

**Sullivan County Legislature
Regular Meeting
October 15, 2015 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:00PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated Mrs. Gieger, and Mrs. Edwards absent.

The Clerk read the following communications:

1. Final Scope of Work for Water for the Future: Upstate Water Supply Resiliency Program from the NYSDEP.
2. Notice of Technical Conferences from the State of New York Public Service Commission
3. 2016 Annual Budgets for the County of Sullivan Industrial Development Agency and the Sullivan County Funding Corporation filed by Jennifer Brylinski, Executive Director on September 21, 2015.
4. Available Revenue Certification for Fiscal year 2016 filed by Nancy Buck, County Treasurer on October 8, 2015.

Presentation:

Executive Director Eric Monroe presented awards for Hispanic Heritage Month for their Hispanic contribution to Sullivan County.

Public Comment

There was no public comment.

Order of Business:

RESOLUTION NO. 370-15 INTRODUCED BY THE HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN SULLIVAN COUNTY DEPARTMENT OF FAMILY SERVICES HEAP AND SULLIVAN COUNTY OFFICE FOR THE AGING

WHEREAS, the County of Sullivan, through the Department of Family Services, requires a service agreement with a qualified provider to comply with Social Service Law of the State of New York and the rules and regulations of Title 18 NYCRR, part 393, specifically that the County of Sullivan shall provide for a comprehensive program of assistance and care to supply the basic needs of those eligible individuals living within the county who qualify for need assistance, and care; and

WHEREAS, a high volume of applications must be screened and processed for the County's HEAP in order to provide services in a timely manner; and

WHEREAS, the Sullivan County Office for the Aging has qualified, available, and willing staff to provide the services for this purpose; and

WHEREAS, the Sullivan County Office for the Aging in consultation with the Sullivan County Department of Family Services HEAP has agreed to provide HEAP services for the period of October 1, 2015 through September 30, 2016; and

WHEREAS, this agreement may be terminated by either party with a 30 day written notice.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into an agreement with the Sullivan County Office of the Aging to provide necessary HEAP services to those eligible individuals living within the county who qualify for need assistance and care related to HEAP; and

BE IT FURTHER RESOLVED, that the contract will be from October 1, 2015 to September 30, 2016 and not to exceed a cost of \$60,000; and

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

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 371-15 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE AWARD OF ENGINEERING SERVICES FOR THE DESIGN OF A NYSDEC REQUIRED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR THE ACCEPTANCE OF EMBANKMENT MATERIAL

WHEREAS, the Sullivan County Public Works Committee has approved the expenditure of up to \$50,000 funds associated with the delivery of approximately 140,000 cubic yards of material from the site of the new Montreign / Adelaar Casino; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) requires a SWPPP of any project which requires the disturbance of over one acre; and

WHEREAS, the area of disturbance is approximately 4.8 acres to accommodate the material delivery and it has been determined that a SWPPP is required for the project; and

WHEREAS, the County has completed a qualifications-based selection process for an Airport Consultant and has selected Passero Associates and recommends the award of the engineering services to the firm Passero Associates in the amount of \$20,700 for the completion of the SWPPP.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager to sign the necessary agreements, contracts and documentation, in such form as the County Attorney shall approve, to retain the services of Passero Associates for a contract amount not to exceed \$20,700 for Engineering services; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be attached to any necessary agreements in connection with this project; and

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

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 372-15 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT WITH AROLD CONSTRUCTION COMPANY, INC. FOR THE AIRPORT ACCESS ROAD (CR 183A & TRAFFIC CIRCLE) RECONSTRUCTION

WHEREAS, bids were received for Access Road Reconstruction at the SCIA, White Lake, New York, NYSDOT Project No. 9902.32 (D); and

WHEREAS, Arold Construction Company, Incorporated, 51 Powder Mill Bridge Road, Kingston, New York 12401, is the lowest responsible bidder for this project; and

WHEREAS, the Sullivan County Division of Public Works has approved said bid and recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an agreement with Arold Construction Company, Incorporated, at a total cost not to exceed \$732,090.00, in accordance with B-15-33 said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 373-15 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD AND EXECUTE AGREEMENT

WHEREAS, Heather Guinan, 327 Hospital Road, Callicoon, New York 12723, submitted a proposal for nurse practitioner services for the Sullivan County Jail, and

WHEREAS, the contract period shall be from November 1, 2015 through October 31, 2016. This agreement may be extended, on a yearly basis, under the same terms and conditions, for three (3) additional years.

WHEREAS, the Sullivan County Jail, has approved said proposal and recommends that a contract be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an Agreement with Heather Guinan, in accordance with RFP #R-15-37, at a cost of \$65.00 per hour to the County, said contract to be in such form as the County Attorney shall approve

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 374-15 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD AND EXECUTE MODIFICATION AGREEMENT

WHEREAS, pursuant to Resolution No. 191-15, adopted by the Sullivan County Legislature on April 23, 2015, "original agreement", the County entered into a contract with Advance Testing Company, Incorporated, 3348 Route 208, Campbell Hall, New York 10916, on April 23, 2015, to provide Asphalt Plant Testing Services for Quality Assurance for 2015 paving season, and

WHEREAS, the initial contract price was for a total price not to exceed \$35,000.00, and

WHEREAS, additional services were required for an additional amount of \$10,000, and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a Modification Agreement, modifying the agreement with Advance Testing Company, Incorporated, adding an additional amount of \$10,000, as per Request for Proposal, R-15-16, said modification to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 375-15 INTRODUCED BY THE PUBLIC WORKS COMMITTEE AUTHORIZING THE FILING OF AN APPLICATION, FOR A STATE GRANT IN-AID FOR A HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT UNDER THE APPROPRIATE LAWS OF NEW YORK STATE.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Sullivan herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; and

NOW, THEREFORE, BE IT RESOLVED,

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That County Manager and / or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.
4. That four (4) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York 12233-7253, together with a complete application.
5. That this resolution shall take effect immediately.

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

BE IT FURTHER RESOLVED, that should the NYS Department of Environmental Conservation's Household Hazardous Waste 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 Ms. Vetter, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 376-15 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE PREPARATION AND SUBMISSION OF A COMMUNITY AND CAPITAL ASSISTANCE PROGRAM (CCAP) GRANT APPLICATION, TO OBTAIN DORMITORY AUTHORITY OF THE STATE OF NY (DASNY) BOND PROCEED FUNDS, FOR A CAPITAL COST PROJECT ASSOCIATED WITH FABRICATION AND INSTALLATION OF SIGNAGE AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA).

WHEREAS, the Division of Public Works ("DPW"), has identified a need for capital cost upgrade of the Sullivan County International Airport ("SCIA") signage; and

WHEREAS, the NYS Assembly has previously offered \$50,000.00 for this project and is now offering \$100,000.00 in funding for capital improvements at the SCIA, and made available through NYS Assemblywoman Aileen Gunther's Office a Capital Project Description and Nomination Form#120370 for completion and return to the Assemblywoman by the County; and

WHEREAS, the funds will be available through the Community and Capital Assistance Program ("CCAP"), a reimbursement program, which is made available by the NYS Assembly and Senate, which is funded via bond proceeds from the Dormitory Authority of the State of NY ("DASNY"), whom is administering the program on the NYS Assembly and Senate's behalf; and

WHEREAS, the County of Sullivan is deemed eligible to submit the project nomination form and an application for CCAP funding, wherein there is no matching requirement.

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 award agreement*) to execute any and all necessary documents to submit the CCAP 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 CCAP funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding; and

BE IT FURTHER RESOLVED, that this resolution rescinds Resolution No. 143-15.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 377-15 INTRODUCED BY THE HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO WALMART FOR A COMMUNITY GRANT

WHEREAS, Walmart makes available Community Grants that strengthen local communities and that address Walmart's core areas of giving; and

WHEREAS, the SC ACC would like to enhance the lives of its residents by promoting socialization, and by improving the experience of watching and participating in group programs; and

WHEREAS, Walmart will fund up to a maximum of \$2,500 for a Community Grant with no matching requirement; and

WHEREAS, the SC ACC would like to submit a Walmart Community Grant application for funds to purchase two large screen televisions with wall mounts for the facility's multipurpose dining/community rooms.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager and /or Chairman of the County Legislature and / or their authorized representative (*as required by the funding source*) to execute any and all documents necessary to submit the Walmart Community 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 should the funding be terminated, the County shall not be obligated to continue any action undertake for the use of this funding.

Moved by Ms. Vetter, seconded by Mr. Sorensen, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 378-15 INTRODUCED BY EXECUTIVE COMMITTEE EXTENDING THE CURRENT TAX RATE ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

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

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

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there are hereby imposed and there shall be paid: (i) an additional one-half of one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2017; and (ii) an additional one-half of one percent rate of sales and compensating use taxes which is additional to the one-half of one percent rate imposed above in this section, for the period beginning June 1, 2009, and ending November 30, 2017. Such additional taxes shall be identical

to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.”

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

“(B)(1) With respect to the additional tax of one-half of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2017, in respect to the use of property used by the purchaser in this county prior to June 1, 2003; and

(2) With respect to the additional tax of one-half of one percent imposed for the period beginning June 1, 2009, and ending November 30, 2017, in respect to the use of property used by the purchaser in this county prior to June 1, 2009. ”

SECTION 3. This enactment shall take effect December 1, 2015.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a roll call vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 379-15 INTRODUCED BY EXECUTIVE COMMITTEE RESOLUTION TO ENACT A LOCAL LAW

WHEREAS, proposed Local Law entitled "A Local Law authorizing the real property tax exemption for persons sixty-five years of age or older as provided for in Real Property Tax Law §467", was presented to the Sullivan County Legislature at a meeting held on October 1, 2015 at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled “A Local Law authorizing the real property tax exemption for persons sixty-five years of age or older as provided for in Real Property Tax Law §467”, County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mr. Benson, seconded by Ms. Vetter, put to a roll call vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

A Local Law authorizing the real property tax exemption for persons sixty-five years of age or older as provided for in Real Property Tax Law §467

Section 1: A Local Law authorizing the real property tax exemption for persons sixty-five years of age or older as provided for in Real Property Tax Law §467, and amending Local law No. 7 of 2003 by increasing the maximum income eligibility as detailed in Real Property Tax Law §467 (3).

Section 2: Real Property owned by one or more persons, each of whom is sixty-five years of age or over, or real property owned by a husband and wife, or by siblings, one of whom is sixty-five years of age or over, shall be exempt from

taxation by the County of Sullivan to the extent of fifty per centum (50%) of the assessed value thereof or such lesser per centum of assessed value thereof for persons whose maximum income eligibility is increased in accordance with the provisions of Real Property Tax Law §467 (1) (b) subdivisions (1), (2), and (3).

Section 3: The maximum income eligibility determined in accordance with subdivision 3 of §467 of the Real Property Tax Law shall be \$20,500.00, and shall entitle qualified owners to a fifty per centum (50%) exemption.

Section 4: No exemption shall be allowed except in accordance with the provisions of §467 of the Real Property Tax Law for real property which qualifies by use and ownership upon an application submitted in the manner provided by such section.

Section 5: Local Law No. 7 of 2003 entitled "A local law increasing the real property tax exemption levels for senior citizens pursuant to §467 of the Real Property Tax Law, be and the same is hereby repealed.

Section 6: EFFECTIVE DATE:

This Local Law shall be effective as of the date of filing in the Office of the Secretary of State.

RESOLUTION NO. 380-15 INTRODUCED BY EXECUTIVE COMMITTEE

RESOLUTION TO ENACT A LOCAL LAW

WHEREAS, proposed Local Law entitled "A Local Law Authorizing the Provisions of Real Property Tax Law Section 458-a (7), thereby authorizing a "Gold Star Parent" exemption", was presented to the Sullivan County Legislature at a meeting held on October 1, 2015 at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled "A Local Law Authorizing the Provisions of Real Property Tax Law Section 458-a (7), thereby authorizing a "Gold Star Parent" exemption", County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a roll call vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

LOCAL LAW AUTHORIZING THE PROVISIONS OF REAL PROPERTY TAX LAW SECTION 458-a (7) ALLOWING FOR THE GOLD STAR PARENT EXEMPTION

Section 1. This Local Law shall be entitled "A Local Law Authorizing the Provisions of Real Property Tax Law §458-a (7), thereby authorizing a "Gold Star Parent" exemption".

Section 2. Pursuant to subdivision seven of §458-a of the New York State Real Property Tax Law (RPTL), a county may adopt a local law to include a "Gold Star Parent" within the definitions of "Qualified Owner" and "Qualifying Residential Real Property" as defined in §458-a (1) of the RPTL for purposes of the veterans' alternative exemption.

Section 3. The Sullivan County Legislature hereby authorizes the

provisions of RPTL §458-a (7) and provides as follows:

- A. As used herein, "Gold Star Parent" shall mean the parent of a child who died in the line of duty while serving in the United States armed forces during a period of war.
- B. "Gold Star Parent" hereby is included within the definition of "Qualified Owner" as provided in paragraph (c) of subdivision one of §458-a of the Real Property Tax Law, and property owned by a Gold Star Parent hereby is included within the definition of "Qualifying Residential Real Property" as provided in paragraph (d) of subdivision one of §458-a of the Real Property Tax Law, provided that such property shall be the primary residence of the Gold Star Parent.
- C. The additional exemption provided for in paragraph (c) of subdivision two of §458-a of the Real Property Tax Law shall not apply to real property owned by a Gold Star Parent.

Section 4. This Local Law shall take effect as of the date of filing in the Office of the Secretary of State.

RESOLUTION NO. 381-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE AWARD AND EXECUTION OF AN AGREEMENT TO DEVELOP A DAIRY PROCESSING FACILITY AND RESCIND RESOLUTION NO. 435-14

WHEREAS, pursuant to Resolution No. 163 of 2011, adopted by the Sullivan County Legislature on March 17, 2011 authorized the Division of Planning and Environmental Management to prepare an application for funding under the United States Department of Agriculture-Rural Development (USDA-RD) Rural Business Enterprise Grant (RBEG) program to support the development of dairy processing facilities; and

WHEREAS, the County was awarded the RBEG grant in the amount of \$186,500.00, with an in-kind match of \$15,000.00 to be provided by the Division of Planning and Environmental Management for a total project cost of \$201,500.00; and

WHEREAS, Resolution No. 435-14, adopted by the Sullivan County Legislature on November 20, 2014 authorized the County Manager to execute the necessary documents with Catskill Mountain Dairies, LLC (CMD) who proposed to utilize the funding to launch a farmstead yogurt product on an existing farm operation, Bethel Creamery; and

WHEREAS, on August 20th, 2015, Catskill Mountain Dairies, LLC informed the Sullivan County Division of Planning and Environmental Management that it would ultimately be unable to meet all the conditions of the grant and would not be moving forward with the project; and

WHEREAS, Bethel Creamery is in a position to continue the project on its own, and has demonstrated the capacity to meet the necessary grant requirements; and

WHEREAS, the Division of Planning and Environmental Management recommends that the County enter into agreement with Pelleh Farms Inc. doing business as Bethel Creamery to utilize the RBEG funds; and

WHEREAS, under this agreement, the County will use the RBEG funds to purchase dairy processing equipment, including but not limited to production and packaging equipment, to be leased to Bethel Creamery for the development of a dairy processing facility.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 435-14 is rescinded in its entirety and all agreements either oral or written between the County and CMD are hereby deemed null and void; and

THEREFORE BE IT FURTHER RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute the necessary lease agreements, contracts and

documentation with Pelleh Farms Inc. doing business as Bethel Creamery in an amount not to exceed \$186,500.00 in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION 382-15 INTRODUCED BY EXECUTIVE COMMITTEE TO RATIFY AND AUTHORIZE THE COUNTY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL UNION NO. 17

WHEREAS, the County of Sullivan ("County") and the Laborers' International Union of North America, Local Union No. 17 ("Local 17" or "Union") are parties to a Collective Bargaining Agreement ("CBA") for the term January 1, 2008 through June 30, 2012; and

WHEREAS, the County and Local 17 have engaged in negotiations in a good faith effort to arrive at a successor agreement; and

WHEREAS, the negotiations between the County and Local 17 has resulted in an agreement regarding the terms and conditions of employment of employees represented by Local 17 as set forth in the Memorandum of Agreement, attached hereto and made a part hereof; and

WHEREAS, the employees represented by Local 17 have voted and ratified the terms and conditions of employment, as set forth in the aforementioned Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the terms and conditions of employment of employees represented by Local 17, as set forth in the Memorandum of Agreement attached hereto and made a part hereof, be and hereby are ratified, in recognition of the ratification by the Local 17 membership; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute the aforementioned Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute an Agreement incorporating the terms and conditions of employment in accordance with the aforementioned Memorandum of Agreement.

Moved by Mr. Sorensen, seconded by Ms. Vetter, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 383-15 INTRODUCED BY EXECUTIVE COMMITTEE TO CONVEY PROPERTIES ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2011 LIEN YEAR IN THE TOWN OF FALLSBURG KNOWN AS FA29.-1-51.4 & FOR THE 2013 LIEN YEAR IN THE TOWN OF MAMAKATING KNOWN AS MA42.-5-9, 42.-5-10 & 43.-4-10

WHEREAS, property located in the Town of Fallsburg designated on the Sullivan County Real Property Tax Map as Fallsburg 29.-1-51.4, being 1.50 +/- acres, located on East Pond Rd, is owned by the County of Sullivan by virtue of an Article 11 foreclosure for 2011 taxes; and properties located in the Town of Mamakating designated on the Sullivan County Real Property Tax Map as Mamakating 42.-5-9, being 0.14 +/- acres, located on Hilltop Trl; 42.-5-10, being 0.18 +/- acres, located on Hilltop Trl; 43.-4-

10, being 0.28 +/- acres, located on Hilltop Trl, are owned by the County of Sullivan by virtue of an Article 11 foreclosure for 2013 taxes, and

WHEREAS, John Zeh has offered to purchase said properties for the sum of THREE HUNDRED TWENTY-FIVE (\$325.00) DOLLARS, and

WHEREAS, it is in the best interest of the County of Sullivan to sell the parcels privately to John Zeh for the amount of THREE HUNDRED TWENTY-FIVE (\$325.00) DOLLARS because these properties were not sold at previous auctions, and

WHEREAS, the purchaser will also be responsible for the recording fees plus 10% of sale price for auctioneer's commission, plus 2015 County/Town taxes, and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, if any, and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to John Zeh upon payment of \$325.00 to the County Treasurer, plus 10% of sale price for auctioneer's commission, plus fees for the County Clerk, plus the 2015 County/Town taxes and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, if any.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 384-15 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT A STATE ASSISTANCE GRANT AWARD FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the State of New York, secured by Hon. John J. Bonacic, has awarded the Edward Byrne Memorial Justice Assistance Grant to the Sullivan County Sheriff's Office in the amount of \$15,000 through the Division of Criminal Justice Services, and

WHEREAS, the funding will be used to purchase equipment in law enforcement efforts for drug, violence and crime control and prevention programs in the Sheriff's Office, and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute any and all necessary documents to accept the award, in such form as the County Attorney shall approve, and

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

Moved by Mr. Benson seconded by Mr. Sorensen, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 385-15 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE APPLICATION TO BUREAU OF JUSTICE ASSISTANCE TO PARTICIPATE IN BULLETPROOF VEST PARTNERSHIP (BVP) FY2015

WHEREAS, the Bureau of Justice Assistance (BJA) has made available funding for Fiscal Year 2015 towards the purchase of bulletproof vests for Sullivan County Sheriff's Deputies and Sullivan County Probation Officers, and

WHEREAS, the program will aid in the purchase of vests required for replacement of those currently deployed, if needed, as well as vests for new hires, and

WHEREAS, the program will reimburse 50% of the cost of the vests, which must meet National Institute of Justice standards and be American-made.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager or his designee is hereby authorized to apply to the Bureau of Justice Assistance for FY2015 BVP funds and, if awarded, execute any and all documents required for the purchase of bulletproof vests, said documents to be in a form as approved by the County Attorney's Office, and

BE IT FURTHER RESOLVED, that should funding be terminated, the County of Sullivan and Sullivan County Sheriff's Office will be under no obligation to continue with the program.

Moved by Ms. Vetter, seconded by Mr. Benson, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 386-15 INTRODUCED BY EXECUTIVE COMMITTEE TO APPROVE THE 2016 STOP DWI PLAN AND AUTHORIZE THE COUNTY MANAGER TO SIGN ANY AND ALL AGREEMENTS NECESSARY FOR THE PLAN

WHEREAS, the 2016 STOP DWI Plan has been prepared and requires the signature of the County Manager prior to being approved by the New York State Department of Motor Vehicles, Governor's Traffic Safety Committee, and

WHEREAS, the 2016 STOP DWI budget is \$262,000, and

WHEREAS, a copy of the 2016 STOP DWI Plan is on file in the County Manager's Office.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to sign any and all agreements with the State of New York and all appropriate agencies to effect the 2016 STOP DWI Plan, said agreements to be in such form as the County Attorney shall approve.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

SULLIVAN COUNTY

2016 STOP-DWI PLAN

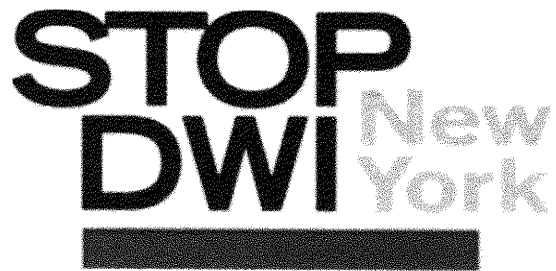


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NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES
GOVERNOR'S TRAFFIC SAFETY COMMITTEE

SULLIVAN COUNTY

CERTIFICATION OF 2016 STOP-DWI PLAN

The 2016 STOP-DWI PLAN was approved by the Sullivan County governing body on 10/17/15, in the amount of \$ 262,000 This amount agrees with the total on the Budget Summary Page of the (2016) plan on page 4. The following document(s) are attached:

THE COUNTY RESOLUTION APPROVING THE STOP DWI PLAN

AND/OR;

BUDGET PAGE(S) FROM THE COUNTY BUDGET INDICATING THE SPECIFIC AMOUNT APPROVED FOR STOP-DWI.

STOP-DWI COORDINATOR

CERTIFICATION: *To knowingly make a false statement or conceal a material fact is a criminal offense and may result in criminal penalties under the Penal Law.* I state and certify that I have conducted a diligent and thorough investigation of the information contained in this plan and that it is true and complete to the best of my knowledge.

Signature: _____ Date: _____

Name in PRINT: Richard Martinkovic

COUNTY OFFICIAL

CERTIFICATION: *To knowingly make a false statement or conceal a material fact is a criminal offense and may result in criminal penalties under the Penal Law.* I state and certify that I have conducted a diligent and thorough investigation of the information contained in this plan and that it is true and complete to the best of my knowledge.

Signature: _____ Date: _____

Name and Title in PRINT: Joshua Potosek, County Manager

SULLIVAN COUNTY

2016 STOP-DWI PLAN

BUDGET SUMMARY of ALL COMPONENTS

COMPONENT	TOTALS
I. Enforcement	\$ 48,280
II. Prosecution	\$ 50,100
III. Court Related	\$ 0
IV. Probation	\$ 40,100
V. Rehabilitation	\$ 56,260
VI. Public Information/Education	\$ 15,000
VII. Administration	\$ 52,260
TOTAL STOP-DWI BUDGET	\$ 262,000

Subtotal Estimated Fine Revenues for year 2016: \$150,000

Enter Amount of Rollover/Fund Balance: \$100,000

Subtotal Other Source(s) of Revenue: * \$12,000

Total Estimated Revenues: \$ 262,000

Are you planning on using any of your Rollover? **Yes** **No**

*** Please Identify Other Revenue Sources:**

Victim Impact Panel Fees

SULLIVAN COUNTY

I.) 2016 STOP-DWI LAW ENFORCEMENT PLAN

BUDGET SUMMARY of LAW ENFORCEMENT

(i) PERSONAL SERVICES

Do not include any portion of the STOP-DWI Program Administrative staff salaries here unless they are employed in a police agency.

Funded Position(s): List Job Title, Agency, Full or Part Time Status	Percent Full Time Equivalent	Total
Village of Monticello Police Dept., Police Officer		\$ 9,709
Village of Liberty Police Dept., Police Officer		\$ 9,709
Town of Fallsburg Police Dept., Police Officer		\$ 9,709
Sullivan Co. Sheriff's Office, Deputy Sheriff		\$ 9,709
Overtime Funding		\$
Fringes		\$
Total Personal Services (Subtotal (A) on page 6)		\$ 38,836

(ii) OTHER THAN PERSONAL SERVICES

Equipment (Subtotal (B) on page 6)	\$ 7,944
Vehicle	\$
Vehicle Maintenance	\$
Supplies	\$ 1,500
Training/Travel	\$
Overhead: Office Rent, Telephone, and Utilities	\$
Indirect Cost Charge(s)	\$
Contractual Services	\$
*Must describe in detail below (page 7) the contractor and services to be provided	
Total Other Than Personal Services	\$ 9,444

Total Law Enforcement Budget (i) + (ii)	\$48,280
--	-----------------

SULLIVAN COUNTY

I.) 2016 STOP-DWI LAW ENFORCEMENT PLAN

ENFORCEMENT ACTIVITY (Personal Services/Equipment) BUDGET

Please list all agency names being funded.

NAME OF AGENCY	AMOUNT PERSONAL SERVICES FOR DWI PATROLS =Subtotal (A)	AMOUNT FOR OTHER THAN PERSONAL SERVICES =Subtotal (B)
Village of Monticello PD	\$ 9,709	\$ 2,361
Village of Liberty PD	\$ 9,709	\$ 2,361
Town of Fallsburg PD	\$ 9,709	\$ 2,361
Sullivan Co. Sheriff's Office	\$ 9,709	\$ 2,361
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
TOTAL*	\$ 38,836	\$ 9,444

*Subtotal (A) \$ 38,836 **Subtotal (B) \$ 9,444

Total (A) + (B) = \$ 48,280

* **Subtotal (A) is the overtime funding for each agency**

** **Subtotal (B) is the equipment amount for each agency**

SULLIVAN COUNTY

I.) 2016 STOP-DWI LAW ENFORCEMENT PLAN

2015 ENFORCEMENT ACTIVITY BUDGET (Description)

Describe in detail/explain vehicle purchase, include the name of the agency that will be obtaining the vehicle:

None

Describe in detail/List the Equipment to be purchased:

Purchase of police equipment which supports identification of DWI drivers, i.e., radar units, breathalyzers, etc.

Describe in detail/explain Contractual Services:

None

Describe in detail/explain "Other" items listed:

Supplies - mouthpieces for breathalyzers, etc.

SULLIVAN COUNTY

I.) 2016 STOP-DWI LAW ENFORCEMENT PLAN

LAW ENFORCEMENT COMPONENT

Narrative – Please provide specific detail of the activities that will be funded in this area.

Payment of overtime to police agencies for designated DWI patrols and DWI enforcement-related equipment. A greater show of police presence in the county is expected to provide a reduction in the number of drivers who have been drinking.

SULLIVAN COUNTY

II.) 2016 STOP-DWI PROSECUTION PLAN

PROSECUTION RELATED ACTIVITY BUDGET

(i) PERSONAL SERVICES

Do not include any portion of the STOP-DWI Program Administrative staff salaries here unless they are employed in the District Attorney office.

Funded Position(s): List Job Title, Agency, Full or Part Time Status	Percent Full Time Equivalent	Total
Assistant District Attorneys		\$ 50,100
		\$
		\$
		\$
		\$
Fringes		\$
Total Personal Services		\$ 50,100

(ii) OTHER THAN PERSONAL SERVICES

Equipment	\$
Supplies and Materials	\$
Training/Travel	\$
Contractual Services * Must describe in detail below the contractor and services to be provided	\$
Other * (describe in detail below)	\$
Total Other Than Personal Services	\$ 0

Total Prosecution Budget (i) + (ii)	\$50,100
--	-----------------

Describe in detail/List the Equipment to be purchased:

None

Describe in detail/explain Contractual Service

None

Describe in detail/explain “Other” items:

None

SULLIVAN COUNTY

II.) 2016 STOP-DWI PROSECUTION PLAN

PROSECUTION COMPONENT

Narrative – Please provide specific detail of the activities that will be funded in this area.

Reimbursement for a percentage of an Assistant District Attorney's salary for time spent prosecuting DWI, DWAI and DWAI Drug offenses.

SULLIVAN COUNTY

III.) 2016 STOP-DWI COURT RELATED PLAN

COURT RELATED ACTIVITY BUDGET

(i) PERSONAL SERVICES

Funded Position(s): List job title, Agency, Full or Part Time Status	Percent Full Time Equivalent	Total
		\$ 0
		\$
		\$
		\$
		\$
Fringes		\$
Total Personal Services		\$ 0

(ii) OTHER THAN PERSONAL SERVICES

Equipment	\$
Supplies	\$
Training/Travel	\$
Contractual Services * MUST describe in detail below the contractor and services to be provided	\$
Reimbursement to Local Municipalities	\$
Other * (describe in detail below)	\$
Total Other Than Personal Services	\$ 0

Total Court Budget (i) + (ii)	\$0
--------------------------------------	------------

Describe in detail/List the Equipment to be purchased:

Describe in detail/explain Contractual Services:

Describe in detail/explain "Other" Items:

SULLIVAN COUNTY

III.) 2016 STOP-DWI COURT RELATED PLAN

COURT COMPONENT

Narrative – Please provide specific detail of the activities that will be funded in this area.

SULLIVAN COUNTY

VI.) 2016 STOP-DWI PROBATION PLAN

PROBATION ACTIVITY BUDGET

(i) PERSONAL SERVICES

* Do not include any portion of the STOP-DWI Program administrative staff salaries unless they are employed in the Probation Department.

Funded Position(s): List job title, Agency, Full or Part Time Status	Percent Full Time Equivalent	Total
Probation Officers		\$ 40,100
		\$
		\$
		\$
Overtime		\$
Fringes		\$
Total Personal Services		\$ 40,100

(ii) OTHER THAN PERSONAL SERVICES

Equipment	\$
Supplies	\$
Training/Travel	\$
Contractual Services * *MUST Describe in detail below the contractor and services to be provided	\$
Other * (specify in detail below)	\$
Total Other Than Personal Services	\$ 0

Total Probation Budget (i) + (ii)	\$40,100
--	-----------------

Describe in detail/List the Equipment to be purchased:

None

Describe in detail/explain Contractual Services:

None

Describe in detail/explain "Other" Items:

None

SULLIVAN COUNTY

VI.) 2016 STOP-DWI PROBATION PLAN

PROBATION COMPONENT

Narrative – Please provide specific detail of the activities that will be funded in this area.

Reimbursement of a percentage of a Probation Officer's salary and benefits for supervision of DWI and DWAI Drug defendants sentenced to probation. It is hoped that probationers learn from their experience and do not repeat them, resulting in a reduction of DWI incidents.

SULLIVAN COUNTY

V.) 2016 STOP-DWI REHABILITATION PLAN

REHABILITATION ACTIVITY BUDGET

(i) PERSONAL SERVICES

Do not include any portion of the STOP-DWI Program Administrative staff salaries unless they are employed in the Treatment Field.

Funded Position(s): List job title, Agency, Full or Part Time Status	Percent Full Time Equivalent	Total
Alcoholism Counselors		\$ 19,772
Social Workers		\$ 19,305
		\$
		\$
Overtime		\$
Fringes		\$
Total Personal Services		\$ 39,077

(ii) OTHER THAN PERSONAL SERVICES

Equipment	\$ 0
Supplies	\$ 0
Training/Travel	\$ 0
Contractual Services * *MUST Describe in detail below the contractor and services to be provided	\$ 17,183
Other * (Describe in detail below)	\$ 0
Total Other Than Personal Services	\$ 17,183

Total Rehabilitation Budget (i) + (ii)	\$56,260
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Describe in detail/List the Equipment to be purchased:

None

Describe in detail/explain Contractual Services:

Contracts with Sullivan County Community Services Department and Catholic Charities (formerly Council on Alcoholism and Drug Abuse of Sullivan County) for reimbursement of a portion of social workers' and alcohol counselors' salaries. These programs assist people in overcoming their dependence on alcohol and drugs and are utilized on a regular basis by DWI, DWAI and DWAI Drug defendants.

Describe in detail/explain "Other" Items:

None

SULLIVAN COUNTY

V.) 2016 STOP-DWI REHABILITATION PLAN

REHABILITATION COMPONENT

Narrative – Please provide specific detail of the activities that will be funded in this area.

Reimbursement of a portion of salaries of social workers and alcohol counselors in Sullivan County Community Services Department and Catholic Charities (formerly Council on Alcoholism and Drug Abuse of Sullivan County) to assist people in overcoming their dependency on alcohol and drugs. DWI, DWAI and DWAI Drug defendants utilize these agencies' services on a regular basis and it is expected that rehabilitation will result in future reduced DWI incidents.

SULLIVAN COUNTY

VI.) 2016 STOP-DWI PUBLIC INFORMATION/EDUCATION PLAN

PUBLIC INFORMATION/EDUCATION ACTIVITY BUDGET

(i) PERSONAL SERVICES

* Do not include any portion of the STOP-DWI Program administrative staff salaries.

Funded Position(s): List job title, Agency, Full or Part Time Status	Percent Full Time Equivalent	Total
		\$
		\$
		\$
		\$
Fringes		\$
Total Personal Services		\$ 0

(ii) OTHER THAN PERSONAL SERVICES

Equipment	\$ 0
Supplies	\$ 10,000
Training/Travel	\$ 0
Contractual Services* *MUST Describe in detail below the contractor and services to be provided	\$ 5,000
Other* (Describe in detail below)	\$ 0
Total Other Than Personal Services	\$ 15,000

Total Public Information/Education Budget (i) + (ii)	\$15,000
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Describe in detail/List the Equipment to be purchased:

None

Describe in detail/explain Contractual Services:

Contract with Sullivan County BOCES to provide programs for students in Sullivan County schools throughout the school year, including consumable items for the program.

Describe in detail/explain "Other" items:

None

SULLIVAN COUNTY

VI.) 2016 STOP-DWI PUBLIC INFORMATION/EDUCATION PLAN

PUBLIC INFORMATION AND EDUCATION COMPONENT

Narrative – Please provide specific detail of the activities that will be funded in this area.

A Sullivan County BOCES substance abuse counselor works in the local school districts to provide resources, information and educational programs to youth regarding the dangerous effects of drugs and alcohol. Additionally, radio ads, newspaper ads and other forms of advertising promote the STOP DWI Program.

SULLIVAN COUNTY

VII.) 2016 STOP-DWI ADMINISTRATION PLAN
ADMINISTRATION/EVALUATION BUDGET

(i) PERSONAL SERVICES:

List each STOP-DWI Program staff person and indicate full or part-time. Include total STOP-DWI program staff salaries on this page

Funded Position(s): List Job Title, Name of Employee, Agency, Full or Part Time Status	Percent Full Time Equivalent	TOTAL
STOP-DWI Coordinator		\$ 17,750
Assistants		\$ 17,510
		\$
		\$
		\$
Overtime		\$
Fringes		\$
Total Personal Services		\$ 35,260

(ii) OTHER THAN PERSONAL SERVICES

Equipment	\$ 0
Supplies	\$ 1,000
Training/Travel	\$ 1,000
Overhead: Office Space, Maintenance Costs, Telephone Service, Utilities	\$ 13,000
Contractual Services * *MUST describe in detail below the contractor and services to be provided	\$ 0
Indirect Cost Charge(s)	\$ 2,000
Other * (Describe in detail below)	\$ 0
Total Other Than Personal Services	\$ 17,000

Total Administration Budget (i) + (ii)	\$56,260
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Describe in detail /explain Contractual Services:

None

Describe in detail/List the Equipment to be purchased:

None

Describe in detail/explain "Other" items:

None

SULLIVAN COUNTY

VII.) 2016 STOP-DWI ADMINISTRATION PLAN
ADMINISTRATION/EVALUATION COMPONENT

Narrative – Please provide specific detail of the activities that will be funded in this area.

Reimbursement for all expenses associated with the administration of the STOP DWI Program, including a percentage of salary and benefits for the STOP-DWI Coordinator and those of several assistants for clerical work in the running of the program.

RESOLUTION NO. 386-15 INTRODUCED BY EXECUTIVE COMMITTEE TO APPROVE THE 2016 STOP DWI PLAN AND AUTHORIZE THE COUNTY MANAGER TO SIGN ANY AND ALL AGREEMENTS NECESSARY FOR THE PLAN

WHEREAS, the 2016 STOP DWI Plan has been prepared and requires the signature of the County Manager prior to being approved by the New York State Department of Motor Vehicles, Governor’s Traffic Safety Committee, and

WHEREAS, the 2016 STOP DWI budget is \$262,000, and

WHEREAS, a copy of the 2016 STOP DWI Plan is on file in the County Manager’s Office.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to sign any and all agreements with the State of New York and all appropriate agencies to effect the 2016 STOP DWI Plan, said agreements to be in such form as the County Attorney shall approve.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 387-15 INTRODUCED BY EXECUTIVE COMMITTEE RESCINDING RESOLUTION NO. 91-15

WHEREAS, Resolution No. 91-15 adopted by the Sullivan County Legislature (“Legislature”) on February 19, 2015 authorized expenditures of fifty (\$50) dollars per hour for the services of the Secretary to the Charter Review Commission, and

WHEREAS, the Legislature has determined that there are alternatives to the present services of the Secretary to the Charter Review Commission that are more cost efficient, and

WHEREAS, an invoice for secretarial services has been submitted in regard to the August and September 2015 meetings of the Charter Review Commission and those services shall be paid at the fifty (\$50) dollar an hour rate, and

WHEREAS, it is financially prudent to terminate the authorization allowing the Charter Review Commission to expend fifty (\$50) dollars and hour for secretarial services by rescinding Resolution No. 91-15.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 91-15 is hereby rescinded and authorizes the Sullivan County Legislature to pay for the August and September 2015 meetings of the Charter Review Commission.

Moved by Ms. Vetter, seconded by Mr. Benson, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

**RESOLUTION NO. 388-15 INTRODUCED BY EXECUTIVE COMMITTEE.
TO APPOINT ONE (1) MEMBER TO THE COMMUNITY SERVICES BOARD**

WHEREAS, there are several vacancies on the Community Services Board, and

WHEREAS, there is a need to appoint one (1) member to fill a vacancy on the Community Services Board; and

NOW, THEREFORE, BE IT RESOLVED, the following individual to be appointed to fill a vacancy on the Sullivan County Community Services Board to reflect the date set opposite his/her name:

APPOINTMENT TO THE CSB	TERM
Elizabeth Carrasquillo, LMSW (to fill vacancy left by Izetta Briggs-Bolling)	10/01/2015 to 12/31/2017

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

**RESOLUTION NO. 389-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
APPOINT SCOTT SMITH TO THE SULLIVAN COUNTY INDUSTRIAL
DEVELOPMENT AGENCY BOARD**

WHEREAS, Due to the resignation of Sandra Shaddock, there is a vacancy; and

WHEREAS, Mr. Scott Smith has been nominated to fill the vacancy left by Sandra Shaddock's resignation, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint Scott Smith to the Sullivan County IDA Board effective immediately.

Moved by Mrs. LaBuda, seconded by Ms. Vetter, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

**RESOLUTION NO. 390-15 INTRODUCED BY EXECUTIVE COMMITTEE
RESOLUTION CALLING ON COUNTIES TO PROMOTE ORGAN AND TISSUE
DONATION AND CALLING ON NEW YORK STATE RESIDENTS TO JOIN THE NEW
YORK STATE DONATE LIFE REGISTRY**

WHEREAS, Through their membership in the New York State Association of Counties (NYSAC), New York's Counties have come together to collectively support several important causes; and

WHEREAS, New York State has the second lowest donor registry enrollment share in the country, with just 24% (approximately 3.8 million) of all residents age 18 and older registered to become organ and tissue donors, compared to the national average of over 50%; and

WHEREAS, In New York State there are more than 10,000 people waiting for an organ transplant which represents the third highest need in the nation; and

WHEREAS, An estimated 600 New Yorkers die every year while waiting for an organ transplant that did not arrive in time; and

WHEREAS, One organ donor can save up to 8 lives, and one tissue donor can improve the lives of more than 50 people; and

WHEREAS, Counties play a direct role in saving lives through organ and tissue donation through our DMV offices and Boards of Elections where people can register to be organ and tissue donors; and

WHEREAS, County leaders can play an important role in increasing organ and tissue donation by passing resolutions and promoting organ and tissue donation on their websites and through county departments that interact with the public; and

WHEREAS, Under the direction of NYSAC Past President Hon. Edward Diana, a strong supporter of organ and tissue donation who himself has the personal experience of being placed on the transplant waiting list, counties are encouraging residents to register as organ and tissue donors; and

WHEREAS, Becoming a registered organ and tissue donor in New York State is easy and can be done in many ways, such as, the New York Alliance for Donation website, the MyDMV website, any DMV office, New York State Department of Health Website, New York State voter registration forms or by completing paper enrollment forms; now therefore

BE IT RESOLVED, That the Sullivan County Legislature hereby urge all counties to pass resolutions to encourage residents to register as organ and tissue donors; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, John Bonacic NYS Senator, Aileen Gunther and Claudia Tenney of the NYS Assembly,, and the New York State Association of Counties and all others deemed necessary and proper.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

RESOLUTION NO. 391-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY ATTORNEY TO NEGOTIATE A SETTLEMENT IN A FEDERAL LITIGATION CASE

WHEREAS, the County Attorney has briefed the County Legislature in executive session concerning possible settlement of the William Barboza case.

NOW THEREFORE BE IT RESOLVED, that the County Legislature hereby authorizes the County Attorney to negotiate a settlement in the best interests of the County with the understanding that the actual settlement amount will have to be brought back to the County Legislature for approval subsequent to the negotiation.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. Gieger and Mrs. Edwards absent, unanimously carried and declared duly adopted on motion October 15, 2015.

Recognition of Legislators

1. Kitty Vetter

There being no further business, Mrs. LaBuda moved to adjourn, seconded by Mr. Rouis subject to the call of the Chairman. The full board meeting was adjourned at 2:21PM.

10/1/15

**MEMORANDUM OF AGREEMENT BY AND BETWEEN THE COUNTY OF SULLIVAN
AND LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL UNION
NO. 17**

WHEREAS, the County of Sullivan ("County") and the Laborers' International Union of North America, Local Union No. 17 ("Local 17" or "Union"), are parties to a Collective Bargaining Agreement ("CBA") for the term January 1, 2008 through June 30, 2012; and

WHEREAS, the County and Local 17 have engaged in negotiations in a good faith effort to arrive at a successor agreement to the CBA;

WHEREAS, the parties have arrived at a tentative agreement;

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties stipulate and agree as follow:

1. The provisions of this Memorandum of Agreement ("MOA") have been ratified by the membership of Local 17 and are subject to and conditioned upon ratification by the Legislature of Sullivan County;

2. A copy of this original document has been furnished to representatives of the County and Local 17;

3. All proposals not covered herein which were made by either party during the course of negotiations shall be deemed withdrawn.

4. The provisions of the CBA between the parties for the period January 1, 2008 to June 30, 2012 shall be carried forward except as modified below.

5. Unless otherwise noted, all dates involving the duration of this agreement shall be conformed to the duration of this MOA.

6. The term of this MOA shall run from July 1, 2012 through December 31, 2017.

7. Article III, Section 302-304 shall be amended as follows:

- a) Effective January 1, 2013, a 0% increase in base salaries;
 - b) Effective January 1, 2014, a payment in the amount of seven hundred fifty dollars (\$750) not added to base salary which is subject to legal withholdings. Said payment shall be made in the payroll immediately following the ratification of this agreement by the parties;
 - c) Effective January 1, 2015, a 1% increase in annual salaries;
 - d) Effective January 1, 2016, a 1.5% increase in annual salaries;
-

10/1/15

e) Effective January 1, 2017, a 1.5% increase in annual salaries.

8. The County agrees that no member of the bargaining unit employed as of the ratification of this MOA by the parties shall be laid off under Article VIII of the CBA and/or terminated from employment with the County pursuant to and within the meaning of Section 80 of the New York Civil Service law during the balance of the term of their employment with the County (e.g., prior to voluntary retirement or resignation). Nothing herein shall prevent termination of employment for disciplinary reasons in accordance with the CBA and the New York Civil Service Law. In the event the County in the future lays off and/or terminates the employment of any member of the bargaining unit pursuant to and within the meaning of Section 80 of the New York Civil Service Law, the County agrees to restore immediately, assign and utilize two bargaining members per truck for snow and ice operations, and, as a result, paragraph 3 of Side Agreement dated October 8, 2010 (hereinafter referred to as the "October 8, 2010 Side Agreement") shall be null and void and unenforceable. The County expressly agrees not to lay off any member of the bargaining unit employed as of the ratification of this agreement by the parties in exchange for Local 17's agreement that paragraph 7 of the October 8, 2010 Side Agreement to maintain a bargaining unit size of 128 shall be null and void and Local 17's agreement to discontinue with prejudice the arbitration proceeding in PERB Case No. A2014-074, which is currently pending before Arbitrator David Stein. As a condition of the settlement of PERB Case No. A2014-074, the County also agrees that all employees in the bargaining unit covered by the CBA as of the date of the ratification of the MOA by Local 17, shall receive a payment in the amount of one thousand three hundred dollars (\$1,300) not added to base pay which is subject to legal withholdings. Said payment shall be made in the payroll immediately following the ratification of this agreement by the parties.

It is expressly understood and agreed by and between the parties that any issues, disputes or grievances relating to this paragraph shall be subject to the grievance and arbitration procedure in the CBA. The County also agrees not to perfect its appeal of Judge Schick's Order and Decision in County of Sullivan v. LIUNA, Local 17, Appellate Division Third Department Civil Case No. 520567 and Sullivan County Index No. 1193-2014;

9. The parties agree that the terms of the ratified MOA shall be incorporated into a complete collective bargaining agreement.

County of Sullivan

By: _____
County Manager

Dated: _____
October 1, 2015

LIUNA, Local 17

By: _____

Dated: _____
October 1, 2015