

Sullivan County Legislature

Regular Meeting

July 17, 2014 at 2:00PM

The Regular Meeting of the County Legislature was called to order at 2:31PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk indicated that communications for July will be read next month.

Presentations:

Chairman Samuelson presented the following Beauty Pageant winners with Certificates:

Ms. Sullivan County 2014 Samantha Shaver Ruff

Miss Sullivan County 2014 Ariana Kaminski

Miss Teen Sullivan County 2014 – Amanda Rampe

Miss Pre-Teen Sullivan County 2014 – Natalia Diaz

Miss Congeniality 2014 – Melonie Cruz

Sullivan County People's Choice 2014 – Kaitlyn Cross

Young Miss Sullivan County – Lorna Dewitt

Heinrich Strauch of the Liberty CDC gave a presentation to the Legislature on the proposed Skatepark Project.

Chairman Samuelson recognized the following speakers for Public Comment:

1. Village of Liberty Mayor Daniel Ratner, Sr.
2. Gary Silver
3. Tom Manza
4. Star Hesse
5. Liberty Police Chief Scott Kinne
6. Peter Erinberg
7. Barbara Lerner

Resolutions:

RESOLUTION NO. 268-14 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO DIRECT THAT THE PUBLIC HEALTH BUILDING IN LIBERTY, NY BE FOREVER KNOWN AS THE GLADYS R. OLMSTEAD PUBLIC HEALTH BUILDING

WHEREAS, by this Resolution the Sullivan County Board of Legislators is most pleased to bestow the highest recognition we are able upon Gladys R. Olmstead, R.N., the founder of the Sullivan County Public Health Nursing Service, by directing that the County's Public Health Building in Liberty, New York be named and be forever known as the Gladys R. Olmstead Public Health Building, and

WHEREAS, Gladys R. Olmstead was born in 1924 in Durlandville, NY as one of five sisters, four of whom pursued careers in nursing, and

WHEREAS, on August 29, 1947 Ms. Olmstead graduated with a B.S. in Nursing from the Mt. St. Vincent's Hospital School of Nursing in New York City, and

WHEREAS, following work as a General Duty Nurse at the Goshen Hospital and as a pediatric nurse at the Flushing Hospital in Queens, and after obtaining experience in Public Health in both Orange and Ulster Counties, Nurse Olmstead came to Sullivan County in 1951 as the Counties first Public Health Nurse, and

WHEREAS, initially Nurse Olmstead worked out of a room with a dirt floor in the basement of the courthouse as the County's one-woman Public Health Nursing Service, and

WHEREAS, "It was like Pioneer nursing. I got a map of the County got in my car and went to work." Nurse Olmstead would later say, and

WHEREAS, over the next 34 years Nurse Olmstead by dint of her tireless, dedicated, unwavering efforts built the Sullivan County Public Health Nursing Service, and

WHEREAS, during those years Nurse Olmstead brought the County's Public Health into the mainstream initiating programs for pre-natal care, better nutrition for babies, orthopedic care, immunization, tuberculosis clinics and whatever else was needed to promote better health in Sullivan County, and

WHEREAS, following her retirement as Director of the Sullivan County Public Health Nursing Service her successor as Director, Dyan Campbell, RN, said: "She loved a challenge. She was super clear in her vision for improved health and ran the department with firmness and a devoted staff." Nurse Campbell also said that Nurse Olmstead's courage, tenacity, wild sense of adventure, strictness regarding the standards of nursing and the importance of relationships with Boards set both a standard and an inspiration for those who followed, and

WHEREAS, Nurse Olmsted was a member of numerous Public Health organizations and committees and served on many Boards such as the Sullivan County Health Advisory Council, the State Board of Directors of the New York State Heart Assembly, the Board of Directors of the Orange/Sullivan Heart Association and as President of District 18 of the New York State Nurses Association among many others, and

WHEREAS, Nurse Olmstead was the United States Delegate to the International Council of Nurses Congress in Frankfurt, Germany where she presented a paper on Economic and General Welfare of Professional Nurses in the United States, and

WHEREAS, Nurse Olmstead received a National Award for the promotion of Baccalaureate level preparation for professional nursing on a national level, and

WHEREAS, throughout the County persons, particularly people in the medical field and most especially nurses, who knew Nurse Olmsted refer to her dedication, her commitment, her kindness and how she inspired so many others to take up and pursue the calling in a field in which she was truly a trailblazer, and

WHEREAS, Nurse Olmsted designed the County's Public Health building in Liberty, NY which was constructed after Nurse Olmsted's retirement, and

WHEREAS, Nurse Olmsted passed away in 1997, and

WHEREAS, in 2013 the Sullivan County Historical Society posthumously recognized Gladys R. Olmsted, RN with its Sullivan County History Maker Award, which concluded with the following words: "her high standards of professional excellence were an inspiration to all who knew her".

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

That the Sullivan County Board of Legislators hereby directs that from this date forward the County's Public Health building in Liberty, New York shall be known as the Gladys R. Olmsted Public Health building.

Moved by Mr. Benson, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 269-14 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO SET A PUBLIC HEARING ON THE TENTATIVE 2014 – 2015 BUDGET FOR SULLIVAN COUNTY COMMUNITY COLLEGE

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on August 21, 2014 a tentative 2014- 2015 budget for the Sullivan County Community College.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said tentative 2014- 2015 budget for the Sullivan County Community College by the Sullivan County Legislature on August 21, 2014 at 1:45PM, in the Legislative Hearing Room, 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. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion July 17, 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 August 21, 2014, a tentative 2014- 2015 budget for the Sullivan County Community College.

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid tentative 2014- 2015 budget for the Sullivan County Community College at the Legislature's Hearing Room, County Government Center, Monticello, New York, 12701, on August 21, 2014 at 1:45PM at which time all persons interested will be heard.

DATED: July 17, 2014

ANNMARIE MARTIN

Clerk of the Legislature

County of Sullivan, New York

RESOLUTION NO. 270-14 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 to be published in the official newspapers of the County:

Monticello 10/15/14 Monticello Neighborhood Facility 9:30 AM-12:00PM
Monticello, NY

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 271-14 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO INCLUDE VIABLE AGRICULTURAL LAND IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT WITHIN SULLIVAN COUNTY

WHEREAS, Section 303-b of the Agriculture and Markets Law authorizes the inclusion of viable agricultural land into certified agricultural districts; and

WHEREAS, the County of Sullivan's Agricultural & Farmland Protection Board has recommended the following parcels to be added to the existing certified Agricultural District No. 4 within Sullivan County; and

WHEREAS, a public hearing was held on the inclusion of these parcels into the existing certified Agricultural District No. 4 on June 19th, 2014 at which time all comments were heard by the Sullivan County Legislature; and

WHEREAS, all comments and considerations brought to the attention of the Sullivan County Legislature and the Sullivan County Division of Planning and Environmental Management were considered during all phases of the inclusion process, including but not limited to the environmental review process, in determining whether or not the following parcels were to be included in the existing certified Agricultural District No. 4.

NOW, THEREFORE, BE IT RESOLVED, that the following parcels are to be included in the existing certified Agricultural District No. 4:

Agricultural District No. 4

- Town of Highland 10.-1-48
- Town of Fallsburg 41.-1-35
- Town of Fallsburg 41.-1-36
- Town of Thompson 7.-1-13.3
- Town of Thompson 7.-1-13.4
- Town of Thompson 7.-1-26.1
- Town of Thompson 2.-1-12.1
- Town of Thompson 2.-1-12.2
- Town of Thompson 2.-1-39

Moved by Mr. Sorensen, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 272-14 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO ISSUE A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE ADDITION OF PARCELS OF REAL PROPERTY TO EXISTING CERTIFIED AGRICULTURAL DISTRICTS WITHIN SULLIVAN COUNTY

WHEREAS, The Sullivan County Legislature has the authority under New York State Agriculture and Markets Law to include additional parcels in the existing certified Agricultural District No. 4 on a yearly basis; 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 proposal to add parcels to Sullivan Agricultural District No. 4; and

WHEREAS, a short form Environmental Assessment (attached hereto) has been prepared which concludes that the proposal to add parcels to Sullivan County Agricultural Districts No. 4 will not have a significant adverse impact on the environment and recommends that the County Legislature issue a Negative Declaration.

NOW, THEREFORE, BE IT 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, that the Sullivan County Legislature hereby issues a Negative Declaration pursuant to the provisions of the New York State Environmental Quality Review Act, with respect to the proposal to add parcels to Sullivan County Agricultural District No. 4; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the Chairman of the Legislature to execute the Environmental Assessment Form.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 273-14 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2014 COUNTY BUDGET

WHEREAS, the County of Sullivan 2014 Budget requires modification,

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

Moved by Mrs. LaBuda, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

See attached modifications

RESOLUTION NO. 274-14 INTRODUCED BY PERSONNEL COMMITTEE TO ADOPT A NEPOTISM POLICY

WHEREAS, it is the policy of the County of Sullivan not to discriminate in its employment and personnel practices with respect to its employees and applicants on the basis of marital and familial status; and

WHEREAS, there has been presented and proposed a written nepotism policy to ensure that employment and personnel actions will be based upon merit and fitness of any applicant and/or employee;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby adopts the attached Nepotism Policy.

Moved by Mr. Sorensen, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 275-14 INTRODUCED BY PERSONNEL COMMITTEE AUTHORIZING COUNTY DEPARTMENT HEADS TO GRANT THE USE OF VOLUNTEER LEAVE FOR AMBULANCE AND/OR FIREFIGHTING VOLUNTEERS AND TO RESCIND RESOLUTION NO. 174-89 AND RESOLUTION NO. 332-09

WHEREAS, emergency ambulance and firefighting volunteers provide essential services which contribute significantly to the quality of life in local communities; and

WHEREAS, emergency ambulance and firefighting services are primarily provided through the efforts of volunteers; and

WHEREAS, without the continued support and contributions of volunteers, ambulance and firefighting agencies are unable to continue to effectively provide necessary services; and

WHEREAS, government, in order to insure a progressive society, must not only advocate, but must promote voluntarism; and

WHEREAS, the cooperation of employers in permitting ambulance and firefighting volunteers reasonable amounts of time off to provide emergency services, when necessary, would assist ambulance and firefighting agencies in continuing to effectively provide these volunteer services; and

WHEREAS, the County Manager recommends that Resolution No. 174-89 and 332-09 be hereby rescinded; and

WHEREAS, the County Manager recommends that the County of Sullivan authorize an employee's absence if it occurs as a result of providing emergency services as an ambulance volunteer or firefighter in response to an emergency in the County of Sullivan.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby herby rescinds Resolution No. 174-89 and Resolution No. 332-09 and hereby adopts the following:

1. That department heads are permitted to authorize an employee's absence from work without charge to accrued leave time when the employee's absence occurs as a result of providing emergency services as an ambulance volunteer or firefighter.
2. That the department heads shall not unreasonably deny request for said volunteer leave based upon the operating needs of the department, the volume of volunteer time requested, and such other factors as may be relevant.
3. An employee denied volunteer leave shall have the ability to appeal said denial to the County Manager or his designee.

Moved by Mrs. LaBuda, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 276-14 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE GRANTING OF A DRAINAGE EASEMENT TO THE SULLIVAN COUNTY FUNDING CORPORATION

WHEREAS, Resolution #408-13 authorized the transfer of the East Broadway Development properties to the Sullivan County Funding Corporation (“SCFC”); and

WHEREAS, the SCFC has requested an amendment in the transfer documents to allow the SCFC to transfer a drainage easement for storm water to Sullivan Property Acquisitions I, LLC. (“SPA-I”); and

WHEREAS, the proposed drainage easement is shown on the attached map dated June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED, that the transfer documents described above is amended to allow transfer of a drainage easement provided there will be a County Inspector on site to assure the drainage system is installed in compliance with approved plans and applicable codes.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 277-14 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AMEND RESOLUTION NO. 171-13

WHEREAS, Resolution No. 171-13 states that Rural Sullivan Housing Corporation shall receive remuneration from the 2009 New York State HOME grant in an amount not to exceed \$170,000.00 for program delivery and \$2,000.00 per housing unit, for an amount not to exceed \$16,000.00 for grant administration, unless otherwise agreed to in the Sub-Grantee agreement; and

WHEREAS, New York State approved change orders have increased the amount of remuneration to be received by Rural Sullivan Housing Corporation,

NOW THEREFORE BE IT RESOLVED, that Resolution No. 171-13 is hereby amended such that Rural Sullivan Housing Corporation shall receive remuneration in an amount not to exceed \$180,000.00 for program delivery and \$2,000.00 per housing unit, for an amount not to exceed \$16,000.00 for grant administration, unless otherwise agreed to in the Sub-Grantee agreement.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 278-14 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE LICENSE AGREEMENTS WITH THE OCCUPANT GROUPS OF THE SULLIVAN COUNTY ART AND CULTURAL CENTER (“THE CULTURAL CENTER”) IN HURLEYVILLE, NY

WHEREAS, the County of Sullivan (“the County”) owns and has previously maintained the Cultural Center grounds; and

WHEREAS, the ownership and maintenance of the Cultural Center imposes a financial impact upon the County; and

WHEREAS, in the past the County and the occupants of the Cultural Center worked together and developed draft License Agreements detailing the duties, obligations and covenants of the County and the occupant groups; and

WHEREAS, said documents transferred a portion of the financial burden of the associated operation and maintenance expenses from the County to the occupant groups; and

WHEREAS, these documents have not been formally executed, the parties have been following the outlined plan; and

WHEREAS, the occupant groups and the County have met and recognize updating and executing said agreements is mutually beneficial.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute License Agreements with each of the occupant groups of the Cultural Center, said License Agreements to be approved as to form by the County Attorney’s office.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 279-14 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE A PAYMENT TO THOMSON REUTERS AND AUTHORIZE A NEW TWO YEAR AGREEMENT WITH THOMSON REUTERS FOR “CLEAR” RESEARCH PRODUCT FOR THE BENEFIT OF THE DEPARTMENT OF FAMILY SERVICES

WHEREAS, the County of Sullivan wishes to enter into an agreement with Thomson Reuters for its CLEAR web product to enable the County to perform research pertaining to fraud for the benefit of the Department of Family Services; and

WHEREAS, Thomson Reuters has provided its CLEAR web product to the County as of June 1, 2013; and

WHEREAS, the County is satisfied with the CLEAR web product and wishes to continue to receive the product for an additional two years;

NOW THEREFOR BE IT RESOLVED,

1. The County Manager is hereby authorized to enter into a two year agreement dated as of July 1, 2014 through June 30, 2016 with Thomson Reuters for an amount not to exceed \$12,120.00.
2. The County Manager is further authorized to authorize payment to Thomson Reuters for the period covering May 30, 2013 to June 30, 2014 in an amount not to exceed \$5,555.00.
3. The agreement shall be in a form approved by the County Attorney.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 280-14 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE A PAYMENT TO THOMSON REUTERS AND AUTHORIZE A NEW THREE YEAR AGREEMENT WITH THOMSON REUTERS FOR "CLEAR" RESEARCH PRODUCT FOR THE BENEFIT OF THE SHERIFF'S OFFICE

WHEREAS, the County of Sullivan wishes to enter into a three year agreement with Thomson Reuters for its CLEAR web product to enable the County to perform research pertaining to fraud and other matters for the benefit of the Sullivan County Sheriff's Office; and

WHEREAS, the County believes that the product will benefit the investigations of the Sullivan County Sheriff's Office,

NOW THEREFOR BE IT RESOLVED,

4. The County Manager is hereby authorized to enter into a three year agreement dated as of July 1, 2014 through June 30, 2017 with Thomson Reuters for an amount not to exceed \$5,400.00.
5. The agreement shall be in a form approved by the County Attorney.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 281-14 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT

WHEREAS, a proposal was received for Outpatient Physical Therapy Services for Public Health Services, and

WHEREAS, Catskill Regional Medical Center, 68 Bushville Road, PO Box 800, Harris, New York 12742, is the most responsible Contractor for these services, and

WHEREAS, the Sullivan County Public Health Services recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Catskill Regional Medical Center, at price not to exceed \$80.00/visit, in accordance with R13-19A, for 2014 services, with three (3) additional yearly extensions, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 282-14 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD AND EXECUTION OF CONTRACT

WHEREAS, The County is required to perform Pre Employment Drug Testing and Medical Exams, Pre Employment Physicals, Pre Employment Hearing Tests, Pre Employment Vision Tests, Various types of Drug and Alcohol testing, various types of physicals; on municipal employees and

WHEREAS, an RFP was issued and a satisfactory proposal to perform the necessary services including but not limited to those indicated above, has been received from Partners In Safety Inc., 800 Route 17 M, Middletown, NY 10940 and

WHEREAS, the County would like to contract with Partners In Safety for the necessary services outlined in the RFP. The Required Services/Pricing structure is attached and will begin January 1, 2015 through December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an agreement with Partners In Safety for Occupational Medical Services, such agreement to be in a form approved by the County Attorney.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 283-14 INTRODUCED BY THE HEALTH AND FAMILY SERVICES COMMITTEE TO RECOMMEND THE ADOPTION OF A PHARMACY FORMULARY TO BE USED AS A GUIDE WHEN DISPENSING PHARMACEUTICALS TO CLIENTS OF THE COUNTY

WHEREAS, Sullivan County dispenses pharmaceuticals to clients of the County in various departments, and

WHEREAS, Sullivan County recommends that a formulary be used as the basis for dispensing pharmaceuticals to County clients, and

WHEREAS, Sullivan County further recommends that other essential drugs needed on the formulary be evaluated based on clinical necessity, cost effectiveness, compliance advantage, and standard of care, and

WHEREAS, the formulary is not mandated in every instance but is to be utilized as a guide.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature recommends the implementation of applicable pharmacy formularies to be utilized as a guide in prescribing medications to County clients.

Moved by Ms. Vetter, **seconded by** Mrs. Gieger, put to a vote with Mr. Steingart opposed, resolution carried as amended and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 284-14 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2014 TAX ROLL OF THE TOWN OF FORESTBURGH FOR TAX MAP #30.-1-20.1

WHEREAS, an application dated June 19, 2014 having been filed by St. Thomas Aquinas Church with respect to property assessed to said applicant on the 2014 tax roll of the Town of Forestburgh Tax Map #30.-1-20.1 pursuant to Section 556 of the Real Property Tax Law, to correct an unlawful entry on said tax roll in which an assessed taxable valuation was incorrectly applied to a wholly exempt parcel

WHEREAS, the Acting Director of Real Property Tax Services has duly investigated the application and filed his report dated July 1, 2014 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. Sorensen, **seconded by** Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

There was a lengthy discussion prior to the vote of the below resolution.

**RESOLUTION NO. 285-14 INTRODUCED BY CORA A. EDWARDS, DISTRICT 6
LEGISLATOR TO APPROPRIATE \$36,000 TO THE LIBERTY COMMUNITY
DEVELOPMENT CORPORATION**

Whereas the Liberty Community Development Corporation (known as LCDC), on behalf of its Group TeamSkate, began fundraising for a project to construct the Liberty SkatePark in Liberty, NY;

Whereas the project has already completed the site engineering, site surveying and site preparation, design and permit approval process with the Village and Town of Liberty;

Whereas the LCDC has raised over \$115,00 in funding and in-kind services from New York State and private sources; and requires \$36,000 to begin the construction phase of the project for August /September 2014;

Whereas the line item in Planning A1989-99-47-4735 by \$36,000 should be reduced and line item A1010-40-4013 in the Legislative Budget should be increased \$36,000.

Whereas the Sullivan County Legislature directs the County Manager to enter into an MOA (Memorandum of Agreement) with the Town of liberty parks and Recreation Department that will maintain the SKATEPARK as part of its ongoing operations, including insurance coverage and liability;

Whereas the Town of Liberty has amenities, such as golf courses, parks (Walnut Mountain, Hanofee) and recreational facilities that provide services for a wide range of activities, the SKATEPARK will be added to the portfolio of recreational resources for the County and region.

Therefore be it resolved:

The Sullivan County Legislature hereby appropriates \$36,000 from Planning Line Item A1989-99-47-4735 to Legislative Line Item A1010-40-4013.toward the final construction costs of the Liberty Skatepark in Liberty, NY.

Moved by Mrs. LaBuda, **seconded by** Mrs. Edwards, put to a vote with Mr. Samuelson, Ms. Vetter, Mr. Steingart and Mr. Sorensen opposed, resolution carried and declared duly adopted on motion July 17, 2014.

Moved by Mrs. Gieger, **seconded by** Mr. Sorensen, put to a vote, unanimously carried and declared duly

The Sullivan County Legislature hereby appropriates \$36,000 from Planning Line Item A1989-99-47-4735 to Legislative Line Item A1010-40-4013.toward the final construction costs of the Liberty Skatepark in Liberty, NY.

Moved by Mrs. LaBuda, **seconded by** Mrs. Edwards, put to a vote with Mr. Samuelson, Ms. Vetter, Mr. Steingart and Mr. Sorensen opposed, resolution carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 286-14 INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO AMEND CHAPTER 103 OF THE SULLIVAN COUNTY CODE ENTITLED "ELECTRICAL LICENSING"

WHEREAS, there has been introduced at a meeting of the Sullivan County Legislature held on July 17, 2014 a proposed amendment to chapter 103 of the Sullivan County Code entitled "Electrical Licensing."

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on August 21, 2014 at 1:30 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 Mr. Sorensen, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

Moved by Mrs. Gieger, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion July 17, 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 July 17, 2014, a proposed amendment to Chapter 103 of the Sullivan County Code entitled "Electrical Licensing".

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid on proposed amendment to Chapter 103 of the Sullivan County Code entitled "Electrical Licensing" at the Legislature's Hearing Room, County Government Center, Monticello, New York, 12701, on August 21, 2014 at 1:30PM at which time all persons interested will be heard.

DATED: July 17, 2014

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

RESOLUTION NO. 287-14 INTRODUCED BY EXECUTIVE COMMITTEE RESCINDING RESOLUTION NO. 379-13 AND AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE CAPITAL FUND FOR COMPUTER UPGRADES

WHEREAS, by Resolution No. 379-13 dated October 17, 2013, the Sullivan County Legislature authorized the Sullivan County Community College to request funds from the State University of New York; and

WHEREAS, the State University of New York has requested language changes; and

WHEREAS, Sullivan County as sponsor of Sullivan County Community College may accept funds other than county funds as its match for state capital funds; and

WHEREAS, the New York State enacted budget for community college capital programs included \$1,317,310 for various computer upgrade projects including the installation of a new wireless computer system; and

WHEREAS, Sullivan County Community College will use chargeback funds, private donations and private grants in the amount of \$1,317,310 for computer upgrade projects including the installation of a new wireless computer system; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY 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 rescinds Resolution No. 379-13 and hereby adopts this resolution and authorizes the Sullivan County Community College to initiate a project and request reimbursement up to 50% of eligible project costs up to \$658,655 from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependant on the State appropriation backing the project.

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 288-14 INTRODUCED BY EXECUTIVE COMMITTEE RESCINDING RESOLUTION NO. 378-13 AND AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE CAPITAL FUND FOR UPGRADES TO TECHNOLOGY EQUIPMENT

WHEREAS, by Resolution No. 378-13 dated October 17, 2013, the Sullivan County Legislature authorized the Sullivan County Community College to request funds from the State University of New York; and

WHEREAS, the State University of New York has requested language changes; and

WHEREAS, Sullivan County as sponsor of Sullivan County Community College may accept funds other than county funds as its match for state capital funds; and

WHEREAS, the New York State enacted budget for community college capital programs included \$200,000 for upgrades to technology equipment; and

WHEREAS, Sullivan County Community College will use chargeback funds, private donations and private grants in the amount of \$200,000 for upgrades to technology equipment; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY 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 rescinds Resolution No. 378-13 and hereby adopts this resolution and authorizes the Sullivan County Community College to initiate a project and request reimbursement up to 50% of eligible project costs up to \$100,000 from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependant on the State appropriation backing the project.

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 289-14 INTRODUCED BY EXECUTIVE COMMITTEE RESCINDING RESOLUTION NO. 376-13 AND AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE CAPITAL FUND FOR FACILITY UPGRADES

WHEREAS, by Resolution No. 376-13 dated October 17, 2013, the Sullivan County Legislature authorized the Sullivan County Community College to request funds from the State University of New York; and

WHEREAS, the State University of New York has requested language changes; and

WHEREAS, Sullivan County as sponsor of Sullivan County Community College may accept funds other than county funds as its match for state capital funds; and

WHEREAS, the New York State enacted budget for community college capital programs included \$500,000 for facility upgrades; and

WHEREAS, Sullivan County Community College will use chargeback funds, private donations and private grants in the amount of \$500,000 for facility upgrades; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY 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 rescinds Resolution No. 376-13 and hereby adopts this resolution and authorizes the Sullivan County Community College to initiate a project and request reimbursement up to 50% of eligible project costs up to \$250,000 from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependant on the State appropriation backing the project.

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

**RESOLUTION NO. 290-14 INTRODUCED BY EXECUTIVE COMMITTEE RESCINDING
RESOLUTION NO. 375-13 AND AUTHORIZING SULLIVAN COUNTY COMMUNITY
COLLEGE TO REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK
COMMUNITY COLLEGE CAPITAL FUND FOR RENOVATION OF INSTRUCTIONAL
FACILITIES**

WHEREAS, by Resolution No. 375-13 dated October 17, 2013, the Sullivan County Legislature authorized the Sullivan County Community College to request funds from the State University of New York; and

WHEREAS, the State University of New York has requested language changes; and

WHEREAS, Sullivan County as sponsor of Sullivan County Community College may accept funds other than county funds as its match for state capital funds; and

WHEREAS, the New York State enacted budget for community college capital programs included \$500,000 for renovations of instructional facilities; and

WHEREAS, Sullivan County Community College will use chargeback funds, private donations and private grants in the amount of \$500,000 for the renovation of instructional facilities; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY 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 rescinds Resolution No. 375-13 and hereby adopts this resolution and authorizes the Sullivan County Community College to initiate a project and request reimbursement up to 50% of eligible project costs up to \$250,000 from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependant on the State appropriation backing the project.

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 291-14 INTRODUCED BY EXECUTIVE COMMITTEE RESCINDING RESOLUTION NO. 374-13 AND AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE CAPITAL FUND FOR CAMPUS SITE WORK: SOLAR FIELD

WHEREAS, by Resolution No. 374-13 dated October 17, 2013, the Sullivan County Legislature authorized the Sullivan County Community College to request funds from the State University of New York; and

WHEREAS, the State University of New York has requested language changes; and

WHEREAS, Sullivan County as sponsor of Sullivan County Community College may accept funds other than county funds as its match for state capital funds; and

WHEREAS, the New York State enacted budget for community college capital programs included \$1,000,000 for campus site work; and

WHEREAS, Sullivan County Community College will benefit from a NYSERDA grant in the amount of \$1,000,000 for campus site work including the installation of a solar field; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY 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 rescinds Resolution No. 374-13 and hereby adopts this resolution and authorizes the Sullivan County Community College to initiate a project and request reimbursement up to 50% of eligible project costs up to \$500,000 from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependant on the State appropriation backing the project.

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 292-14 INTRODUCED BY EXECUTIVE COMMITTEE RESCINDING RESOLUTION NO. 273-13 AND AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE CAPITAL FUND FOR PAVING AND SITE IMPROVEMENT WORK

WHEREAS, by Resolution No. 273-13 dated July 18, 2013, the Sullivan County Legislature authorized the Sullivan County Community College to request funds from the State University of New York; and

WHEREAS, the State University of New York has requested language changes; and

WHEREAS, Sullivan County as sponsor of Sullivan County Community College may accept funds other than county funds as its match for state capital funds; and

WHEREAS, the 2014-2015 New York State Budget Community College Capital Program request will include \$950,000 for paving and site improvement work.

WHEREAS, Sullivan County Community College will receive a federal roadway money grant in the amount of \$950,000 for paving and site improvement work; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY 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 rescinds Resolution No. 273-13 and hereby adopts this resolution and authorizes the Sullivan County Community College to initiate a project and request reimbursement up to 50% of eligible project costs up to \$475,000 from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependant on the State appropriation backing the project.

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014. A Local Law to Amend Section C2.01 of the Sullivan County Charter

RESOLUTION NO. 293-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENACT PROPOSED LOCAL LAW 2 OF 2014 ENTITLED “A LOCAL LAW TO AMEND SECTION C2.01 OF THE SULLIVAN COUNTY CHARTER” TO REAPPORTION THE LEGISLATIVE DISTRICTS IN ACCORDANCE WITH THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK

WHEREAS, a proposed Local Law entitled “A local Law to Amend Section C2.01 of the Sullivan County Charter” was presented to the Sullivan County Legislature at a meeting held on June 19, 2014 at the County Government Center, Monticello, New York in order to consider said proposed local law; and

WHEREAS, a notice of public hearing having been duly published and posted as required by law and said published and posted as required by law, and said public hearing having been held on July 17, 2014 and all persons appearing at said public hearing deeming to be heard.

NOW, THEREFORE BE IT RESOLVED, that the Sullivan county Legislature does hereby enact and adopt Local Law 2 of 2014, entitled “ A Local Law to Amend Section C2.01 of the Sullivan County Charter” to reapportion the Legislative Districts of Sullivan County, New York in accordance with the Municipal Home Rule Law of the State of New York.

Moved by Mrs. LaBuda, **seconded by** Mr. Steingart, put to a roll call vote with Mrs. Gieger, Mrs. Edwards and Mr. Benson opposed, resolution carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 294-14 INTRODUCED BY EXECUTIVE COMMITTEE TO CREATE AND FILL (2) CLIENT SUPPORT TECHNICIAN I POSITIONS IN THE DEPARTMENT OF MANAGEMENT INFORMATION SYSTEMS

WHEREAS, the Sullivan County Treasurer’s Office wishes to develop a new custom application solution to support its property tax collection activities for the County of Sullivan and individual towns in Sullivan County; and

WHEREAS, the Department of Management Systems is capable of developing this desired solution; and

WHEREAS, the Treasurer’s Office has built in and earmarked court approved fees in the foreclosure process for this solution providing 100% funding for these efforts; and

WHEREAS, two (2) Client Support Technician I positions (Grade XIII) will be required in the Department of Management Information Systems to produce, support, distribute and refine this custom solution.

NOW THEREFOR BE IT RESOLVED, that the Sullivan County Legislature hereby creates and authorizes filling two (2) Client Support Technician I (Grade XIII) positions in the Department of Management Information Systems.

Moved by Mr. Rouis, **seconded by** Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 295-14 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A PAYMENT TO NTT DATA AND AUTHORIZE A NEW ONE YEAR AGREEMENT WITH NTT DATA FOR “NET SOLUTIONS” REPLACING KEANE CLINICALS AND FINANCIALS IN THE ADULT CARE CENTER

WHEREAS, the County of Sullivan wishes to enter into a system rental agreement with NTT Data for its Net Solutions clinical and financial solution replacement to their previously utilized Keane products in the Adult Care Center; and

WHEREAS, NTT Data has upgraded and provided their Net Solutions product to the County as of August 29, 2013; and

WHEREAS, the County is satisfied with the Net Solutions product and wishes to continue to utilize the solution for an additional 12 months;

NOW THEREFOR BE IT RESOLVED,

1. The County Manager is hereby authorized to enter into a 12 month system rental agreement dated as of August 1, 2014 through July 31, 2015 with NTT Data for an amount not to exceed \$10,800.
2. The County Manager is further authorized to authorize payment to NTT Data for the period covering August 29, 2013 to July 31, 2014 in an amount not to exceed \$13,850.
3. The agreement shall be in a form approved by the County Attorney.

Moved by Mr. Rouis, seconded by Mr. Benso, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 296-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO CONTRACTS BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND VARIOUS MANAGED LONG TERM CARE PLANS

WHEREAS, Sullivan County Adult Care Center has a need to provide services to qualifying residents in the facility and to be reimbursed for said services, and

WHEREAS, Sullivan County Adult Care Center has a need to enter into contracts with various Managed Long Term Care Plans, and

WHEREAS, Sullivan County Adult Care Center will be reimbursed based on current Medicaid rates or negotiated rates, and rates will be re-negotiated annually, and

WHEREAS, Sullivan County Adult Care Center is required to become a provider of various Managed Long Term Care Plans in order to accept new Medicaid patients.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into contracts with various Managed Long Term Care Plans to provide nursing home and adult day health care services to their clients of the Sullivan County Adult Care Center, and

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

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Ms. Vetter opposed, resolution carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 297-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO CREATE THE POSITION OF EXECUTIVE SECRETARY TO THE COMMISSIONER OF MANAGEMENT AND BUDGET

WHEREAS, the Commissioner of Management and Budget has reviewed the staffing needs of the Division of Management and Budget and has requested the creation of an Executive Secretary to the Commissioner of Management and Budget; and

WHEREAS, the annual salary for this position will be \$35,000.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates the position of Executive Secretary to the Commissioner of Management and Budget and hereby has permission to fill; and

BE IT FURTHER RESOLVED, that the salary for the Executive Secretary to the Commissioner of Management and Budget be set at \$35,000.00.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 298-14 INTRODUCED BY EXECUTIVE COMMITTEE TO RECONVEY A PARCEL LOCATED IN THE TOWN OF CALLICOON KNOWN AS CALLICOON 106.-1-43.2 TO THE FORMER OWNER.

WHEREAS, the County of Sullivan through its tax foreclosure deed, dated February 28, 2014, recorded as Instrument #2014-1237 in the Sullivan County Clerk's Office, took title to the premises located in the Town of Callicoon and identified as Tax Map # 106.-1-43.2, and

WHEREAS, the County used an incorrect address provided by a Summons by typing a wrong number in the address, therefore the County failed to notify the Owner of said parcel at the time of commencement of the foreclosure proceeding, thereby resulting in a Mennonite failure, and

WHEREAS, said Owner will redeem the delinquent taxes in the amount of \$2357.85, and said parcel should therefore be conveyed to the former record owner, Victor Bessich, and

WHEREAS, the conveyance of said parcel will restore to its prior status, any and all liens and/or judgments of record that were extinguished with the recording of the county foreclosure deed dated on February 28, 2014, and recorded on February 28, 2014, in the Sullivan County Clerk's Office as Instrument #2014-1237, and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to re-convey the aforesaid premises to the former owner of record, Victor Bessich.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 299-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE APPLICATION FOR FUNDING FROM THE NEW YORK STATE

DEPARTMENT OF AGRICULTURE & MARKETS FOR A 2014 FARMLAND PROTECTION IMPLEMENTATION GRANT

WHEREAS, the New York State Department of Agriculture and Markets invites applications to apply for the 2014 Round 13 Farmland Protection Implementation Grant; and

WHEREAS, the Sullivan County Division of Planning and Environmental Management promoted the availability of the Farmland Protection Implementation Grant application through email, press release and direct mailings; and

WHEREAS, the Sullivan County Agricultural and Farmland Protection Board is a duly authorized committee of the Sullivan County Legislature and operates in accordance with the State approved Agriculture and Farmland Protection Plan; and

WHEREAS, the Sullivan County Agricultural and Farmland Protection Board received and scored six applications based off the program criteria at a special meeting on July 10, 2014. Of these six applications the farmland of Wilfred and Arlene Hughson, Swiss Hill Road, Jeffersonville, NY and Robert Franklin, Happy Avenue, Swan Lake, NY ranked the highest; and

WHEREAS, the Sullivan County Agricultural and Farmland Protection Board recommended the farmland of Wilfred and Arlene Hughson and Robert Franklin to be submitted for a funding request for the purchase of development rights on their farm, through the 2014 Farmland Protection Implementation Grant, based off their rankings and their competitive merit; and

WHEREAS, the County of Sullivan has previously submitted Farmland Protection Implementation Grants and in previous years has agreed to serve as a co-holder of these agricultural conservation easement projects; and

WHEREAS, the County of Sullivan, if awarded the contract, will co-hold the agricultural conservation easements with a qualified land trust for the farmland of Wilfred and Arlene Hughson and Robert Franklin; and

WHEREAS, the County of Sullivan, if awarded the contract, will co-hold the agricultural conservation easements with a qualified land trust for the farmland of Wilfred and Arlene Hughson and Robert Franklin; and

WHEREAS, the County of Sullivan has the necessary expertise and experience to co-hold an agricultural conservation easement through the County's Agricultural Economic Development Coordinator, Melinda Meddaugh, a shared professional position with Cornell Cooperative Extension Sullivan County, who additionally has a professional background in conservation easement drafting, overall conservation easement transaction and project management and training through the Land Trust Alliance.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, Chairman of the County Legislature, and / or their authorized representative (*as required by the funding source*) to execute any and all necessary documents to submit the 2014 Farmland Protection Implementation grant application for funding; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, and / or Chairman of the County Legislature (*as required by the funding source*) 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 the Sullivan County Legislature does hereby authorize the County Manager, and / or Chairman of the County Legislature (*as required by the funding source*) to apply for and accept this grant funding while also authorizing the Division of Planning and Environmental Management to administer this funding from the New York State Department of Agriculture and Markets and to provide the in-kind services necessary to administer this funding; and

BE IT FURTHER RESOLVED, that should the 2014 Farmland Protection Implementation Grant funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 300-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A MODIFICATION AGREEMENT TO THE CONTRACT WITH LABELLA ASSOCIATES, P.C. AND AUTHORIZE USE OF THE COMMITTED FUND BALANCE

WHEREAS, pursuant to Resolution No. 8-06 adopted by the Sullivan County Legislature on January 26, 2006 the County of Sullivan (“County”) entered into a contract with LaBella Associates, P.C. (“LaBella”) dated March 27, 2007 (“Original Contract”), and

WHEREAS, the Original Contract provided for LaBella to perform professional services, including architectural and engineering services, to the County in regard to the proposed construction of a new County Jail, and

WHEREAS, one of the services provided for in the Original Contract was LaBella designing bid ready documents, said bid ready documents once completed will require the County to pay LaBella \$1,465,000, and

WHEREAS, additional services not included in the Original Contract are now being requested by the County, said additional services consist of redesign services to reduce the overall construction costs, and

WHEREAS, the additional redesign services requested will require additional fees not to exceed \$442,000., and

WHEREAS, the additional redesign services and fees are detailed in a proposal from LaBella dated April 7, 2014, said proposal is attached hereto as Exhibit A, and

WHEREAS, in order to acquire the additional redesign services and authorize payment of the additional fees the County and Labella can enter into a Modification Agreement, and

WHEREAS, the fees associated with the completion of the bid ready documents and the additional fees to be authorize in the Modification Agreement can be paid from the committed fund balance that was appropriated and set aside pursuant to Resolution No: 371-13 adopted by the Sullivan County Legislature on October 17, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a Modification Agreement with LaBella in order to acquire the additional redesign services and authorize payment of the additional fees as outlined above, said Modification Agreement to be in a form approved by the County Attorney’s Office, and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to utilize the committed fund balance that was appropriated pursuant to Resolution No. 371-13 to pay LaBella the fees associated with the completion of the bid ready documents as provided for in the Original Contract as well as the additional fees authorize in the Modification Agreement.

Moved by Mrs. LaBuda, **seconded by** Mr. Steingart, put to a vote with Ms. Vetter, Mrs. Gieger, Mrs. Edwards and Mr. Benson opposed, resolution carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 301-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A MODIFICATION AGREEMENT TO THE CONTRACT WITH LABELLA ASSOCIATES, P.C. AND AUTHORIZE USE OF THE COMMITTED FUND BALANCE

WHEREAS, pursuant to Resolution No. 8-06 adopted by the Sullivan County Legislature on January 26, 2006 the County of Sullivan (“County”) entered into a contract with LaBella Associates, P.C. (“LaBella”) dated March 27, 2007 (“Original Contract”), and

WHEREAS, the Original Contract provided for LaBella to perform professional services, including architectural and engineering services, to the County in regard to the proposed construction of a new County Jail, and

WHEREAS, additional services not included in the Original Contract are now being requested by the County, said additional services consisting of geothermal preliminary design services, and

WHEREAS, the additional geothermal preliminary design services requested will require additional fees not to exceed \$33,000., and

WHEREAS, the additional geothermal preliminary design services and fees are detailed in a proposal from LaBella dated April 7, 2014, said proposal is attached hereto as Exhibit A, and

WHEREAS, in order to acquire the additional geothermal preliminary design services and authorize payment of the additional fees the County and Labella can enter into a Modification Agreement, and

WHEREAS, the additional fees to be authorize in the Modification Agreement can be paid from the committed fund balance that was appropriated and set aside pursuant to Resolution No. 371-13 adopted by the Sullivan County Legislature on October 17, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a Modification Agreement with LaBella in order to acquire the additional geothermal preliminary design services and authorize payment of the additional fees as outlined above, said Modification Agreement to be in a form approved by the County Attorney’s Office, and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to utilize the committed fund balance that was appropriated pursuant to Resolution No. 371-13 to pay LaBella the additional fees authorize in the Modification Agreement.

Moved by Mr. Steingart, seconded by Mr. Sorensen, put to a vote with Ms. Vetter, Mrs. Gieger, Mrs. Edwards and Mr. Benson opposed, resolution carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 302-14 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A MODIFICATION AGREEMENT TO THE CONTRACT WITH LABELLA ASSOCIATES, P.C. AND AUTHORIZE USE OF THE COMMITTED FUND BALANCE

WHEREAS, pursuant to Resolution No. 8-06 adopted by the Sullivan County Legislature on January 26, 2006 the County of Sullivan (“County”) entered into a contract with LaBella Associates, P.C. (“LaBella”) dated March 27, 2007 (“Original Contract”), and

WHEREAS, the Original Contract provided for LaBella to perform professional services, including architectural and engineering services, to the County in regard to the proposed construction of a new County Jail, and

WHEREAS, additional services not included in the Original Contract are now being requested by the County, said additional services consist of photovoltaic preliminary design services, and

WHEREAS, the additional photovoltaic preliminary design services requested will require additional fees not to exceed \$10,000., and

WHEREAS, the additional photovoltaic preliminary design services and fees are detailed in a proposal from LaBella dated April 7, 2014, said proposal is attached hereto as Exhibit A, and

WHEREAS, in order to acquire the additional photovoltaic preliminary design services and authorize payment of the additional fees the County and Labella can enter into a Modification Agreement, and

WHEREAS, the additional fees to be authorize in the Modification Agreement can be paid from the committed fund balance that was appropriated and set aside pursuant to Resolution No. 371-13 adopted by the Sullivan County Legislature on October 17, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a Modification Agreement with LaBella in order to acquire the photovoltaic preliminary design services and authorize payment of the additional fees as outlined above, said Modification Agreement to be in a form approved by the County Attorney’s Office, and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to utilize the committed fund balance that was appropriated pursuant to Resolution No. 371-13 to pay LaBella the additional fees authorize in the Modification Agreement.

Moved by Mr. Sorensen, seconded by Mr. Steingart, put to a vote with Ms. Vetter, Mrs. Gieger, Mrs. Edwards and Mr. Benson opposed, resolution carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 303-14 INTRODUCED BY EXECUTIVE COMMITTEE RESCINDING RESOLUTION NO. 373-13 AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE CAPITAL FUND FOR CAMPUS EQUIPMENT

WHEREAS, by Resolution No. 373-13 dated October 17, 2013, the Sullivan County Legislature authorized the Sullivan County Community College to request funds from the State University of New York; and

WHEREAS, the State University of New York has requested language changes; and

WHEREAS, Sullivan County as sponsor of Sullivan County Community College may accept funds other than county funds as its match for state capital funds; and

WHEREAS, the New York State enacted budget for community college capital programs included \$250,000 for campus equipment; and

WHEREAS, Sullivan County Community College will use chargeback funds, private donations and private grants in the amount of \$250,000 for campus equipment; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY 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 rescinds Resolution No. 373-13 and hereby adopts this resolution and authorizes the Sullivan County Community College to initiate a project and request reimbursement up to 50% of eligible project costs up to \$125,000 from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependant on the State appropriation backing the project.

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

Moved by Mrs. Gieger, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

RESOLUTION NO. 304-14 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE THE CLEANUP FROM THE JULY 2, 2014 AND JULY 3, 2014 STORMS REGARDING SOLID WASTE

WHEREAS, parts of the County suffered severe damage as a result of the impacts of the recent storms on July 2, 2014 and July 3, 2014, and

WHEREAS, the County of Sullivan has requested and the Preliminary Damage Assessment Team has viewed the damage to the public infrastructure for the Federal Emergency Management Agency's (FEMA), Public Assistance (PA) program, and

WHEREAS, the Town of Callicoon, Town of Delaware and the Village of Jeffersonville have placed containers throughout their respective towns and village for storm related debris; and

WHEREAS, it is in the best interest of the County to provide for the cleanup from these associated storms by waiving associated solid waste fees involved with the cleanup of the storms.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby provides for the cleanup of the July storms by waiving the associated solid waste fees for the Town of Callicoon, Town of Delaware and the Village of Jeffersonville, and

BE IT FURTHER RESOLVED, that the Division of Public Works shall track the costs associated with the cleanup from the July storms for reimbursement from the FEMA PA program and other appropriated sources.

Moved by Mr. Benson, **seconded by** Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion July 17, 2014.

Recognition of Legislators

None

There being no further business, Mr. Sorensen moved to adjourn, seconded by Mr. Steingart. The meeting was declared closed at 4:25PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature

July 2014

Modifications to the 2014 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-1165-42-4203	OFFICE OFFICE SUPPLIES				145
A-1165-42-4207	OFFICE FURNITURE			145	
A-1185-42-4203	OFFICE OFFICE SUPPLIES				20
A-1185-42-4205	OFFICE PRINTING			20	
A-1450-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				320
A-1450-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			320	
A-1450-43-4308	COMPUTER MIS CHARGEBACKS			41,963	
A-1450-R3089-R167	ST AID GEN GOV DEPARTMENTAL AID	41,963			
A-1620-19-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			1,000	
A-1620-20-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			500	
A-1620-20-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				500
A-1620-21-44-4406	UTILITY WIRELESS COMMUNICATIONS			300	
A-1620-21-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			339	
A-1620-21-80-8007	EMPL BENFTS DISABILITY				339
A-1620-21-80-8009	EMPL BENFTS EMPL BENFTS OTHER				339
A-1620-23-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			2,500	
A-1620-23-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			500	
A-1620-23-R1710-R247	PUBLIC WORKS CHARGE MISC FEE/REIMBURSMNT	500			
A-1620-23-R1710-R247	PUBLIC WORKS CHARGE MISC FEE/REIMBURSMNT	2,500			
A-1620-26-44-4402	UTILITY FUEL OIL				1,500
A-1620-26-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			1,500	
A-1620-27-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			300	
A-1620-27-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				300
A-1680-43-4304	COMPUTER MAINTENANCE/SERVICE FEES			41,963	
A-1680-R1289-R247	GEN GOV DEPT INCOME MISC FEE/REIMBURSMNT	41,963			
A-3010-44-4406	UTILITY WIRELESS COMMUNICATIONS			49	
A-3010-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				49
A-3010-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			6,704	
A-3110-29-41-4102	AUTO/TRAVEL LODGING			500	
A-3110-29-47-4744	DEPT CANINE UNIT				500
A-3150-45-4508	SPEC DEPT SUPPLY PRISONER RELATED				2,000
A-3150-45-4508	SPEC DEPT SUPPLY PRISONER RELATED				2,000
A-3150-45-4526	SPEC DEPT SUPPLY PAINT			2,000	

July 2014

Modifications to the 2014 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-3150-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			2,000	
A-4010-44-40-4005	CONTRACT DIETICIAN/NUTRITIONIST SERVICES			3,000	
A-4010-44-41-4105	AUTO/TRAVEL REGISTRATION FEES				75
A-4010-44-45-4501	SPEC DEPT SUPPLY SPEC DEPT SUPPLY MISC/OTHER			2,000	2,020
A-4010-44-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			20	
A-4010-44-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			75	
A-4010-44-47-4703	DEPT DUES				
A-4010-44-R3401-R167	ST AID PUBLIC HEALTH DEPARTMENTAL AID	3,000			
A-4046-42-4206	OFFICE PUBLICATIONS			204	
A-4046-47-4742	DEPT MEDICAL - DENTAL				408
A-4046-R3446-R167	ST AID HANDCP CHILD DEPARTMENTAL AID		204		
A-4050-42-4203	OFFICE OFFICE SUPPLIES			2,000	
A-4050-42-4203	OFFICE OFFICE SUPPLIES				212
A-4050-42-4205	OFFICE PRINTING			100	
A-4050-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			5,512	
A-4050-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			212	
A-4050-47-4740	DEPT MEDICAL - OUTPATIENT SERVICES			1,200	
A-4050-47-4752	DEPT MISC PROGRAM EXP				7,612
A-4050-47-4777	DEPT RABIES RELATED EXPENSES				1,200
A-4082-45-4501	SPEC DEPT SUPPLY SPEC DEPT SUPPLY MISC/OTHER				1,000
A-4082-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			1,000	
A-4230-40-4036	CONTRACT ADDICTION SERVICES			248,639	
A-4230-R3489-R207	ST AID OTHR HEALTH GAMBLING ADDICTN CONTRL	248,639			
A-4320-40-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			500	
A-4320-40-47-4716	DEPT CRIMINAL INPATIENT			480	
A-6010-38-41-4102	AUTO/TRAVEL LODGING			48	
A-6010-38-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				48
A-6010-38-47-4740	DEPT MEDICAL - OUTPATIENT SERVICES				48
A-6010-38-47-4740	DEPT MEDICAL - OUTPATIENT SERVICES				480
A-6293-43-4301	COMPUTER SUPPLIES			2,178	
A-6293-43-4311	COMPUTER WEBINAR AND RELATED EXPENSES			500	
A-6293-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			88	
A-6293-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			50	

July 2014
 Modifications to the 2014 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-6293-47-4760	DEPT CLIENT EXPENSES				50
A-6293-47-4760	DEPT CLIENT EXPENSES				500
A-6293-47-4760	DEPT CLIENT EXPENSES				2,178
A-6293-47-4760	DEPT CLIENT EXPENSES				88
A-7110-39-47-4766	DEPT CLEAN UP/BEAUTIFICATION				500
A-7110-39-47-4766	DEPT CLEAN UP/BEAUTIFICATION				120
A-7110-82-45-4503	SPEC DEPT SUPPLY RECREATION				125
A-7110-82-45-4527	SPEC DEPT SUPPLY MISC STONE			120	
A-7110-82-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			125	
A-7110-82-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			500	
A-7310-47-4753	DEPT YTH 100% REIMB DELINQNCY PREVENTN				14,445
A-7310-47-4761	DEPT YTH 50% REIMB DELINQNCY PREVENTN				10,725
A-7310-47-4794	DEPT YTH DEVLMTN PROGRAM FUNDING			46,362	
A-7310-R3820-R337	ST AID YOUTH PROGRAM YOUTH BUREAU	21,192			50
A-7450-203-45-4503	SPEC DEPT SUPPLY RECREATION				200
A-7450-203-45-4503	SPEC DEPT SUPPLY RECREATION				200
A-7450-203-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				50
A-7450-203-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				50
A-7520-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				50
A-7520-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				420
A-7610-87-40-4024	CONTRACT PERSONAL CARE				420
A-7610-87-47-4776	DEPT EISEP RELATED EXPENSES				1
A-8020-90-42-4203	OFFICE OFFICE SUPPLIES			420	
A-8020-90-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			1	
A-9901-90-9001	TRANSFERS TRANSFERS COUNTY ROAD				1,000
A-9999-R2710-R338	PREMIUM ON DEBT OTHER	6,704			
	General Fund Total	366,461	204	418,237	51,980
CL-8160-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			101,200	
CL-00915-00237	ASSIGNED UNAPPROPRIATED FUND BALANCE MISC/OTHER	101,200			
	Solid Waste Fund Total	101,200		101,200	
D-5110-45-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				250

July 2014

Modifications to the 2014 Sullivan County Budget

Account Code	Account Description	Revenue		Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease	Increase	Decrease
D-5110-45-47-4701	DEPT RENTALS						250
D-5110-45-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE						1,000
D-5110-47-40-4038	CONTRACT CONSTRUCTION					29,600	
D-9998-R3501-R120	ST AID CONSOLIDTD HIGHWY CAPITAL	29,600					
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND		1,000				
	Road Fund Total	29,600	1,000	29,850	1,250		

NEPOTISM

Nepotism is defined for these purposes as the making by an employee of any official employment decision concerning a member of the employee's immediate family. Immediate family is defined as spouse, children, stepchildren, parents, siblings, in-laws, nieces or nephews. Nepotism is prohibited.

1. No individual shall be a part of any official employment decision concerning a member of his or her immediate family. An employment decision includes, but is not limited to, the screening of applicants or resumes, telephone interviews, personal interviews, reference checks, hiring, promotion, demotion, discipline, transfer, layoff, conditions of work, compensation and selection for training. This prohibition shall in no way effect the ability of a County Legislator from voting on the budget or collective bargaining agreements.
2. No employee may be the immediate supervisor of an immediate family member. In such case, the immediate family member will be supervised by a parallel or next level supervisor.
3. Any questions about this policy should be referred to the Director of Human Resources for resolution.

**MODIFICATION AGREEMENT
BETWEEN
THE COUNTY OF SULLIVAN
AND
RURAL SULLIVAN HOUSING CORPORATION**

This modification agreement (“Modification Agreement”) dated as of July ___, 2014 by and between the County of Sullivan (“County”), a municipal corporation with offices at the Sullivan County Government Center, 100 North Street, Monticello, New York 12701 and Rural Sullivan Housing Corporation with its offices at 33 Lakewood Avenue, Monticello, New York 12701.

1. The parties hereby agree to modify the agreement, dated as of July 22, 2013, by and between them, entered into pursuant to Resolution No. 171-13 adopted by the Sullivan County Legislature on April 18, 2013 (“Original Agreement”) as follows:
 - a. Paragraph 2 “PAYMENTS” shall be deleted and replaced with the following: “The County shall pay the Sub-Recipient an amount not to exceed \$180,000 for eligible project costs and a maximum of \$2,000 per housing unit, for a maximum of \$16,000 total, for a combination of project delivery and grant administration. Payments shall be made in accordance with the attached Administrative Plan, Attachment 1. Unless specifically agreed otherwise, payment shall be made after (i) submission to the County by the Sub-Recipient on a voucher prepared on a duly certified County Form itemizing the services and the charges therefore, and (ii) approval of the voucher by County of Sullivan. Interest on monies advanced to the Sub-Recipient by the County and invested by the Sub-Recipient prior to payment for an authorized expense shall belong to the County and may be deducted from any payment coming due to the Sub-Recipient or shall be reimbursed to the County by the Sub-Recipient on demand.”
 - b. Attachment 1 “IN-PLACE HOMEOWNER REHAB ACTIVITIES: ADMINISTRATIVE PLAN” paragraph 2 shall be deleted and replaced with the following: “The maximum subsidy amount allocated for each program participant shall be \$20,000. In the event of approved change orders or other actions authorizing unforeseen changes in the project scope, at no time shall the per-project costs for a single project exceed \$25,000, unless otherwise approved by the New York State HOME Program.”

2. All other terms and conditions of the Original Agreement shall remain in effect.

SUB-RECIPIENT

By: Shari Trust, Executive Director, Rural Sullivan Housing Corp.

COUNTY OF SULLIVAN

APPROVED AS TO FORM

By: Joshua Potosek, County Manager

By: Lori Bertsch-Brustman, Asst. Co. Attorney

300 State Street, Suite 201 | Rochester, NY 14614 | p 585.454.6110 | f 585.454.3066 | www.labellapc.com

April 7, 2014

Joshua A. Potosek, County Manager
Sullivan County Office Building
100 North Street
Monticello, New York 12701

Re: Sullivan County Jail

Dear Josh:

As we discussed, below please find the LaBella team's fees to complete the design phases of this project and provide the county with bid-ready plans and specifications.

These fees include a redesign effort of our design development documents that were completed back in July of 2009. This effort is being requested by Sullivan County in order to reduce the overall construction costs of the project. The assumptions that LaBella is making for this approach include but may not be limited to:

- 1) Housing pods A and B are to be relocated from the noted poor soil area and moved to the south end of the jail corridor next to the other housing units.
- 2) Modify the plans to become a one-story building with two-tier housing pods.
- 3) Eliminate the Sheriff satellite office so the project becomes a 100% jail facility.
- 4) Modify the HVAC design to go with 100% commercial grade rooftop units, no mechanical attics.
- 5) The basic building to still be a 256 cell facility with double cells to 304 beds, but look for further floor plan efficiencies to reduce the overall square footage.
- 6) The core area is still designed to accommodate future expansion of up to 500 beds, but look for further floor plan efficiencies to reduce the overall square footage.
- 7) The overall square footage will be reduced from 154,000 to at least 134,000 square feet.

Summary of remaining fees

Redesign effort as discussed above: \$442,000

Complete the remainder of the design for bid-ready documents, as per our existing contract: \$1,465,000

Total fees to complete design work: \$1,907,000

(Does not include bidding phase, construction phase and transitional phases of services)

Optional additional services:

Geothermal design services

\$33,000	preliminary design services
\$25,000	test well services
<u>\$20,000</u>	<u>final design services</u>
\$83,000	total

(As the design progresses and the test wells are dug, if the county decided to not have a geothermal system, then this scope of work can be stopped at any time.)

Relationships. Resources. Results.

i

Photovoltaic design services

\$10,000	preliminary design
<u>\$20,000</u>	<u>final design</u>
\$30,000	total

(Approach assumes that the County and LaBella will work with an ESCO for the final installation of the panels.) (As the design progresses and new cost/benefit analysis are developed, if the county decides to not have a photovoltaic system, then this scope of work can be stopped at any time.)

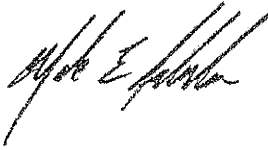
Proposed cash flow over an 8 month design period:

\$150,000	month 1
\$200,000	month 2
\$250,000	month 3
\$250,000	month 4
\$250,000	month 5
\$250,000	month 6
\$300,000	month 7
<u>\$257,000</u>	<u>month 8</u>
\$1,907,000	total

After your review of this proposal, please feel free to call me with any questions or comments. If this appears acceptable to the County, LaBella will draw up an amendment to our current contract for final signatures.

Thank you for helping to facilitate this process, and we look forward to completing this project with Sullivan County.

Sincerely,



Mark E. Kukuvka, AIA

LaBella Associates D.P.C.
300 State Street
Rochester, New York 14614
585-454-6110

cc Robert Healy, AIA, President, LaBella Associates

A Local Law to Amend Section C2.01 of the Sullivan County Charter

Section 1: Section C2.01 of the Sullivan County Charter is hereby amended by repealing Subparagraph “B” in its entirety.

Section 2: Section C2.01 of the Sullivan County Charter is hereby amended by adding a new Subparagraph “B” to read as follows:

“B. The Legislators of Sullivan County shall be elected from the Legislative Districts described as municipalities, census tracts and census blocks as defined by the United States Census Bureau, as follows:

District	Total District Population
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District 1

<i>Town of Bethel</i>	4,255
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<i>Town of Cochection</i>	1,372
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<i>Town of Tusten</i>	1,515
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<i>Part of the Town of Highland</i>	1,327
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Parts of Census Tract 9524.00:

Blocks 1000-1012, 1015-1017, 1019-1022,
1024-1031, 1033-1036, 1044-1049, 1065,
2000-2077, 2085, 2135

Total District Population: 8,469

District 2

<i>Town of Forestburgh</i>	819
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<i>Town of Lumberland</i>	2,468
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<i>Part of the Town of Highland</i>	1,203
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Parts of Census Tract 9524.00:

Blocks 1013-1014, 1018, 1023, 1032,
1037-1043, 1050-1064, 1066-1067,
2078-2084, 2086-2134, 2136

<i>Part of the Town of Mamakating</i>	3,781
---------------------------------------	-------

Parts of Census Tract 9512.00:

Blocks 2037-2039, 2041-2048, 2050-2054,
3001-3008, 3011-3041

Parts of Census Tract 9513.00:
Blocks 1071-1098, 2044-2055, 2057-2092,
2094-2103, 2107, 2109, 3000-3057,
4009-4056, 4065-4066, 4068-4070,
4072-4073

Total District Population: 8,271

District 3

Town of Neversink 3,557

Town of Rockland 3,775

Part of the Town of Liberty 855

Parts of Census Tract 9505.00:
Blocks 2000-2004, 2009-2010, 2023,
4000-4099

Total District Population: 8,187

District 4

Part of the Town of Mamakating 8,304

Parts of Census Tract 9512.00:
Blocks 1000-1024, 2000-2036, 2040,
2049, 2055-2059, 3000, 3009-3010,
4000-4032, 5000-5026, 6000-6022,
7000-7019

Parts of Census Tract 9513.00:
Blocks 1000-1070, 1099, 2000-2043,
2056, 2093, 2104-2106, 2108, 2110,
4000-4008, 4057-4064, 4067, 4071

Total District Population: 8,304

District 5

Town of Callicoon 3,057

Town of Fremont 1,381

Town of Delaware 2,670

Part of the Town of Liberty 1,773

Parts of Census Tract 9506.00:

Blocks 1000-1065, 2000-2042,
2044-2046, 3000-3038,
3041-3044, 3046-3054

Total District Population: 8,881

District 6

Part of the Town of Fallsburg 1,047

Parts of Census Tract 9508.00:
Blocks 1016-1029, 2049, 2060-2068

Parts of Census Tract 9509.00:
Blocks 1000-1037, 2000-2003,
2009-2014

Part of the Town of Liberty 7,257

Parts of Census Tract 9505.00:
Blocks 1000-1045, 2005-2008,
2011-2022, 2024-2095, 3000-3039

Parts of Census Tract 9506.00:
Blocks 2043, 3039-3040, 3045

All of Census Tract 9507.00:
Blocks 1000-1042, 2000-2013,
3000-3018, 4000-4039, 5000-5026

Total District Population: 8,304

District 7

Part of the Town of Fallsburg 8,730

Parts of Census Tract 9508.00:
Blocks 1000-1015, 1030-1055,
2000-2048, 2050-2059, 2069-2075
3000-3053, 4000-4063

Parts of Census Tract 9509.00:
Blocks 2004-2008, 2015-2039,
3009-3010, 3012-3020, 3027-3030

Parts of Census Tract 9510.00:
Blocks 1000-1083, 2001

Parts of Census Tract 9511.00:

Blocks 1000-1070, 2000-2031, 3000-3062

Total District Population: 8,730

District 8

Part of the Town of Fallsburg 1,823

Parts of Census Tract 9509.00:
Blocks 3000-3008, 3011, 3021-3026, 3031

Parts of Census Tract 9510.00:
Blocks 2000, 2002-2045

Part of the Town of Thompson 6,694

Parts of Census Tract 9515.00:
Blocks 1000-1039, 1042-1053, 1061-1062,
1065, 1070-1077, 1079-1083, 2000-2108

Parts of Census Tract 9516.00:
Blocks 2000-2040, 2043, 2060-2061,
2077-2079, 2087-2088, 4000-4024, 4026

Parts of Census Tract 9518.00:
Blocks 1000-1004, 1006-1013, 2000-2022,
4000-4016, 4018-4019

Total District Population: 8,517

District 9

Part of the Town of Thompson 8,614

Parts of Census Tract 9515.00:
Blocks 1040-1041, 1054-1060,
1063-1064, 1066-1069, 1078

Parts of Census Tract 9516.00:
Blocks 1000-1048, 2041-2042,
2044-2059, 2062-2076, 2080-2086,
2089, 3000-3010, 4025

Parts of Census Tract 9517.00:
Blocks 1000-1096, 2000-2054, 3000-3048

Parts of Census Tract 9518.00:

Blocks 1005, 3000-3022, 4017,
4020-4022, 5000-5048, 6000-6021

Total District Population: 8,614

TOTAL COUNTY POPULATION: 76,277

The boundaries of the Legislative districts are depicted more fully on the maps file in the office of the Clerk of the Legislature designated as Proposed Plan Draft Map #2, Final Adoption _____, made a part hereof and incorporated herein by reference.”

Section 3. This Local Law shall take effect immediately upon filing in the Office of the Secretary of State and shall be applicable to the next election of the Sullivan County Legislature commencing on November _____ and thereafter, pending further modification and amendment as necessary.

Grant Concept Approval Form

The Division of Management and Budget must acknowledge ALL grants in concept prior to an application submission. This form must be submitted directly to the Department of Grants Administration within OMB. This form must be submitted upon the Notification of Funding Availability (NOFA)

Date Form is submitted: 07/14/2014

Grant Deadline: 08/04/2014

Type of Grant Submission: Hard Copy e-File Grants.gov Other: _____

CFDA # _____ (if applicable) American Recovery & Reinvestment Act (ARRA) Funding Yes No

DUNS # 084074228

Contact Person/Title and Department Name: Melinda Meddaugh, Agricultural Planner, DPEM

Grant Title and Granting agency/Organization: Round 13 Farmland Protection Implementation Grant, funded through the NYS Environmental Protection Fund and administered through the NYS Dept. of Agriculture and Markets

Amount Requested: \$985,000 Term of the Grant: start 04/01/15 end 03/31/19

How will this grant benefit the Division/Department?

This grant directly aligns with the goals of the County's Farmland Protection Plan. Specifically, the Plan states: "Create and promote agricultural zoning incentives, land trusts, conservation easement programs and similar devices or methods of countering farmland conversion pressures and compensating for low profitability."

Matching Funds:

1. Will a CASH Match be required for the grant? Yes No If yes, specify amount and how the match will be met.

2. Explain other match requirements and County obligations of the grant (staff time, space, technology, equipment, etc.)
County Planning Staff will provide in-kind services, along with the County Attorney (who will review the conservation easement/contract terms). The County will also be a co-holder of the conservation easement (as was the case for a previous conservation easement project). This will mean that the County will remain involved with the project, after the contract is ended. However, the land trust will serve as the Lead Monitor for the conservation easement and will provide the County with a yearly monitoring report to make sure the farmer is following the terms of the conservation easement. As a co-holder of the easement, the County will have the same rights as the land trust to enforce the terms of the conservation easement.

3. Does the grant involve the acquisition of technology? (software, hardware, etc.) Yes No

Personnel:

4. Does this grant create new county government positions? Yes No

If Yes, justify the hiring of a new staff vs. sub-contracting a service or explain if existing staff can be utilized:

County Obligations:

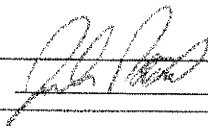
5. Is the county required to initially use county funds in order to be reimbursed by the grant? Yes No
If Yes, please explain the timeframe for advance funding and reimbursement:

6. What is the plan for after the grant expires?

A. The program/project will be discontinued and all grant funded positions terminated? Yes No

B. If no, please describe alternatives: The County will have the responsibility, along with the land trust, to enforce the terms of the conservation easement.

Approval: County Manager



Date:

7/15/14

7. Will there be any ongoing impact on county budgets after the grant expires? Yes No If yes, please describe:
Possibly. The County, along with the land trust, will have the responsibility to enforce the terms of the conservation
easement. This could require additional County Attorney time.

8. What will happen with the equipment and/or assets purchased with grant funds after the grant expires?

Owned by and available to the county County-owned and used by the department

Other: N/A

Grant Assistance: *(Requests are reviewed and will receive assistance, if available, in order of priority set by the County Manager)*

9. What assistance will you need to submit this application?

None – review and approval only

Coordinate application (track progress and internal deadlines, obtain signatures, support letters, etc.)

Facilitate collaboration between departments, towns, villages, agencies, organization, etc

Grant Review and Final Edit

Grant Packaging

Grant narrative, documentation and financial analysis

Approval: County Manager _____ Date: _____