

Special Meeting
SULLIVAN COUNTY LEGISLATURE
February 25, 2016 at 9:10AM

The Special Meeting was called to order by Chairman Alvarez at 10:05AM with the Pledge of Allegiance.

Roll Call indicated Mr. Samuelson and Mr. Perrello absent.

The Clerk read the following legal notice:

TO: Sullivan County Legislature
Samuelson, Rajsz, McCarthy, Owens, Ward, Perrello, Steingart, Sorensen

FROM: Luis A. Alvarez, Chairman

DATE: February 22, 2016

RE: Special Meeting of the Sullivan County Legislature
Thursday, February 25, 2016 at 10:00AM

There will be a Special Meeting of the Legislature for **Thursday, February 25, 2016 at 10:00AM** in the Legislative Chambers, 100 North Street, Monticello, New York. The purpose of the meeting is to amend the Rules of the County Legislature to authorize live streaming of certain County legislative meetings, to authorize the County Attorney to settle a lawsuit (Barboza) and *to Modify the 2016 County Budget.*

Business in Order:

RESOLUTION NO. 68-16 INTRODUCED BY THE LUIS A. ALVAREZ, CHAIRMAN OF THE LEGISLATURE TO AMEND THE RULES OF THE COUNTY LEGISLATURE TO AUTHORIZE LIVE STREAMING OF CERTAIN COUNTY LEGISLATIVE MEETINGS.

WHEREAS, to promote a healthy legislative process and provide for open government it is essential to have involved citizens, and

WHEREAS, many people are incapable of attending the Sullivan County Legislature's meetings due to professional and personal commitments, and

WHEREAS, current technology allows meetings to be digitally recorded, archived and provided to the public in a real time format on the internet, and

WHEREAS, to implement a live streaming protocol it is necessary to amend Rule 6 of the Rules of the County Legislature by adding the following language as sentence number 2; "In addition, all County Legislative, Committee, Advisory and Commission meetings that are subject to the Open Meeting Laws, with the exception of executive sessions, and that are conducted in the Legislative Committee Room or Legislative Hearing Room, may be made available to the public in a real time format on the internet.", and

WHEREAS, pursuant to Rule 67 of the Rules of the County Legislature, said Rules may be amended upon a recommendation of the Executive Committee, and

WHEREAS, to commence the live streaming protocol, the Department of Management Information Systems must be authorized to implement the goals of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes a live streaming protocol to be used for public meetings authorized by the Legislature, except executive sessions thereof, and

BE IT FURTHER RESOLVED, that Rule 6 be amended to add, as sentence number 2: "In addition, all County Legislative, Committee, Advisory and Commission meetings that are

subject to the Open Meeting Law, with the exception of executive sessions, and that are conducted in the Legislative Committee Room or Legislative Hearing Room, may be made available to the public in a real time format on the internet; and

BE IT FURTHER RESOLVED, that the Department of Management Information Systems be authorized to take all steps necessary to implement the live streaming protocol authorized by this Resolution, said authorization being subject to annual appropriation.

Moved by Mr. Sorensen, **seconded by** Mrs. Rajszyk, put to a vote with Mr. Samuelson and Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** February 25, 2016.

RESOLUTION NO. 69-16 INTRODUCED BY LUIS A. ALVAREZ, CHAIRMAN OF THE LEGISLATURE TO AUTHORIZE THE COUNTY ATTORNEY TO SETTLE A LAWSUIT

WHEREAS, William Barboza commenced a civil rights action, in the United States District Court for the Southern District of New York, against the Village of Liberty, Village Officers D'Agata, Gorr and Assistant District Attorney Robert Zangla, and

WHEREAS, following Summary Judgment motions, the District Judge held that Plaintiff was entitled to damages, and

WHEREAS, the District Judge transferred the matter to Magistrate Judge Smith to determine whether settlement of the litigation was possible, and

WHEREAS, Magistrate Judge Smith conducted several settlement conferences, and

WHEREAS, on February 17, 2016, the parties agreed, subject to the approval of the County Legislature, to the following settlement:

- A. The County shall pay Plaintiff \$30,000 in damages.
- B. Plaintiff's counsel shall be paid a total of \$45,000 in legal fees and costs by the County of Sullivan.
- C. The parties shall execute a Stipulation of Settlement and Discontinuance and submit it to the Court for approval.
- D. The parties shall execute general releases.
- E. The County shall remit payment to Plaintiff's counsel within thirty (30) days of the adoption of this resolution.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby approves the settlement as set forth above, authorizes the aforesaid payments and authorizes the County Attorney or her designee to execute such documents as may be required.

Moved by Mr. Sorensen, **seconded by** Mrs. Rajszyk, put to a vote with Mr. Samuelson and Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** February 25, 2016.

Mrs. Rajszyk asked if these budget modifications were for live streaming. Manager Potosek stated that this is a request from New York State Board of Elections for us to have more accurate and timely reporting of election results.

Mrs. Rajszyk asked where this money was coming out of. Manager Potosek indicated Contingency unless they have money earmarked in the adopted budget. This is for software, training and some other things as well as a laptop.

Election Commissioner Lori Benjamin stated since the November election there was a legislator who made a formal complaint to the State Board of Elections and what they want us to do is a pilot program and they want it in place by April. The pilot program requires where you would have two laptops and it is considered remote reporting. Since our county is so small, we only

need four laptops in order to do the remote reporting. She did some calling around and looked through our grants and found out she could use some grant money so she went back to the four laptops. Out of the \$48,750 the grant will pay for \$12,500. (\$2500 for training and \$10,000 for the laptops). She indicated that Orange County as well as some large counties in the state do remote reporting. She emphasized that the laptops are only used for election night of every election. Assistant County Attorney Cawley indicated if we didn't meet the state's deadline, then that would invite a full inquiry and we are not going to win. Certainly we could protest that the state reimburse us. Mrs. Owens asked if we could pass a resolution or write a letter for reimbursement from the state. The committee concurred that a letter be sent to the state.

RESOLUTION NO. 70-16 INTRODUCED BY LUIS A. ALVAREZ, CHAIRMAN OF THE LEGISLATURE TO MODIFY THE 2016 COUNTY BUDGET

WHEREAS, the County of Sullivan Budget requires modification,

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

Moved by Mrs. Rajsz, **seconded by** Mrs. Ward, put to a vote with Mr. Samuelson and Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** February 25, 2016.

County Treasurer Nancy Buck stated last week she informed the Legislature about our rating with S&P. But because of our good rating, we had eight bidders on our bond sale of \$23.8 million yesterday. Our TAN (Tax Anticipation Note) was 8.5% last year and dropped down to 6.3% this year and that rate is .369. Then we did the BAN of \$3.1 million and that rate ended up being .684% . We are paying that much less interest and this is great news and is very exciting. If you plan on borrowing this year, please expect her negativity and understand what the legislature has to do but the legislature needs to understand where she is coming from.

Executive Session

Mr. Steingart moved to go into Executive Session at 10:20AM to discuss letter "d" (litigation, pending litigation etc), seconded by Mrs. Rajsz, agreed and carried.

Andrew Beam inquired what litigation was going to be discussed in Executive Session. Mr. Yasgur stated Barboza.

Mrs. Rajsz moved to come out of Executive Session at 10:46AM, seconded by Mr. Steingart agreed and carried.

Chairman Alvarez recognized the following speaker:

1. Ken Walter

There being no further business, Mr. McCarthy moved to adjourn the Special Legislative Meeting, seconded by Mrs. Ward. The Special Meeting of the Legislature was adjourned at 10:50AM.

ANNMARIE MARTIN

Clerk to the Legislature