

**Sullivan County Legislature  
Regular Meeting  
February 18, 2016 at 2:00PM**

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

Roll Call indicated all legislators present.

The Clerk read the following communications:

1. SLAC January New update for New York Health dated January 30, 2016
2. 2015 Clerks Report to the Legislature of the County received February 2, 2016 filed by County Clerk Daniel L. Briggs
3. Office of the State Comptroller Debt Statement dated received February 9, 2016 filed by County Treasurer Nancy Buck
4. Letter received February 16, 2016 by the NYSDOT with SEQRA Determination for Route 52, Infirmary Road to Woodbourne Mill
5. Resolution adopted by the Town of Bethel on February 10, 2016 opposing the compressor station in neighboring Town of Highland received February 6, 2016
6. Further ruling by the State of New York Public Service Commission received February 16, 2016 in the Matter of Alternating Current Transmission Upgrades
7. Chairman Alvarez's appoints to the Sullivan County Interconnects Long Term Care Council dated February 5, 2016
8. Chairman Alvarez's appointment to the Sullivan County Youth Board dated February 10, 2016
9. Chairman Alvarez's appointment of the Town of Thompson representative to the 2016 Fire Advisory Board
10. Commissioner Dick Martinkovic's appointments to the Sullivan County Fire Investigation Team
11. Sullivan County Legislative Proclamation proclaiming August 7, 2016 as Patriots Day.
12. Sullivan County Legislative Proclamation proclaiming the month of February as Children's Dental Health Month dated February 16, 2016
13. Records Destruction Notification dated February 10, 2016 from the DFS Fraud Unit DFS Data Entry/Records dated February 16, 2016 and the County Attorney's Office dated February 16, 2016.

**Public Comment**

There was no public comment.

**Order of Business:**

Mrs. Owens moved to approve, seconded by Mr. Sorensen for discussion. After much discussion among legislators and District Attorney Farrell, County Attorney McCausland suggested that the resolution be amended to reflect the following: *"Be It Further Resolved, that to the extend the Memorandum of Understanding with DFS is renewed, the District Attorney shall be authorized to fill no more than one vacancy in the Fraud Unit"*. Legislators concurred.

**RESOLUTION NO. 41-16 INTRODUCED BY PERSONNEL COMMITTEE TO  
CREATE AN INVESTIGATOR POSITION WITHIN THE DISTRICT  
ATTORNEY'S OFFICE**

**WHEREAS**, the Sullivan County District Attorney requested the creation of an additional investigator position in the 2015-2016 budget for special assignment to the White Collar Task Force with the Hudson Valley Resident Office of the Federal Bureau of Investigation; and

**WHEREAS**, white collar investigations are generally complex and require an enormous amount of investigative resources; and

**WHEREAS**, the creation of this position would allow the Sullivan County District Attorney to have a law enforcement presence on this task force and would serve to benefit the residents of Sullivan County by having a task force of federal agents

available to investigate white collar crime in Sullivan County with resources provided from outside the county; and

**WHEREAS**, the District Attorney has indicated that the creation of this position would benefit ongoing and future white collar investigations in Sullivan County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of the following positions within the District Attorney's Office, the setting of salaries, and the authorization to fill the created position:

**BE IT FURTHER RESOLVED**, that to the extent the Memorandum of Understanding with Department of Family Services is renewed, the District Attorney shall be authorized to fill no more than one vacancy in the Fraud Unit.

**Create:**

<u>Department</u>	<u>Position</u>	<u>Salary</u>	
<u>Effective Date</u>			
A1165	District Attorney Investigator	\$50,000	2/25/16

**Moved by Mr. Sorensen, seconded by Mr. Perrello**, put to a vote, unanimously carried as amended and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 42-16 INTRODUCED BY THE PERSONNEL COMMITTEE TO CREATE ONE (1) TEMPORARY PART-TIME EXECUTIVE DIRECTOR OF HUMAN RIGHTS POSITION**

**WHEREAS**, there exists a vacancy in the permanent part-time Executive Director position for the Human Rights Commission, and

**WHEREAS**, the Human Rights Commission has requested that they be able to hire a temporary part-time Executive Director for the Human Rights Commission until such time that they can find a permanent appointment.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of one (1) temporary part-time Executive Director position for the Human Rights Commission with an hourly rate of \$20.00 an hour up to 20 hours a week, and

**BE IT FURTHER RESOLVED** that the position is to be abolished upon filling the permanent part-time Executive Director position for the Human Rights Commission.

**Moved by Mrs. Ward, seconded by Mrs. Rajsz**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 43-16 INTRODUCED BY PERSONNEL COMMITTEE TO CREATE A PART-TIME PHYSICIAN POSITION AT THE SULLIVAN COUNTY JAIL**

**WHEREAS**, pursuant to New York Correction Law § 501, a reputable physician, duly authorize to practice medicine must be appointed by the Sullivan County Legislature; and

**WHEREAS**, Gary Good, MD, is an appropriately credentialed professional that is capable of providing such services; and

**WHEREAS**, the Sullivan County Sheriff and the Human Resources Director recommends the creation of a Part-time Physician position at an hourly rate of \$100.00 per hour, to provide physician services at the Sullivan County Jail.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of a Part-Time Physician position and appoints Gary Good, MD to said position, at the Sullivan County Jail at an hourly rate of \$100.00 per hour, and gives permission to fill this position immediately; and

**BE IT FURTHER RESOLVED**, that a budget modification is hereby authorized to cover this position by decreasing appropriation code A3150-40-4017 by \$20,000 and increasing appropriation code A3150-10-1011 by \$20,000.

**Moved by Mr. Samuelson, seconded by Mrs. Rajszyk**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 44-16 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE AWARD AND EXECUTION OF CONTRACT**

**WHEREAS**, a proposal was received for design and purchase of a jail security system for the new Sullivan County Jail Facility, and

**WHEREAS**, Black Creek Integrated Systems Corporation, 2900 Crestwood Boulevard, PO Box 101747, Irondale, Alabama 35210, is the most qualified vendor to provide these services and equipment, and

**WHEREAS**, SHI, is the New York State Contract vendor and Black Creek's authorized vendor to sell the software necessary to utilize the Black Creek security system, and

**WHEREAS**, LaBella Associates, the County's architect for this project, requires that the County decide on the security system for the project in order to proceed with the contract documents and drawings for bidding of this project, and

**WHEREAS**, in order for Black Creek to provide information to LaBella Associates, for these documents and drawings, the Sullivan County Sheriff, has recommended, with approval from the Purchasing and Central Services Department in regards to a sole source purchase, to execute a contract, and

**WHEREAS**, it has been determined that the Black Creek system will offer the Sullivan County Sheriff's Department unique benefits in providing a security system that will be maintained and not compromise public safety, through extensive experience of operations of County Jails and Correctional Facilities, availability of parts, technical support, shorter downtime, increased compatibility, and

**WHEREAS**, the Sullivan County Sheriff's Department, since 2007, has been utilizing Black Creek's Sallyport New York Jail Management System and there will be significant operational benefits if this system is integrated with the Black Creek security system, allowing for seamless exporting of inmate data to other jail facilities, and

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to proceed with the system design utilizing Black Creek Super Display Touchscreen Security System (hardware and software), with the understanding that the most updated software and equipment will be supplied, upon award of the bid document for construction of the new Jail Facility, and shall be in such form as the County Attorney shall approve.

**Moved by Mrs. Ward, seconded by Mr. Samuelson**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 45-16 INTRODUCED BY THE HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO RENEW THE CONTRACT BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND HOSPICE OF ORANGE AND SULLIVAN COUNTIES, INC.**

**WHEREAS**, the Sullivan County Adult Care Center has a desire to provide hospice services to qualifying residents of the facility; and,

**WHEREAS**, Hospice of Orange and Sullivan Counties, Inc. is qualified and has a desire to provide hospice services to qualified residents in the Adult Care Center; and,

**WHEREAS**, this agreement is for one year from 12/14/2015. Agreement will be renewed automatically for successive two year terms unless terminated.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to renew the contract with Hospice of Orange and Sullivan Counties, Inc., to provide hospice services to qualifying residents in the Adult Care Center; and

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

**Moved by Mrs. Rajszy, seconded by Mr. Samuelson**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 46-16 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR FUNDING AND FOR THE PROVISION OF CHILD CARE RELATED SERVICES FROM JANUARY 1, 2016 THROUGH DECEMBER 31, 2016**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements to attain funding and provide services for the provision of child care registration and inspection related services during the period January 1, 2016 through December 31, 2016 at a cost not to exceed the amount funded by OCFS; and,

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

**Moved by Mrs. Rajszy, seconded by Mr. Samuelson**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 47-16 INTRODUCED TO PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO ENTER INTO AN AGREEMENT WITH THE ASSOCIATION OF PUBLIC SAFETY COMMUNICATIONS OFFICIALS INTERNATIONAL, INC (APCO) FOR USE OF THEIR EMERGENCY MEDICAL DISPATCH PROGRAM AND ASSOCIATED SOFTWARE.**

**WHEREAS**, Sullivan County 911 has been utilizing the Priority Dispatch Inc. emergency medical dispatch system for many years, and

**WHEREAS**, the APCO dispatch system provides a more robust solution which includes EMS, Fire and Law Enforcement dispatch protocols in a more flexible and cost effective manner, and

**WHEREAS**, the APCO dispatch system is a nationally used and recognized dispatch system, and

**WHEREAS**, the County has received grant funding for 100% of the costs associated with the transition to the APCO dispatch system, and

**WHEREAS**, it is in the County's best interest to utilize the APCO dispatch system and associated software, and

**WHEREAS**, the total cost of the APCO system agreement shall not exceed \$30,000.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to execute an agreement with the Association of Public-Safety Communications Officials International, Inc. for the use of their Emergency Medical Dispatch System and associated software (9-1-1 Advisor Software) at a cost not to exceed \$30,000.00. Such agreement is to be in a form as approved by the County Attorney's Office.

**Moved by Mrs. Ward, seconded by Mr. Sorensen**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 48-16 INTRODUCED BY THE PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO AUTHORIZE A CONTRACT WITH SULLIVAN LEGAL AID PANEL, INC. FOR THE FISCAL YEARS 2016 THROUGH 2018**

**WHEREAS**, pursuant to County Law Section 722, Sullivan County is required to provide counsel to persons charged with a crime or who are entitled to counsel pursuant to Section 262 or Section 1120 of the Family Court Act, Article 6-C of the Correction Law or Section 407 of the Surrogate's Court Procedure Act, who are financially unable to obtain counsel; and

**WHEREAS**, Sullivan Legal Aid Panel, Inc., a not-for-profit corporation, has provided, under an existing contract, such services and legal representation of indigents in all matters in Sullivan County which are mandated by statute or case law; and

**WHEREAS**, the contract with Sullivan Legal Aid, Inc. expired on December 31, 2015 and both parties are desirous of renewing said contract.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute a contract with Sullivan Legal Aid Panel, Inc. for three (3) years commencing January 1, 2016 through December 31, 2018, in an amount not to exceed Seven Hundred Forty-One Thousand and Six Hundred and Fifty-Eight Dollars (\$741,658) per year, said contract be in such form as the County Attorney shall approve.

**BE IT FURTHER RESOLVED**, that the Sullivan Legal Aid Panel, Inc. deliver a document of financial guarantee to the County Attorney.

**Moved by Mr. Samuelson, seconded by Mrs. Ward**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 49-16 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 \$100,000.00 for this project and is now offering \$125,000.00 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. 376-15.

**Moved** by Mrs. Rajsz, **seconded** by Mr. Samuelson, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION 50-16 INTRODUCED BY THE HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE THE CONTINUATION OF GRANT RENEWAL AND SUBMISSION OF A 2016 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (CNCS)/ RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) GRANT APPLICATION; AND TO ACCEPT AN AWARD OF FUNDS IF GRANTED.**

**WHEREAS**, the Sullivan County Office for the Aging (*SC OFA*) presently operates a Retired Senior Volunteer Program (*RSVP*) federally funded via the Corporation for National and Community Service (*CNCS*); and

**WHEREAS**, the CNCS has notified the SC OFA that they are eligible for a continuation of the Grant Renewal as the incumbent agency for federal funds of \$57,323.00 for the period of April 1, 2016 through March 31, 2017 (year one of a 3 year cycle). The total projected 2016 budget of 236,741.00\*(this includes \$5972.00 in State funding and \$8000.00 in in-kind and fund raising match) with the actual total county match being 165,446.00.

**WHEREAS**, the SC OFA seeks to continue the RSVP as part of the effort to improve lives, strengthen our communities and foster civic participation through senior service and volunteering; and

**WHEREAS**, the SC OFA is considered eligible to submit a renewal application for 2016-2019 RSVP funding.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the County Manager and / or the Chairman of the County Legislature (*as required by the funding source award agreement / contract*) to execute any and all necessary documents to submit the RSVP renewal application for funding, to accept the award should one be granted, 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 2016-2019 RSVP funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

**Moved by** Mr. Samuelson, **seconded by** Mrs. Rajszyk, put to a vote, unanimously carried as amended and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 51-16 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE A SHARED SERVICE AGREEMENT FOR EMERGENCY ASSISTANCE WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT)**

**WHEREAS**, NYSDOT has a mechanism that allows for emergency assistance to municipalities in the absence of a Governors Emergency Declaration; and

**WHEREAS**, under this program services or materials up to \$10,000 can be utilized; and

**WHEREAS**, in order to be eligible a Shared Services Agreement (SSA) must be in place between the County and the State of New York.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Highway Superintendent is hereby authorized to execute a SSA with the NYSDOT; and

**BE IT FURTHER RESOLVED**, that such SSA shall be in a form approved by the County Attorney.

**Moved by** Mr. Perrello, **seconded by** Mrs. Ward, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 52-16 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO SIGN AN AUTHORIZATION TO PROCEED FOR POWER AUTHORITY OF STATE OF NEW YORK (PASNY) TO PROCEED WITH THE 30% DESIGN DOCUMENTS FOR THE SULLIVAN COUNTY GOVERNMENT CENTER (SCGC)**

**WHEREAS**, NYPA through a sub consultant PRES Energy has completed a feasibility study of the SCGC which is the second phase in regard to the NYPA Statewide Energy Services Program (SESP); and

**WHEREAS**, the DPW and the OSE staff have reviewed and commented on the 30% Design documents; and

**WHEREAS**, the feasibility study has indicated potential energy savings project opportunities; and

**WHEREAS**, the next phase of the NYPA SESP involves the continuation of the documents; and

**WHEREAS**, NYPA has extended an authorization to proceed; and

**WHEREAS**, DPW recommends the County proceed with the next phase of the SESP.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to execute the authorization to proceed in such form as the County Attorney's Office shall approve.

**Moved by Mr. Samuelson, seconded by Mrs. Rajszyk, put to a vote, unanimously carried and declared duly adopted on motion February 18, 2016.**

**RESOLUTION NO. 53-16 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AMEND RESOLUTION 248 OF 2014 REGARDING PUBLIC ACCESS TO CONTRACTS**

**WHEREAS**, resolution 248 of 2014 requires that all contracts worth more than \$50,000 in the aggregate be made available via a publically available website, and

**WHEREAS**, staff is able to publish all contracts via a publically available website, regardless of dollar value, and

**WHEREAS**, resolution 248 of 2014 requires certain data be published that is difficult or not feasible to make available.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby amends resolution 248 of 2014 to require that all contracts be made available via a publically available website regardless of dollar amount, and

**BE IT FURTHER RESOLVED**, that requirement 5 through 7 of resolution 248 of 2014 is not required to be part of the publically available information, and

**BE IT FURTHER RESOLVED**, that the annual service contractor expenditure budget is not required to be part of the annual Operating Budget.

**Moved by Mr. Samuelson, seconded by Mrs. Rajszyk, put to a vote, unanimously carried and declared duly adopted on motion February 18, 2016.**

**RESOLUTION NO. 54-16 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2015 COUNTY BUDGET**

**WHEREAS**, the County of Sullivan Budget requires modification,

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

**Moved by Mr. Samuelson, seconded by Mrs. Rajszyk, put to a vote, unanimously carried and declared duly adopted on motion February 18, 2016.**

Budget Modification is at the end of these minutes.



**RESOLUTION NO. 55-16 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO RENEW CONTRACTS WITH AUTHORIZED NEW YORK STATE EDUCATION DEPARTMENT SERVICE PROVIDERS FOR SERVICES RENDERED**

**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 has existing Pre-School contracts with the authorized New York State Education Department Service Providers on the attached list, which need to be authorized for the period beginning July 1, 2016 to June 30, 2019.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and is hereby authorized to execute contract renewals with the authorized New York State Education Department Service Providers on the attached list for the period beginning July 1, 2016 to June 30, 2019, and

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

**Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote, unanimously carried and declared duly adopted on motion** February 18, 2016.

The provider attachment is at the end of these minutes.

**RESOLUTION NO. 56-16 INTRODUCED BY VETERANS COMMITTEE IN SUPPORT OF HYPERBARIC OXYGEN THERAPY FOR TREATMENT OF TRAUMATIC BRAIN INJURY AND POST TRAUMATIC STRESS DISORDER**

**WHEREAS**, Hyperbaric Oxygen Therapy has been proven effective in the treatment of persons suffering from traumatic brain injury and post-traumatic stress disorder, and

**WHEREAS**, various materials have been presented to the Sullivan County Legislature to prove that Hyperbaric Oxygen Therapy is being used successfully for the treatment of traumatic brain injury and post-traumatic stress disorder, and

**WHEREAS**, Hyperbaric Oxygen Therapy, also known as HBOT, is the administration of 100 percent oxygen in the presence of pressure which allows the body to heal from conditions in which low oxygen in the tissues inhibits or complicates the healing process, and

**WHEREAS**, HBOT therapy does not require administration of numerous medications including narcotics, and has been shown to relieve the symptoms associated with traumatic brain injury and post-traumatic stress disorder including suicide.

**NOW, THEREFORE BE IT RESOLVED**, that HBOT treatment is not covered by Veterans Administration (VA) or by private health insurance.

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature hereby supports support of Hyperbaric Oxygen Treatment for traumatic brain injury and post-traumatic stress disorder.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be emailed to U.S. Senators Schumer and Gillibrand and U.S. Congressman Gibson.

**Moved by Mrs. Owens, seconded by Mrs. Rajsz, put to a vote, unanimously carried and declared duly adopted on motion** February 18, 2016.

**RESOLUTION 57-16 INTRODUCED BY PERSONNEL COMMITTEE TO ADOPT AN UPDATED ANTI-DISCRIMINATION AND HARASSMENT POLICY**

**WHEREAS**, the County of Sullivan adopted a General Anti-Discrimination and Harassment Protection Policy and Procedure by Resolution No. 178-01 on April 26, 2001; and

**WHEREAS**, since the adoption of the aforementioned policy there have been numerous changes to state and federal laws regarding this subject matter; and

**WHEREAS**, the Director of Human Resources/Personnel Officer has been working with the firm of Roemer Wallens Gold and Mineaux, LLC, the County's retained labor counsel, to update the aforementioned policy to ensure that the County's policy is in full compliance with the current state of the law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby adopts the attached Sullivan County Anti-Discrimination and Harassment Policy.

**Moved by Mr. Samuelson, seconded by Mrs. Rajsz**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

### **Sullivan County Anti-Discrimination and Harassment Policy**

#### **I. PURPOSE**

The County of Sullivan ("County") is an equal opportunity employer committed to compliance with federal, state and local laws prohibiting employment discrimination. It is the policy of the County to maintain a work environment which is free from unlawful discrimination based on sex (with or without sexual conduct), race, creed, color, religion, national origin, age, disability, sexual orientation, military status, marital status, predisposing genetic characteristics or genetic information, domestic violence victim status and any other class protected by law. Harassment based on any of these characteristics ("discriminatory harassment") is a form of unlawful discrimination. Discrimination and discriminatory harassment is prohibited in each and every work environment and each and every situation which directly impacts the work environment.

#### **II POLICY**

The County considers unlawful discrimination and discriminatory harassment to be forms of employee misconduct and considers this type of misconduct to be a serious offense which will not be tolerated. Allegations of discrimination and/or discriminatory harassment will be investigated thoroughly and if substantiated, will be met with appropriate corrective and/or disciplinary action commensurate with the seriousness of the offense(s), and in accordance with the parameters of applicable collective bargaining agreements and/or state law.

All employment decisions at the County shall be made on the basis of merit, fitness and equality of opportunity and without unlawful discrimination on the basis of sex, race, creed, color, religion, national origin, age, disability, sexual orientation, military status, marital status, predisposing genetic characteristics or genetic information, domestic violence victim status and any other class protected by law.

Retaliation against any individual making a harassment complaint or assisting in the investigation of such a complaint is also unlawful and prohibited. Retaliation is a serious violation of this policy which may result in disciplinary action.

#### **III DEFINITIONS**

A. Sexual Harassment is defined as:

Unwanted sexual advances, request for sexual favors, and other verbal and physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment (e.g., promotion, training, assignments, etc.), or submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual ("quid pro quo" harassment); or
2. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of specific behaviors that may be considered sexual harassment include, but are not limited to :

- Spoken or written words related to an employee's sex
- Any sexual advance that is unwelcome
- Sexually oriented comments
- Showing or displaying pornographic or sexually explicit objects or pictures in the workplace
- Offensive touching, patting or pinching
- Requests for sexual acts or favors
- Abusing the dignity of an employee through insulting or degrading sexual remarks or conduct
- Threats, demands or suggestions that an employee's work status is contingent upon his/her toleration of or acquiescence to sexual advances
  - Subtle pressure for sexual activities
  - Leering at a person

Sexual harassment is gender neutral and may involve members of the same or different gender.

#### B. Discriminatory Harassment

In addition to sexual harassment, harassment on the basis of any other protected characteristic also constitutes discriminatory harassment and is prohibited. Discriminatory harassment includes conduct that constitutes "quid pro quo" harassment (see section III(A) above) or that which creates a hostile work environment. Hostile work environment harassment includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, creed, color, religion, gender, national origin, age, disability, or sexual orientation (and any other class or characteristic protected by law), or that of his/her relatives, friends, or associates, and that (i) has the purpose or effect of creating a hostile, intimidating or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Discriminatory harassment includes, but is not limited, to, epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to a protected class or characteristic. This also includes acts that purport to be "jokes" or "pranks", but that are hostile or demeaning acts regarding member(s) of a protected class and any written or graphic material that denigrates or shows hostility or aversion toward an individual or group based on a protected class or characteristic that is placed on walls, bulletin boards, or elsewhere on the employer's premise, or circulated in the workplace.

#### C. Other Unacceptable Conduct

This policy also prohibits conduct which may not rise to the level of discrimination or discriminatory harassment in violation of the law, but nonetheless creates a degree of hostility or intimidation that adversely affects the work environment. Conduct which is not based on a legally protected characteristic, but is nonetheless intended to annoy, personally attack, belittle or embarrass another individual is inappropriate and unacceptable in the workplace. The County encourages the use of its complaint procedure by employees or interns who believe they have been subject to inappropriate conduct by another individual, even if such conduct may not constitute discrimination or discriminatory harassment. The County endeavors to create an environment in which employees and interns may feel free to raise concerns and confident that those concerns will be addressed.

D. Discrimination

Discrimination on the basis of any class or characteristic protected by law is prohibited. Discrimination is defined as any adverse treatment of an individual in the terms, conditions or privileges of employment because of his/her race, creed, color, religion, national origin, age, disability, sexual orientation, military status, marital status, predisposing genetic characteristic or genetic information, domestic violence victim status, or any other class protected by law.

E. Retaliation

Retaliation is any adverse action taken against an individual because he/she filed a complaint of discrimination or harassment or because he/she participated in the investigation of such complaint. Adverse actions may include, but are not limited to, firing, demotion or harassment.

**IV SCOPE OF THE POLICY**

This policy applies to all applicants for employment with the County and all County employees (including officers, managers, supervisors and all other employees), interns, contractors, and volunteers. This policy may be applied to the conduct of those who are not employees, volunteers, contractors or interns of the County with respect to any illegal discrimination or illegal harassment of County employees, volunteers, applicants, contractors or interns in the workplace, depending on the nature of the alleged conduct.

All employees, volunteers, contractors or interns will be expected to comply with this policy and take appropriate measures to ensure that discrimination or harassment does not occur. When discrimination or harassment is suspected, employees, volunteers, contractors and interns are encouraged to use the complaint and investigation procedures set forth in this policy.

Conduct prohibited by the policy is unacceptable in the workplace and in any work-related settings outside the normal workplace, such as during business trips, business meetings and business-related social events.

Anti-discrimination protections described in this policy apply to all of the terms and conditions of employment including, but not limited to: recruitment, testing, hiring, work assignments, salary and benefits, performance evaluations, promotions, training opportunities, transfers, discipline, discharge and working conditions.

**V RESPONSIBILITIES**

A. Responsibilities of Department Heads

All Department Heads shall be responsible for enforcing this policy within their Department in conjunction with the County Personnel Officer, and shall have particular responsibility for ensuring that the work environment under their supervision is free from discrimination, harassment and its effects.

All Department Heads who receive complaints or become aware of potential instances of discrimination or discriminatory harassment within the work environment under their supervision are responsible for immediately forwarding the complaint to the Personnel Officer. Failure of a Department Head to comply with this responsibility may result in disciplinary action.

B. Responsibilities of Managerial/Supervisory Personnel

All managerial and supervisory personnel who receive discrimination or discriminatory harassment complaints or become aware of potential instances of discrimination or discriminatory harassment within the work environment under their supervision will be responsible for immediately forwarding such complaints to the Department Head or the Personnel Officer. Failure of a manager or supervisor to comply with this responsibility may result in disciplinary action.

Responsibilities of the County

The County of Sullivan will conduct periodic training for Department Heads, managerial and supervisory personnel in each Department of the County on the issues surrounding discrimination and discriminatory harassment, its effects and its appearances, and the role and responsibility of Department Heads and managerial/supervisory personnel in preventing incidents of discrimination and harassment.

The County shall distribute this policy to all County employees and all others covered by its parameters. Copies of this policy will be distributed to new employees as they are hired.

**VI REPORTING PROCEDURE**

If an individual is subject to a situation which he/she believes constitutes harassment, it is recommended that the employee confront the harasser directly and advise the harasser that his/her behavior is not welcomed and will not be tolerated; note that neither this policy nor state/federal law requires that an individual tell an alleged accused to stop his/her actions. Employees should feel free to keep written records of any alleged harassment incidents, including the date, time, location, names of people involved, witnesses (if any) and who said what to whom. If an alleged incident of harassment cannot be resolved directly between the parties involved, a written or verbal complaint should be filed as prescribed below.

An individual covered by this policy who is subject to a situation which he/she believes constitutes discrimination, discriminatory harassment or retaliation should file a written or verbal complaint with the individual's Department Head, or directly with the Personnel Officer.

A manager, supervisor or Department Head who becomes aware that discrimination or discriminatory harassment may be occurring must immediately report it in accordance with Section V of this policy.

**VII COMPLAINT INVESTIGATION**

All complaints will be handled confidentially to the extent possible, and information obtained from the complainant will not be discussed with other personnel except as necessary to investigate and resolve the complaint.

All complaints will be investigated as promptly as possible and resolved within a reasonable time after receipt of the complaint by the Personnel Officer.

The County, through an investigator and with the oversight of the Personnel Officer or his/her designee, will coordinate an investigation of the complaint. Following the investigation, the investigator shall issue a written report of findings and conclusions to the Personnel Officer.

Thereafter, an initial determination on the complaint will be issued by the Personnel Officer and the results communicated, in writing, back to the complainant.

## **VII APPEAL PROCEDURE**

- A. The Complainant may appeal the Personnel Officer's determination by providing a written appeal request to the County Attorney. This appeal request should be filed within seven (7) business days of the individual's receipt of the Personnel Officer's written determination and should state the reason(s) for objecting to those findings.
- B. The County Attorney will refer the appeal to a Review Board who will review the evidence gathered, the investigative findings, and the Personnel Officer's decision to determine if the decision reached was reasonable, based upon the facts.
- C. The Review Board shall consist of the County Attorney, County Manager or their designees and the Commissioner of the respective division.
- D. Within thirty (30) days of receipt of a written appeal request, the County Attorney shall issue a written report of findings of the Review Board to the parties.

## **VIII RESPONSE PROCEDURES**

Any person found to be engaging in discrimination, harassment, retaliation or other behavior prohibited by this policy (including the failure of a Department Head, manager or supervisor to comply with their responsibilities under Section V of this policy) will be subject to disciplinary action in accordance with the provisions of his/her collective bargaining agreement or applicable state law. Based upon the seriousness of the offense, discipline may include, but is not limited to, a written reprimand, suspension without pay, demotion, transfer, fine, termination and any other measures calculated to eliminate illegal or inappropriate behavior. In addition to implementing such disciplinary action, the County shall take such steps as may be necessary to address the impact that any unlawful discrimination has had upon the complainant.

## **IX RETALIATION WILL NOT BE TOLERATED**

Retaliation against any individual making a good faith complaint or assisting in the investigation of such a complaint is strictly prohibited and will not be tolerated. Retaliation is a serious violation of this policy which may result in disciplinary action.

## **X MISCELLANEOUS**

Reporting of a false complaint is a serious act. In the event it is found that the individual making the complaint has made knowingly false accusation, the County may take disciplinary action in accordance with the provisions of the applicable collective bargaining agreement and/or applicable state law.

This Policy does not preclude the filing of discrimination, discriminatory harassment or retaliation complaints with either the New York State Division of Human Rights or the Federal Equal Employment Opportunity Commission, or the pursuit of any other remedies permitted by law.

revised February 18, 2016

**DISCRIMINATION/HARASSMENT COMPLAINT FORM:**

**(Submit to Department Head and/or Personnel Officer)**

This form may be used to file a charge of discrimination or harassment prohibited by federal law, the New York State law, and Sullivan County's Anti-Discrimination and Harassment Policy.

Filing of this complaint form in no way deprives you of the right to file a complaint with the US Equal Employment Opportunity Commission, New York State Division of Human Rights, or the Federal/State courts.

(PLEASE PRINT OR TYPE)

1. Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Residence \_\_\_\_\_

Mailing Address (if different from residence) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_

2. Department that you work in \_\_\_\_\_

3. (a) Have you filed this charge with a Federal, State or local government agency?  
YES/NO: \_\_\_\_\_ When \_\_\_\_\_ Where \_\_\_\_\_

(Month/Day/Year)

(b) Have you instituted a suit or court action on this charge?  
YES/NO: \_\_\_\_\_ When \_\_\_\_\_ Where \_\_\_\_\_

(Month/Day/Year)

(AN AFFIRMATIVE REPLY TO THIS QUESTION WILL IN NO WAY STOP SULLIVAN COUNTY'S REVIEW OF YOUR COMPLAINT)

4. Alleged Discrimination/Harassment Occurred on or about:  
Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_ Time: \_\_\_\_\_

Is this alleged discrimination/harassment continuing: YES \_\_\_\_\_ NO \_\_\_\_\_

Describe the alleged act of discrimination/harassment. Use additional sheets if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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5. Indicate the name(s) of the alleged harasser(s):

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6. State the name(s) of any potential witness(es):

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7. I swear or affirm that I have read the above related facts and that the statements are true and correct to the best of my knowledge, information and belief.

Date: \_\_\_\_\_

\_\_\_\_\_  
(sign your name)

-INFORMATION PROVIDED WILL BE CONFIDENTIALLY MAINTAINED-

**RESOLUTION NO. 58-16 INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE CALLING ON THE STATE TO ASSUME THE COSTS OF INDIGENT LEGAL DEFENSE SERVICES AND FOR THE COMPLETE REIMBURSEMENT TO ALL COUNTIES EXPENSES ASSOCIATED WITH THE INDIGENT LEGAL DEFENSE UNFUNDED MANDATE**

**WHEREAS**, in 1963 the United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

**WHEREAS**, in 1965 the State of New York delegated this STATE responsibility to counties, adding another unfunded mandated expense to the counties; and

**WHEREAS**, the decision to entrench responsibility at the county level by the State of New York has resulted in a system in which the county and local property tax payers are burdened with the vast majority of cost for this State responsibility; and

**WHEREAS**, public defense services are inadequately financed by the State of New York; and

**WHEREAS**, in 2006 the Kaye Commission on the Future of Indigent Defense Services declared the New York State System of County-Delivered Indigent Services to be in crisis, and urged the expeditious establishment of an Independent Public Defense Commission overseeing a STATE-FUNDED, statewide defender system; and

**WHEREAS**, the State of New York settled the *Matter of Hurrell-Harring, et al v. State of New York*, a systemic lawsuit seeking to transform the indigent defense system into a statewide defender system consistent with the State's responsibility under *Gideon v. Wainwright*; and

**WHEREAS**, in settlement of *Hurrell-Harring*, the State accepted its responsibility to ensure that each person charged with a crime in the five (5) counties names in the lawsuit, is represented by counsel at arraignment; that Indigent Legal Services (ILS) caseload/workload standards are implemented; that dedicated funding be provided to implement specific quality



improvements; and that the State will undertake its best efforts to pay in full for these long-needed measures; and

**WHEREAS**, the settlement of the *Hurrell-Haring* matter has resulted in disparity between the five named counties of the lawsuit and the remaining fifty-seven (57) counties with respect to the financial benefit provided by the State to individual county indigent legal defense plans; and

**WHEREAS**, Assemblywoman Patricia Fahy has introduced legislation (A6202-a) designed to address the inequity created by the *Hurrell-Haring* settlement, through a phase-in indigent legal defense funding model that would ultimately see the State assume its responsibility to fund indigent defense and reimburse all Counties for their indigent legal defense expenditures delegated to them in 1965; and

**WHEREAS**, State Senator Joseph Griffo and other Senators are working in the State Senate toward a Bill designed to address this inequity and unfunded mandate delegated to the Counties; and

**WHEREAS**, the Sullivan County Legislature seeks to support these efforts and proposed Bills.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature supports the efforts of Assemblywoman Patricia Fahy and Senator Griffo in their respective efforts to bring forth legislation designed to alleviate the financial burdens imposed upon the fifty-seven (57) counties by the continued unfunded mandate of indigent legal defense; and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature calls upon the State Assembly and Senate to enact legislation as Assemblywoman Fahy has proposed, to address the inequity created by the *Hurrell-Haring* settlement through a phase-in funding model for indigent legal defense that would ultimately have the State reimburse all counties for indigent legal defense expenditures, thereby having the State assume its responsibility to fully fund indigent legal defense; and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature declares that the State funding of indigent criminal defense will relieve the financial strain on county governments for these unfunded mandates, and will provide proper justice to indigent defendants, and the fair and appropriate fiscal responsibility for same; and

**BE IT FURTHER RESOLVED**, that the Clerk to the Legislature is hereby directed to forward a copy of this resolution to Governor Andrew M. Cuomo, Sullivan County representatives of the NYS Senate and NYS Assembly, New York State Defenders' Association, New York State Office of Indigent Legal Services, New York State Association of Counties (NYSAC), and all others deemed necessary and proper.

**Moved by Mrs. Owens, seconded by Mrs. Ward, put to a vote, unanimously carried and declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 59-16 INTRODUCED BY EXECUTIVE COMMITTEE ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID WASTE/RECYCLING FEE GRIEVANCE COMMITTEE.**

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

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

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

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

**WHEREAS**, the Committee has reviewed appeals and it recommends denying reduction/elimination of the user fee for properties detailed on the Recommended Denial List attached hereto as Appendix “B” and made as part hereof.

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislature acknowledges receipt of the Committee’s recommendations detailed on Appendix “A” and Appendix “B” and hereby ratifies said recommendations contained on Appendix A and B.

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

**Moved by Mrs. Rajszy, seconded by Mr. Samuelson**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

This report is attached at the end of these minutes.

**RESOLUTION NO. 60-16 INTRODUCED BY THE EXECUTIVE COMMITTEE TO EXECUTE AN AGREEMENT WITH SULLIVAN WAWARSING RURAL ECONOMIC AREA PARTNERSHIP (REAP) ZONE BOARD**

**WHEREAS**, according to Resolution 194-12, the Sullivan County Legislature affirmed its support for the continuance of the Sullivan-Wawarsing REAP Zone, and **WHEREAS**, the REAP Zone Board is critical to supporting and obtaining funding for this economically depressed zone; and

**WHEREAS**, according to Resolution 40-14, authorized the County to enter into an agreement with REAP to offset the Sullivan – Wawarsing REAP Zone Board expenses; and

**WHEREAS**, the current balance in the REAP account is less than \$5 which is not sufficient to cover necessary REAP expenses; and

**WHEREAS**, funding must be provided to the Board in order for them to pay vendors directly for expenses incurred by the REAP Board.

**NOW THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature authorizes the County Manager to execute an agreement with the REAP Board in an amount not to exceed \$2,500; and

**BE IT FURTHER RESOLVED**, that the authorized agreement shall be utilized to offset the Sullivan – Wawarsing REAP Zone Board expenses for the year 2016; 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 Mrs. Rajszy, seconded by Mr. Samuelson**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 61-16 INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPROVE A SULLIVAN COUNTY REVOLVING LOAN**

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

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

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

<u>Borrower</u>	<u>Program</u>	<u>Amount</u>
Fish & Bicycle (Juliette Hermant & Laura Silverman)	Main Street Business	\$50,000

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

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

**Moved by Mrs. Rajszy, seconded by Mr. Samuelson**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 62-16 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2016 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP # 57.-1-16.04./0201**

**WHEREAS**, an application dated January 29, 2016 having been filed by Brandon P Rieber with respect to property assessed to said applicant on the 2016 tax roll of the Town of Fallsburg Tax Map # 57.-1-16.04./0201 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on the taxable portion of the tax roll due to an incorrect entry on the tax roll of a relieved school tax which has been previously paid; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated February 9, 2016 recommending the Sullivan County Legislature approve said application; and

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

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

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

**BE IT FURTHER RESOLVED**, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this legislature 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 Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote, unanimously carried and declared duly adopted on motion February 18, 2016.

**RESOLUTION NO. 63-16 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2016 TAX ROLL OF THE TOWN OF FREMONT FOR TAX MAP #13.-1-12.1**

**WHEREAS**, an application dated January 28, 2016 having been filed by Brook Budd with respect to property assessed to said applicant on the 2016 tax roll of the Town of Fremont Tax Map #13.-1-12.1 pursuant to Section 554 of the Real Property Tax Law, to correct an unlawful entry on the taxable portion of the tax roll due to an incorrect entry of the assessed valuation of an improvement to real property which was present on a different parcel; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated February 9, 2016 recommending the Sullivan County Legislature approve said application; and

**WHEREAS**, this legislature 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 Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote, unanimously carried and declared duly adopted on motion February 18, 2016.

**RESOLUTION NO. 64-16 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2016 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #23.-1-19.2**

**WHEREAS**, an application dated January 29, 2016 having been filed by Joan Gabel with respect to property assessed to said applicant on the 2016 tax roll of the Town of Delaware Tax Map #23.-1-19.2 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on the taxable portion of the tax roll due to an incorrect entry of assessed valuation on the assessment or tax roll which, because of a mistake in transcription, does not conform to the entry for the same parcel which appears on the property record card; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated February 8, 2016 recommending the Sullivan County Legislature approve said application; and

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

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

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

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

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

**Moved by Mrs. Rajsz, seconded by Mr. Samuelson**, put to a vote, unanimously carried and **declared duly adopted on motion** February 18, 2016.

**RESOLUTION NO. 65-16 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2014 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #29.-2-19**

**WHEREAS**, an application dated February 1, 2016 having been filed by Jeanmarie Valentin with respect to property assessed to said applicant on the 2014 tax roll of the Town of Thompson Tax Map #29.-2-19 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on the taxable portion of the tax roll due to an entry on the tax roll which was incorrect by reason of a mistake in determination of a special assessment based on units of service; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated February 9, 2016 recommending the Sullivan County Legislature approve said application; and

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

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

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

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

**BE IT FURTHER RESOLVED**, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made

pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

**Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote, unanimously carried and declared duly adopted on motion February 18, 2016.**

**RESOLUTION NO. 66-16 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2015 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #29.-2-19**

**WHEREAS**, an application dated February 1, 2016 having been filed by Jeanmarie Valentin with respect to property assessed to said applicant on the 2015 tax roll of the Town of Thompson Tax Map #29.-2-19 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on the taxable portion of the tax roll due to an entry on the tax roll which was incorrect by reason of a mistake in determination of a special assessment based on units of service; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated February 9, 2016 recommending the Sullivan County Legislature approve said application; and

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

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

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

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

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

**Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote, unanimously carried and declared duly adopted on motion February 18, 2016.**

**RESOLUTION NO. 67-16 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2016 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #29.-2-19**

**WHEREAS**, an application dated February 1, 2016 having been filed by Jeanmarie Valentin with respect to property assessed to said applicant on the 2016 tax roll of the Town of Thompson Tax Map #29.-2-19 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on the taxable portion of the tax roll due to an entry on the tax roll which was incorrect by reason of a mistake in determination of a special assessment based on units of service; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated February 9, 2016 recommending the Sullivan County Legislature approve said application; and

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

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

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

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

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

**Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote, unanimously carried and declared duly adopted on motion** February 18, 2016.

County Treasurer Nancy Buck stated that the official announcement will come tomorrow that Sullivan County has a "AA" rate with Standards and Poor.

**Recognition of Legislators:**

None

There being no further business, Mr. Samuelson moved to adjourn, seconded by Mr. Steingart subject to the call of the Chairman. The full board meeting was adjourned at 2:43PM.

ANNMARIE MARTIN, CLERK  
Sullivan County Legislature

APPENDIX A - RECOMMENDED APPROVAL LIST

TOWN	SBL	CLASS CODE	PRIMARY OWNER	ADDRESS	TWN ST ZIP	FEE	New Bill	IMPACT	DETAIL
BETHEL	BE18.-1-16.1/H6-1	844	County of Sullivan	100 North Street	Monticello, NY 12701	\$ 850.00	\$ -	\$ 850.00	
BETHEL	BE22.-1-2.1	311	GF REALTY III LLC	1 Cablevision Center	Liberty, NY 12754	\$ 120.00	\$ -	\$ 120.00	
BETHEL	BE26.-1-5	311	Bethel Performing Arts Center LLC	1 Cablevision Center	Liberty, NY 12754	\$ 120.00	\$ -	\$ 120.00	
COCHECTON	CO14.-2-12.2	438	NYS DEC		New Paltz, NY	\$ -	\$ -	\$ -	All tax years as per RPTL §557
FREMONT	FR35.-1-21.2	210	Kenneth G. Redard	PO Box 180	Hankins, NY 12741	\$ 120.00	\$ -	\$ 120.00	
LIBERTY	LI6.-1-21.2	720	Town of Rockland	PO Box 964	Livingston Manor, NY 12758	\$ 300.00	\$ -	\$ 300.00	
LIBERTY	LI29.-3-19	330	Robin Ann Realty Co Inc.	PO Box 311	Liberty, NY 12754	\$ 120.00	\$ -	\$ 120.00	
LIBERTY	LI35.D-3-3.2	311	Robin Ann Realty Co Inc.	PO Box 311	Liberty, NY 12754	\$ 108.00	\$ -	\$ 108.00	
LIBERTY	LI35.D-3-3.5	311	Robin Ann Realty Co Inc.	PO Box 311	Liberty, NY 12754	\$ 120.00	\$ -	\$ 120.00	
LIBERTY	LI35.D-3-4	311	Robin Ann Realty Co Inc.	PO Box 311	Liberty, NY 12754	\$ 108.00	\$ -	\$ 108.00	
LIBERTY	LI35.D-4-1.2	311	Robin Ann Realty Co Inc.	PO Box 311	Liberty, NY 12754	\$ 120.00	\$ -	\$ 120.00	
MAMAKATING	MA23.-1-27.20	220	People of the State of NY		Albany, NY 12227	\$ 120.00	\$ -	\$ 120.00	All tax years as per RPTL §557
NEVERSINK	NE43.-1-1.5	312	Connie Duquette	357 Beaver Dam Rd	Grahamsville, NY 12740	\$ 120.00	\$ -	\$ 120.00	
THOMPSON	TH13.-1-1.1	417	Paul Goldfarb	21 Largsdale Dr	Marlboro, NJ 07746	\$ 1,440.00	\$ -	\$ 1,440.00	
TUSTEN	TU4.-1-1.2	438	State of New York		Albany, NY 12227	\$ 300.00	\$ -	\$ 300.00	All tax years as per RPTL §557
						\$ 4,066.00	\$ -	\$ 4,066.00	



**APPENDIX B - RECOMMENDED DENIAL LIST**

<b>TOWN</b>	<b>SBL</b>	<b>CLASS CODE</b>	<b>PRIMARY OWNER</b>	<b>ADDRESS</b>	<b>TWN ST ZIP</b>	<b>FEE</b>
FALLSBURG	FA2-1-14.3	210	Mary Ellen & Gary Hartung	300 W Shields Rd	Neversink, NY 12765	\$ 120.00
FREMONT	FR9-3-15	260	Charles Langer	410 E 85th Street	New York, NY 10028	\$ 120.00
HIGHLAND	HI13-7-9	210	Monica Kopf	110 Eldred Yulan Rd	Eldred, NY 12732	\$ 120.00
LIBERTY	LI12-1-13.10	620	Panayia of the Mountains Monastery	387 Benton Hollow Road	Livingston Manor, NY 12758	\$ 120.00
LUMBERLAND	LU8-1-43	210	Anna Dal Monte	175 N Regent St	Port Chester, NY 10573	\$ 108.00
LUMBERLAND	LU11-1-10.2	210	Wayne & Terri Fountain	482 Kalin Weber Rd	Glen Spey, NY 12737	\$ 120.00
LUMBERLAND	LU14-1-1.4	210	Deborah Rossi & George Stoll	658 Mohican Lake Rd	Glen Spey, NY 12737	\$ 108.00
NEVERSINK	NE37-1-7	210	John J. Monahan	134 Labonne Vie Dr., Apt. H	Patchoogue, NY 11772	\$ 120.00

December 2015 Budget Modifications ( Resolution 2)  
 Modifications to the 2015 Sullivan County Budget

G/L Account	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1165-47-4724 - DEPT DRUG FORFEITURE PROCEEDS NYS			11,542	
A-1165-47-4792 - DEPT FORFEITURE PROCEEDS - COUNTY			4,449	
A-1165-R2626-R307 - FORFEITR CRIME PROCDs STATE	11,542			
A-1165-R2626-R419 - FORFEITR CRIME PROCDs COUNTY	4,449			
A-1330-204-40-4003 - CONTRACT AUCTION SERVICES			4,545	
A-1330-204-R1232-R272 - TAX COLLECTR FEE PUBLIC AUCTN BUYER PREM	4,545			
A-1420-40-4008 - CONTRACT LEGAL SERVICES			69,000	
A-1680-43-4304 - COMPUTER MAINTENANCE/SERVICE FEES			49,917	
A-1680-R1289-R247 - GEN GOV DEPT INCOME MISC FEE/REIMBURSMNT	49,917			
A-1930-46-4613 - MISC SERV/EXP JUDGEMENTS/CLAIMS			375,000	69,000
A-1989-99-47-4736 - DEPT CONTINGENT				4,560
A-1989-99-47-4736 - DEPT CONTINGENT				
A-3520-40-4001 - CONTRACT AGENCIES			4,560	
A-9999-R2680-R338 - INSURANCE RECOVERY OTHER	375,000			
*H42-3997-40-4006 - CONTRACT ENGINEER/ARCHITECT/DESIGN SERV	140,000		140,000	
*H42-3997-R5031-R209 - INTERFUND TRANSFR GENERAL FUND	585,453		659,013	73,560
Total				

\*This budget modification authorizes the transfer of funds to H-42 Capital Account to pay previously authorized agreements per resolutions 8-06, 302-14, 301-14 and 300-14.

Authorized NYS Education Department Service Providers  
Requesting Renewal of Contracts 7/1/2016 to 6/30/2019

Dawn Barrett  
PO Box 673  
Sparrowbush, NY 12780  
Services: Speech Therapy  
858-6278 cell 699-3732  
[brian42101@frontiernet.net](mailto:brian42101@frontiernet.net)

Hebrew Academy for Special Children, Inc.  
5902 14th Avenue  
Brooklyn, NY 11219  
Susan Slater: 718-686-5900

Jack & Jill Developmental Services;  
SLP, OT & Psychology, PLLP  
17 North Main Street  
Liberty, NY 12754  
Services: Speech, OT Psych  
jeff jensen: 292-4134 cell 796-8272  
abby greene: cell 866-5523  
[jacknjillds@gmail.com](mailto:jacknjillds@gmail.com)

Leah Padawer  
164 Laurel Park Road  
Fallsburg, Ny 12733  
Services: Speech Therapy  
436-9566 cell 665-6913  
[leahpadawer@yahoo.com](mailto:leahpadawer@yahoo.com)

Karen Sue Scott  
PO Box 276  
White Lake, NY 12786  
Services: Speech Therapy  
583-7278 cell 845-798-8840  
[ascott6@hvc.rr.com](mailto:ascott6@hvc.rr.com)

Tri-Valley School  
34 Moore Hill Road  
Grahamsville, Ny 12740  
Services: OT  
Christine Snow  
985-2296 ext 5308  
[christinesnow@trivalleycsd.org](mailto:christinesnow@trivalleycsd.org)

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