,000
A-4220-R4486-R297	FED AID NARCOTC ADDICTN CONTRL SALARY SHARING		1,000		
A-4220-R4486-R297	FED AID NARCOTC ADDICTN CONTRL SALARY SHARING		10,000		
A-4310-46-4643	MISC SERV/EXP EMPL SALARY/BENEFIT CHARGEBACK				12,464
A-4310-R3490-R104	ST AID MENTAL HEALTH ADMINISTRATION		34,149		
A-4320-40-10-1015	PERSONAL SERV OTHER PAY				1,500
A-4320-40-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				7,000
A-4320-40-R3490-R142	ST AID MENTAL HEALTH CLINIC		21,540		

August 2012
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-4320-41-42-4204	OFFICE POSTAGE				50
A-4320-41-44-4406	UTILITY WIRELESS COMMUNICATIONS				200
A-4320-41-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			300	
A-4320-41-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			50	
A-4320-41-46-4602	MISC SERV/EXP EMPL MEAL ALLOWANCE				100
A-4320-41-80-8002	EMPL BENFITS HLTH INSUR ACTIVE EMPLOYEE			7,000	
A-4320-42-R3490-R122	ST AID MENTAL HEALTH CASE MANAGMNT	175,781			
A-4320-42-R3490-R125	ST AID MENTAL HEALTH CASE MANAGMNT - INTENSIVE		175,636		
A-4322-40-4023	CONTRACT MENTAL HEALTH				87,500
A-4322-R3490-R147	ST AID MENTAL HEALTH OFFICE OF MENTAL HEALTH		36,148		
A-4322-R3490-R395	ST AID MENTAL HEALTH OMRDD		51,352		
A-6010-38-47-4704	DEPT STENOGRAPHIC SERVICES			10	
A-6010-38-47-4709	DEPT INTERPRETERS FEES			250	
A-6010-38-47-4752	DEPT MISC PROGRAM EXP				260
A-6510-10-1015	PERSONAL SERV OTHER PAY				400
A-6510-42-4207	OFFICE FURNITURE			400	
A-7110-82-45-4503	SPEC DEPT SUPPLY RECREATION			124	
A-7110-82-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			50	
A-7110-82-47-4717	DEPT BLDG/PROP REPAIRS				175
A-7110-82-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			1	
A-7110-84-47-4710	DEPT MISC/OTHER			5	
A-7110-84-47-4717	DEPT BLDG/PROP REPAIRS				5
A-7110-85-47-4710	DEPT MISC/OTHER			5	
A-7110-85-47-4717	DEPT BLDG/PROP REPAIRS				5
A-7450-202-42-4203	OFFICE OFFICE SUPPLIES			100	
A-7450-202-47-4717	DEPT BLDG/PROP REPAIRS				100
A-7450-203-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			50	
A-7450-203-47-4717	DEPT BLDG/PROP REPAIRS				50
A-7520-45-4526	SPEC DEPT SUPPLY PAINT			30	
A-7520-47-4729	DEPT SPECIAL PROJECTS				30
A-7610-87-R1972-R392	AGING PROGRAM POINT OF ENTRY PROGRAM		47,983		
A-7610-87-R3772-R392	ST AID AGING PROGRAM NYCONNECTS	47,983			
A-7610-88-40-4005	CONTRACT DIETICIAN/NUTRITIONIST SERVICES				750

August 2012
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-7610-88-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			750	
A-7610-89-41-4103	AUTO/TRAVEL MEALS			45	
A-7610-89-42-4204	OFFICE POSTAGE				45
A-8810-45-4549	SPEC DEPT SUPPLY SAFETY			25	
A-8810-47-4710	DEPT MISC/OTHER				25
A-9901-90-9001	TRANSFERS COUNTY ROAD				600
General Fund Totals		509,131	602,200	36,187	129,256
CL-8160-45-4527	SPEC DEPT SUPPLY MISC STONE			500	
CL-8160-45-4529	SPEC DEPT SUPPLY CONCRETE			600	
CL-8160-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			250	
CL-8160-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				250
CL-8160-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				50
CL-8160-45-4542	SPEC DEPT SUPPLY WELDING			50	
CL-8160-47-4717	DEPT BLDG/PROP REPAIRS				500
CL-8160-47-4767	DEPT NYS/US REGISTRY FEES/FINES/ASSESS				600
Solid Waste Fund Totals		0	0	1,400	1,400
D-3310-45-4511	SPEC DEPT SUPPLY PAINT - TRAFFIC			16,500	
D-3310-45-4512	SPEC DEPT SUPPLY GLASS BEADS				16,500
D-3310-47-4702	DEPT EQUIP SERVICE/REPAIRS			500	
D-5020-42-4204	OFFICE POSTAGE			75	
D-5020-43-4301	COMPUTER SUPPLIES				75
D-5110-45-40-4038	CONTRACT CONSTRUCTION				453,000
D-5110-45-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			75	
D-5110-45-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				950
D-5110-45-45-4520	SPEC DEPT SUPPLY TRUE/LEVELING PATCH				600
D-5110-45-45-4531	SPEC DEPT SUPPLY WATERPROOFING			1	
D-5110-45-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC			450	
D-5110-45-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC			75	
D-5110-45-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC			750	
D-5110-45-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			450	
D-5110-45-47-4701	DEPT RENTALS				750

August 2012
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue		Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease	Increase	Decrease
D-5110-45-47-4701	DEPT RENTALS						75
D-5110-45-47-4701	DEPT RENTALS						76
D-5110-45-47-4710	DEPT MISC/OTHER						450
D-5110-46-40-4038	CONTRACT CONSTRUCTION					453,000	
D-5110-46-45-4501	SPEC DEPT SUPPLY MISC/OTHER						50
D-5110-46-45-4520	SPEC DEPT SUPPLY TRUE/LEVELING PATCH					5,000	
D-5110-46-45-4523	SPEC DEPT SUPPLY REINFORCING STEEL						5,000
D-5110-46-45-4526	SPEC DEPT SUPPLY PAINT					50	
D-5110-47-40-4038	CONTRACT CONSTRUCTION						
D-5110-47-45-4501	SPEC DEPT SUPPLY MISC/OTHER						7,500
D-5110-47-45-4521	SPEC DEPT SUPPLY CULVERT PIPE					85,000	
D-5110-47-45-4527	SPEC DEPT SUPPLY MISC STONE					7,500	
D-5142-10-1011	PERSONAL SERV REGULAR PAY						50,000
D-5142-10-1012	PERSONAL SERV OVERTIME PAY					10,000	
D-5142-45-4534	SPEC DEPT SUPPLY SAND ICE CONTROL						5,000
D-5142-45-4546	SPEC DEPT SUPPLY ROAD SALT						192,201
D-9998-R2302-R146	SNOW REMVL SERV OTHR GOV COLLEGE		15,191				
D-9998-R2302-R235	SNOW REMVL SERV OTHR GOV LOCAL GOVRNMNT		222,010				
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND		600				
County Road Fund Totals		0	237,801	0	237,801	579,426	817,227
DM-5130-48-21-2103	FIXED MACHINERY/EQUIPMENT						3,600
DM-5130-48-42-4204	OFFICE POSTAGE					20	
DM-5130-48-42-4205	OFFICE PRINTING						20
DM-5130-48-45-4524	SPEC DEPT SUPPLY LUMBER					200	
DM-5130-48-47-4702	DEPT EQUIP SERVICE/REPAIRS					3,600	
DM-5130-48-47-4717	DEPT BLDG/PROP REPAIRS					3,000	
DM-5130-49-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY						200
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS						3,000
DM-5130-49-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING					400	
DM-5130-49-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES						400
Road Machinery Fund Totals		0	0	0	0	7,220	7,220

2013 ESTIMATE OF EXPENSES TO RUN THE SELF FUNDED WORKERS' COMPENSATION PLAN FOR SULLIVAN COUNTY

Indemnity	\$2,046,591.00
Medical	\$1,385,808.00
Medicare Reimbursement Expense @ 6.5%	\$90,078.00
Expense	\$1,160,000.00
Total	\$4,682,477.00
Less Recoveries	\$200,000.00
Total Net Claim Cost Estimate	\$4,482,477.00
M1710 Administrative Costs	\$408,022.00
Estimate for Expenses of the Plan; including Indemnity; Medical; Expense; Recoveries; Administrative Costs; and/or any other expenses of the Plan	
Total	\$4,890,499.00

Amount to Request for Plan Year 2013	\$4,890,499.00
Amount Requested for Plan Year 2012	\$4,699,332.00
Dollar Amount over Last Year	\$191,167.00
% Increase/Decrease Over Last Year	4.07%

APPENDIX II

2013 SELF-INSURANCE PLAN
FUND CHARGES

PARTICIPANTS		SHARE
County	of Sullivan	\$2,492,304.00
TOWNS		
Town of	Bethel	\$163,153.00
Town of	Callicoon	\$147,621.00
Town of	Cochecton	\$27,775.00
Town of	Delaware	\$42,400.00
Town of	Fallsburg	\$423,944.00
Town of	Forestburgh	\$59,865.00
Town of	Fremont	\$62,753.00
Town of	Highland	\$59,642.00
Town of	Liberty	\$132,847.00
Town of	Lumberland	\$78,328.00
Town of	Mamakating	\$246,228.00
Town of	Neversink	\$138,116.00
Town of	Rockland	\$117,761.00
Town of	Thompson	\$268,282.00
Town of	Tusten	\$46,348.00
VILLAGES		
Village of	Jeffersonville	\$5,837.00
Village of	Liberty	\$46,837.00
Village of	Monticello	\$235,825.00
Village of	Woodridge	\$80,557.00
Village of	Wurtsboro	\$14,076.00

TOTAL	\$4,890,499.00
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APPENDIX I

Corrective Action Plan for 2011 Fiscal Year Audit

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

Audit Period: For the year ended December 31, 2011.

Capital Projects Fund

Finding:

A lack of financial activity in a capital project over an extended period of time may be an indication of the project's completion. Our review of the Capital Projects Fund indicated that several projects have been inactive for periods in excess of one year. These projects represent a combined fund balance in excess of \$1 million at December 31, 2011. Upon determination that a capital project has been completed, the governing board should pass a resolution indicating this status and directing the disposition of the unexpended proceeds. If the unexpended balance of the project consists of monies provided from obligation or in certain instances, State or Federal grants, its use will be restricted to the payment of outstanding indebtedness. If the remaining balance consists of a return of a contribution from an operating fund, it should be returned to that fund to be used for any lawful purpose.

Recommendation:

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

Corrective Action:

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

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

Corrective Action Plan for 2011 Fiscal Year Audit

Budgetary Compliance

Finding:

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

Recommendation:

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

Corrective Action:

The Budget Office will work with all departments to factor in twelve month yearend accruals when submitting their yearend budget modifications. While there were certain instances of lines being over budget, overall general fund expenditures were \$4.33 million less than the amended budget.

Capital Asset Reporting

Finding:

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

8/16/12

OVER THE PAST FEW WEEKS THERE HAVE BEEN MY VIEW ARTICLES AND LETTERS TO THE EDITOR FILLED WITH HALF TRUTHS, ACCUSATIONS, INNUEENDO AND ASSUMPTIONS.

AT NO TIME DID ANY OF THE LEGISLATORS ADVOCATE FOR CUTTING THE SHERIFFS ROAD PATROL. IF ANYTHING, WE WOULD LIKE TO BOLSTER THE RANKS OF THE ROAD PATROL TO MAKE THEM MORE EFFICIENT AND EFFECTIVE.

ONE PERSON SAID THAT THEY COULD READ BETWEEN THE LINES AND CAME TO THE CONCLUSION THAT THE RESULTS OF THIS "COMMISSION" STUDY MEANT LAYOFFS. MY QUESTION TO THIS PERSON IS HOW CAN YOU READ BETWEEN LINES THAT HAVEN'T BEEN WRITTEN.

OTHERS HAVE ACCUSED US OF FORMING ANOTHER LAYER OF GOVERNMENT. IN REALITY THIS ADVISORY PANEL IS MADE UP OF UNPAID VOLUNTEERS, MOST OF WHOM HAVE AN EXTENSIVE BACKGROUND IN THE LAW ENFORCEMENT FIELD. THEY ARE A DIVERSE AND BI-PARTISAN GROUP INCLUDING DEMOCRATS AND REPUBLICANS, DISPELLING THE RUMOR THAT THIS IS A POLITICALLY MOTIVATED ACTION.

PLEASE FEEL FREE TO ASK US QUESTIONS. WE HAVE NOTHING TO HIDE FROM ANYONE.

ALLOW US TO DO THE JOB YOU ELECTED US TO DO FOR THE SAFETY AND WELL BEING OF ALL THE CITIZENS OF SULLIVAN COUNTY.

GENE L. BENSON
LEGISLATOR - DISTRICT 7
VICE CHAIRMAN OF THE LEGISLATURE
VICE CHAIRMAN OF THE PUBLIC
SAFETY COMMITTEE