

Sullivan County Legislature

Regular Meeting

January 16, 2014 at 2:00PM

The Regular Meeting of the County Legislature was called to order at 2:10PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Designation of Kathleen LaBuda as the Majority Leader and designation of Alan Sorensen as Minority leader for the year 2014 dated January 2, 2014.
2. Designation of the Sullivan County Democrat and The River Reporter as official newspapers of Sullivan County for the year 2014 dated January 2, 2014
3. Chairman Samuelson's appointments and reappointments to the Workforce Development Board of Sullivan, Inc. dated January 6, 2014.
4. 2013 Annual Report filed by Sullivan County Historian John Conway
5. Copy of a resolution adopted on December 3, 2013 from the County of Hunterdon Board of Chosen Freeholders urging the Supreme Court of the United State to revisit the consent the Consent Decree of 1954 and amend same so the City of New York shall limit the level of waters in the reservoirs.
6. Two (2) rulings from the State of New York Public Service Commission regarding alternating current transmission upgrades
7. Letter received December 23, 2013 from Captain Jamie J. Kaminski form the New York State Police Liberty Barracks thanking the Sullivan County Legislature on behalf of the Edelson Family for their assistance in the dedication ceremony for the Sergeant Jeffrey T. Edelson Memorial Highway.
8. Copy of a resolution adopted by the Town of Thompson Planning Board Adopting Positive declaration of environmental significance and establishing public scoping under the New York State Environmental Quality Review Act with respect to the proposed China City of America Project
9. Letter received December 24, 2013 from Rita Kerber of Rock Hill, NY stated the county does nothing to protect its electricians or consumers.
10. 2013 Motor Vehicle Account Report filed by Sullivan County Clerk Daniel Briggs January 15, 2014.
11. Copy of Resolution No. 28-14 adopted by the Shemung County Legislature objecting to the use of their seal or logo on state websites associated with pistol permit recertification and or the NY Safe Act of 2013 and 29-14 supporting Tioga Downs for selection as Eastern Southern Tier Region Casino Gaming License Awardee
12. Copy of Resolution 15-2014 adopted by Skyler County Legislature denying use of county name and seal in Safe Act Recertification process powers for the County of Skyler

Public Comment:

Chairman Samuelson recognized the following speakers:

1. David Paige spoke about the Sheriff's Patrol
2. Frank Sylvester spoke about the Electrical Licensing Panel
3. Paul Somm

Business in Order:

RESOLUTION 1-14 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO CLOSE A CAPITAL PROJECT ACCOUNT

WHEREAS, the County Manager, the Commissioner of Public Works, and the County Treasurer have advised that the following project previously funded through Bond Issue have been completed, and

WHEREAS, fund balances exists in the capital accounts.

NOW, THEREFORE, BE IT RESOLVED, that the following project be closed and the remaining balances, if any, be transferred to the appropriate fund:

H54 2012 Road Construction

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 2-14 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO APPROVE A SULLIVAN COUNTY REVOLVING LOAN

WHEREAS, the Sullivan County Division of Planning & Environmental Management (“Division”) oversees the County Main Street Main Street Business Revolving Loan Funds funded through grants received from the New York Governor’s Office of Small Cities; and

WHEREAS, the Division has submitted the loan report to the Sullivan County Revolving Loan Fund Advisory Board; and

WHEREAS, the Advisory Board has considered such loan report and accompanying financial information and approved by majority the loan request listed below contingent upon certain conditions as outlined in the loan commitment letter.

<u>Borrower</u>	<u>Program</u>	<u>Amount</u>
Sarah & Errol Flynn, Brandenburg Bakery	Main Street Business	\$30,000

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the Division to commence with the loan closing process and to have all the necessary documents executed to secure the loan in such form as approved by the County Attorney; and

BE IT FURTHER RESOLVED, that the Sullivan County Treasurer is hereby authorized to draw checks for the borrower in the amount indicated above.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 3-14 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO FORMALIZE A PAROLE REVIEW COMMITTEE FOR THE REVIEW AND RECOMMENDATIONS OF THE DISCHARGE OF PAROLEES INTO SULLIVAN COUNTY

WHEREAS, during the course of each year a number of Parolees from State prisons are released into Sullivan County, and

WHEREAS, New York State Department of Corrections and Community Supervision makes the determination as to where to release the prospective Parolee with the goal being successful reentry into society, and

WHEREAS, the responsibility for housing, job training, assistance with medical issues, transportation and the like, falls on the Sullivan County Division of Health and Family Services, and

WHEREAS, a number of these parolees reoffend increasing our local jail population, and

WHEREAS , Sullivan County is challenged with high unemployment, poor health ratings, inadequate housing and rising crime and desires to more carefully review each Parolee to determine availability of adequate resources and the actual county of residence prior to incarceration, and

WHEREAS, representatives of New York State Department of Corrections and Community Supervision, as per meeting on October 29, 2013, have expressed a willingness to work with the County and Commissioner of Health and Family Services in a cooperative effort to determine an alternative release location with the goal of reducing the number of Parolees entering Sullivan County requiring the provision of temporary housing and other services, and

WHEREAS, to accomplish the above goals, the Sullivan County Legislature has determined that it is in the best interest of the Sullivan County to formalize a Parole Review Committee to include the Commissioner of the Division of Health and Family Services as well as representation from the County Legislature, New York State Department of Corrections and Community Supervision and nine to eleven members representing the Health and Family Services Division, local law enforcement, District Attorney's Office and the Department of Probation all who will serve as non-voting members without compensation and at the pleasure of the Sullivan County Legislature, and

WHEREAS, the Parole Review Committee shall meet monthly for the purpose of reviewing and making recommendations to the New York State Department of Corrections and Community Supervision.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby creates the Parole Review Committee, and

BE IT FURTHER RESOLVED, that the Chairman of the Sullivan County Legislature is hereby authorized to appoint members to said committee and outlined above.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

Mrs. Edwards moved to table the below resolution, seconded by Mrs. LaBuda, put to a vote and tabled 7-2 with Ms. Vetter and Mr. Sorensen opposed.

**RESOLUTION INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE
MEETING TO CREATE A TEMPORARY ELECTRICAL LICENSING ADVISORY PANEL**

Whereas the Electrical Licensing Board members resigned in 2011; and

Whereas the Electrical Licensing Code as written stipulates an Electrical Licensing Board to meet; and

Whereas there are three (3) options going forward to either rescind the law and the need for the Electrical Licensing Board; and

Whereas it is the desire of Legislature that these three (3) options need to be researched by a Temporary Electrical Licensing Advisory Panel.

therefore be it resolved that a temporary , (6) month "Electrical Licensing Advisory Panel" of (7) members be established to review the options and make recommendations to the Legislature for the period of February to July with recommendations made to the Legislature in July.

RESOLUTION NO. 4-14 INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO CREATE A TEMPORARY ELECTRICAL LICENSING ADVISORY PANEL

WHEREAS, there exists a Sullivan County Electrical Licensing Law ("law"), and

WHEREAS, there is not an appointed board in place at this time and there is not an ability, with existing resources, to enforce the "law" , and

WHEREAS, the "law" as written stipulates an Electrical Licensing Board to meet, and

WHEREAS, there are three (3) options for the Electrical Licensing Law going forward, and

WHEREAS, the options are to rescind the law, to modify the law such that the County provides for testing and licensure of electricians without enforcement, or to make minor changes to the law as written and dedicate resources for the enforcement of the law, and

WHEREAS, it is the desire of Legislature that these three (3) options be researched by a Temporary Electrical Licensing Advisory Panel.

NOW THEREFORE, BE IT RESOLVED, therefore be it resolved that a temporary, (6) month "Electrical Licensing Advisory Panel" of (7) members be established to review the options and make recommendations to the Legislature for the period of February to July with recommendations made to the Legislature in July,

BE IT FURTHER RESOLVED, that County will continue to administer the testing and licensure of electricians until such time that a the advisory panel makes recommendations and the Sullivan County Legislature changes or eliminates the Electrical Licensing Law.

Moved by Mr. Benson, seconded by Ms. Vetter, put to a vote with Mr. Steingart opposed, resolution carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 5-14 INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO AMEND 269-13 REGARDING COSTS FOR THE PER DIEM EMERGENCY SERVICES TRAINING CENTER FACILITATOR

WHEREAS, Resolution No. 269-13 was adopted by the Sullivan County Legislature on July 18, 2013 to create an Emergency Services Training Center Facilitator (per diem) position, and

WHEREAS, it is the desire of the Legislature to amend Resolution No. 269-13 by not requiring the Fire Departments and any other emergency services agency of Sullivan County to reimburse the county for the costs of the facilitator for the year 2014.

NOW THEREFORE, BE IT RESOLVED that the Sullivan County Legislature hereby amends Resolution No. 269-13 by not requiring the Fire Departments or any other emergency service agency of Sullivan County to reimburse the county for the costs of the Per Diem Emergency Services Training Facilitator at a cost not to exceed \$5,000 for the year 2014.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 6-14 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE A CONTRACT WITH TACONIC HEALTH INFORMATION NETWORK AND COMMUNITY, INC. (THINC, Inc.)

WHEREAS, the County of Sullivan, wishes to contract with Taconic Health Information Network and Community, Inc. (THINC, Inc.) to share and exchange health data with THINC, Inc. and the State Network (SHIN-NY) ; and

WHEREAS, the contract will be in accordance with applicable health information technology standards and specification; and

WHEREAS, the information will include but not limited to patient demographics, clinical data interface for the continuity of care document (CCD); and

WHEREAS, the contract shall be an annual contract, renewable by written notice annually; and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to contract with THINC, Inc. to share and exchange the data electronically.

BE IT FURTHER RESOLVED, the form of said contract shall be approved by the Sullivan County Attorney's Office.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 7-14 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT/S FOR THE PROVISION OF US DEPARTMENT OF AGRICULTURE'S FOOD NUTRITION SERVICES (FNS) FROM OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014

WHEREAS, the Supplemental Nutrition Assistance Program (SNAP-Ed), also known as the Eat Smart New York (ESNY) program is endorsed by New York State Office of Temporary and Disability Assistance (NYS OTDA) as satisfying the program requirements of the US Department of Agriculture's Food Nutrition Service (FNS) agency programs; and

WHEREAS, the Cornell Cooperative Extension of Sullivan County New York (CCE) administers the Supplemental Nutrition Assistance Program (SNAP-Ed) Eat Smart New York (ESNY) program in Sullivan County New York; and

WHEREAS, the County of Sullivan, through the Department of Family Services, is able to access the approved federal funding for the purpose of a Food Nutrition Service (FNS) programs for New York State's SNAP Nutrition Education Plan and pass the funding through purchase of service agreement with Cornell University Cooperative Extension of Sullivan County (CCE) for the provision of those services; and

WHEREAS, federal funding has been made available to Cornell University Cooperative Extension of Sullivan County (CCE) funded under New York State's SNAP Nutrition Education State Plan approved for the period 10/1/ 2013 through 9/30/2014; and

WHEREAS, the maximum amount allocated to Cornell Cooperative Extension of Sullivan County funded under New York State's SNAP Nutrition Education State Plan is **\$127,848** for the period October 1, 2013 through September 30, 2014. However, as a result of the Federal Continuing Resolution, initial funding for FFY 2014 is being made available at the FFY 2013 level of **\$86,448**. All funding under this Plan is contingent upon the availability of Federal funds. Should the Federal government increase or decrease SNAP Nutrition Education funds, NYS OTDA will send out revised allocation letters at that time; and

WHEREAS, the Cornell Cooperative Extension of Sullivan County New York (CCE) will provide the approved services through purchase of service agreement with the Department of Family Services at the (NYS OTDA) approved amount, with the costs paid with federal funding by the department.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreement/s with Cornell Cooperative Extension of Sullivan County (CCE) for the provision of Food Nutrition Service (FNS) programs services through the Supplemental Nutrition Assistance Program (SNAP-Ed) Eat Smart New York (ESNY) program during the period from 10/1/2013 through 9/30/2014 in the amount funded through NYS OTDA; and

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 8-14 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE RESOLUTION TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR FUNDING AND FOR THE PROVISION OF CHILD CARE RELATED SERVICES FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2014

WHEREAS, the County of Sullivan, through the Department of Family Services, is able to provide for certain child care related services for eligible Sullivan County families by obtaining funding through a state memorandum of understanding with the New York State Office of Children and Family Services (OCFS); and

WHEREAS, the Department of Family Services desires to enter into an agreement through memorandum of understanding with OCFS to obtain funding; and

WHEREAS, the Department of Family Services also desires to enter into agreement with the Sullivan County Child Care Council for the provision of child care registration and inspection related services, at a cost not to exceed the amount funded by OCFS.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements to attain funding and provide services for the provision of child care registration and inspection related services during the period January 1, 2014 through December 31, 2014 at a cost not to exceed the amount funded by OCFS; 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 Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 9-14 INTRODUCED BY PUBLIC WORKS COMMITTEE

TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR CLEANING SERVICES AS WELL AS MINOR AND EMERGENCY REPAIRS

WHEREAS, the Unified Court System is desirous of entering into an agreement with Sullivan County for cleaning services as well as minor and emergency repairs to the court facilities; and

WHEREAS, the County has provided this service to the Unified Court System for numerous years and wishes to enter into a new five year contract; and

WHEREAS, for the fiscal period April 1, 2013 – March 31, 2014 the Unified Court System is prepared to pay the County \$215,721 for its services, with future payments to be negotiated annually.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into an agreement for cleaning services as well as minor and emergency repairs for the period of State Fiscal years 2013-2014 through 2017-2018, effective April 1, 2013 and terminating March 31, 2018.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 10-14 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE SOFTWARE SUPPORT AGREEMENT FOR THE ALLEN TUNNEL TAX COLLECTION SYSTEM.

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

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

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to enter into a 2-year support agreement covering January 1, 2013 thru December 31, 2014 with Allen Tunnel Corporation at a cost not to exceed \$70,740.

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

Mr. Benson moved to table, seconded by Mrs. LaBuda, put to a vote and tabled 6-3 with Ms. Vetter, Mr. Sorensen and Mrs. Gieger opposed.

RESOLUTION NO. INTRODUCED BY SULLIVAN COUNTY DISTRICT 9 LEGISLATOR ALAN SORENSEN, DISTRICT 4 LEGISLATOR JONATHAN ROUIS, DISTRICT 6 LEGISLATOR CORA EDWARDS AND DISTRICT 8 LEGISLATOR IRA STEINGART TO RESTORE THREE (3) POSITIONS IN THE SULLIVAN SHERIFF'S OFFICE

WHEREAS, the Sullivan County Sheriff's Office provides a Deputy Sheriff as a School Resource Officer to Sullivan County BOCES, and

WHEREAS, due to the success of the program at Sullivan County BOCES and due to the need for law enforcement in certain school districts three school districts desire to have a School Resource Officer on their campus, and

WHEREAS, the Sullivan County Sheriff's Office desires to enter into a Memorandum of Understanding with the Livingston Manor Central School District, the Monticello Central School District, and the Tri-Valley Central School District to provide a School Resource Officer in each district, and

WHEREAS, the school districts will reimburse the County of Sullivan 70% of the School Resource Officer's cost, and

WHEREAS, the Memorandum of Understanding will be for the period 02/01/2014 to 06/30/2016.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby amends the 2014 Budget to create and fund three (3) additional Deputy Sheriff Road Patrol positions consistent with the Sheriffs 2013 Budget Request;

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute a Memorandum of Understanding with the Livingston Manor Central School District, the Monticello Central School District, and the Tri-Valley Central School District to provide a School Resource Officer in each district, in such form as the County Attorney shall approve.

BE IT FURTHER RESOLVED that when the school funding ceases, the three SRO positions will be revisited by the Sullivan County Legislature.

Mr. Benson moved to table the following resolution, seconded by Mrs. LaBuda, put to a vote and tabled 7-2 with Mr. Sorensen and Ms. Vetter opposed.

RESOLUTION INTRODUCED BY SULLIVAN COUNTY DISTRICT 9 LEGISLATOR ALAN SORENSEN RESOLUTION TO RESTORE THREE (3) POSITIONS IN THE SULLIVAN SHERIFF'S OFFICE FOR THE COUNTY ROAD PATROL.

Whereas, the County Sheriff requested the restoration of five (5) road patrol positions in his 2014 budget request, and

Whereas, the 2014 Adopted County Budget provided for the restoration of two (2) road patrol positions, and

Whereas, due to the de-consolidation of E-911 and the Sheriffs Dispatch, the Sheriff does not have the necessary manpower to place more Deputies on the Road, and

Whereas, the Road Patrol is critical to the public safety of those areas of the County not already served by local law enforcement.

Now Therefore Be It Resolved, that the Sullivan County Legislature hereby amends the 2014 Budget to fund three (3) additional Road Patrol positions consistent with the Sheriffs 2014get Request.

After some discussion, Mrs. LaBuda moved to table the following resolution, seconded by Mr. Benson, put to a vote and unanimously tabled.

RESOLUTION INTRODUCED BY CINDY KURPIL GIEGER TO CREATE AND FUND FROM NEW YORK STATE HOST COUNTY REVENUE A DESIGNATED FUND FOR COUNTY JAIL CONSTRUCTION WITHIN THE FUND BALANCE OF THE GENERAL FUND

WHEREAS, the Sullivan County Legislature is reviewing proposals for construction of a new county jail facility and realizes the necessity to replace the current structure, and

WHEREAS, the current proposal for construction of a new jail carries debt service of approximately \$4-5 million per year over the term of the bond, and

WHEREAS, the Sullivan County Legislature realizes the fiscal challenge and impacts that this debt service would place on the Sullivan County taxpayers at this time, and

WHEREAS, it is desired to reduce the financial burden of the construction of a new jail by designating a percentage of New York State Host County revenue for said jail construction.

NOW, THEREFORE, BE IT RESOLVED, that a designated fund be set aside from the projected New York State Host county revenue adequate to cover debt service for the construction of a new jail.

RESOLUTION NO. 11-14 INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT A NEW MEMBER TO THE SULLIVAN COUNTY PUBLIC HEALTH SERVICES PROFESSIONAL ADVISORY COMMITTEE

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

WHEREAS, due to the untimely death of Dr. Fried a vacancy exists on the Sullivan County Professional Advisory Committee, and

WHEREAS, Travis Tyler MS, PT is willing and qualified to serve the remaining term of Dr. Fried from 1/1/2014 to 12/31/2014 on the Professional Advisory Committee. .

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

Travis Tyler MS, PT
168 Pucky Huddle Rd.
Bethel, NY 12720

Moved by Mr. Rouis, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 12-14 INTRODUCED BY EXECUTIVE COMMITTEE

TO APPOINT ONE MEMBER TO THE SULLIVAN COUNTY COMMISSION ON HUMAN RIGHTS

WHEREAS, pursuant to Resolution No. 490-04 adopted on December 6, 2004, the Sullivan County Legislature created a Sullivan County Commission on Human Rights (“Commission”); and

WHEREAS, Resolution No. 109-05 adopted on March 17, 2005, the Sullivan County Legislature appointed the members to the Commission for designated terms; and

WHEREAS, Resolution No. 113-06 adopted on March 16, 2006 indicates terms are to commence on January 1 and terminate on December 31 in the year in which they are scheduled to terminate.

WHEREAS, there is a vacancy on the Commission due to the resignation of Henry Belser, and

WHEREAS, the Commission sent a letter to the Sullivan County Legislature, received on December 12, 2013, requesting the Legislature appoint an individual to fill this vacancy for the remainder of the three year term which expires on December 31, 2014, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint the following member to the Commission for the following terms:

Appoint:

Member

Term Expires

Catherine Iral

December 31, 2014

(fill Henry Belser's unexpired term)

Moved by Mr. Rouis, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 13-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPOINT EDWIN JACKSON TO THE SULLIVAN COUNTY REVOLVING LOAN FUND (RLF) ADVISORY BOARD

WHEREAS, pursuant to Resolution 142-11, members were appointed to the Sullivan County Revolving Loan Fund (RLF) Advisory Board, for the purpose of reviewing and making recommendations to the County Legislature with respect to County loan funds; and

WHEREAS, a vacancy exists on the Board and was advertised on the County website under Board Vacancies, as required; and

WHEREAS, a letter of interest was received from Edwin Jackson and the Advisory Board recommends his appointment.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby appoints Edwin Jackson to the Sullivan County Revolving Loan Fund Advisory Board.

Moved by Mr. Rouis, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 14-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY ATTORNEY TO PAY A PROFESSIONAL PURSUANT TO RESOLUTION NO. 325-11 IN EXCESS OF THE \$5,000.00 CAP

WHEREAS, pursuant to Resolution No. 325-11 the County Attorney retained the services of Roemer, Wallens Gold & Mineaux LLP (hereinafter, the "Firm") to investigate personnel complaints at the Division of Health and Family Services, and

WHEREAS, Resolution No. 325-11 was utilized since it was anticipated the cost of such services would not exceed \$5,000.00. That limit was written into the retainer agreement, and

WHEREAS, in July Mr. Roemer advised the County Attorney the cost would likely exceed the \$5,000.00, but did not have figures at that time. Mr. Roemer's letter was furnished to the County Legislature, and

WHEREAS, on September 5th Mr. Roemer provided a tentative estimate of the total cost, and on September 19th the County Attorney met with the Executive Committee to update the Legislators, and

WHEREAS, on September 25th the County Attorney advised Mr. Roemer to separate out the bills for the excess over \$5,000.00, and

WHEREAS, on September 27, 2013 the Law Department received a copy of the Firm's completed Report and Recommendation to the Personnel Officer, dated September 24, 2013, and

WHEREAS, the Firm's total bill for its services came to \$13,533.52, and

WHEREAS, thereafter the County Attorney spoke with Mr. Roemer and stated that while the County Attorney appreciated that the firm had in fact been careful and thorough and expended a great deal of time on the matter, the final bill was significantly in excess of what the County Legislature expected based on earlier communications and asked whether the Firm might be able to reduce the bill somewhat, and

WHEREAS, to date the County has paid the Firm \$4,881.00, and

WHEREAS, on December 3, 2013, Mr. Roemer sent a letter to the County Attorney stating that while the matter had taken much more legal time than originally anticipated in order to properly investigate the matter and prepare a thorough report, in consideration of the County's financial situation and the on-going relationship between County and the Firm they would write down the final invoice to a total balance due of \$5,000.00, and

WHEREAS, given the foregoing the total expenditure for the matter would be reduced from \$13,533.00 to \$9,881.00, and

WHEREAS, the County Attorney is satisfied the work was done thoroughly and professionally, and that the reduced final invoice should be paid.

NOW THEREFORE BE IT RESOLVED, that the County Attorney is hereby authorized to pay the Firm an additional \$5,000.00 (in addition to the \$4,881.00 already paid) as the remainder of the fee.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Mrs. Gieger, Mrs. Edwards and Ms. Vetter opposed, resolution carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 15-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND RESOLUTION NO. 276-13

WHEREAS, the County Legislature adopted Resolution No. 276-13 on July 18, 2013; and

WHEREAS, there is a need to amend Resolution No. 276-13; and

WHEREAS, Section 603.7 of the Codes and Regulations of the State of New York permits Sullivan County to apply for matching funds through the SUNY Construction Fund for the New York State share of projects that are normally permitted within an approved capital construction

budget.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby amends Resolution No. 276-13 and authorizes the Sullivan County Community College to request matching funds in the amount of \$108,316.26; and

BE IT FURTHER RESOLVED, that no funds from the County's General Fund should be committed for this purpose.

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 16-14 OF THE EXECUTIVE COMMITTEE ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID WASTE/RECYCLING FEE GRIEVANCE COMMITTEE.

WHEREAS, the Sullivan County Legislature ("Legislature") Amended Local Law No. 7 of 2009 to Add a New Article VIII Establishing a Solid Waste Recycling Fee, and

WHEREAS, Local Law No. 7 of 2009 as amended provides for a Sullivan County Solid Waste/Recycling Fee Appeals Committee ("Committee") to review written appeals from property owners, and

WHEREAS, the Committee wishes to report its recommendations to the Legislature, and

WHEREAS, the Committee has reviewed appeals and it recommends approving reduction/elimination of the solid waste fee for properties detailed on the Recommended Approval List attached hereto as Appendix "A" and made a part hereof, and

NOW, THEREFORE, BE IT RESOLVED, that the Legislature acknowledges receipt of the Committee's recommendations detailed on Appendix "A" and hereby ratifies said recommendations contained on Appendix A.

BE IT FURTHER RESOLVED, that the Legislature hereby authorizes the Sullivan County Treasurer, on behalf of the Committee to notify the property owners regarding approval/denial of their respective appeals.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

RESOLUTION NO. 17-14 INTRODUCED BY EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED THE "SULLIVAN COUNTY BEST VALUE PURCHASING POLICY"

WHEREAS, there has been introduced at a meeting of the Sullivan County Legislature held on January 16, 2014 a proposed Local entitled "Sullivan County Best Value Purchasing Policy."

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on February 20, 2014 at 1:50 p.m., in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days' notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

Moved by Mrs. Edwards, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on January 16, 2014, a proposed Local Law entitled the "Sullivan County Best Value Purchasing Policy."

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on February 20, 2014 at 1:50 p.m. at which time all persons interested will be heard.

DATED: Monticello, New York

January 16, 2014

ANNMARIE MARTIN

Clerk of the Legislature

County of Sullivan, New York

RESOLUTION NO. 18-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENTER INTO AN EMPLOYMENT AGREEMENT WITH JOSHUA POTOSEK AS THE SULLIVAN COUNTY MANAGER

WHEREAS, pursuant to Resolution No. 433-13 adopted on December 19, 2013, the Sullivan County Legislature appointed Joshua Potosek to serve as County Manager, and

WHEREAS, the Sullivan County Charter (Section C3.01) provides that the County Legislature may enter into an agreement for the County Manager to serve through the first year of the term of the next Legislature, and

WHEREAS, the County Legislature and Mr. Potosek have negotiated an agreement pursuant to which Mr. Potosek would serve as County Manager, subject to specific termination provisions, at his present salary until December 31, 2016.

NOW THEREFORE BE IT RESOLVED, that the Chairman of the County Legislature is hereby authorized to execute the aforesaid agreement with Mr. Potosek.

Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion January 16, 2014.

Recognition of Legislators:

None

There being no further business, Mr. Benson, moved to adjourn, seconded by Ms. Vetter. The meeting was declared closed at 3:02PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature