

Sullivan County Legislature

Regular Meeting

August 15, 2013 at 2:00PM

The Regular Meeting of the County Legislature was called to order at 2:04PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call

Roll Call indicated all legislators present.

Presentations:

Chairman Samuelson presented Certificates of Recognition to the following:

1. Miss Sullivan County 2013 to Jennifer Nolan
2. Ms. Pre-Teen Sullivan County 2013 to Lindsey Cruz
3. Ms. Teen Sullivan County 2013 to Alyssa McCave
4. Ms. Sullivan County 2013 to Tisha Curry

District Three Legislator Kitty Vetter presented a representative of the Livingston Manor Renaissance an Certificate of Special Recognition in honoring them for receiving the 2013 Golden Feather Award.

Communications

The Clerk Read the following communications:

1. Notifications of Joint Public Hearing from the Town of Thompson dated July 26, 2013 and Village of Monticello, dated July 26, 2013 on the Petition for the Annexation of Territory for SBL 31.01010.3 , 10.2 & 94
2. Chairman Samuelson's appointments to the Redistricting Oversight Committee dated July 26, 2013.
3. Records Destruction Notification filed by the Sullivan County Legislature on July 25, 2013, August 14, 2013, and August 15, 2013 and Center for Workforce Development dated August 13, 2013

Public Comment

1. Chairman Samuelson recognized the following speaker:

1. Star Hesse
2. Sondra Bauerfeind
3. Sandy Shaddock

Order of Business:

RESOLUTION 301-13 INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT THE 2013-2014 SULLIVAN COUNTY COMMUNITY COLLEGE BUDGET

WHEREAS, the Sullivan County Community College Board of Trustees has filed its 2013-2014 Operating Budget with the Sullivan County Legislature, and

WHEREAS, the proposed Budget for 2013-2014 has appropriations in the amount of \$16,831,605 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 2013-2014 Operating Budget be approved in the amount of \$16,831,605 and the County's share to be levied and assessed against the taxable real property of Sullivan County on the 2014 tax rolls at \$4,000,000.

Moved by Mr. Benson, seconded by Mr. Rouis, put to a roll call vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

RESOLUTION NO. 302-13 INTRODUCED BY EXECUTIVE COMMITTEE EXTENDING THE CURRENT TAX RATE ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Be it enacted by the County Legislature of the County of Sullivan, as follows:

SECTION 1. Section 4-A of Resolution No. 3, enacted by the Board of the Supervisors of the County of Sullivan on January 6, 1975, imposing sales and compensating use taxes, as amended, is amended to read as follows:

“SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there are hereby imposed and there shall be paid: (i) an additional one-half of one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2015; and (ii) an additional one-half of one percent rate of sales and compensating use taxes which is additional to the one-half of one percent rate imposed above in this section, for the period beginning June 1, 2009, and ending November 30, 2015. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.”

SECTION 2. Paragraph (B) of Subdivision (1) of Section 11 of Resolution No. 3, enacted by the Board of Supervisors of the County of Sullivan on January 6, 1975, imposing sales and use taxes, as amended, is amended to read as follows:

“(B)(1) With respect to the additional tax of one-half of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2015, in respect to the use of property used by the purchaser in this county prior to June 1, 2003; and

(2) With respect to the additional tax of one-half of one percent imposed for the period beginning June 1, 2009, and ending November 30, 2015, in respect to the use of property used by the purchaser in this county prior to June 1, 2009.”

SECTION 3. This enactment shall take effect December 1, 2013.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a roll call vote, unanimously carried and declared duly adopted on motion August 15, 2013.

**RESOLUTION NO. 303-13 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 hearing be published in the official newspapers of the County:

Monticello 10/16/13 Monticello Neighborhood Facility 9:30 AM-12:00PM
Monticello, NY

Moved by Mr. Benson, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

**RESOLUTION NO. 304-13 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO ACCEPT A
NYS CRIME VICTIMS GRANT**

WHEREAS, pursuant to Resolution No. 343-09 adopted by the County Legislature on August 20, 2009 the County of Sullivan ("County") accepted a Crime Victims Grant ("Grant") from the NYS Office of Victim Services, and

WHEREAS, the Grant had a term commencing on October 1, 2009, and terminating on September 30, 2012, and was funded in the total amount of \$177,575, and

WHEREAS, the NYS Office of Victim Services previously extended the Grant from October 1, 2012 through September 30, 2013 and has offered to extend the Grant for a term commencing on October 1, 2013 and terminating on September 30, 2014, with funding in the amount of \$60,328, and

WHEREAS, the Sullivan County Probation Department recommends that the County accept the award and execute an extension to the Grant

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an extension agreement with the NYS Office of Victim Services for the Grant as described above, said extension agreement to be in a form approved by the County Attorney's Office, and

BE IT FURTHER RESOLVED, that should the NYS Office of Victim Services fail to provide the funding for the Grant that the County shall not be obligated to continue any activities undertaken in contemplation of the receipt of Grant funding.

Moved by Mr. Benson, seconded by Ms. Vetter put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

RESOLUTION NO. 305-13 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2013 COUNTY BUDGET

WHEREAS, the County of Sullivan 2013 Budget requires modification,

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

Moved by Mr. Rouis, seconded by Mrs. Edwards,, put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

RESOLUTION NO. 306-13 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT A STATE HOMELAND SECURITY PROGRAM (SHSP) FY2013 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 \$180,000.00 reimbursable, two part grant from the New York State Division of Homeland Security and Emergency Services SHSP FY2013; and

WHEREAS, Sullivan County has been awarded \$135,000.00 from the State Homeland Security Program (*SHSP*) for support planning, equipment, training and exercise needs associated with preparedness and prevention activities; and

WHEREAS, Sullivan County has been awarded \$45,000.00 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 Sullivan County Legislature hereby authorizes the County Manager, and / or the Chairman of the County Legislature, and / or their authorized representative (*as required by the funding source award agreement*) to execute any and all necessary documents to submit the FY13 SHSP 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 funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this grant funding.

Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

**RESOLUTION NO. 307-13 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE
TO AMEND RESOLUTION NO. 179-13**

WHEREAS, the County Legislature adopted Resolution No. 179-13 on April 18, 2013 that authorized the County Manager to execute agreements with New York and other State or Commonwealth approved Foster Care related service providers; and

WHEREAS, there is a desire to amend that resolution to include “that the total of all contracts will not exceed budgetary appropriations”; and

WHEREAS, a quarterly report will be made to the Legislature.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 179-13 is hereby amended by the Sullivan County Legislature to include the sentence “that the total of all contracts will not exceed budgetary appropriations.”

Moved by Mrs. Gieger, seconded by Mrs. Edwards,, put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

**RESOLUTION NO. 308-13 INTRODUCED BY THE PERSONNEL COMMITTEE
APPOINTING LYNDA LEVINE TO THE POSITION OF DIRECTOR OF REAL PROPERTY
TAX SERVICES III**

WHEREAS, pursuant to section 1530 of the Real Property Tax Services the County Director's term shall expire on September 30, 2013, and

WHEREAS, it is necessary to appoint a Director of Real Property Tax Services III for the County of Sullivan for a full six year term effective October 1, 2013, and

WHEREAS, it is the recommendation of the County Manager that Ms. Lynda Levine be appointed to the position of Director of Real Property Tax Services III for the County of Sullivan for a full term effective October 1, 2013, and

NOW, THEREFORE, BE IT RESOLVED, that Lynda Levine be appointed to the position of the Director of Real Property Tax Services III for the County of Sullivan.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

**RESOLUTION NO. 309-13 INTRODUCED BY PERSONNEL COMMITTEE
TO CREATE AND FILL THE POSITION OF DIRECTOR OF SOLID WASTE MANAGEMENT
IN THE DIVISION OF PUBLIC WORKS**

WHEREAS, the Division of Public Works is required to provide oversight and ensure compliance with the New York State Department of Environmental Conservation (NYSDEC) and Environmental Protection Agency (EPA) for the Sullivan County Sanitary Landfill and all County Transfer Stations; and

WHEREAS, it is prudent to have a management staff member dedicated to the oversight of all solid waste operations and to ensure regulatory compliance with NYSDEC and EPA;

WHEREAS, the annual salary will be set at \$68,000.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates and authorizes filling a Director of Solid Waste position in the Division of Public Works and that the annual salary is hereby set at \$68,000.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

**RESOLUTION NO. 310-13 INTRODUCED BY THE PERSONNEL COMMITTEE TO
AUTHORIZE THE COUNTY MANAGER TO EXTEND AN AGREEMENT WITH DEBORAH**

DE JESUS TO CONTINUE TO SERVE AS TEMPORARY INTERIM ADMINISTRATOR OF THE ADULT CARE CENTER FOR THE PERIOD OF AUGUST 18, 2013 THROUGH SEPTEMBER 3, 2013 and TO PERMANENTLY APPOINT MS. DE JESUS TO THE POSITION OF ADMINISTRATOR OF THE ADULT CARE CENTER EFFECTIVE SEPTEMBER 4, 2013

WHEREAS, there is a need for continued coverage in the position of Administrator of the Sullivan County Adult Care Center, a skilled nursing facility, licensed by the New York State Department of Health (NYSDOH), effective August 18, 2013; and

WHEREAS, NYSDOH regulations require continuous administrator coverage at the Adult Care Center; and

WHEREAS, Ms. Deborah DeJesus, Licensed Nursing Home Administrator, has agreed to continue her services as Interim Administrator to the Sullivan County Adult Care Center for the period of August 18, 2013 through September 3, 2013; and

WHEREAS, Ms. DeJesus, the best qualified candidate for the position of Administrator, has stated that complying with the residency requirement will place an undue hardship upon her; and

WHEREAS, Sullivan County wishes to extend the agreement with Ms. De Jesus from August 18, 2013 through September 3, 2013 at the rate of \$80.00 per hour and permanently appoint Ms. DeJesus to the title of Administrator to the Sullivan County Adult Care Center effective September 4, 2013 at an annual salary of \$90,000; and

WHEREAS, the County Manager and the Commissioner of the Division of Health & Family Services have recommended that the Sullivan County Legislature authorize a residency waiver for Ms. DeJesus who currently resides outside of the County of Sullivan to permanently serve as the Administrator of the Adult Care Center; and

WHEREAS, the County Legislature finds that complying with the County's Residency requirement would be an undue hardship on Ms. DeJesus

NOW, THEREFORE BE IT RESOLVED, that the Sullivan County Legislature authorizes the extension of agreement with Ms. DeJesus to serve as Interim Administrator of the Sullivan County Adult Care Center from August 18, 2013 through September 3, 2013; and

BE IT FURTHER RESOLVED, effective September 4, 2013 Ms. DeJesus is hereby appointed to the position of Administrator of the Sullivan County Adult Care at an annual salary of \$90,000; and

BE IT FURTHER RESOLVED, the Sullivan County Legislature hereby waives the County's Residency Requirement for Ms. DeJesus.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

RESOLUTION NO. 311-13 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE EXTENSION AND MODIFICATION OF CONTRACT TO EXTEND AND MODIFY THE COUNTY OF SULLIVAN'S CONTRACT WITH FIRST STUDENT

WHEREAS, pursuant to Bid No. B-08-49 and Resolution 305-08, in September 2008, the County of Sullivan entered into a four-year contract for school bus services with First Student, of 255 Depot Street, PO Box 1437, Pine Bush, New York, in accordance with New York State law; and

WHEREAS, from 2008 through present date First Student has satisfactorily performed its obligations under the Agreement; and

WHEREAS, the County wishes to extend and modify its Agreement with First Student and First Student has agreed to reduce the cost of services for a majority of the extension term;

WHEREAS, New York Education Law §305 (14) permits the extension of properly bid contracts for a period of time not to exceed a five year term.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a contract modification and extension through 2016, at a cost not to exceed the amounts set forth on the attached "Schedule A".

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

RESOLUTION NO. 312-13 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT FOR THE PROVISION OF PREVENTIVE SERVICES FOR PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

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

WHEREAS, the Department of Family Services needs to expand and replace the preventive services contract with Occupations, Inc that expired 12/31/2012 to add Community Alternatives preventive services in addition to for Clinical Case Work preventive services at a cost not to exceed \$239,000 for the period from January 1, 2013 through December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute a modified replacement agreement as detailed above for the provision of the above mentioned preventive related services during the period from January 1, 2013 through December 31, 2013, and

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

BE IT FURTHER RESOLVED, the maximum of the preventive related services contracts not exceed the 2013 Department of Family Services' budgeted amount for those preventive related services; and

BE IT FURTHER RESOLVED, that the form of said contracts 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** August 15, 2013.

RESOLUTION NO 313-13 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 \$2,000 be allocated in FY2013; 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 Bell Tower Repairs	\$800
Callicoon Business Association	\$650
Upper Delaware Scenic Byway	\$550

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. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

RESOLUTION NO. 314-13 INTRODUCED BY THE PUBLIC WORKS COMMITTEE

TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE NEW YORK STATE UNIFIED CERTIFICATION PROGRAM (NYSUCP)

WHEREAS, The U.S Code of Federal Regulations (49 CFR 26.21) requires recipients of Federal Transportation Assistance to have a Disadvantaged Business Enterprise (DBE) Program meeting the requirements of 49 CFR 26, *Participation By DBE in DOT Financial Assistance Programs*; and

WHEREAS, these recipients include those which let the United States Department of Transportation (USDOT) assisted contracts and the Federal Aviation Administration (FAA) recipients receiving grants for airport planning or development who award prime contracts exceeding \$250,000.00 in FAA funds in a Federal fiscal year; and

WHEREAS, the Sullivan County Division of Public Works (SCDPW) has received numerous grants which exceed the \$250,000.00 threshold; and

WHEREAS, Section 49 CFR requires all recipients within each state participate in a Unified Certification Program (UCP) and sign an agreement establishing the UCP for the state; and

WHEREAS, the purpose of the UCP is to make all DBE certification eligibility decisions on behalf of all USDOT recipients in the respective state.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager to execute the MOU with the NYSUCP in such form as the County Attorney shall approve; and

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

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

RESOLUTION NO. 315-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF TUSTEN FOR TAX MAP 16.-7-7

WHEREAS, an application dated July 10, 2013 having been filed by Ostop & Diana Dragan with respect to property assessed to said applicant on the 2013 tax roll of the Town of Tusten Tax Map #16.-7-7 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an incorrect class code applied to a single family residence which caused there to be an incorrect Solid Waste Fee to be applied to the property.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated August 2, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

RESOLUTION NO. 316-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7801

WHEREAS, an application dated March 11, 2013 having been filed by Shlomo Tajerstein with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7801 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated April 2, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

RESOLUTION NO. 317-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF BETHEL FOR TAX MAP #9.-1-66

WHEREAS, an application dated June 21, 2013 having been filed by Aleksander Corp. with respect to property assessed to said applicant on the 2013 tax roll of the Town of Bethel Tax Map #9.-1-66 pursuant to Section 556 of the Real Property Tax Law, to correct an unlawful entry on said tax roll resulting from an entry on the taxable portion of the assessment roll and tax roll of the assessed valuation of real property which should have been exempt pursuant to the provisions of Section 420-a of the Real Property Tax Law; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated June 21, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

RESOLUTION NO. 318 -13 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO APPROVE AND ADOPT THE RECOMMENDED MODIFICATION OF SULLIVAN COUNTY AGRICULTURAL DISTRICT NO 1.

WHEREAS, Article 25-AA of the Agriculture and Markets Law requires the County review of an Agricultural District every eight years after its creation and sets forth the procedures which must be followed in such review; and

WHEREAS, pursuant to Resolution 336-05, the Sullivan County Legislature reviewed and modified Agricultural District No. 1 in 2005; and

WHEREAS, Agricultural District No. 1 must be reviewed by the Sullivan County Legislature in 2013; and

WHEREAS, the Sullivan County Agriculture and Farmland Protection Board and the Division of Planning and Environmental Management have recommended that Agricultural District No. 1 be modified; and

WHEREAS, the Sullivan County Legislature has reviewed the reports and recommendations of the Agriculture and Farmland Protection Board and the Division of Planning and Environmental Management; and

WHEREAS, a public hearing was held by the Sullivan County Legislature on July 18, 2013 at 4:20 pm for the purpose of reviewing Agricultural District No. 1 and considering the recommendation to modify and to hear all persons interested; and

WHEREAS, the necessary procedures for review, as set forth in Article 25-AA of Agriculture and Markets Law, have been completed.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby approve and adopt the recommendations of the Sullivan County Agriculture and Farmland Protection Board and the Division of Planning and Environmental Management and does hereby modify Agricultural District No. 1 consistent with those recommendations; and

BE IT FURTHER RESOLVED, that the plan, so adopted, be forwarded to the Commissioner of Agriculture and Markets and the Commissioner of the Department of Environmental Conservation for its review and approval.

Moved by Mr. Sorensen, seconded by Ms. Vetter put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

RESOLUTION NO. 319-13 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE DECLARING THE SULLIVAN COUNTY LEGISLATURE LEAD AGENCY, ISSUING A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT, AND AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN ENVIRONMENTAL ASSESSMENT FORM CONCERNING THE EIGHT-YEAR REVIEW OF AN AGRICULTURAL DISTRICT PURSUANT TO ARTICLE 25-AA OF THE AGRICULTURE AND MARKETS LAW

WHEREAS; Article 25-AA of the Agriculture and Markets Law grants the Sullivan County Legislature the authority to review its Agricultural Districts every eight years following their creation, and sets forth the procedures which must be followed in such review; and

WHEREAS, the New York State Department of Agriculture and Markets has consented to the Sullivan County Legislature being declared lead agency with respect to the environmental review of the proposed modification to Agricultural District No. 1; and

WHEREAS, the modification process requires the completion of an environmental assessment form.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby declare itself as the lead agency to ensure compliance with the requirements of the New York State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby accepts the Environmental Assessment described in the SEQRA Environmental Assessment Form (attached hereto); and

BE IT FURTHER RESOLVED, the Sullivan County Legislature hereby issues a Negative Declaration pursuant to the provisions of SEQRA, with respect to the proposal to modify Agricultural District No. 1; and

BE IT FURTHER RESOLVED, that the Chairman of the Sullivan County Legislature is hereby authorized to sign and execute the Environmental Assessment Form concerning the eight-year review of the Agricultural District No. 1.

Moved by Mr. Sorensen, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

RESOLUTION NO. 320-13 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO INTER-MUNICIPAL AGREEMENTS WITH THE VILLAGE OF BLOOMINGBURG, VILLAGE OF JEFFERSONVILLE, VILLAGE OF MONTICELLO, VILLAGE OF WOODRIDGE AND THE VILLAGE OF WURTSBORO

WHEREAS, the Village of Bloomingburg, Village of Jeffersonville, Village of Monticello, Village of Woodridge and the Village of Wurtsboro ("Villages") have requested that the County of Sullivan ("County") aid them in the enforcement of their delinquent real property taxes; and

WHEREAS, the County, through the offices of the County Treasurer, Real Property Tax Services and the County Attorney, have the experience and expertise to aid the Villages in the enforcement of their delinquent real property taxes; and

WHEREAS, the County can act as the Villages' agent and commence and complete tax foreclosure proceedings on behalf of the Villages, pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, the County will charge the Villages a reasonable fee for administrative services and will be reimbursed by the Villages for the County's out-of-pocket expenses; and

WHEREAS, in order for the County to act as the Villages' agent and perform the services outlined above it will be necessary for the County and the Villages to enter into Inter-Municipal Agreements ("IMAs").

NOW, THEREFORE, BE IT RESOLVED, that the County Manager, in conjunction with the County Attorney's Office, are hereby authorized to negotiate the terms of the IMAs; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute IMAs with the Villages for a term commencing on November 1, 2013 and terminating on October 31, 2017, said IMAs to be approved as to form by the County Attorney's Office.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

RESOLUTION NO. 321-13 INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT A LIST OF SPECIFIC POSITIONS SUBJECT TO THE SULLIVAN COUNTY ETHICS LAW

WHEREAS, pursuant to the provisions of Section 100 (6)(d) of the Sullivan County Ethics Law established by Local Law Number 3 of 2013, a list of specific positions covered by the Law is required to be adopted by resolution, and

WHEREAS, in addition to all individuals covered under Section 100(6)(a) through (6)(c) of the Ethics Law (“County Officials”) and pursuant to Section 100 (6)(d), attached to this resolution is a specific listing of positions subject to the Sullivan County Ethics Law.

NOW, THEREFORE, BE IT RESOLVED, that the attached list of specific positions subject to the Sullivan County Ethics Law is hereby adopted as set forth in Section 100 (6)(d) of Local Law 3 of 2013, to be effective upon filing of the law with the New York State Secretary of State.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

LIST OF POSITIONS SUBJECT TO THE ETHICS LAW

Accounts Payable Coordinator, Audit
Administrator, Adult Care Center
Administrator, Department of Motor Vehicles
Airport Superintendent
Assistant Commissioner to Planning and Environmental Management
Assistant County Attorney (2)
Assistant County Attorney Part time
Assistant Director of Aging Services
Assistant Director of Nursing Services/Patient Care
Assistant Director of Purchasing and Central Services
1st Assistant District Attorney
2nd Assistant District Attorney
3rd Assistant District Attorney
4th Assistant District Attorney
5th Assistant District Attorney
6th Assistant District Attorney
7th Assistant District Attorney
Assistant Director of Risk Management & Insurance
Attorneys, Department of Family Services (2)
Attorney, Industrial Development Agency
Attorney, Sullivan County Funding Corporation
Board of Trustees, Sullivan County Community College
Chairman of the Legislature
Chief Civil Officer
Chief Deputy Patrol Division/Internal Affairs
Chief Information Officer
Clerk to the Legislature
Commissioner, Board of Elections (2)
Commissioner, Division of Health and Family Services
Commissioner, Planning and Environmental Management
Commissioner, Division of Public Safety
Commissioner, Division of Public Works
Coordinator, Child Support Enforcement Unit
Coordinator, Children with Special Needs, Public Health
Coroner (4)
Correction Captain, Sullivan County Jail
Correction Lieutenant, Sullivan County Jail
County Attorney
County Auditor
County Clerk
County Legislator (8)
County Manager
County Treasurer
Deputy Clerk to the Legislature
Deputy Commissioner of Elections (2)

Deputy Commissioner of Public Works, Engineering
Deputy Commissioner Health & Family Services
Deputy Commissioner of Management and Budget
Deputy County Manager/Commissioner Management and Budget
Deputy Director of Community Services
Deputy Director Real Property Tax Services III
Deputy Public Health Director
Deputy County Clerk
Deputy County Treasurer
Deputy County Treasurer II
Director of Administration and Case Management
Director, Center for Workforce Development
Director of Development and Application Support, MIS
Director of Operations and Network Administration, MIS
Director, Community Services
Director, Department of Real Property Tax
Director of Family Services
Director, Fraud Investigations
Director, Human Resources
Director, Municipal Weights and Measures
Director, Nursing Services
Director, Office for the Aging
Director, Parks, Recreation and Beautification Programs,
Director, Probation II
Director, Public Health Services
Director, Purchasing and Central Services
Director, Rehabilitation Services, ACC Physical Therapy
Director, Risk Management & Insurance
Director of Services, Family Services
Director, Temporary Assistance – Department of Family Services
Director, Veterans Service Agency
Director, Youth Bureau
District Attorney
District Attorney Investigators
Division Contract Compliance Officer, Health and Family Services
E-911 Coordinator
Economic Development Programs Supervisor
Executive Assistant, County Manager
Executive Assistant, District Attorney
Executive Director, Human Rights
Facilities Bridge Superintendent
Fiscal Administrative Officer, Adult Care Center Fiscal Services
Fiscal Administrative Officer, Family Services
Fiscal Administrative Officer, Health Finance (2)
Fiscal Administrative Officer, Management and Budget
Garage Superintendent
Grants Administration Supervisor
Industrial Development Agency Members
Jail Administrator, Sheriff's Office
One Stop Manager, CWD
Payroll Coordinator /Software Support Technician
Personnel Officer
President, Sullivan County Community College
Road Maintenance Superintendent
Secretary, Industrial Development Agency
Sheriff
Special Counsel Workers Compensation part time
Sr. Accountant, Treasurer Accounting
Sr. Assistant County Attorney (part-time)
Sr. Family Services Attorney
Sr. Fiscal Administrative Officer, Sheriff Civil
Sr. Fiscal Administrative Officer, Treasurer Accounting part time
Staff Accountant, Treasurer Accounting
Sullivan County Funding Corporation Member
Treasurer, Industrial Development Agency
Trustee, Sullivan County Community College
Undersheriff
Vice Chair, Industrial Development Agency

Vice President for Administrative Services, SCCC

RESOLUTION NO. 322-13 INTRODUCED BY EXECUTIVE COMMITTEE TO CONFIRM THE APPOINTMENTS OF THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF ETHICS

WHEREAS, pursuant to the provisions of Section 102 of Local Law Number 3 of 2013, the County Manager has appointed five members to the Sullivan County Board of Ethics with various terms, and

WHEREAS, the members and their terms, to commence upon filing of Local Law Number 3 of 2013 with the New York State Secretary of State, are as follows:

Member	Term
Monica Farquhar Brennan	1 year term
Keith Gilmore	2 year term
Judie Goldberg	2 year term
John Konefal	3 year term
Kenneth Walter	3 year term

WHEREAS, the appointments to the Sullivan County Board of Ethics, by the County Manager, require confirmation by the County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the appointments listed above are hereby confirmed as set forth in Section 102 of Local Law Number 3 of 2013, to be effective upon filing with the Secretary of State.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

RESOLUTION NO. 323-13 INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT A LIST OF SPECIFIC POSITIONS PROHIBITED FROM BIDDING AT COUNTY AUCTIONS PURSUANT TO THE SULLIVAN COUNTY ETHICS LAW

WHEREAS, pursuant to the provisions of Section 101(2) of the Sullivan County Ethics Law established by Local Law Number 3 of 2013, a list of persons and specific positions subject to prohibition from bidding at County auctions is required to be adopted by resolution; and

WHEREAS, the County conducts auctions of real property as well as personal property and the prohibitions against bidding are different for each.

NOW, THEREFORE, BE IT RESOLVED, that the persons and positions identified on the two (2) separate lists attached to this Resolution are prohibited from bidding at the respective County auctions in accordance with Section 101(2) of Local Law Number 3 of 2013, to be effective upon filing of the Law with the New York State Secretary of State.

Moved by Mrs. Edwards, seconded by Mr. Sorensen put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

EMPLOYEES AND OTHERS PROHIBITED FROM BIDDING AT AUCTIONS OF THE COUNTY'S PERSONAL PROPERTY **

1. Members of Sullivan County Legislature and legislative staff
2. County Manager, Executive Assistant to County Manager and office staff

3. Commissioner of Management and Budget, Deputy Commissioner of Management and Budget, Research Analyst and office staff
4. County Attorney and staff
5. County Treasurer and staff
6. Division of Public Works staff
7. Director of Purchasing and staff
8. County Auditor and staff
9. Commissioners, Department Heads and their staff whose equipment is subject to the County's auction
10. Auction Company employees
11. Spouses, non-emancipated children, and dependents of Staff listed
12. Firm, partnership or association of which such person is an officer, member or employee
13. Corporation of which such person is officer, director or employee or of which person owns more than five (5%) percent of the stock

**These prohibitions apply to Auctions of County-owned Property only.

Exceptions

1. There are exceptions which do not create a conflict of interest. An employee who believes that he or she should not be subject to these prohibitions because bidding will not create a conflict of interest, should apply, in writing, to the Board of Ethics, which will make a recommendation to the Legislature.

RESOLUTION NO. 324-13 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND THE RULES OF THE COUNTY LEGISLATURE

WHEREAS, pursuant to Section 153 of the County Law, the Sullivan County Legislature and its committees shall conduct their meetings in accordance with the Rules of the Legislature, and

WHEREAS, these Rules shall be interpreted by the Executive Committee, with amendments and additional rules to be adopted in accordance with the provisions of Rule 65 after consideration by said committee, and

WHEREAS, in absence of a rule or order not covered by these Rules, Robert's Rules of Order shall govern.

WHEREAS, the Rules need to be amended to reflect current changes to Legislative Committee titles, and

NOW, THEREFORE BE IT RESOLVED, that the Rules are amended to reflect title changes and responsibilities to the Agricultural and Sustainability Policy Committee, Capital Planning and Budgeting Committee and Public Safety and Law Enforcement Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby adopts the Rules of the Legislature as amended.

Moved by Mrs. Edwards, seconded by Mr. Rouis put to a roll call vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

RULES
OF THE
COUNTY LEGISLATURE
COUNTY OF SULLIVAN
NEW YORK

DUTIES OF COMMITTEES

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RESOLUTION NO. 325-13 INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT FOUR (4) FORMS PURSUANT TO THE SULLIVAN COUNTY ETHICS LAW

WHEREAS, pursuant to the provisions for the Sullivan County Ethics Law established by Local Law Number 3 of 2013, four forms need to be adopted, and

WHEREAS, the four (4) forms are Advisory opinion Request Form, the Ethics Complaint Form, Notice of Ethics Complaint and Response Form for Accused Individual, and the Receipt of Sullivan County Ethics Law Form.

NOW, THEREFORE, BE IT RESOLVED, that the four (4) forms are Advisory opinion Request Form, the Ethics Complaint Form, Notice of Ethics Complaint and Response Form for Accused Individual, and the Receipt of Sullivan County Ethics Law Form are hereby adopted by the Sullivan County Legislature and will be attached to the Sullivan County Ethics Law upon filing with the Secretary of State.

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and **declared duly adopted on motion** August 15, 2013.

RESOLUTION 326-13 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE AMEND THE 2013 CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CORNELL COOPERATIVE EXTENSION

WHEREAS, the annual contract with Cornell Cooperative Extension for 2013 was authorized by resolution 148 of 2013, and

WHEREAS, the County and Cornell Cooperative Extension both perform numerous agricultural related functions and work together on numerous agricultural related projects, and

WHEREAS, the County and Cornell Cooperative Extension both have vacancies in key agricultural positions, and

WHEREAS, it is prudent practice for governmental agencies to share services whenever possible due to ever decreasing revenues and in the context of the New York State imposed tax cap, and

WHEREAS, the County and Cornell Cooperative Extension are agreeable to enter into a contract modification to include agricultural related services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a modification of the contract with Cornell Cooperative Extension, to include specific agriculture related services, in an amount not to exceed \$25,000 for the period of 09/01/2013 through 08/31/2014, and

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

BE IT FURTHER RESOLVED, that the deliverables within the contract modification will be reviewed after a six month period to determine the mutual benefit of the services provided by each agency.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion August 15, 2013.

There being no further business, Mr. Rouis moved to adjourn, seconded by Mrs. LaBuda. The meeting was declared closed at 2:57PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature

INTRODUCTION

RULE 1. APPLICABILITY: The Sullivan County Legislature and its committees shall conduct their meetings in accordance with these Rules. These Rules shall be interpreted by the Executive Committee. Amendments and additional rules shall be adopted in accordance with the provisions of Rule 67 after consideration by the said Committee. In absence of a rule or order not covered by these Rules, Roberts' Rules of Order shall govern. These Rules shall continue in effect until modified or amended and shall govern the procedure of the organization meeting of the Legislature.

RULE 2. DEFINITIONS: Unless the context requires a different meaning, the terms set forth herein shall have the following meaning:

- (a) County: County of Sullivan
- (b) Legislature: County Legislature
- (c) Chair: Chairman of the Legislature
- (d) Vice Chair: Vice Chair of the Legislature
- (e) Clerk: Clerk of the Legislature
- (f) Rules: Rules of the Legislature
- (g) Legislative Oversight: All manner of supervision properly exercised by an elected legislative body and its committees including but not limited to review, study and investigation of the operations, programs and proposals of a department or agency of the County.

The County Legislature at its organizational meeting, shall elect from its membership a Chair and a Vice Chair pursuant to the provisions of the Sullivan County Code.

- RULE 2A. MAJORITY AND MINORITY LEADERS: Annually, the enrolled members of the two political parties which shall have the greatest number of members seated in the Legislature, shall elect a leader of the respective parties, in caucus, prior to the first committee meeting of the year. The leader of the political party whose membership of the Legislature constitutes a majority of the Legislature shall be known as the Majority Leader. The leader of the other party shall be known as the Minority Leader. In the event that neither the members of one party nor the other constitute a majority of the members of the County Legislature, then in said event, the Chairman of the County Legislature shall designate one party leader as the Majority Leader and the other as the Minority Leader for the purpose of budgetary appropriation and other matters.

MEETINGS

- RULE 3. REGULAR MEETINGS: The regular meetings of the Legislature shall be held on the third Thursday of each month at two o'clock p.m., effective as of February 1, 1997. When a date falls on a state or a national holiday, then the regular meeting shall be held as scheduled by the Legislature.
- RULE 4. A. SPECIAL MEETINGS: Special meetings of the Legislature shall be held at the call of the Clerk upon direction of the Chair or the Vice Chair, or upon written request signed by a majority of the members of the Legislature. Notice in writing stating the time, place and purpose of the special meeting shall be served personally or by facsimile transmission or by telephone or by mail upon each member of the Legislature at least forty-eight hours before the time fixed for holding the meeting or a member may waive the service of the notice for such meetings by a writing signed by him/her. Only business specified in the notice or otherwise in order may be transacted at a special meeting.
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B. EMERGENCY MEETINGS: Emergency meetings are those whose subject matter mandates, in the opinion of the Chair, the Vice Chair or a majority of the members of the Legislature, that said meeting be called with less than forty-eight hours notice. The meeting shall be called at the request of the Chair, the Vice Chair or a majority of the members of the Legislature upon such notice to each member of the Legislature, the public and/or the media as is practicable under the circumstances.

RULE 5. LOCATION OF MEETINGS: All meetings of the Legislature shall be held at the Legislature's Chambers at the Sullivan County Government Center, Monticello, New York, unless provided otherwise by a motion for adjournment or by the call for a special or emergency meeting.

RULE 6. OPEN MEETINGS: Every meeting of the Legislature, except executive sessions, shall be open to members of the public and media in compliance with the Open Meetings Law of the State of New York.

RULE 7. QUORUM: A majority of the whole number of the membership of the Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn any meeting of the Legislature from time to time.

RULE 8. CONVENING OF MEETING: The Chair, or in the Chair's absence, the Vice-Chair, shall call the meeting of the Legislature to order at the time appointed therefor, and shall be the presiding officer. Upon the appearance of a quorum, the Clerk shall call the roll of Legislators inserting the names of those absent in the minutes. In the event a Legislator arrives late or departs early, the minutes shall so reflect. In the event a quorum is not present, the Legislators present shall request the Clerk to call an adjourned meeting upon appropriate notice.

RULE 9. MINUTES; APPROVAL; MODIFICATIONS; COPIES: The Clerk shall take minutes of all meetings of the Legislature. The minutes of each meeting of the Legislature shall be deemed to be approved

without formal motion unless a Legislator desires to make an objection, alteration or addition. The minutes of each meeting shall be transcribed and made available to each member of the Legislature or the public at the Clerk's Office at least three days prior to the next regular meeting, except that the minutes of a special meeting or emergency meeting shall be transcribed and made available at the Clerk's office within twenty-five hours following said meeting.

RULE 10. ORDER OF BUSINESS

- (a) The order of business at each regular meeting of the Legislature shall be as follows:
- (1) Roll call of Legislators.
 - (2) Reading of the minutes of the preceding meeting in whole or in part, upon the request of a Legislator. (In the absence of any objection or corrections, the minutes shall stand approved without formal motion and without having been read aloud.) (Rule 9)
 - (3) Presentation of communications.
 - (4) Public comment in accordance with Rule 11 (b).
 - (5) Reports of citizen advisory committees, commissions, boards, etc.
 - (6) Unfinished business.
 - (7) Presentation of pre-filed resolutions, laws, acts, ordinances, etc., by committees and members of the Legislature for discussion and vote.
 - (8) Presentation of other motions, resolutions, laws, acts, ordinances, etc., and new business.
 - (9) Good and welfare pursuant to Rule 11(c).
 - (10) Recognition of Legislators.
 - (11) Announcements from the Chair.
 - (12) Meeting adjournment or close.
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- (b) The order of business at a special or emergency meeting of the Legislature shall be as follows:
 - (1) Roll call of Legislators.
 - (2) Reading of Notice of Meeting.
 - (3) Presentation of Motions, Resolutions, laws or other business for which the meeting was called.
 - (4) Other business in order.
 - (5) Announcements from the Chair.
 - (6) Meeting Adjournment or close.

- (c) The order of business at a public hearing of the Legislature shall be as follows:
 - (1) Roll call of Legislators.
 - (2) Reading of the Notice of Public Hearing.
 - (3) Reading of local law or other matter for which hearing is required.
 - (4) Public discussion.
 - (5) Public Hearing adjournment or close.

RULE 11. CONDUCT OF MEETINGS; PUBLIC DISCUSSION:

- (a) The business of the Legislature at meetings thereof, shall be conducted by the members of the Legislature. Staff of the County of Sullivan may be requested to provide information that is relevant to any subject under discussion before the Legislature.

 - (b) A member of the public shall be permitted to make a statement at any regular meeting of the Legislature on any issue for a period of not more than two (2) minutes
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each in the discretion of the presiding officer. Such period shall commence after the Clerk shall have read any communication received by the Legislature other than statements filed by a speaker. Any speaker may file with the Clerk a written statement, but such written statement shall not constitute a part of the Annual Proceedings of the Legislature, nor shall such statement be read by the Clerk.

- (c) During good and welfare, the presiding officer shall permit public comment on any matter. The length of each comment, as well as the length of this portion of the meeting shall solely be in the discretion of the presiding officer.

DEBATE AND VOTING

RULE 12. PRESIDING OFFICER: The Chair shall preside at all meetings of the Legislature at which the Chair is present, preserve order and decorum and confine discussion to the matter at issue. In the absence of the Chair, the Vice-Chair shall preside at the meeting with all of the powers and authority of the Chair. The presiding officer shall decide all questions of order, subject to appeal by a member. The Chair shall, at the organizational meeting, appoint a Parliamentarian to assist and advise the presiding officer on questions of order. Except as provided in these Rules, the presiding officer may participate in debate and vote on any question before the Legislature.

RULE 13. APPEALS: On an appeal of the presiding officer's decision on a question of order, the presiding officer may first present the reason for a decision after which any Legislator may speak once thereon before the presiding officer puts the questions, "Shall the presiding officer's ruling be sustained?" The question will be decided without debate by a majority of the Legislature, including the presiding officer's vote. The presiding officer shall have a vote on an appeal.

RULE 14. DEBATE; RECOGNITION: Each Legislator by raising a hand shall be recognized by the presiding officer prior to speaking. When two or more Legislators desire recognition by raising their hands simultaneously, the presiding officer shall determine the order of speaking.

RULE 15. DEBATE; RIGHT TO SPEAK: At the discretion of the presiding officer, no Legislator may speak more than once on any question until all Legislators desiring to speak shall have spoken.

RULE 16. DEBATE; LIMITS; OUT OF ORDER: Legislators shall limit their discussion to the matter before the Legislature and shall speak for a reasonable time. If the presiding officer shall decide that a Legislator has spoken for more than a reasonable time or is otherwise not acting in conformity to the decorum required by these rules, the presiding officer may interrupt the Legislator and require the Legislator to conclude his/her discussion or call such Legislator out of order. A Legislator called out of order shall immediately cease debate unless the presiding officer shall permit an explanation.

RULE 17. DEBATE; PRIVATE DISCUSSION: While a Legislator is addressing the presiding officer, no other Legislator shall entertain any private discourse, walk about the room, or pass between a speaker and the presiding officer.

RULE 18. METHOD OF ACTION: Except as otherwise expressly provided by law, the power of the Legislature shall be exercised through a local law, resolution, or motion duly adopted by the Legislature.

RULE 19. VOTING; METHOD OF VOTING: All votes of the Legislature shall be by aye or nay unless otherwise required by law. Upon the request of a Legislator or if required by law, the Clerk will take a roll call vote in numerical order on a rotating basis in chronological order by Legislative District, and record said vote in the minutes next to each Legislator's name. When a roll call vote is not required or requested, the Clerk shall record in the minutes next to each Legislator's name an aye vote unless a Legislator shall specifically vote "Nay". An abstention shall not be counted as a vote.

RULE 20. ABSTENTIONS: Every member who shall be physically present in the Legislative Chambers when a question is stated by the Chairman must cast his or her vote on the same. The only exception to this procedure is when a member who, after stating the reason, abstains from voting because such member seeks to avoid a conflict of interest pursuant to the 2013 Ethics Law of the County. If a member wrongfully attempts to avoid casting his or her vote, abstain, or otherwise refuses to vote, the Chairman shall direct the Clerk to record such member's vote in the affirmative on the question or matter being voted upon.

RULE 21. VOTING; ADOPTION: Except as provided by Rules 22 and 40, a question before the Legislature shall be adopted only when it receives a majority of the vote of the entire number of Legislators.

RULE 22. VOTING; ADOPTION; 2/3 VOTE: Every local law or resolution of the Legislature legalizing informal acts of a town board meeting, village election, town or village officers, authorizing the contracting of a funded debt, taking a vote pursuant to Municipal Home Rule Law §20(4) under a certificate of necessity, or as may otherwise be specified by law, shall require for its passage two-thirds of the vote of the entire number of Legislators.

RULE 23. VOTING; EQUALLY DIVIDED VOTE: An equally divided vote on any matter before the Legislature shall be deemed a defeat and the question shall be lost.

COMMITTEE OF THE WHOLE

RULE 24. COMMITTEE OF WHOLE CREATION: The Legislature may, by a majority vote or by order of the Chair, resolve itself into a Committee of the Whole for the purpose of informal discussion by the Legislators which shall be stated in the motion or order therefor.

RULE 25. COMMITTEE OF THE WHOLE; CHAIR: In the Committee of the Whole, the Chair, or in his/her absence, the Vice Chair, shall serve as the presiding officer thereof.

RULE 26. COMMITTEE OF THE WHOLE; RULES: These Rules shall govern the Committee of the Whole so far as they may be applicable, except that the limitation of the number of times of speaking shall not apply and the ayes and nays shall not be taken. A motion to rise and report progress shall always be in order and shall be decided without debate.

RESOLUTIONS

RULE 27. RESOLUTIONS; FILING: Unless unanimous consent of the Legislators present is given to its presentation, no resolution shall be in order unless filed, in writing, with the Clerk prior to noon of the third business day, exclusive of Saturday, Sunday and legal holidays, preceding the meeting at which it is to be offered. This rule shall not apply to the organization meeting, any special or emergency meeting, meetings held in the month of December, or in the month of January in the year in which the Legislature organizes.

RULE 28. RESOLUTIONS; FORM, CAPTIONS, OFFERORS, NUMBERING; DISTRIBUTION: Each resolution shall state the name of the Committee or Legislator offering same and the subject matter thereof. Upon adoption, resolutions shall be consecutively numbered and shall state the names of the Legislators moving and seconding same. The Clerk shall provide certified copies of all adopted resolutions to the departments or agencies having an interest therein. Nothing contained in these rules shall prevent a Legislator from offering any resolution for consideration by the Legislature, except that a resolution tabled by a committee cannot be brought to the floor of the Legislature for a vote by an individual Legislator(s) unless and until the resolution shall have been withdrawn. A resolution tabled by a committee cannot be voted upon by another committee unless specifically tabled to that committee for the purpose of a discussion and vote thereon. A resolution tabled by a committee cannot be tabled more than twice by that committee; after the

second table, if it is not voted upon at the next regular meeting of that committee, then it shall be deemed withdrawn.

RULE 29. RESOLUTIONS; EFFECTIVE DATE: Unless a different date is specified, all resolutions shall become effective upon their adoption.

RULE 30. RESOLUTIONS; AGENDA; COPIES; DUTIES OF THE CLERK: Every resolution filed with the Clerk in accordance with Rule 27 shall be placed on the agenda of the next regular meeting. The Clerk shall prepare for each regular meeting copies of each resolution to be acted upon and have same available to the members and the public twenty-four (24) hours prior to the time of the meeting, except late-fileds. Resolutions to be placed on the agenda of a special or emergency meeting shall be prepared by the Clerk and distributed as soon as possible prior to the meeting of which action is to be taken thereon.

- RULE 31. RESOLUTIONS; SECOND REQUIRED: Except with respect to nominations, no motion shall be stated, debated or put unless it is seconded.
- RULE 32. RESOLUTIONS; WRITTEN FORM: Every motion shall be stated by the presiding officer or read by the Clerk before debate and before the question is taken. Every motion shall be reduced to writing if the Chair or any other Legislator desires. In the discretion of the presiding officer, a number of resolutions can be read and voted upon in a block.
- RULE 33. RESOLUTIONS; WITHDRAWAL; CONSENT: After a motion is stated by the Clerk or the presiding officer, it shall be in possession of the Legislature, but may be withdrawn by the introducer with consent of the seconder, at any time before a vote or amendment, if no objection is made. If objection is made, then the same may be withdrawn with the consent of a majority of the vote of the Legislature.
- RULE 34. RESOLUTIONS; DIVISION: If the matter in debate contains several distinct propositions, any Legislator may have the same divided.
- RULE 35. RESOLUTIONS; PRIORITY: All questions relating to the priority of one question or subject matter over another, under the same order of business, shall be decided by the Chair without debate.
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RULE 36. RESOLUTIONS; OTHER MOTIONS: When a motion is under debate, no other motion shall be entertained except a motion:

- (a) For an adjournment of the Meeting.
- (b) For a roll call of the Legislature.
- (c) For the previous question.
- (d) To lay on the table.
- (e) To postpone indefinitely.
- (f) To postpone to a certain date.
- (g) To go into a Committee of the Whole on the pending subject immediately.
- (h) To commit to the Committee of the Whole.
- (i) To commit to a Standing or Special Committee.
- (j) To amend.

RULE 37. RESOLUTIONS; MOVING QUESTIONS: A previous question shall be as follows: "Shall the main question be put?" The previous question shall be taken only when demanded by any three Legislators present; and when so ordered and there shall first be taken upon such amendments in reverse order and then upon the main question without further debate or amendment.

RULE 38. RESOLUTIONS; TABLING: Any motion to lay a question on the table shall be decided without amendment or debate, and a motion to postpone the question indefinitely or to postpone to a certain date, until it is decided without amendment or debate, shall preclude all amendments to the main question.

RULE 39. RESOLUTIONS, TABLING; REMOVING FROM TABLE: All reports, resolutions and other matters laid on the table may be called therefrom under "unfinished business" in the regular order of business. No report, resolution or other matter postponed indefinitely shall be called from the table except by vote of the majority of the Legislators.

RULE 40. RESOLUTIONS; LAYING OVER QUESTIONS; ORDER OF BUSINESS: All questions laid over by rule or by request of any Legislator for one day shall be considered in order on the succeeding day, or at the next session, under the heading of "unfinished business" as decided by the presiding officer. Such decision may be overruled by a vote of two-thirds of the Legislature.

RULE 41. RESOLUTIONS; RECONSIDERATION: A motion to reconsider any resolution or motion can only be entertained by the presiding officer when moved by a Legislator who originally voted with the majority thereon, when such motion to reconsider is to be voted upon at the same meeting. A motion to reconsider requires a vote of a majority of the Legislature.

RULE 42. RESOLUTIONS; MOTION TO ADJOURN: Unless a vote is in progress, a motion for a meeting's adjournment shall be decided without debate and shall always be in order.

COMMITTEES

RULE 43. COMMITTEES: The following shall constitute the Standing Committees of the Legislature:

- (a) Executive Committee (Rule 49)
- (b) Management and Budget Committee (Rule 50)
- (c) Government Services Committee (Rule 51)
- (d) Public Works Committee (Rule 52)

- (e) Health and Family Services Committee (Rule 53)
- (f) Community and Economic Development Committee (Rule 55)
- (g) Public Safety / Law Enforcement Committee (Rule 56)
- (h) Veterans Committee (Rule 57)
- (i) Planning, Environmental Management, and Real Property Committee (Rule 58)
- (j) Personnel Committee (Rule 54)
- (k) Capital Planning & Budgeting Committee (Rule 59)
- (l) Agricultural & Sustainability Policy Committee (Rule 60)

RULE 44. COMMITTEES; APPOINTMENT: Appointment of members of the Legislature to its committees, except the Executive Committee and the Public Works Committee, is the sole responsibility and duty of the Chair. The Chair will appoint the Committee Chair, Committee Vice Chair and members within twenty days after the Chair's election, and file a list of said committees with the Clerk. The Chair shall serve ex-officio on any Legislative committee which the Chair has the power to appoint. Each committee shall, to the extent possible, have as a member at least one member of the minority party on the Legislature. Additional Committees, temporary or standing, may be authorized by the Legislature whose Committee Chair and membership shall be appointed by the Chair. Members may be replaced at their request in the discretion of the Chair. (See Rule 61.)

RULE 45. COMMITTEES; MEETINGS; LOCATION: All standing Committees other than the Veterans' Committee and the Executive Committee shall have regular meetings, as well as special meetings and emergency meetings as necessary. All other committees shall meet at the call of the Committee Chair as their business requires. All committee meetings shall be held at the Legislative Committee Room at the Sullivan County Government Center, Monticello, New York or at such other location as the Committee Chair may direct. The Committee Chairs shall file with the Clerk annually, the dates and times of the regular meetings of the committees. Notice of special meetings and emergency meetings shall follow the procedure set forth in Rule 4.

RULE 46. COMMITTEES; OPEN MEETINGS; MINUTES; QUORUM; VOTE: All committee meetings shall be public, unless an executive session is called. A quorum shall consist of a majority of the membership of the Committee. Favorable action by a Committee shall require the vote of a majority of the membership of the committee. In the absence of the Committee Chair, the Committee Vice Chair shall preside at a meeting.

RULE 47. COMMITTEES; DUTIES OF CLERK: The Clerk shall print the list of committees, their membership, dates and times of regular meetings and distribute said list to each member of the Legislature, each county division, department and agency, and each town and village clerk. The Clerk shall transcribe minutes of the committee proceedings.

DUTIES OF COMMITTEES

RULE 48. DUTIES OF COMMITTEES: Committees shall have jurisdiction over the departments and agencies under their control as defined in the Sullivan County Code and perform such other duties as may be therein or herein set forth.

RULE 49. THE EXECUTIVE COMMITTEE: There shall be an Executive Committee consisting of the membership of the Legislature with the powers and duties set forth in Section A2-10 of the Sullivan County Code. The Executive Committee shall meet on the call of the Chair or at the request of any four members.

RULE 50. MANAGEMENT AND BUDGET: The functions of the Management and Budget Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the Division of Management and Budget, departments, and agencies set forth in Sections A2-9A(1), A4-2, A6-1, A6-2, A6-3, A7-2 of the Sullivan County Code.
- (b) Review and recommend action with respect to all resolutions relating to appropriations, issuance of bonds and notes, and other matters of county finance.
- (c) Review budget estimates and formulate, with the County Manager, the tentative budget, and review and recommend action with respect to adoption of the budget.
- (d) Review of all claims which have been audited and paid.
- (e) Legislative oversight over all the financial and administrative actions and functions of county divisions, departments, and agencies.

RULE 51. GOVERNMENT SERVICES: The functions of the Government Services Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the divisions, departments, and agencies set forth in Sections A2-9A(2), A4-4, A5-9, A5-11, A7-1F, A7-2D, A7-4H of the Sullivan County Code.
- (b) Oversee all matters relating to elections.
- (c) Except as provided by Rule 52, approve all purchases, and all bids and contracts for purchases and public work, submitted by the Department of Government Services.
- (d) Review all printing and publication contracts in the manner provided by law.

RULE 52. PUBLIC WORKS: The functions of the Public Works Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the divisions, departments, and agencies set forth in Sections A2-9A(7), A7-3, A7-4A-G, I-J, and A7-5 of the Sullivan County Code.
 - (b) Review and recommend action with respect to the construction, reconstruction and improvement of all County roads and bridges.
-

- (c) Oversee cooperation with the federal, state and local agencies having jurisdiction over highways, parks, airports, public transportation and the regulation, construction and improvement thereof; review and recommend action with respect thereto.
- (d) Study and recommend action with respect to public transportation and public facilities relating to the general improvement of transportation in the County.
- (e) Oversee and recommend action with respect to maintenance, repair, improvement and purchases of equipment, furniture and fixtures for all buildings, offices, parks and grounds, and approve the acquisition, repair and disposal of all County motor vehicles.
- (f) Review all purchases of equipment by the Commissioner of the Public Works Division with a value in excess of the amount set forth in Section 133 of the Highway Law for purchases chargeable to the county road machinery fund and in excess of the amount set forth in Section 103 of the General Municipal Law in all other cases; approve and recommend action on all rights of way options which shall be filed by the Clerk with the County Attorney.
- (g) Oversight and recommendation of action with respect to solid waste management facilities including operation of the Sullivan County Sanitary Landfill and related facilities.
- (h) Oversight and recommendation of action with respect to administration of local laws and other regulations related to solid waste management control.
- (i) Oversight and recommendation of action with respect to recycling programs and the funding and disposition of revenues therefrom.

Membership: The Public Works Committee shall have a membership consisting of the Chair, the Chairs of the Committees on Management and Budget; Planning, Environmental Management, and Real Property, and four additional members selected by the Chair. The Chair shall also select a Chair for the Committee.

RULE 53. HEALTH AND FAMILY SERVICES: The functions of the Health and Family Services Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the Division of Health and Family Services, departments and agencies as set forth in Section A2-9A(3) and A7-6 of the Sullivan County Code.
- (b) Review and recommend action on all matters subject to the New York State Social Services Law, Labor Law, Health Law, Taxation and Finance Laws and Office of Temporary and Disability Assistance and State Office of Family and Children Services together with the regulations promulgated pursuant to said laws and any other relevant statutes and regulations.
- (c) Recommend policy and maintain contact with voluntary associations providing social services to residents of the county.
- (d) Recommend programs for the purpose of preventing and eliminating poverty in the county.
- (e) Review and recommend actions on all matters subject to the New York State Public Health Law, Mental Hygiene Law, Family Court Act, Penal Law, Criminal Procedure Law and other laws and regulations relating to the jurisdiction of the Committee.
- (f) Recommend policy and maintain contact with voluntary associations providing alcohol abuse, drug abuse, mental illness, mental retardation, and other community services to residents of the community.
- (g) Study and recommend programs for the purpose of treating and caring for those who suffer from the above.

RULE 54. PERSONNEL: The functions of the Personnel Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the Division of Personnel, and the Department of Risk Management and Insurance as set forth in Sections A2-9A(4), A5-3 and A7-2
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of the Sullivan County Code.

- (b) Oversee, review, and recommend, consistent with the provisions of Civil Service Law, Article 10, action relating to the compensation of County officers and employees, including the annual preparation and recommendation of a proposed schedule of salaries and compensation of officers and employees not subject to Article 10 of the Civil Service Law; the hiring, increase and reduction of employees in the County.
- (c) Review with the Personnel Officer, all matters relating to enforcement of the Civil Service Law.
- (d) Review and recommend action with respect to negotiation and ratification of all agreements with employee organizations.
- (e) Review and recommend, consistent with law, action with respect to all employment programs.
- (f) Oversee and recommend action on all matters relating to the Sullivan County Self-Insurance Plan

RULE 55. COMMUNITY AND ECONOMIC DEVELOPMENT: The functions of the Community and Economic Development Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the departments and agencies set forth in Sections A2-9A(5), and A7-8 of the Sullivan County Code.
 - (b) Oversee and approve formulation of a publicity program for the County.
 - (c) Oversee, participate in and recommend action with respect to economic and industrial development, supervise the operations of the County of Sullivan Industrial
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Development Agency and the Local Development Corporation of the County of Sullivan.

RULE 56. PUBLIC SAFETY / LAW ENFORCEMENT REVIEW COMMITTEE: The functions of the Public Safety Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the divisions, departments, and agencies set forth in Sections A2-9A(6), A4-6, A4-8, A4-10 and A7-7 of the Sullivan County Code.
- (c) Review and recommend action with respect to civil defense and disaster preparedness and cooperate with federal, state and local civil defense authorities.

RULE 57. VETERANS: The functions of the Veterans' Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the department as set forth in Sections A2-9A(9) of the Sullivan County Code.
- (b) Review and recommendation of action with respect to veterans' affairs, including assistance; memorials, celebrations, the Sullivan County Veterans' Cemetery and burial of veterans in accordance with law, and the foster cooperation with veterans' organizations.

RULE 58. PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE: The function of the Planning, Environmental Management and Real Property Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the Departments of GIS and Mobility Management, Real Property Tax Services and Sullivan County Treasurer (tax enforcement functions) as set forth in Section A2-9A(8), A4-2, A5-4, A5-5 and A7-8 of the Sullivan
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County Code.

- (b) Compilation of written policy and procedures regarding the handling of properties taken by the County through in rem foreclosure proceedings, and to establish a structure for the Real Property Administration Department.
- (c) Review and recommend action with respect to:
 - (1) Assessment, levy, collection, and enforcement of all real property taxes and sales taxes.
 - (2) Applications to correct assessment and tax rolls pursuant to the Real Property Tax Law.
 - (3) Determination of the amount of taxes returned as unpaid and the re-levy of same.

- (4) Adoption of the equalization rates established by the New York State Division of Equalization and Assessment, or in the alternative, upon direction of the Legislature, investigate the ratio and percentage which assessed value of real property bears to the full value of such property and report the percentage for such tax district so determined and recommend action by the Legislature.
 - (5) Adoption of the statement of total valuation, including equalization rates of taxable real property within the County as the basis for the apportionment of the county real property tax levy.
 - (6) Apportionment of all revenue received in the County which is payable to the Villages and Towns.
 - (7) Review of special district charges and recommend adoption of such resolutions as may be necessary to levy same on the tax roll.
 - (8) Oversee all matters relating to reassessment, revaluation, and tax map.
 - (9) Review and recommend action with respect to enforcement and collection of delinquent taxes, manner of bids with respect to sale of real property acquired by tax deed, rejection of bids for real property required by tax deed, retention of title of real property acquired by tax deed and such other methods of disposition of tax title real property as the Committee shall deem appropriate.
 - (10) Review and recommend action with respect to condemnation, purchase, and acquisition of all real estate by the County, including options to purchase such real estate.
 - (11) Oversee and recommend action on all matters relating to County and regional planning.
 - (12) Oversee and recommend action on all matters relating to environmental management, except solid waste management.
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RULE 59. CAPITAL PLANNING & BUDGETING COMMITTEE: The function of the Capital Planning & Budgeting Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the departments as set forth in Section A2-8, A2-9(10) of the Sullivan County Code.
- (b) Review, oversight and recommendation of action and fiscal impacts of capital planning and projects,
- (c) Review and oversight of the preparation of the County's six-year Capital Plan.
- (d) Review and oversight of capital budgeting and planning analyses.

RULE 60. AGRICULTURAL & SUSTAINABILITY POLICY COMMITTEE: The functions of the Agricultural & Sustainability Policy Committee shall, but not by way of limitation, include the following:

- (a) Legislative oversight of the departments as set forth in Section A2-8, A2-9(11) of the Sullivan County Code,
- (b) Review and oversight and recommendations regarding current and future proposed sustainable principles, practices, policies and goals, as well as sustainability technologies in county facilities, including, but not limited to, "green" building standards, renewable energy, and other "best practices".
- (c) Review of County fleet hybrid and alternative fuel vehicles.
- (d) Review and oversight of environmental health and sustainable practices of the County's Department of Public Health.

RULE 61. COMMITTEES; REMOVAL; REASSIGNMENT: A member who fails or refuses to serve and fulfill the duties of the Committee to which such member has been appointed may be removed at the discretion of the Chair. The vacancy created by such removal shall be filled by the Chair. At the request of a member, the Chair may change the appointment of a member from one Committee to another Committee. The Clerk shall note the removal, appointment or change of assignment in the minutes. MISCELLANEOUS

RULE 62. ASSESSMENT ROLLS: The Clerk shall procure the assessment roll of each town and have the town verify and correct footings, recapitulation and tabulate the results in such manner as may be required to show assessed valuations for each tax district in each town, on or before the first day of October in each and every year.

RULE 63. CLAIMS: Except as otherwise provided by law, all claims against the County shall be submitted on a county voucher, signed by the claimant and approved by the appropriate department head prior to audit and payment. The County Manager shall audit and direct payment of all valid claims within the limits of the appropriations made. The County Manager is authorized to issue such regulations and procedures as may be necessary with respect to the submission and payment of claims.

RULE 64. ACCESS BY MEDIA FOR DELAYED OR SIMULTANEOUS TRANSMISSION OF PROCEEDINGS

(a) All representatives of newspaper, radio and television shall have equal access to county facilities to obtain information, and to attend and report the proceedings of the Legislature or of any of its committees or of any other hearing or proceeding held at the County Government Center by any public body in accordance with the Freedom of Information Law, Open Meetings Law, and these Rules. In compliance therewith, the Clerk may make and enforce reasonable regulations as may be mandated by the circumstances.

(b) Subject to the provisions hereinafter set forth, all representatives of newspapers, radio, and television who shall have obtained written authorization from the Clerk shall be permitted to use recording device connections in the Legislature's Chamber at the County Government Center to simultaneously record the proceedings of the Legislature or of any of its committees.

- (c) Subject to the provisions hereinafter set forth, all representatives of radio and television shall be permitted, at their own expense, to install at the Legislature's Chamber at the County Government Center, telephone lines or other devices to permit simultaneous broadcast or transmission for delayed broadcast of the proceedings of the Legislature relating to the following matters:
- (1) Committee hearings on the tentative budget.
 - (2) Public Hearings on the tentative budget.
 - (3) The meetings of the Legislature with respect to adoption of the budget.
- (d) Authorization
- (1) Representatives shall make written application on forms supplied by the Clerk for authorization to use recording devices in accordance with paragraph (b). The Clerk shall approve all bona fide applications. In the event that the number of applicants shall exceed the number of recording device connections, the order of use shall be determined in January of each year by lot and thereafter use at each meeting shall rotate in the order so determined. Failure to exercise rights granted under this paragraph shall not alter the rotation so established.
 - (2) Representatives who wish to install devices for simultaneous broadcast as provided in paragraph (c) of this Rule, shall obtain authorization from the Clerk in accordance with paragraph (1) hereof and then make written application to the Commissioner of Public Works for a permit to authorize such installation.
- (e) Use of recording device at committee meetings other than those meetings related to subjects described in paragraph (c) may be prohibited at the request of any member of the Committee.
- (f) The Legislature may modify, amend or repeal the provisions of this rule or terminate the use of recording or broadcasting devices at any time for any reason without liability.

(g) Except as herein provided, or as may be permitted by any other public body, the use of recording and broadcasting devices shall be prohibited.

RULE 65. RULES; DELEGATION OF AUTHORITY: Nothing herein shall be deemed to authorize the delegation of any powers, duties or responsibilities of the Legislature to any other officer.

RULE 66. RULES; SUSPENSION: Unless otherwise provided by law, the Legislature may suspend its rules on unanimous vote of the Legislators present and voting at any regular, special or emergency meeting.

RULE 67. RULES; AMENDMENTS: Unless otherwise provided by law, the Legislature, by a majority vote, may amend these rules upon recommendation of the Executive Committee.

RULE 68. EFFECTIVE DATE; CAPTIONS; REPEAL: These Rules shall be effective on the date of adoption by the Legislature. Captions for each rule shall be used for the purpose of identification only and shall not limit the content or meaning of any rule. Any rules heretofore in effect are hereby repealed.

COUNTY LEGISLATURE

County of Sullivan

RULE 64 APPLICATION

Name of Applicant _____

Name of News Organization _____

Address of News Organization _____

Applicant requests authorization to: (Check applicable provision)
recording device connections.

1. Use

2. Install broadcasting equipment in Legislature's Chamber to simultaneously broadcast
proceedings of public bodies. (Annex plans)

Applicant understands that any authorization granted herein may be revoked, suspended or modified if Rule 64 is violated, amended or repealed, or if employment with or as an authorized representative of the above news organization is terminated. Applicant has received a copy of Rule 64.

Dated _____ Signed _____

Approval of Commissioner of Public Works:

I have examined the annexed plans for installation of broadcast equipment and I
approve/disapprove the plans and authorize installation in accordance with said plans.

Dated _____ Signed _____

AUTHORIZATION

In accordance with Rule 64 of the Rules of the County Legislature I hereby approve/disapprove
this application for the authorization requested.

Dated _____

Clerk of the County Legislature

NOTE: This Permit is not transferable. Complete in triplicate. If disapproved, set forth reasons on back.

TO BE REVISED ONCE RULES ARE FINALIZED AND ADOPTED

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August 2013
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A-1010-42-4205	OFFICE PRINTING				174
A-1010-45-4501	SPEC DEPT SUPPLY SPEC DEPT SUPPLY MISC/OTHER			174	
A-1325-14-47-4710	DEPT DEPT MISC/OTHER			300	
A-1330-205-42-4203	OFFICE OFFICE SUPPLIES				300
A-1355-41-4105	AUTO/TRAVEL REGISTRATION FEES				315
A-1355-42-4203	OFFICE OFFICE SUPPLIES				250
A-1355-46-4612	MISC SERV/EXP EMPL TRAINING				
A-1420-41-4102	AUTO/TRAVEL LODGING			577	
A-1430-41-4102	AUTO/TRAVEL LODGING			340	
A-1430-41-4105	AUTO/TRAVEL REGISTRATION FEES			375	
A-1430-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			150	
A-1450-45-4504	SPEC DEPT SUPPLY ELECTION				110
A-1450-47-4701	DEPT RENTALS				250
A-1450-47-4702	DEPT EQUIP SERVICE/REPAIRS			110	
A-1450-47-4702	DEPT EQUIP SERVICE/REPAIRS				110
A-1450-47-4710	DEPT DEPT MISC/OTHER			250	
A-1450-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			110	
A-1490-42-4206	OFFICE PUBLICATIONS			200	
A-1620-19-44-4407	UTILITY UTILITY OTHER			250	
A-1620-19-45-4527	SPEC DEPT SUPPLY MISC STONE				125
A-1620-19-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				125
A-1620-22-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				200
A-1620-23-45-4526	SPEC DEPT SUPPLY PAINT			250	
A-1620-23-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC				250
A-1620-24-45-4549	SPEC DEPT SUPPLY SAFETY			100	
A-1620-24-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				100
A-1620-24-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				750
A-1620-24-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			750	
A-1620-27-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			250	
A-1620-27-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				250
A-1620-27-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			10,000	
A-1989-99-47-4736	DEPT CONTINGENT				43,912

August 2013
 Modifications to the 2013 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-3010-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY			24,182	
A-3010-47-4702	DEPT EQUIP SERVICE/REPAIRS				1,000
A-3010-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			1,000	
A-3010-R3306-R189	ST AID HOMELAND SECRTY EMERGENCY PLAN (LEPC)	24,182			
A-3110-29-21-2106	FIXED ELECTRONIC/COMPUTER EQUIP				16,000
A-3110-29-21-2106	FIXED ELECTRONIC/COMPUTER EQUIP				7,800
A-3110-29-44-4406	UTILITY WIRELESS COMMUNICATIONS				
A-3110-29-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				
A-3140-16-40-4001	CONTRACT AGENCIES				400
A-3140-16-40-4001	CONTRACT AGENCIES				400
A-3140-16-41-4102	AUTO/TRAVEL LODGING			400	
A-3140-16-41-4103	AUTO/TRAVEL MEALS			400	
A-3140-16-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY			1,500	
A-3140-16-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL				1,500
A-3410-47-4702	DEPT EQUIP SERVICE/REPAIRS				502
A-3410-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				
A-4010-33-10-1011	PERSONAL SERV REGULAR PAY				1
A-4010-33-10-1011	PERSONAL SERV REGULAR PAY				15
A-4010-33-42-4205	OFFICE PRINTING			15	
A-4010-33-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			1	
A-4059-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				1,700
A-4059-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			1,700	
A-5610-45-4537	SPEC DEPT SUPPLY DIESEL FUEL			750	
A-5610-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			1,500	
A-5610-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				1,500
A-5610-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				750
A-5610-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			5,100	
A-5680-41-4103	AUTO/TRAVEL MEALS			2,000	
A-5680-R3594-R259	ST AID BUS/MASS TRANSPRT OPERATING ASSIST	250			
A-5680-R3594-R259	ST AID BUS/MASS TRANSPRT OPERATING ASSIST	2,200			
A-6010-38-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				4,300
A-6010-38-47-4702	DEPT EQUIP SERVICE/REPAIRS				135
A-6010-38-47-4752	DEPT MISC PROGRAM EXP				4,435

August 2013
 Modifications to the 2013 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-6310-40-4001	CONTRACT AGENCIES			43,912	
A-6610-41-4101	AUTO/TRAVEL GASOLINE EXPENSE				285
A-6610-41-4102	AUTO/TRAVEL LODGING			485	
A-6610-45-4501	SPEC DEPT SUPPLY SPEC DEPT SUPPLY MISC/OTHER			250	
A-7110-82-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC				125
A-7110-82-45-4549	SPEC DEPT SUPPLY SAFETY			125	
A-7450-202-45-4526	SPEC DEPT SUPPLY PAINT			125	
A-7450-202-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			15	
A-7450-202-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				15
A-7450-203-45-4526	SPEC DEPT SUPPLY PAINT			125	
A-7450-203-45-4526	SPEC DEPT SUPPLY PAINT				125
A-7450-203-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				125
A-7520-45-4503	SPEC DEPT SUPPLY RECREATION				300
A-7520-46-4609	MISC SERV/EXP SPECIAL SERV/OTHER			300	
A-7610-87-41-4102	AUTO/TRAVEL LODGING			107	
A-7610-87-41-4103	AUTO/TRAVEL MEALS			30	
A-7610-87-41-4103	AUTO/TRAVEL MEALS			60	
A-7610-87-41-4107	AUTO/TRAVEL VOLUNTEER/CLIENT				137
A-7610-87-41-4107	AUTO/TRAVEL VOLUNTEER/CLIENT				60
A-7610-88-41-4103	AUTO/TRAVEL MEALS			60	
A-7610-88-44-4405	UTILITY PHONE LAND LINES				60
A-7610-89-41-4103	AUTO/TRAVEL MEALS			15	
A-7610-89-44-4405	UTILITY PHONE LAND LINES				15
A-9901-90-9001	TRANSFERS TRANSFERS COUNTY ROAD				10,000
General Fund Totals		5,677	-	127,080	94,771
		32,309	-		
CL-8160-45-4542	SPEC DEPT SUPPLY WELDING			250	
CL-8160-45-4547	SPEC DEPT SUPPLY CHEMICALS				250
Solid Waste Fund Totals		-	-	250	250
D-5110-45-40-4038	CONTRACT CONSTRUCTION				40,000
D-5110-45-45-4527	SPEC DEPT SUPPLY MISC STONE			40,000	

August 2013
 Modifications to the 2013 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
D-5110-45-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				
D-5110-45-47-4701	DEPT RENTALS			1,000	
County Road Fund Totals				41,000	1,000
DM-5130-48-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				
DM-5130-48-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			1,000	
DM-5130-48-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			65,000	
DM-5130-48-47-4720	DEPT LABORATORY/XRAY EXPENSE			2,500	
DM-5130-49-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			650	
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				1,000
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				650
DM-9997-R2665-R338	SALE OF EQUIPMNT OTHER	75,000			2,500
DM-9997-R5031-R209	INTERFUND TRANSFR GENERAL FUND		10,000		
Road Machinery Fund Totals		75,000	10,000	69,150	4,150

**ETHICS COMPLAINT
FORM**

(This Form should be filed with Board of Ethics)

Any person may file a Complaint if he or she has information that a public officer or employee has violated the Sullivan County Ethics Law. It is not enough to merely allege that a public officer or employee has acted improperly. A Complaint must contain information supporting the allegation(s) that one or more of the provisions of the Ethics Law have been violated.

This Form is not required, but its use is encouraged as a Complaint. It must be in writing and verified by oath or affirmation. A Complaint must be filed with the Board within one year of the date the offense is alleged to have occurred, unless the offense was incapable of being discovered due to intentional acts on the part of the accused individual. This form is deemed filed upon receipt by the Chairman of the Board of Ethics.

Complainant: _____

Address: _____

Telephone: _____ Email: _____

County Official / Employee subject to complaint (i.e. accused individual):

Public position held by accused individual: _____

Approximate date of alleged violation(s): _____

Description of conduct by accused individual and section of Ethics Law alleged to have been violated:

(Please attach additional sheets if needed.)

I, _____, the Complainant herein, being duly sworn, state (or affirm) that, upon review of the Ethics Law, the allegation(s) contained herein is / are true, except so far as they are stated to be based upon information, and to the extent they are based upon information, I believe them to be true.

This Ethics Complaint was executed on this _____ day of _____, 20____, by:

Signature of Complainant

Print name of Complainant

STATE OF NEW YORK)
COUNTY OF _____)

The foregoing instrument was acknowledged before me in Sullivan County, New York this _____ day of _____, 20____.

Notary Public

My Commission Expires: _____

Any person who files a Complaint alleging a violation of the Ethics Law knowing that material information provided therein is not true or that the information provided therein was made in reckless disregard for the truth may be subject to criminal prosecution as well as the reasonable costs incurred by the County of Sullivan in investigating the Complaint and the reasonable costs incurred by the accused individual in responding to the Complaint as provided in the Ethics Law.

ADVISORY OPINION REQUEST FORM

(This Form should be filed with Board of Ethics)

A person may request an advisory opinion from the Board of Ethics when he/she has a concern or belief that anticipated action may be a violation of the Ethics Law. For purposes of this Form, "Complainant" includes the individual seeking the advisory opinion.

This Form is not required, but its use is encouraged as a Request for Advisory Opinion. It must be in writing and verified by oath or affirmation. This form is deemed filed upon receipt by the Chairman of the Board of Ethics.

Complainant: _____

Address: _____

Telephone: _____ Email: _____

Public position held by Complainant: _____

Description of anticipated conduct that may cause a violation of the Ethics Law:

(Please attach additional sheets if needed.)

I, _____, the Complainant herein, being duly sworn, state (or affirm) that having read the provisions of the Ethics Law, the statement(s) contained herein is / are true, except so far as they are stated to be based upon information and belief, and to the extent they are based upon information and belief, I believe them to be true.

This request for advisory opinion was executed on this _____ day of _____, 20____, by:

Signature of Complainant

Print name of Complainant

STATE OF NEW YORK)

COUNTY OF _____)

The foregoing instrument was acknowledged before me in Sullivan County, New York this _____ day of _____, 20____.

Notary Public

My Commission Expires: _____

Any person who requests an Advisory Opinion regarding a potential violation of the Ethics Law knowing that material information provided therein is not true or that the information provided therein was made in reckless disregard for the truth may be subject to criminal prosecution as well as the reasonable costs incurred by the County of Sullivan in investigating the Complaint and the reasonable costs incurred by the accused individual in responding to the Complaint as provided in the Ethics Law.

**NOTICE OF ETHICS COMPLAINT and
RESPONSE FORM FOR ACCUSED INDIVIDUAL**

(This Form should be filed with Board of Ethics)

NOTICE

A sworn Complaint against you or involving you has been filed with the Sullivan County Board of Ethics. Pursuant to the Ethics Law, you have an opportunity to respond to the allegations.

This Form is not required, but its use is encouraged as your Response Form. Any response must be in writing and verified by oath or affirmation. A Response must be filed within fifteen (15) days of your receipt of this Notice. This form is deemed filed upon receipt by the Chairman of the Board of Ethics.

Accused Individual: _____

Address: _____

Telephone: _____ Email: _____

Public position held by Accused Individual: _____

Approximate date of alleged violation(s): _____

Description of conduct alleged to have been undertaken by Accused Individual and section of Ethics Law alleged to have been violated: (to be taken from Complaint form)

RESPONSE BY ACCUSED INDIVIDUAL:

(Please attach additional sheets if needed.)

I, _____, the Accused Individual herein, being duly sworn, state (or affirm) that the statements contained herein are true, except so far as they are stated to be based upon information, and to the extent they are based upon information, I believe them to be true.

This Response to an Ethics Complaint was executed on this ____ day of _____, 20____, by:

Signature of Accused Individual

Print name of Accused Individual

STATE OF NEW YORK)
COUNTY OF _____)

The foregoing instrument was acknowledged before me in Sullivan County, New York this ____ day of _____, 20____.

Notary Public

My Commission Expires: _____

Any person who files a Response to a Complaint alleging a violation of the Ethics Law knowing that the information provided therein is not true or that the information provided therein was made in reckless disregard for the truth may be subject to criminal prosecution as well as the reasonable costs incurred by the County of Sullivan and its Board of Ethics in investigating the Response to the Complaint.

RECEIPT OF SULLIVAN COUNTY ETHICS LAW

Name: _____

Address: _____

Telephone: _____ Email: _____

Public position held: _____

I, _____, the individual named herein, state that I have received a copy of the Sullivan County Ethics Law (electronically or otherwise) and agree to be bound by its provisions to the extent applicable to me.

Dated: _____

Signature of Recipient

Print name of Recipient

THIS SIGNED RECEIPT MUST BE DELIVERED TO THE CLERK OF THE SULLIVAN COUNTY LEGISLATURE, 100 NORTH STREET, MONTICELLO, NEW YORK 12701.