

Sullivan County Legislature

Regular Meeting

January 22, 2015 at 2:00PM

The Regular Meeting of the County Legislature was called to order at 2:06PM.M by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk read the communications for November as follows:

1. Letter dated December 26, 2014 from Leora Cassells thanking the legislature for funding the cultural arts.
2. Letter received December 24, 2014 from Upper Delaware Scenic Byway requesting support for Sunday hours at Transfer stations in Cochection and Highland
3. Records Destruction Notifications filed by the following departments:
 - Central Services dated November 18, 2014
 - (6) Purchasing dated November 18, 2014
 - (2) DFS Data Entry and Records dated December 16, 2014
 - Community Services dated December 17, 2014
 - (3)Board of Elections dated January 12, 2015
 - (6)Public Health Services dated January 16, 2015
 - DMV packet dated November 20, 2014 related to NYS Audit Services
4. 2014 Motor Vehicle Account dated January 9, 2015 filed by Sullivan County Clerk Daniel L. Briggs
5. Clerks Report the Legislature of the County dated January 21, 2015 filed by Sullivan County Clerk Daniel L. Briggs
6. 2015 Designation of Majority Leader and Minority Leader dated January 8, 2015
7. Designation of Official Newspapers for the year 2015 Sullivan County Democrat and River Reporter
8. Proclamation signed by Scott B. Samuelson recognizing NYSAC's 90 Years of Dedicated Service to New York Counties
9. Chairman Samuelson's appointments and reappointments to the Sullivan NYCONNECTS Long Term Care Council dated December 24, 2014
10. Chairman Samuelson's appointments and reappointments to the Workforce Development Board of Sullivan, Inc.
11. Several documents from the State of New York Public Service Commission related to Ruling on the applications from the Town of Pleasant Valley and Otsego County Planning Department and documents that pertain to the Reforming the Energy Vision
12. Letter received January 20, 2015 from the Sullivan county Association of Town Highway Superintendents requesting open dialogue with the County Legislature about the significant anticipated revenues that will come from the new Casino Destination Resort.
13. Copy of Resolution No. 61 of 2015 adopted by the Chemung County Legislature regarding the completion of I86.

Public Comment

1. Althea Pape
2. Lou Setren
3. Sandy Shaddock see attached statement

Resolutions:

RESOLUTION NO. 2-15 INTRODUCED BY PERSONNEL COMMITTEE TO ABOLISH AND CREATE POSITIONS IN THE SHERIFFS DEPARTMENT

WHEREAS, the County of Sullivan currently uses Security Officers for the security of County buildings and facilities; and

WHEREAS, Security Officers are not recognized Peace Officers pursuant to the Criminal Procedure Law of the State of New York and are not required to attend Peace Officer Training; and

WHEREAS, the Sullivan County Sheriff (“Sheriff”) has determined that the public interest and security of County buildings and facilities would be better served if sworn Peace Officers were responsible for the security needs of the County; and

WHEREAS, there is a need to transition this over time to avoid layoff of current employees; and

WHEREAS, the Sheriff has asked for authorization to abolish existing Security Officer positions and to create new Correction Officer positions as current Security Officers positions are vacated.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of Correction Officer positions as Security Offer positions are vacated and abolished.

Moved by Mrs. LaBuda, seconded by Mr. Steingart, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION 3-15 INTRODUCED BY PERSONNEL COMMITTEE TO CREATE ONE (1) TEMPORARY PART-TIME PERSONNEL/PAYROLL TECHNICIAN IN THE SULLIVAN COUNTY DEPARTMENT OF HUMAN RESOURCES

WHEREAS, the Director of Human Resources/Personnel Officer has requested that one (1) temporary part-time Personnel/Payroll Technician position be created in the Department of Human Resources; and

WHEREAS, due to unforeseen medical leaves, the County Department of Human Resources has been left very under staffed; and

WHEREAS, this temporary part-time Personnel/Payroll Technician will be employed for a time period as needed to facilitate the processing of 428’s (change of employment status forms) and updating County employment records in PSTEK, commencing on January 26, 2015, for a period not to exceed 90 days.

NOW, THEREFORE, BE IT RESOLVED, that the Human Resources Director/Personnel Officer is hereby authorized to fill one (1) temporary part-time Personnel/Payroll Technician position and this position shall be effective January 26, 2015, for a period not to exceed 90 days; and

BE IT FURTHER RESOLVED, that the salary for the part-time Personnel/Payroll Technician shall be set at \$23.7942/hour and that the expenditure of funds for this temporary position shall not exceed \$4,700.00.

Moved by Mr. Steingart, seconded by Mrs. Gieger, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION 4-15 INTRODUCED BY PERSONNEL COMMITTEE TO AMEND RESOLUTION NO. 507-08 TO ALLOW APPOINTING AUTHORITIES DISCRETION WHEN REQUESTING CERTIFIED ELIGIBLE LISTS

WHEREAS, Resolution No. 507-08 was passed as a reaction to the fiscal crisis facing Sullivan County after the recession hit; and

WHEREAS, the policies contained in Resolution No. 507-08 have had unintended results and have led to an inability to recruit and retain the best candidates for County positions; and

WHEREAS, specifically paragraph (2) of the policy contained in Resolution No. 507-08 requires an appointing authorities to request a residents only civil service certification list for appointments to any County position; and

WHEREAS, once a residents only civil service certification list is requested, it must be exhausted before an appointing authority can request a straight civil service certification list; and

WHEREAS, there has been a concern that the aforementioned policy limits an appointing authority to attract qualified applicants and has impacted other long term employees ability to be promoted to higher level positions; and

WHEREAS, the appointing authority in consultation with the Personnel Officer is in the best position to determine the staffing needs of the Department and availability of workforce.

NOW, THEREFORE, BE IT RESOLVED, that paragraph (2) of the Policy contained in Resolution No. 507-08 is hereby amended to read as follows:

“(2) all appointing authorities (County Manager, County Attorney, County Auditor, Division Commissioners, and Department Heads), while encouraged to request a residents only civil service certification, may determine, in consultation with the Personnel Officer, to request a straight (including non-residents) civil service certification list for the office of Personnel and Civil Service Administration for the appointment to any employment position within their jurisdiction that is subject to civil service appointment process.”; and

BE IT FURTHER RESOLVED, that paragraph (4) of the Policy contained in Resolution No. 507-08 is hereby amended to read as follows:

“(4) The only exception to 1 and 3 above, would be a certification by the appointing authority and personnel officer to the County Manager that there are no qualified bona fide residents of Sullivan County that may be appointed to the position. However, such appointee shall be required to become a bona fide resident of Sullivan County within six (6) months of appointment, or upon the completion of their probationary period.”; and

BE IT FURTHER RESOLVED, that the remainder of said policy shall remain unchanged.

Moved by Mrs. LaBuda, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

Resolution No. 507-08

Old language: (2) All appointing authorities (County Manager, County Attorney, County Auditor, Division Commissioners, and Department Heads) shall, to the extent permitted by law, first be required to request a residents only civil service certification list from the Office of Personnel and Civil Service Administration for the appointment to any employment position within their jurisdiction that is subject to civil service appointment process.

New language: (2) all appointing authorities (County Manager, County Attorney, County Auditor, Division Commissioners, and Department Heads), while encouraged to request a residents only civil service certification, may determine, in consultation with the Personnel Officer, to request a straight (including non-residents) civil service certification list from the office of Personnel and Civil Service Administration for the appointment to any employment position within their jurisdiction that is subject to civil service appointment process.

Old language: (4) The only exception to 2, 3 and 4 above, would be a certification by the appointing authority and personnel officer to the County Manager that there are no qualified bona fide residents of Sullivan County that may be appointed to the position. However, such appointee shall be required to become a bona fide resident of Sullivan County within six (6) months of appointment, or upon the completion of their probationary period.

New language: (4) The only exception to 1 and 3 above, would be a certification by the appointing authority and personnel officer to the County Manager that there are no qualified bona fide residents of Sullivan County that may be appointed to the position. However, such appointee shall be required to become a bona fide resident of Sullivan County within six (6) months of appointment, or upon the completion of their probationary period.

RESOLUTION 5-15 INTRODUCED BY PERSONNEL COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH TEAMSTERS LOCAL 445, INTERNATIONAL BROTHERHOOD OF TEAMSTERS

WHEREAS, the County of Sullivan (“County”) and the Teamsters Local 445, International Brotherhood of Teamsters (“Teamsters” or “Union”), are parties to a Collective Bargaining Agreement (“Agreement”) for the term January 1, 2013 through December 31, 2017; and

WHEREAS, Section 307 of the Agreement provides a mechanism for the County and Teamsters to meet in a Labor/Management setting for the purpose of discussing and agreeing to the reallocation of positions on the negotiated salary schedule; and

WHEREAS, the pursuant to Section 307 of the Agreement, the County and Teamsters have met on several occasions in a Labor/Management setting and have come to an agreement in the hopes of attracting and retaining qualified applicants to the probation department.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute the Memorandum of Agreement with the Teamsters Local 445, International Brotherhood of Teamsters, attached hereto as Schedule “A”.

Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote, unanimously carried as amended and **declared duly adopted on motion** January 22, 2015.

MEMORANDUM OF AGREEMENT
By and between
The County of Sullivan
And
The Teamsters Local 445,
International Brotherhood of Teamsters

WHEREAS, the County of Sullivan (“County”) and the Teamsters Local 445, International Brotherhood of Teamsters (“Teamsters” or “Union”), are parties to a Collective Bargaining Agreement (“Agreement”) for the term January 1, 2013 through December 31, 2017; and

WHEREAS, section 307 of the Agreement provides a mechanism for the County and Teamsters to meet in a Labor/Management setting for the purpose of discussing and agreeing to the reallocation of positions on the negotiated salary schedule; and

WHEREAS, pursuant to section 307 of the Agreement, the County and Teamsters have met on several occasions in a Labor/Management setting and have come to an agreement in the hopes of attracting and retaining qualified applicants to the probation department.

NOW, THEREFORE, the parties agree that the Agreement be, and is hereby modified as follows:

1. Effective January 1, 2015 the following titles will be reallocated one salary grade (full rate or 8%, whichever is greater in accordance with the Agreement):
 - a. Probation Officer Trainee (from grade VII to grade VIII)
 - b. Probation Officer (from grade VIII to grade IX)
 - c. Senior Probation Officer (from grade IX to grade X)
 - d. Probation Supervisor (from grade XII to grade XIII)
2. Effective January 1, 2015, all employees in the aforementioned titles will move from a 35 hour work week to a 37.5 hour work week. All such employees will be paid for a 40 hour workweek (8 hour day) with a half hour paid lunch. **It is the intent of the parties that the hourly rate for a 35 hour employee would be applied to the 40 hour work week for the aforementioned employees in the above referenced titles.**
3. Effective January 1, 2015, all employees in the aforementioned titles will have their vacation adjusted in accordance to the 40 hour schedule as listed below:
 - a. 1 mo < 3 yrs 6.67 hrs
 - b. 3 yrs < 6 yrs 8.00 hrs
 - c. 6 yrs < 10 yrs 10.00 hrs
 - d. 10 yrs < 14 yrs 11.33 hrs
 - e. 14 yrs or more 13.33 hrs

It is understood and agreed that a day's absence will be counted as 8 hours against any such employee's accruals.

4. Effective January 1, 2015 the Peace Officer Stipend will increase to \$2,000.00.
5. Effective January 1, 2016 the Peace Officer Stipend will increase to \$4,500.00.
6. Effective January 1, 2017 the Peace Officer Stipend will increase to \$5,000.00.
7. All employees hired on or after January 1, 2015 that leave County Department of Probation employment within three years of their respective date of hire on their own accord (i.e. not subject to formal discipline pursuant to section 75 of the Civil Service Law or not retained during a probationary term) shall be required to remit training costs to the County upon separation from service who are provided training, including any NYS Probation officer Training, and Firearms Training (if only firearms training, will be the amount of pay for days employee at training and ammunition costs) total amount not to exceed \$5,000.00.
8. This Agreement is subject to approval by the Sullivan County Legislature.

Agreed to this _____ day of January, 2015, Sullivan County

For Sullivan County:

Joshua Potosek
County Manager

For Teamsters:

Sandra Shaddock
Vice President, Teamsters Local 445

**RESOLUTION NO. 6-15 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE
TO AUTHORIZE AN AMMENDMENT TO THE EXISTING FACILITIES AGREEMENT
WITH TIME WARNER CABLE FOR INCREASED INTERNET BANDWIDTH.**

WHEREAS, the existing Time Warner Cable facilities agreement provides dedicated internet bandwidth at 10Mbps for all 1500+ County of Sullivan users and devices to share, and

WHEREAS, there is a need to increase the County's dedicated bandwidth availability to keep up with the growing demands of the County's users in the day-to-day performance of their job duties, and

WHEREAS, the Chief Information Officer recommends an increase in dedicated internet bandwidth from 10Mbps to 50Mbps, and

WHEREAS, Time Warner has agreed to modify our existing Facilities Agreement to increase our dedicated bandwidth to 50Mbps and include this Service Order Agreement for increased bandwidth at an additional cost of \$75.00 per month (*plus all subservient account taxes and fees (Federal, State, Local and Regulatory)*).

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute the Service Order Agreement with Time Warner Cable for increased internet bandwidth.

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

Moved by Mr. Sorensen, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 7-15 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE AN ADDITIONAL SOFTWARE LICENSE AGREEMENT WITH NEW WORLD SYSTEMS FOR THEIR INTEGRATED CAD MAPPING AND PICTOMETRY INTERFACE SOLUTIONS.

WHEREAS, the current xTrakker mapping application utilized by E911 dispatching has become outdated, and

WHEREAS, the County wishes to migrate away from xTrakker to New World Systems CAD Mapping solution to be integrated into E911's existing dispatch software solution to streamline the call-taking process; offer dispatchers critical mapping capabilities via Pictometry integration and interface not available with their previous system; and vastly improve the ability to locate callers on cellular phones, and

WHEREAS, New World Systems currently provides the E911 Center's dispatching software solution and has been the responsible vendor since 2003, and

WHEREAS, DHSES PSAP FY13 grant funding has been previously awarded and earmarked for this upgrade, migration and integration project.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute the additional software license agreement with New World Systems in an amount not to exceed \$20,000.

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

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 8-15 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE AN AGREEMENT WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES AND MODIFICATION AGREEMENTS WITH SULLIVAN LEGAL AID PANEL, INC. AND SULLIVAN COUNTY CONFLICT LEGAL AID SOCIETY, INC.

WHEREAS, New York State Office of Indigent Legal Services ("NYSOILS") has offered the County of Sullivan ("County") funding in the amount of \$242,997 over a three (3) year period from June 1, 2013 through May 31, 2016, in order to improve the quality of indigent legal services provided by the County pursuant to Article 18-b of the County Law, and

WHEREAS, in order to acquire the funding the County must enter into an Agreement with NYSOILS, and

WHEREAS, the County intends to provide \$55,000 over a 3 year period in additional funding to the Sullivan Legal Aid Panel, Inc. ("Legal Aid Panel") to be utilized to hire an Attorney (part-time) or and to provide \$25,999 over a 3 year period in additional funding to the Sullivan County Conflict Legal Aid Society, Inc. ("Conflict Legal Aid") to be utilized to hire an Attorney (part-time), and

WHEREAS, in order to provide the additional funding to the Legal Aid Panel and Conflict Legal Aid it will be necessary to modify their respective contracts, and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an Agreement and any other documents necessary to acquire the funding from NYSOILS, said documents 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 execute Modification Agreements with the Legal Aid Panel and Conflict Legal Aid and/or any other appropriate entity that contracts with the County of Sullivan for Indigent Legal services under Article 18-b of the County Law as outlined above, said Modification Agreements to be in a form approved by the County Attorney's Office.

Moved by Mrs. LaBuda, seconded by Mr. Steingart, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 9-15 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 County of Sullivan per Resolution 9-14 dated January 16, 2014, entered into an agreement with the New York State Unified Court System for cleaning services as well as minor and emergency repairs to the court facilities; and

WHEREAS, the annual payments are negotiated for each fiscal year; and

WHEREAS, for the fiscal period April 1, 2014 – March 31, 2015 the Unified Court System is prepared to pay the County \$222,077 for its services.

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan will accept \$222,077 for its services to the Unified Court System for the period April 1, 2014 – March 31, 2015 with future payments to be negotiated annually.

Moved by Mrs. LaBuda, seconded by Ms. Vetter, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION 10-15 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE EXECUTION AND SUBMISSION OF A FEDERAL SECTION 5311 FORMULA RURAL GRANT PROGRAM CONSOLIDATED APPLICATION WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYS DOT)

WHEREAS, the Federal Section 5311 Formula Rural Grant Program Consolidated application is being made available through the NYSDOT covering the 2015 and 2016 fiscal years; and

WHEREAS, the County of Sullivan ("*County*") Transportation Department is eligible for funding through such grant; and

WHEREAS, the County desires to pursue funding for the Transportation Department through such grants;

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 Federal Section 5311 Formula Rural Grant Consolidated Application for funding to provide for public transportation service in Sullivan County by the Transportation Department for the 2015 and 2016 fiscal years; 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 should the Federal Section 5311 Formula Rural Grant Program funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 11-15 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH HUDSON TRANSIT LINES, INC. FOR THE PROVISION OF PUBLIC TRANSPORTATION

WHEREAS, pursuant to Resolution No. 585-07 adopted by the Sullivan County Legislature on December 20, 2007 the County entered into an agreement with Hudson Transit Lines, Inc. for the provision of public transportation; and

WHEREAS, it is in the best interest of the County to continue having Hudson Transit Lines, Inc. continue to provide such services.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into an agreement with Hudson Transit Lines, Inc. for the provision of public transportation for the year 2015 at a cost not to exceed \$65,000; and

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 12-15 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF COMMUNITY OPTIONAL PREVENTIVE SERVICES (COPS) PREVENTIVE SERVICES

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

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

WHEREAS, the County of Sullivan, through the Department of Family Services, contracts for the provision of OCFS approved COPS-Preventive services with Sullivan County Unit - The Town of Wallkill Boys & Girls Clubs, Inc., and

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

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with the Sullivan County Unit - The Town of Wallkill Boys & Girls Clubs, Inc., at a cost not to exceed amounts approved by NYS OCFS for the period from October 1, 2014 through September 30, 2015; and

BE IT FURTHER RESOLVED, these contracts are at the County's discretion, subject to annual appropriation, in the event that COPS funding is reduced or eliminated, the County shall remain committed to funding the Boys and Girls Club in the amount of \$41,280.00; and; and

BE IT FURTHER RESOLVED, the maximum of these contracts not exceed the Department of Family Services budgeted amount for COPS-Preventive related services; and

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

Moved by Mr. Sorensen, seconded by Mr. Steingart, put to a vote, unanimously carried as amended and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 13-15 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO RENEW A CONTRACT WITH AN AUTHORIZED NEW YORK STATE EDUCATION DEPARTMENT SERVICE PROVIDER JEAN DRUSE SPEECH LANGUAGE PATHOLOGIST

WHEREAS, Sullivan County provides *mandated* Early Intervention and Developmental Preschool Educational Services to eligible children from Sullivan County and is *mandated* to pay for such services at State-set rates, and

WHEREAS, Sullivan County needs to authorize a renewal contract with Jean Druse, Speech Language Pathologist, an authorized New York State Education Department Pre-school Service Provider for the period beginning January 1, 2015 to June 30, 2015 at state set rates, and

WHEREAS, this contract renewal period will bring her contract into the same time frame as other authorized New York State Education Department Preschool Service Providers that will expire on June 30, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute a contract renewal with Jean Druse, Speech Language Pathologist, an authorized New York State Education Department Preschool Service Provider for the period January 1, 2015 to June 30, 2015 at State-set rates, and

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

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION 14-15 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE SUBMISSION OF A NEW YORK STATE ARCHIVES GRANT APPLICATION FOR SULLIVAN COUNTY FOR LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUNDS,

WHEREAS, the New York State Education Department / New York State Archives has made available 2015-2016 Local Government Records Management Improvement Funding (LGRMIF) which can be utilized to help local governments establish records management programs or develop new program components; and

WHEREAS, an objective of the funding is improve the management of records such as handling new issues involving pistol permit records; and

WHEREAS, the maximum reimbursable grant award is up to \$75,000.00 with no matching requirement; and

WHEREAS, the Sullivan County Clerk's Office, would like to submit a LGRMIF grant application requesting funds to conduct a back file conversion/scanning of the County's pistol permit applications with accompanying content.

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 LGRMIF 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 should the funding be terminated, the County shall not be obligated to continue any action undertaken for the use of this funding.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 15-15 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, ACCEPT THE AWARD, AND ENTER INTO A CONTRACT WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES AND MODIFICATION AGREEMENTS WITH SULLIVAN LEGAL AID PANEL, INC. AND SULLIVAN COUNTY CONFLICT LEGAL AID SOCIETY

WHEREAS, New York State Office of Indigent Legal Services (“NYSOILS”) has offered the County of Sullivan (“County”) funding in the amount of \$485,994 over a three (3) year period in order to improve the quality of indigent legal services provided by the County pursuant to Article 18-b of the County Law; and

WHEREAS, in order to acquire the funding the County must submit the necessary documents to NYSOILS, accept the award, and enter into an agreement with NYSOILS to administer the funding; and

WHEREAS, in order to provide the additional funding to the Legal Aid Panel and Conflict Legal Aid it will be necessary to modify their respective contracts, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute any and all necessary documents to submit to NYSOILS to apply for 2015-2017 funding; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to accept the award, and enter into a contract to administer the funding secured, in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to executive Modification Agreements with Legal Aid Panel and Conflict Legal Aid and/or any other appropriate entity that contracts with the County of Sullivan for Indigent Legal services under Article 18-b of the County Law as outlined above, said Modification Agreements to be in a form approved by the County Attorney’s Office.

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

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 16-15 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE CONTINUED PAYMENT TO SIGMACARE.

WHEREAS, pursuant to Resolution No. 353-09 adopted by the Sullivan County Legislature on August 20, 2009, the Adult Care Center entered into an agreement with SigmaCare and Resolution No. 170-13 adopted by the Sullivan County Legislature on April 18, 2013, extended the agreement with SigmaCare; and

WHEREAS, the Sullivan County Adult Care Center wishes to continue utilizing the SigmaCare software and recommends extending the license agreement for an additional term; and

WHEREAS, SigmaCare has agreed to continue its 2009 pricing of \$.05/bed/day at a total monthly cost of \$243.33; and

WHEREAS, the extension term shall run through December 31, 2015 with subsequent extensions beyond this date subject to approval by the Sullivan County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Department of Audit and Control is hereby authorized to continue payments to SigmaCare as detailed above.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 17-15 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #25.-1-35

WHEREAS, an application dated December 11, 2014 having been filed by Ben Zucker with respect to property assessed to said applicant on the 2013 tax roll of the Town of Thompson Tax Map #25.-1-35 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from an incorrect entry of assessed valuation of an improvement which was removed prior to the taxable status date; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed his report dated December 23, 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 error in essential fact

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

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

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

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION 18-15 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #25.-1-35

WHEREAS, an application dated December 11, 2014 having been filed by Ben Zucker with respect to property assessed to said applicant on the 2012 tax roll of the Town of Thompson Tax Map #25.-1-35 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from an incorrect entry of assessed valuation of an improvement which was removed prior to the taxable status date; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed his report dated December 23, 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 error in essential fact

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

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

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

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 19-15 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE TERMS OF A LEASE AGREEMENT WITH A THIRD PARTY LAND OWNER FOR ADDITIONAL PROPERTY CONDUCIVE TO CONSTRUCT A COMMUNICATION TOWER WHICH WILL ENHANCE EMERGENCY SERVICE COMMUNICATION WITHIN THE COUNTY

WHEREAS, Resolution No. 157-12 authorizes the negotiation of the renewal of agreements and additional leased parcels with third party land owners for the use of parcels of property for communication towers; and

WHEREAS, it is in the best interest of the County to enter into a lease agreement to ensure additional communication capabilities; and

WHEREAS, the lease is for a portion of a parcel of land, situate in the Town of Lumberland, identified on the Real Property Tax Map Section 23, Block 1 and Lot 2; and

WHEREAS, in order to provide communication service for the County, the Lumberland tower lease must be commenced.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the County Legislature be authorized to execute a new lease with the property owner, commencing April 1, 2015 for a period of five years with an option to extend another five additional five year terms;

BE IT FURTHER RESOLVED that the first lease payment shall be \$3,000 per annum, and each succeeding year shall increase the prior year's rent by two percent, in such a form as the County Attorney shall provide.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 20-15 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A CONTINUED MAINTENANCE AND SUPPORT AGREEMENT WITH NTS DATA SERVICES, LLC TO SUPPORT SULLIVAN COUNTY BOARD OF ELECTIONS.

WHEREAS, the advent of the Statewide Voter Registration database, NYS Voter II, required the

creation of a Voter Registration, Signature Digitization and Interface Messaging System interface between the County licensed TEAM application and NYS Voter II, and

WHEREAS, Resolution 214-03 authorized entering into a contract agreement with NTS Data Services, LLC (NTS) working in contracted tandem with New York State Board of Elections to develop the interface, license it and support it through December 31, 2007, and

WHEREAS, Resolutions 73-08 and 168-13 authorized continued maintenance and support agreements with NTS through December 31, 2012 and December 31, 2014 respectively, and

WHEREAS, the Sullivan County Board of Elections requires ongoing support and maintenance for the interface to NYS Voter II, and

WHEREAS, the Sullivan County Board of Elections wishes to continue utilizing the systems and services of NTS Data Systems, LLC.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to enter into a maintenance and service agreement for Voter Registration, Signature Digitization and the Interface Message System support with NTS Data Services, LLC at a cost not to exceed \$106,120.00 through December 31, 2018 and payable annually as follows:

2015	\$26,350.00
2016	\$26,350.00
2017	\$26,350.00
2018	\$26,350.00

BE IT FURTHER RESOLVED, that said agreement to be in such form as the County Attorney's Office shall approve.

Moved by Mrs. Edwards, seconded by Mr. Steingart, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 21-15 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A CONTINUED CONTRACT WITH INFO QUICK SOLUTIONS, INC.

WHEREAS, Resolution No. 35-10 authorized entering into a 5-year contract with Info Quick Solutions, Inc. (IQS), 7460 Morgan Road, Liverpool, NY 13090 for an Integrated Records Management Solution for the County Clerk's Office, and

WHEREAS, Resolution No. 166-12 authorized a modification agreement to the original IQS contract for the County Clerk's pistol permit processing, and

WHEREAS, IQS has provided these services as expected and agreed, and

WHEREAS, the County Clerk's Office wishes to continue utilizing the services of IQS to provide their Integrated Record Management and Pistol Permit Management System, servicing the needs of the County's constituents.

WHEREAS, IQS has agreed to continue to provide the County Clerk's Office with their Integrated County Clerk Record Management System to include Pistol Management System; ongoing software and hardware updates; E-Recording and E-Filing; unlimited hardware and software training and support; and agrees to continue all original terms and conditions as outlined in the Integrated Record

Management System agreement dated 2/10/2010 and Modification Agreement dated 5/30/2014 (R-09-41).

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a contract with Info Quick Solutions, Inc., at a contract price not to exceed \$6,041.00/Month for the five (5) year term, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Edwards, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 22-15 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE EXECUTION OF THE 2015 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY VISITOR'S ASSOCIATION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2015, in accordance with RFP, R-12-22, to assure continued delivery of service and payments, and

WHEREAS, the County Legislature desires to assure a smooth and uninterrupted flow of tourism promotion , services, inclusive of a "Local Match" tourism marketing program for 2015, and

WHEREAS, the County Legislature has appropriated \$50,000.00 to the Sullivan County Visitor's Association, said funding shall be utilized for the "Local Match" tourism marketing program, and

WHEREAS, the contract shall include the standards and goals as recommended by the NYS Comptroller's 2014 Audit Report.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2015 annual contract at the following maximum funding level for the period January 1, 2015 through December 31, 2015:

VISITORS ASSOCIATION – in accordance with New York State Tax Law 1202-j, at a maximum appropriation of eighty five (85%) percent of the revenues derived by the County by the imposition of its five (5%) percent hotel and motel room tax, for the promotion of tourism in the County, and

BE IT FURTHER RESOLVED, that there shall be an additional amount of \$50,000.00 incorporated into the 2015 annual contract which shall provide that the Sullivan County Visitor's Association shall provide the County with a "Local Match" tourism promotion marketing program, and

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

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this Resolution and Resolution 477-06, shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Rouis, seconded by Mrs. Edwards, put to a vote with Mr. Benson opposed, resolution carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 23-15 INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY RESOLUTION NO. 347-14 AND 493-14 BY APPOINTING A NEW NYSEG REPRESENTATIVE TO THE VOTING MEMBERSHIP OF THE SULLIVAN COUNTY ELECTRICAL LICENSING BOARD

WHEREAS, on September 18, 2014, the Legislature adopted Resolution 347-14 appointing members to the Sullivan County Electrical Licensing Board, and

WHEREAS, the Sullivan County Electrical Licensing Board met on October 30, 2014 and have established the terms for certain members which are listed below.

WHEREAS, on December 18, 2014 the Sullivan County Legislature adopted Resolution No. 493-14 setting terms for the voting membership, and

WHEREAS, an email was received from Mr. William Rogers (NYSEG Representative) on January 8, 2015 indicating he could no longer serve as he travels from Oneonta, New York.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to §103-3 of the Sullivan County Code, the following person is appointed to the Sullivan County Board of Electrical Licensing replacing William Rogers and Resolution No. 347-14 will be modified to include her Term Expiration which are now set next to her name:

<u>Voting Member Appointees</u>	<u>Term Expires</u>
NYSEG Representative Cindy Waasdorp (Replacing William Rogers)	December 31, 2017

Moved by Mrs. Edwards, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 24-15 INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT THE LIST OF THOSE PUBLIC OFFICIALS AND EMPLOYEES OF THE COUNTY OF SULLIVAN WHO ARE REQUIRED TO FILE A FINANCIAL DISCLOSURE STATEMENT

WHEREAS, pursuant to Section 201 (3) of the Sullivan County Ethics Law adopted May 23, 2013, the County Legislature must annually determine by resolution who is required to file a Financial Disclosure Statement, and

WHEREAS, the County Legislature has determined that persons with the following titles are required to file a Financial Disclosure Statement:

- Accounts Payable Coordinator, Audit
- Administrator, Adult Care Center
- Administrator, Department of Motor Vehicles
- Airport Superintendent
- Assistant Commissioner to Planning and Environmental Management
- Assistant County Attorney (2)
- Assistant County Attorney Part time
- Assistant Director of Aging Services

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

County Treasurer
Deputy Clerk to the Legislature
Deputy Commissioner of Elections (2)
Deputy Commissioner of Family Services
Deputy Commissioner of Public Works, Engineering
Deputy Commissioner of Management and Budget
Deputy County Manager/Commissioner Management and Budget
Deputy Director of Community Services
Deputy Director of Real Property Tax Services III
Deputy Public Health Director
Deputy County Clerk
Deputy County Treasurer
Deputy County Treasurer II
Director of Administration and Case Management
Director, Center for Workforce Development
Director of Development and Application Support, MIS
Director of Operations and Network Administration, MIS
Director, Community Services
Director, Department of Real Property Tax
Director of Family Services
Director, Human Resources
Director, Municipal Weights and Measures
Director, Nursing Services
Director, Office for the Aging
Director, Parks, Recreation and Beautification Programs
Director of Patient Services
Director, Probation II
Director, Public Health Services
Director, Purchasing and Central Services
Director, Rehabilitation Services, ACC Physical Therapy
Director, Risk Management & Insurance
Director of Services, Family Services
Director, Temporary Assistance – Department of Family Services
Director, Veterans Service Agency
Director, Youth Bureau

District Attorney
District Attorney Investigators
Division Contract Compliance Officer, Health and Family Services
E-911 Coordinator
Economic Development Programs Supervisor
Executive Assistant, County Manager
Executive Director, Human Rights
Facilities Bridge Superintendent
Fiscal Administrative Officer, Adult Care Center Fiscal Services
Fiscal Administrative Officer, County Clerk Office
Fiscal Administrative Officer, Family Services
Fiscal Administrative Officer, Health Finance (2)
Fiscal Administrative Officer, Management and Budget
Fiscal Administrative Officer, Treasurer's Office
Garage Superintendent
Grants Administration Supervisor
Industrial Development Agency Members
Jail Administrator, Sheriff's Office
One Stop Manager, CWD
Managing Attorney, DFS
Payroll Coordinator /Software Support Technician
Personnel Officer
President, Sullivan County Community College
Road Maintenance Superintendent
Secretary, Industrial Development Agency
Senior District Attorney Investigator
Sheriff
Special Counsel Workers Compensation part time
Sr. Accountant, Treasurer Accounting
Sr. Assistant County Attorney (part-time)
Sr. Family Services Attorney
Sr. Fiscal Administrative Officer, Sheriff Civil
Sr. Fiscal Administrative Officer, Treasurer Accounting part time
Staff Accountant, Treasurer Accounting
Sullivan County Funding Corporation Member

Treasurer, Industrial Development Agency
 Trustee, Sullivan County Community College
 Undersheriff
 Vice Chair, Industrial Development Agency
 Vice President for Administrative Services, SCCC

WHEREAS, Section 201 of the Ethics Law requires that all statements shall be filed on or before the fifteenth day of May of each year, and

WHEREAS, it is duly noted that some of the above positions are presently vacant.

NOW, THEREFORE, BE IT RESOLVED, that the above list represents the 2015 list of titles set by the Sullivan County Legislature of those persons required to file a Financial Disclosure Statement with the Clerk of the Sullivan County Legislature on or before May 15, 2015.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 25-15 INTRODUCED BY EXECUTIVE COMMITTEE TO RE-APPOINT FOUR MEMBERS TO THE SULLIVAN COUNTY PUBLIC HEALTH SERVICES PROFESSIONAL ADVISORY COMMITTEE

WHEREAS, pursuant to 10 NYCRR (New York Codes, Rules and 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, the term of the four Professional Advisory Committee members expired on December 31, 2014 and all four members have agreed to serve another term.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be appointed to Sullivan County Public Health Services Professional Advisory Committee, pursuant to Section 763.11 (13) of NYCRR, with the term of **1/1/15 to 12/31/18**.

NAME	TERM
Deborah Allen	1/1/15 – 12/31/18
100 North Street Monticello, NY 12701	
Bonnie Lewis	1/1/15 – 12/31/18
64 Ferndale-Loomis Rd Liberty, NY 12754	
Paul Salzberg, MD	1/1/15 – 12/31/18
9741 Route 97 Callicoon, NY 12723	

Travis Tyler MS, PT

1/1/15 – 12/31/18

168 Pucky Huddle Rd.

Bethel, NY 12720

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 26-15 INTRODUCED BY EXECUTIVE COMMITTEE, REQUESTING AN EXTENSION OF NEW YORK STATE TAX LAW §1210 (33) WHICH AUTHORIZED AN INCREASE TO THE THREE PERCENT RATE AUTHORIZED BY STATE TAX LAW FOR THE PERIOD BEGINNING DECEMBER 1, 2015 AND ENDING NOVEMBER 30, 2017, FOR A TOTAL SALES TAX RATE OF 8%, 4% OF WHICH WOULD BE REVENUE FOR SULLIVAN COUNTY

WHEREAS, pursuant to New York State Tax Law §1210 (33) the New York State Legislature authorized Home Rule Legislation that approved an increase in sales tax in the County of Sullivan by a one half percent (½ %) from seven percent (7%) to seven and one half percent (7 ½%) and an additional one half percent (½ %) from seven and one half percent (7 ½ %) to eight percent (8%), four percent (4%) of which would be revenue for Sullivan County, and

WHEREAS, both of the one-half of one percent increases in the sales tax are set to sunset or expire on November 30, 2015, and

WHEREAS, the Sullivan County Legislature desires to extend the current sales tax rate until November 30, 2017, and

WHEREAS, the County of Sullivan is dealing with significant losses of revenue due to the continuing economic downturn, and the requested increase is both necessary and in the best interest of the County and its citizens.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby requests that the New York State Legislature adopt Home Rule Legislation extending the expiration of New York State Tax Law §1210 (33) which raised the sales tax in the County of Sullivan by a one half percent (½%) from seven percent (7%) to seven and one half percent (7 ½%) and an additional one half percent (1/2%) from seven and one half percent (7 ½ %) to eight percent (8%), four percent (4%) of which would be revenue for Sullivan County, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby requests that the Sullivan County Sales Tax rate contained in New York State Tax Law §1210 (33) that is scheduled to sunset on November 30, 2015, be extended to sunset or expire on November 30, 2017, and

BE IT FURTHER RESOLVED, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a certified copy of this resolution to the Honorable Andrew M. Cuomo, Governor of the Great State of New York; Honorable John J. Bonacic, State Senator representing the 42nd Senatorial District, the Honorable Aileen M. Gunther, Assemblywoman representing the 100th Assembly District, 101st Assembly District Claudia Tenney, the New York State Legislature's Ways and Means Committees; the Honorable Dean Skelos, Majority Leader of the Senate; the Honorable Sheldon Silver, Speaker of the General Assembly; and the New York State Association of Counties (NYSAC).

Moved by Ms. Vetter, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 27-15 INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT FOUR MEMBERS TO THE RSVP ADVISORY COMMITTEE (RSVP)

WHEREAS, it is the desire to appoint Donna Schick, Ronald "Ron" Borella, Marcia M. Salton and Marc Mendelsohn to the Retired Senior Volunteer Program Advisory Committee (RSVP), and

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

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

RSVP APPOINTMENTS:

TERM:

Ronald "Ron" Borella 1/31/2018

164 Burr Road

Cochecton NY 12726

Marc Mendelsohn 1/31/2018

91 Perry Road

Cochecton NY 12726

Marcia M. Salton 1/31/2018

P O Box 478

White Lake NY 12786

Donna Schick 1/31/2018

429 Big Hollow Road

P O Box 478

Grahamsville NY 12740

Moved by Mr. Rouis, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 28-15 INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT ONE MEMBER TO THE OFFICE FOR THE AGING ADVISORY COMMITTEE

WHEREAS, it is the desire to appoint Henry A. Rumsey to the Office for the Aging Advisory Committee to fill the vacancy of Betty Crandall, and

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

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

OFA APPOINTMENT:

TERM:

Henry A. Rumsey 1/31/2018

P O Box 155

Smallwood NY 12778

Moved by Mr. Rouis, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 29-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE REAPPOINTMENT OF HEATHER JACKSY TO THE UPPER DELAWARE SCENIC BYWAY ("UDSB") BOARD TO REPRESENT SULLIVAN COUNTY AS A VOTING MEMBER AND TO APPOINT FRED A EISENBERG AS AN ALTERNATE MEMBER

WHEREAS, the UDSB Committee recommended that Sullivan County become a voting member along with the cities, towns and villages along the Byway; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby appoints Heather Jacksy as the Sullivan County representative to the UDSB, and appoints Freda Eisenberg as an alternate member of the UDSB effective 1/1/15.

Moved by Mr. Rouis, seconded by Mr. Steingart, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 30-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY ATTORNEY TO ENTER INTO RETAINER AGREEMENTS WITH THE LAW OFFICES OF DREW DAVIDOFF & EDWARDS AND CLIFF GORDON, ESQ.

WHEREAS, a new federal lawsuit has been brought against Chief Smith, Captain Ginty, Lt. DeVito, Lt. Bini and a number of Sergeants and Correction Officers, claiming the Plaintiff was systematically beaten up during his four days in the County Jail, and

WHEREAS, based upon the County Attorney's review of the allegations and the internal records, it is the County Attorney's opinion that none of the Jail personnel did anything wrong and that, consistent with County policy, the suit should be vigorously defended, and

WHEREAS, consistent with State law, County law and the County Attorney's policy, the County Attorney is recommending that Jail Personnel below the rank of Captain consider engaging independent counsel to represent them at County expense, and

WHEREAS, a number of Jail Personnel have indicated they would like Mr. Cliff Gordon, Esq., to represent them, and

WHEREAS, to date, two Lieutenants and a Correction Officer have requested that Mr. Michael Davidoff, Esq., represent them, and

WHEREAS, the County Attorney states that both Mr. Davidoff and Mr. Gordon are highly capable attorneys, thoroughly familiar with federal proceedings and with cases involving Jail Personnel, and

WHEREAS, the County Attorney will personally represent Chief Smith, Captain Ginty and two former Correction Officers, in this matter, and

WHEREAS, it has been recommended that \$175.00 per billable hour would be a fair and reasonable fee, for each attorney, plus out of pocket disbursements.

NOW THEREFORE, be it resolved as follows:

1. The County Legislature hereby approves Mr. Michael Davidoff, Esq., to represent such of the Jail Personnel who may wish to engage him in the above matter, at County expense.
2. The County Legislature hereby approves Mr. Cliff Gordon, Esq., to represent such of the Jail Personnel who may wish to engage him in the above matter, at County expense.
3. The County Legislature hereby approves both Mr. Davidoff and Mr. Gordon to serve as independent counsel in the future if a lawsuit is brought against the County, and/or the Sheriff, and/or the Chief and where other defendants seek, as is their right pursuant to both State and County law, to have independent counsel represent them.
4. It is agreed that \$175.00 per billable hour is a fair and reasonable fee for such services, for each attorney, plus costs as will be set forth in individual retainer agreements.
5. The County Attorney shall review and approve as to form all retainer agreements entered into with respect to this resolution.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 31-15 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A MASS CORRECTION OF ERRORS TO CORRECT THE 2015 TAX ROLL OF THE TOWN OF FREMONT PURSUANT TO RPTL 556-B.

WHEREAS, an application dated January 5, 2015 having been filed by Hon. George Conklin III, Supervisor, Town of Fremont with respect to properties assessed to his constituents on the 2015 tax roll of the Town of Fremont Tax Map #'s on the list attached to the application which is on file in the offices of the Clerk to the Sullivan Legislature and the Director of Real Property Tax Service, pursuant to Section 556-b of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from charges for the Long Eddy Water District being placed on the tax roll as a levy against real property when they should have been billed directly to property owners; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed his report dated January 12, 2015 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 the Long Eddy Water Department bills for water district users directly and could only relevy unpaid water district charges.

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 and 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 refund 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 refunded 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 refund made pursuant to this resolution includes a relieved school tax, the Treasurer shall comply with the provisions of Section 556 (6) (b) of the Real Property Tax Law.

Moved by Mrs. Edwards, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 32-15 INTRODUCED BY EXECUTIVE COMMITTEE TO CORRECT THE 2015 TAX ROLL OF THE TOWN OF COCHECTON FOR TAX MAP #13.-1-19.1

WHEREAS, an application dated January 9, 2015 having been filed by The Town of Cochecton with respect to property assessed to said applicant on the 2015 tax roll of the Town of Cochecton Tax Map #13.-1-19.1 pursuant to Section 554 of the Real Property Tax Law, to correct an unlawful entry on the taxable portion of the tax roll of the assessed valuation of real property which is wholly exempt,

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed his report dated January 12, 2015 recommending this Board approve said application; and

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

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

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

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

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any

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

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 33-15 INTRODUCED BY EXECUTIVE COMMITTEE TO SET THE SALARY OF MANAGEMENT CONFIDENTIAL POSITION OF WIC COORDINATOR

WHEREAS, the County of Sullivan (“County”) and the Teamsters Local 445, International Brotherhood of Teamsters (“Teamsters” or “Union”) have agreed that the duties of the WIC Program Coordinator are such that the position should be management and confidential; and

WHEREAS, The County and the Teamsters have agreed that the title of WIC Program Coordinator shall be removed from the Teamsters Salary Schedule and that the incumbent shall no longer be represented by the Teamsters; and

WHEREAS, salary rates for management confidential employees must be set or amended by Resolution of the Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby sets the salary of the WIC Program Coordinator at \$55,277.00 per year retroactively effective January 1, 2015.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 22, 2015.

RESOLUTION NO. 34-14 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY TREASURER TO ELIMINATE REFERENCES TO PRIOR TAXES REGARDING THE APOLLO PLAZA PARCELS

WHEREAS, pursuant to Real Property Tax Law Article 11 (“Article 11”) the County of Sullivan (“County”) acquired title to three parcels of real property designated on the Town of Thompson tax map as Section 130. Block-1 Lots-9.1, 9.2 & 14 (“Apollo Plaza Parcels”), and

WHEREAS, prior to the 2007 tax year the Apollo Plaza Parcels consisted of two parcels (Section 130. Block-1 Lots-9 & 14) and sometime in 2006 parcel 130.-1-9 was split into two parcels (130.-1-9.1 & 9.2), and

WHEREAS, an Article 11 proceeding was commenced in 2005 to foreclose the 2003 tax liens on the Apollo Plaza Parcels and the County was granted Summary Judgment in 2006, and

WHEREAS, ABC Pacific Realty, LLC (“ABC Pacific”), the prior owner of the Apollo Plaza Parcels, engaged in significant litigation including state court appeals and federal bankruptcy court action in an attempt to prevent the County from filing a Deed and acquiring formal title to the Apollo Plaza Parcels, and

WHEREAS, at the conclusion of the litigation and in furtherance of the Article 11 proceeding the County finally acquired fee title to the Apollo Plaza Parcels by the filing of a Deed in the Sullivan County Clerk’s Office on October 15, 2009, and

WHEREAS, pursuant to Resolution No. 408-13 adopted by the Sullivan County Legislature on November 21, 2013 the County authorized a transfer of the Apollo Plaza Parcels to the Sullivan County Funding Corporation (“SCFC”), and

WHEREAS, from tax year 2003 through tax year 2014 the Sullivan County Treasurer has maintained records of all real property taxes due and owing on the Apollo Plaza Parcels whether said taxes were unpaid by ABC Pacific or paid by the County of Sullivan, and

WHEREAS, all real property taxes potentially owed by ABC Pacific were eliminated by the Article 11 proceeding once the County acquired title and all taxes paid by the County, because the County

acquired title, have been properly paid to the respective municipalities, and

WHEREAS, in furtherance of proper accounting principles and best practices all references to real property taxes in regard to tax years 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 & 2014 as they apply to parcels of real property designated on the Town of Thompson tax map as 130.-1-9, Thompson 130.-1-9.1, Thompson 130.-1-9.2 & Thompson 130.-1-14 shall be eliminated.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Treasurer shall take the action(s) necessary to eliminate all references to real property taxes regarding the Apollo Plaza Parcels for tax years 2003 through 2014.

Moved by Mrs. LaBuda, seconded by Mr. Steingart, put to a vote, unanimously carried and **declared duly adopted on motion** January 22, 2015.

RESOLUTION NO. 35-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO REAPPOINT KITTY VETTER TO THE SULLIVAN COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

WHEREAS, it is the desire of the Legislature to reappoint Kitty Vetter to the Sullivan County Soil and Water Conservation District Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby reappoints Kitty Vetter to the Sullivan County Soil and Water Conservation Board of Directors with the terms to expire on December 31, 2015.

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote with Ms. Vetter abstaining, unanimously carried and **declared duly adopted on motion** January 22, 2015.

Recognition of Legislators

1. **Kitty Vetter**
2. **Scott Samuelson**
3. **Ira Steingart**

There being no further business, Mrs. Gieger moved to adjourn, seconded by Mr. Rouis. The meeting was declared closed at 3:00PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature

Nancy Skadovick
Comments
1/22/15

At the December Health and Family Services meeting, I listened in shock as this board was presented with the monthly data statistics that have been continually spewed for the last couple of years. I was instantly thinking of an old saying, by WC Fields..." if you can't dazzle them with brilliance, then baffle them with [you know what]".

Since there has been much controversy surrounding complaints, allegations, and several investigations, into the conduct and actions of the commissioner at DFS, it is a pretty safe assumption that many residents and staff are certainly not buying into the hype that what is going on at DFS can be categorized as brilliant... Since many of you on the board have different views of the report issued by Mr. Graham in the latest investigation, I think many of you are of the same opinion.

In that December meeting, I informed this board that the picture painted was a gross misrepresentation of the truth. Numbers – in and of themselves, do not present a tangible representation of anything even resembling the truth - the failure of day to day operations, the lack of management, lack of training, lack of accountability, and the harsh treatment of staff and clients, and the list goes on and on. Clients & these workers are residents, taxpayers, and citizens of this county.

I informed you of an issue in Food Stamps. Where I was contacted in the early morning by a worker, who was very upset over a case. A case where a senior, in her 80's was "qualified for expedited food stamps – when she submitted her case in September." The call I received was the day after the employee got the application. It was after Thanksgiving. The worker went on to tell me there were stacks of backlogs, and that food stamps cases were "falling off the system" – which means – no one has touched them for 90 days. This was made clear to you in the December Health and Family Services meeting.

So let's have a brief conversation on the very strict, and enforced laws on Food Stamps. There have been several lawsuits filed against various states, which I have copies of a few of them for you. (Hand outs)

"Sometimes the food stamp office will not decide if applicants qualify for food stamps within 30 calendar days after they apply. If the food stamp office does not approve or turn down an application after the normal 30 days, it must decide who is at fault. [7 C.F.R. § 273.2(h)(1); MPP § 63-301.41.] If the food stamp office has all of the information it needs to approve or deny an application, the delay is its fault and it should act right away. [7 C.F.R. § 273.2(h)(3)(i); MPP § 63-301.41.]" (<http://foodstampguide.org/failure-of-the-food-stamp-office-to-act-on-an-application-after-30-days/#knock>).

I would like to quote one lawsuit, that is particularly key for you to know about. It is a NY case from 1999 - 2012. Which found NYC, and its contracted provider, HRA at fault for failure to provide benefits in the time required by federal law. Here is the excerpt which I think you need to be aware of from that lawsuit.

“On December 30, 2004 the district Court issued a final injunction in favor of the plaintiffs. Among the Courts more significant holdings are that the obligation to furnish Medicaid with reasonable promptness to all eligible individuals and to provide expedited food stamps within seven days are enforceable in federal court. The Court rejected the defendant’s argument that only substantial compliance with the law is required, holding that “state agencies must comply strictly with their obligation to provide food stamps and Medicaid benefits to eligible applicants” both the City and the Contracted agent (HRA) have permanent regulatory oversight, and requirements which are now even stricter than the federal guidelines (5 days vs seven for expedited SNAP), as a direct result of this lawsuit, specific to the processing delays and misrepresentation of eligibility determinations.

According to the FEDERAL LAWS:

The delay might be the applicant’s fault if:

- they have not finished filling out the application;
- someone in the household has not registered for work yet and is does not fit one of the exemptions from work requirements;
- the applicant did not show up at the interview or call to reschedule it (see the section about the interview process for related information); or
- the applicant did not give the food stamp office some verification that it says the applicant must have (but be sure to determine whether the applicant should have received expedited (emergency) food stamps) in the interim).

Even if the applicant has not done some of these things, the delay is the food stamp office’s fault unless it has helped the applicant do what was required. [7 C.F.R. § 273.2(h)(1)(ii); MPP § 63-301.41.]

This means that:

- if the applicant does not complete the application form, the food stamp office must have offered to help to fill it out [7 C.F.R. § 273.2(h)(1)(i)(A); MPP § 301.411 (a).];
 - The staff is not allowed to do this, it is now prohibited.
- and if someone in the household who is not exempt from having to register for work has not registered, the food stamp office must have told the applicant that person had to register and given the applicant at least ten days to get that person registered [7 C.F.R. § 273.2(h)(1)(B); MPP § 63-301.41.];
- or
- if the applicant did not give the food stamp office verification that it wanted, the food stamp office must have told the applicant what it wanted, offered to help the applicant get it, and given the applicant at least ten days to get it. [7 C.F.R. § 273.2(h)(1)(i)(C); MPP § 63-301.41.]
 - This is not being done timely, and is being done “piecemeal”.

That it had been brought to Mr. Parker's attention that there were workers who were not adequately trained in full caseloads. Mr. Parker has repeatedly contended that the issue is that State sponsored training is only a few times a year, and does not coincide with hiring, which is throughout the year. This has been said at public meetings, and in meetings with the Union. This is a misrepresentation of facts. State sponsored training is NOT designed to replace in house training. According to Social Services Law, training is to be provided by the Local Districts, and those who have been to state training have repeatedly been told the federal regulations to "help" clients with paperwork and applications, where as the "internal rule" is opposite. The Union has been raising issues of various employee trainings with Mr. Parker since the first meeting with him, shortly after his arrival in 2012. This has been brought to the attention of several members of this board, the County Manager, and the Personnel Officer, and even to Mr. Graham, the investigator hired by the County to investigate Mr. Parker, claims made by and against him. The Union suggested a Quality Assurance and Improvement program be developed, so that cases can be reviewed, and errors recognized, and corrected – thereby improving efficiency, avoiding wasting the Fraud Unit's time on "agency errors", and ensuring that mistakes training deficiencies are found, corrected, and recognized and addressed through training, and/or if warranted discipline. See, I am not scared to say discipline if warranted. Here is why....if 90% of the cases that FRAUD handles are "agency error", there is a global problem. I do not believe that the workers are deliberately making these "agency errors". These are, after all being classified by fraud as an ERROR not a FRAUD. Wouldn't fixing these errors though training, lead to more efficient, productive, accurate processing? Wouldn't that mean that the FRAUD department would be able to more appropriately be focusing on FRAUD, instead of determining if the cases were FRAUD or AGENCY ERROR? It appears that common sense is not so common in management practices at DFS.

Now...let's move on....you know about Food Stamps, which has taken a backseat from December's meeting to now....since the phone lines have been on fire with complaints regarding HEAP.

HEAP. On December 23, 2014, I did a walk through DFS with my bosses. At that time, we saw the stacks of applications not processed in the HEAP department. I took photos, which I shared with the County Manager on the same day. The response was, that this explains the huge amount of complaints that are coming in.

I forwarded these to everyone except Mr. Rouis on a group text message, begging you to fix this, about one week later.

How did we get here? HEAP is not new. It is predictable. There is long standing historical data, including the ability to track incoming & outgoing phone call logs, call processing times, volume of cases, etc – which means that the department and management have access to the tools needed to determine the proper and required staffing levels, training time, manpower hours needed, etc.

So again, how did we get here?

According to the direct statements made by DFS Management on January 15, 2015:

Regarding 211:

"it was never intended to take over processing the application in its entirety". [Parker]

"as of this week, they have answered 9,945 calls, it will be over 10,000 by the time we end this meeting." [Steketee]

"it has been helpful" [Parker]

"it is a pipeline between 211 and DFS, and most of the clients still end up having to call us at DFS" [Steketee]

....STOP RIGHT THERE....

Most of the calls end up at DFS? So....is it a pipeline or a duplication?

The staffing level at HEAP was 8. The budget for 2014 included 200,000 for HEAP as County Share, purported in the meeting, as the "overtime in excess of the Federal reimbursement" by Mr. Parker, when asked about his recent directive to cut HEAP overtime.

Mr. Parker added that there was a short period of time in which overtime was reduced.

Let's talk about that for a second.

HEAP, according to Mr. Parker's statements, began on November 17th.

Workers schedules are either 8-4 or 9-5. Heap has traditionally increased staffing levels to handle the volume of cases, and short period of "heap season".

Employees have been permitted to work in excess of the 35 hours, including overtime (after 40), for decades. Because....again (common sense & logic), during the normal business hours, there are a TON of calls. The after hours time, allowed for straight processing hours. This has been until 9 pm on weeknights, and from 9-1 on Saturdays.

On December 1, a directive was sent to all staff, prohibiting building access after 6 pm and on Saturdays. Thereby – cutting all extra hours for processing of the HEAP Applications.

Saturday overtime was not reinstated until January 3rd – AFTER the photos of the HUNDREDS of unprocessed HEAP applications were circulated to this board.

Despite the fact that 7 temporary positions were budgeted, only 4 were filled, and the County entered into an agreement with the United Way to assist in answering a "HIGH VOLUME OF CALLS" in order to provide services in a timely manner" and "in order to comply with the Social Services Law and the State of NY Rules and Regulations" ...

The resolution, adopted in August of 2014 authorizes a contract for services from October 1, 2014 – February 28, 2015, with a "not to exceed amount of 31,725". Presumably the approximate cost of two of the "temporary positions, which were not filled", as confirmed by Mr. Parker.

So...simple math.

HEAP OPENED ON NOV 17.

211 callers still end up calling DFS – so no saving of time – in fact, a duplication of services.

So, less workers...same call volume + increase of 100 applications.

December 1, HEAP EXTRA HOURS were cut. So, for the period of November 17 – November 30, there were 6 business days, and two Saturdays there were extended hours. Roughly 3-4 hours on the 6 working days or a total of 18-24 hours working HEAP OT (NOT ALL 8, maybe more or less) and 8 hours for the two Saturdays. Making the grand total 26-32 additional hours of processing time, this would be multiplied by the number of people working those hours.

For the month of December there were 21 working days at 3-4 hours a day for a cumulative of 63 – 84 working days and 4 Saturdays with a total of 16 hours. Again, times the number of people, but this is a deficit of minimally 67-88 hours of lost processing time.

So...that is not a short period or a small amount...That is more than double. It is not rocket science. It is basic math. It is common sense. It is logical. It is absent.

Yesterday, I attempted to contact 3 legislators. One got back to me in a prompt fashion, Scott, for that I thank you. My reason for contacting Scott was as follows.

In the January meeting of the Health and Family Services committee. Mr. Parker stated that due to the amount of problems, they are considering "contracting out" HEAP – in part, because the agency will still need to process the application, didn't you just do that & fail?? Despite the fact that the board DID NOT ATUHZORIZE THIS TO HAPPEN, and that the CURRENT HEAP DEBACLE WAS CREATED DUE TO GLARINGLY OBVIOUS MANAGEMENT FAILURES, yesterday afternoon the Union was informed that around 200 applications were being sent to Delaware County CACHE office to be processed.

I learned today, that those applications were returned unprocessed. HEAP is in the forefront...SNAP right behind....and as the workers are shifted to put out fires in other departments, their work falls behind, meaning the location of the fire merely moves. You can't rob Peter to pay Paul. You can't blame previous administrations forever, at some point...you need to step up and take responsibility, and stop blaming the workers...the workers who can't hire staff, train staff, or set their own hours. When is someone in this County going to address the failures that are evident, and exploding on a daily basis? Does someone have to die? Is that what it will take to get you to act?

People are suffering, needlessly, and without reason. For the benefit of a select group of people to make themselves look good. This is disgusting. You should be ashamed that you allow this to continue and not get addressed. People have been disciplined and fired for less.

“On December 30, 2004 the district Court issued a final injunction in favor of the plaintiffs. Among the Courts more significant holdings are that the obligation to furnish Medicaid with reasonable promptness to all eligible individuals and to provide expedited food stamps within seven days are enforceable in federal court. The Court rejected the defendant’s argument that only substantial compliance with the law is required, holding that “state agencies must comply strictly with their obligation to provide food stamps and Medicaid benefits to eligible applicants” both the City and the Contracted agent (HRA) have permanent regulatory oversight, and requirements which are now even stricter than the federal guidelines (5 days vs seven for expedited SNAP), as a direct result of this lawsuit, specific to the processing delays and misrepresentation of eligibility determinations.

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