

**Sullivan County Legislature
Regular Meeting
November 16, 2017 at 2:00PM**

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

Roll Call indicated Mr. Perrello absent.

Communications:

1. 2018 Sullivan County Tentative Budget filed by County Manager Joshua Potosek on October 20, 2017
 2. Records Destruction Notification in accordance with SARA filed by the following departments:
 - Personnel dated October 18, 2017
 - County Attorney dated October 18, 2017 and October 19, 2017
 - Clerical Mail Room Travis Building dated November 2, 2017
 - HEAP dated November 6, 2017
 - Treasurer's Office dated November 9, 2017
 - Purchasing dated October 30, 2017
 - County Attorney and DFS Legal dated November 2, 2017
3. Copy of Resolution No. 383-of2017 adopted on October 20, 2017 by the Warren County Board of Supervisors Supporting Statewide Ballot proposal Number #3 that will create a land account to address specific public health and safety concerns
4. Copies of Resolution adopting by the Chemung County Chamber of Commerce and Copy of Resolution No. 332 of 2017 adopted by the Schuyler County Legislature on November 13, 2017 Urging Governor Cuomo and the NYS Legislature to advance funding and expedite completion of the Daniel Patrick Moynihan Interstate 86 Project

SYDA 2017 Presentation:

**Sullivan County Legislature
Certificate of Special Recognition**

Presented to
Les Kristt

For being the recipient of the "SYDA Foundation Community Service Award" for the year 2017. In recognition of more than four decades of exceptional service supporting the needs of community organizations, your loyal and continued commitment as a devoted community volunteer/advocate has impacted all of Sullivan County. Your outstanding accomplishments and dedication are appreciated and we thank you for all you do. Congratulations on this honor!

Dated this 16th day of November 2017

Public Comment

1. Start Hesse
2. Ken Walter

Resolutions:

RESOLUTION NO. 462-17 INTRODUCED BY THE PLANNING ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO ENACT LOCAL LAW 4 OF 2017 WHICH AMENDS LOCAL LAW NO. 17-2007 THE COLD WAR VETERANS' REAL PROPERTY TAX EXEMPTION.

WHEREAS, a proposed Local Law to amend Local Law No. 17-2007, the Cold War Veterans' Real Property Tax Exemption, was presented to the Sullivan County Legislature at a meeting held on October 19, 2017 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 the Local Law to amend Local Law No. 17-2007, the Cold War Veterans' Real Property Tax Exemption, which local law is annexed hereto and made a part hereof.

Moved by Mr. Samuelson, **seconded by** Mrs. Rajsz, put to a roll call vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

Local Law No. 4 of 2017
A Local Law to Amend Local Law No. 17-2007
Cold War Veterans' Real Property Tax Exemption.
(Chapter 182 Part 11 of the Sullivan County Code)

- Section 1: Purpose: To amend Local Law No. 17-2007 (Chapter 182 Part 11 of the Sullivan County Code) the Cold War Veterans' Real Property Tax Exemption.
- Section 2: When the Sullivan County Legislature enacted Local Law 17-2007 the Real Property Tax Exemption granted to Cold War Veterans was limited to a ten year time frame. An amendment to the enabling statute, contained in Real Property Tax Law Section 458-b (2) (c) (iii), permits the Sullivan County Legislature to adopt a Local Law providing that the Real Property Tax Exemption authorized by Real Property Tax Law Section 458-b (2) (a) shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten year limitation.
- Section 3: Chapter 182 Part 11 of the Sullivan County Code, "Cold War Veterans' Real Property Tax Exemption" shall be amended by inserting, at the end of the present Section 182-87, the following language "The Real Property Tax Exemption granted by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the ten year limitation contained in Real Property Tax Law Section 458-b (2) (c) (iii).".
- Section 4: Chapter 182 Part 11 of the Sullivan County Code, "Cold War Veterans' Real Property Tax Exemption" shall be further amended by inserting, at the end of the present Section 182-88, the following language "The Real Property Tax Exemption granted by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the ten year limitation contained in Real Property Tax Law Section 458-b (2) (c) (iii).".
- Section 5: Effective Date
This Local Law shall take effect upon filing with the Secretary of State.

RESOLUTION NO. 462-17 INTRODUCED BY THE PLANNING ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO ENACT LOCAL LAW 4 OF 2017 WHICH AMENDS LOCAL LAW NO. 17-2007 THE COLD WAR VETERANS' REAL PROPERTY TAX EXEMPTION.

WHEREAS, a proposed Local Law to amend Local Law No. 17-2007, the Cold War Veterans' Real Property Tax Exemption, was presented to the Sullivan County Legislature at a meeting held on October 19, 2017 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 the Local Law to amend Local Law No. 17-2007, the Cold War Veterans' Real Property Tax Exemption, which local law is annexed hereto and made a part hereof.

Moved by Mr. Samuelson, **seconded by** Mrs. Rajsz, put to a roll call vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 463-17 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO SCHEDULE DATES FOR PUBLIC HEARINGS ON THE COUNTY TENTATIVE BUDGET FOR FISCAL YEAR 2018

WHEREAS, the Tentative Budget for the County of Sullivan for the fiscal year beginning January 1, 2018 will be reviewed by the Sullivan County Legislature in accordance with Rule 50(c) of the Rules of the County Legislature; and

WHEREAS, the County Legislature will hold public hearings on said Tentative Budget on Tuesday, December 5, 2017 at 5:30PM and Tuesday, December 12, 2017 at 2:00PM in the Legislative Chambers of the Sullivan County Government Center, 100 North Street, Monticello, New York;

NOW, THEREFORE, BE IT RESOLVED, that the Clerk to the County Legislature is hereby authorized and directed to publish a notice of hearing in the official newspapers of the County; and

BE IT FURTHER RESOLVED, that at least five days shall lapse between the first publication of such notice and date specified for the hearing pursuant to Section 359 of the County Law.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

NOTICE OF PUBLIC HEARINGS ON TENTATIVE BUDGET

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Sullivan, New York, will meet in the Legislative Chambers of the Sullivan County Government Center, Monticello, New York on Tuesday, December 5, 2017 at 5:30PM and Tuesday, December 12, 2017 at 2:00PM or the purpose of holding public hearings on the Tentative Budget of said County for the fiscal year beginning January 1, 2018.

Further notice is hereby given that copies of said Tentative Budget are available at the Office of the County Manager, Sullivan County Government Center, Monticello, New York where they may be inspected and procured by an interested person during business hours.

Pursuant to Section 359 of the County Law, the maximum salaries that may be fixed and payable during the fiscal year to the members of the County Legislature and to the Chairman thereof, respectively, are hereby specified as follows:

County Legislator	\$22,600
Chair of the County Legislature	\$31,600

Dated: November 16, 2017

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

RESOLUTION NO. 464-17 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2017 COUNTY BUDGET

WHEREAS, the County of Sullivan Budget requires modification,

NOW, THEREFORE, BE IT RESOLVED, that the attached budgetary transfers for 2017 be authorized.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 465-17 INTRODUCED BY THE PERSONNEL COMMITTEE TO ABOLISH POSITION NO. 1766 AND CREATE A LEISURE TIME ACTIVITY AIDE POSITION.

WHEREAS, the Adult Care Center is required to provide a quality Activities program to the residents of the Adult Care Center; and

WHEREAS, the Activities department has historically been understaffed, and

WHEREAS, the Watchperson position No. 1766 has been vacant for a number of years.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to abolish position number 1766, Watchperson and create a new Leisure Time Activity Aide.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 466-17 INTRODUCED BY THE PUBLIC WORKS COMMITTEE AUTHORIZING THE PAYMENT RATE FOR CENTERLINE MILES FOR THE CONTRACT YEAR JULY 1, 2017- JUNE 30, 2018

WHEREAS, the County of Sullivan, per Resolution No. 255-15, dated June 18, 2015, entered into contract with the Towns of Bethel, Callicoon, Delaware, Fallsburg, Forestburgh, Fremont, Highland, Liberty, Lumberland, Mamakating, Neversink Rockland and Thompson to provide Snow and Ice control on various County Roads through June 30, 2018; and

WHEREAS, the contract states the Towns will be paid the rate Sullivan County received from the State of New York for snow and ice control on state highways the previous snow and ice season; and

WHEREAS, the County of Sullivan was paid the rate of \$5,684.32 per centerline mile for the 2016 -2017 contract year; and

WHEREAS, Section 135-a of the Highway Law of the State of New York authorizes the County to enter into contracts with the towns and villages for the control of snow and ice conditions on County Roads located within the Towns and Village; and

WHEREAS, said section of the Highway Law of the State of New York requires the approval by resolution of each of the legislative bodies of such County, Towns;

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan pay the amount of \$5,684.32 per centerline mile for two lane highways and \$8,526.48 for three lane highways to the aforementioned Towns for the contract year July 1, 2017 – June 30, 2018.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 467-17 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE FILING OF A PRE- APPLICATION WHICH IF APPROVED WILL ALLOW FOR SUBMISSION OF A FULL APPLICATION FOR A STATE GRANT IN-AID FOR A MUNICIPAL WASTE REDUCTION AND RECYCLING COORDINATION / EDUCATION PROJECT 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 municipal waste reduction and municipal recycling projects; and

WHEREAS, the NYS Department of Environmental Conservation's Municipal Waste Reduction and Recycling Coordination / Education Program, under the Recycling Coordinator project category, provides for a fifty (50%) percent reimbursement on eligible project costs for planning, educational and promotional activities to increase public awareness of and participation in recycling and waste reduction, wherein a municipality may request reimbursement of eligible expenses; 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

WHEREAS, the Sullivan County Legislature hereby authorizes the County Manager and / or the Chairman of the County Legislature 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.

NOW, THEREFORE, BE IT RESOLVED, by the County of Sullivan

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 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 its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York 12233-7260, together with one complete application.
5. That this resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that should the NYS Department of Environmental Conservation's Municipal Waste Reduction and Recycling Coordination / Education Program funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 468-17 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AUTHORIZING THE SULLIVAN COUNTY VISITORS ASSOCIATION, INC. TO APPLY FOR I LOVE NEW

YORK MATCHING FUNDS.

WHEREAS, the I Love New York State Matching Funds Grant Program provides assistance to counties for advertising and promoting tourism; and

WHEREAS, The County of Sullivan has benefited from participating in the Matching Funds Program for more than 25 years; and

WHEREAS, participation in the Matching Funds Program is a vital component to the continuing growth of tourism in Sullivan County; and

WHEREAS, the Sullivan County Visitors Association, Inc. has been charged with promoting tourism in Sullivan County; and

WHEREAS, the Sullivan County Visitors Association, Inc. has the expertise and staff to apply for and administer the I Love New York Matching Funds Program.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby designates the Sullivan County Visitors Association, Inc. as the official tourism promotion agency of Sullivan County to apply for and receive matching funds for the fiscal year 2018

BE IT FURTHER RESOLVED, that the County of Sullivan pledges to match up to 5% of the total New York State Matching Funds Budget, subject to County Legislature appropriation, which is the maximum application amount allocated per county for 2018 Program Year.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 469-17 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY 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 MAMAKATING KNOWN AS MA40.-23-3, THE 2014 LIEN YEAR IN THE TOWN OF FALLSBURG KNOWN AS FA59.-1-54, AND THE TOWN OF MAMAKATING KNOWN AS MA40.-4-7 AND THE 2015 LIEN YEAR IN THE TOWN OF DELAWARE KNOWN AS DE6.-1-56.2, DE24.-1-34.1, TOWN OF FALLSBURG KNOWN AS FA13.-1-16, TOWN OF LIBERTY KNOWN AS LI3.-5-8, LI30.-1-30.3, AND TOWN OF MAMAKATING KNOWN AS MA39.-18-1 AND MA70.-A-2-19

WHEREAS, property located in the Town of Mamakating designated on the Sullivan County Real Property Tax Map as Mamakating 40.-23-3, being .23 +/- acres, located on Oriole Trl, is owned by the County of Sullivan by virtue of an Article 11 foreclosure for 2011 taxes; properties located in the Towns of Fallsburg and Mamakating designated on the Sullivan County Real Property Tax Map as Fallsburg 59.-1-54, being .13 +/- acres, located on Cty Hwy 55 Both Sides and Mamakating 40.-4-7, being .23 +/- acres, located on Grossbeak Trl., is owned by the County of Sullivan by the virtue of an Article 11 foreclosure for 2014 taxes; and properties located in the Towns of Delaware, Fallsburg, Liberty and Mamakating designated on the Sullivan County Real Property Tax Map as Delaware 6.-1-56.2, being .22 +/- acres, located on Miller Rd., Delaware 24.-1-34.1, being .13 +/- acres, located on Old Taylor Rd., Fallsburg 13.-1-16, being .30 +/- acres., located on Hasbrouck A Rd. Tr 43, Liberty 3.-5-8, being .30 +/- acres, located on Cooley Rd., Liberty 30.-1-30.3, being .02 +/- acres, located on State Rte 52, Mamakating 39.-18-1, being .18 +/- acres, located on Dogwood Rd. N, and Mamakating 70.A-2-19, being 1.00 +/- acres, located on Deer Hill Rd., are owned by the County of Sullivan by the virtue of an Article 11 foreclosure for 2015 taxes

WHEREAS, Giuseppe Mannino has offered to purchase said properties for the sum of TWO HUNDRED AND FIVE (205.00) DOLLARS, and

WHEREAS, it is in the best interest of the County of Sullivan to sell these parcels privately to Giuseppe Mannino for the amount TWO HUNDRED AND FIVE (205.00) DOLLARS because these properties were not sold at previous auctions, and

WHEREAS, the purchaser will also be responsible for the recording fees, plus 2017 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 Giuseppe Mannino upon payment of \$205.00 to the County Treasurer, plus fees for the County Clerk, plus the 2017 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 Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 470-17 INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE REQUESTING THAT THE STATE OF NEW YORK INCREASE THE MONETARY INCENTIVES AVAILABLE FOR VOLUNTEER FIREFIGHTERS AND EMS PROVIDERS FOR RURAL COUNTIES AND LOOK TO IMPROVE ITS ATTRACTION AND RETENTION EFFORTS WITH THE SAME AGENCIES.

WHEREAS, the Sullivan County Legislature has declared the need to address all areas of policy which affect health and safety for the residents of Sullivan County in an effort to improve our state ranking and make Sullivan County a healthier place to live and visit; and

WHEREAS, Sullivan County, like many rural counties, depends on volunteers of professional services like Firefighters and Emergency Medical Service providers, yet the recent trends for these citizen support systems show a great decline, in contrast to the growing importance and frequency of our needs; and

WHEREAS, the County is scrambling its efforts in all directions at the local level to ensure the attraction and retention of these needed agencies improve, however, finding itself limited in economic incentives, a county can offer to make this possible due to State limitations of the property tax laws and income tax laws; and

WHEREAS, the state-mandated training hours and recertification requirements continue to grow for both of these support agencies, which although intended to improve the quality of the service and standards, has created the unintended consequence of furthering the decline of retention and attraction; and

WHEREAS, the County believes that it is in New York State's interest to offer incentives for training, education, and participation in voluntary service to the fields of EMS and Firefighting so that as New Yorkers living in rural counties, New Yorkers who travel to rural counties as visitors and those who we welcome from out of state or out of country to rural New York are ensured of adequate levels of life-saving support service.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby request, with great urgency, that the NYS budget for 2018 increases incentives available to rural New York Counties to help attract and retain volunteers to Firefighting and Emergency Medical Services and that the state offer more training for these types of agencies in rural New York, as well as investigate alternatives to the State's current programs that may make participation in these needed support agencies more viable.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

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Moved by Mrs. Ward, **seconded** by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 471-17 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD AND EXECUTION OF CONTRACT FOR OCCUPATIONAL THERAPY SERVICES FOR SULLIVAN COUNTY PUBLIC HEALTH SERVICES CERTIFIED HOME HEALTH AGENCY

WHEREAS, a proposal was received for Occupational Therapy Services for Sullivan County Public Health Services Certified Home Health Agency (CHHA), and

WHEREAS, Gelsomino and Davis Speech and Occupational Therapy Services, PLLC (d/b/a G & D Speech and Occupational Therapy), P.O. Box 923, Liberty, New York 12754, will provide said services from December 1, 2017 through June 30, 2018, with an option to extend on a yearly basis, for three (3) additional years, under the same terms and conditions, and

WHEREAS, the Sullivan County Public Health Department, 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 a contract, with, Gelsomino and Davis Speech and Occupational Therapy Services, PLLC, at a cost of \$70.00 per visit, in accordance with RFP #R-17-15, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Ward, **seconded** by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 472-17 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY 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 County funds are necessary to cover 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 FY2018 and FY2019; and

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 473-17 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR CLEANING SERVICES AS WELL AS MINOR AND EMERGENCY REPAIRS

WHEREAS, the County of Sullivan per Resolution 9-15 dated January 22, 2015, entered into an agreement with the New York State Unified Court System for cleaning services as well as minor and emergency repairs to the court facilities; and

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

WHEREAS, for the fiscal period April 1, 2017 – March 31, 2018 the Unified Court System is prepared to pay the County \$286,276 for its services.

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan will accept \$286,276 for its services to the Unified Court System for the period April 1, 2017 – March 31, 2018 with future payments to be negotiated annually.

BE IT FURTHER RESOLVED, that the County Manager be hereby authorized to execute the annual renewal letter from the State of New York Unified Court System.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 474-17 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE A MODIFICATION OF AGREEMENT TO THE CONTRACT WITH ELOT ELECTRONICS RECYCLING, INC.

WHEREAS, Resolution 485-16 authorized award and execution of a contract with eLot Electronics Recycling, Inc. for the collection, removal and recycling of electronic scrap, LED lamps, fluorescent bulbs/ballast and disposable/rechargeable batteries Sullivan County Facilities (B-16-63); and

WHEREAS, the original contract amount was for \$65,000; and

WHEREAS, a contract modification increase of \$45,000 was adopted by the Sullivan County Legislature on August 17, 2017 for a total cost not to exceed \$110,000 and

WHEREAS, electronic waste continues to be generated at an unprecedented rate; and

WHEREAS, based upon the volume of e-waste collected to date, additional funds will be required this year and continuing in 2018 to cover the anticipated increase in collection and handling costs

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a Modification of Agreement to this contract to allow an increase in the contract amount of \$144,000/year and said agreement shall be in a form approved by the County Attorney.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 475-17 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE EXECUTION OF CONTRACT BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYS DOT) AND THE COUNTY OF SULLIVAN

WHEREAS, pursuant to Section 12 of the Highway Law relating to control of snow and ice on state highways in towns and incorporated villages, the County of Sullivan has previously entered into an agreement with the State of New York for such purposes; and

WHEREAS, the State of New York has prepared an agreement to extend the previous fixed lump sum municipal snow and ice agreement with maps of affected state highways for the season July 1, 2016 through June 30, 2017; and

WHEREAS, the Public Works Committee has discussed and the Commissioner of Public Works has recommended the acceptance of this extension agreement for contract price of \$165,413.62 plus any adjustments increasing this amount.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized and directed on behalf of the County of Sullivan to execute the extension of the Snow and Ice Agreement between New York State Department of Transportation and the "County of Sullivan" for the period commencing July 1, 2016 through June 30, 2017 said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 476-17 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPROVE EMERGENCY PREPAREDNESS EXERCISE SUPPORT FROM TETRA TECH

WHEREAS, Sullivan County Public Health Services are required to participate in the upcoming New York State Department of Health (NYSDOH) 2017-2018 Budget Period statewide Annual Public Health Emergency Preparedness Exercise on May 1, 2018, and

WHEREAS, all project work and after action reports must be completed by June 30, 2018, and

WHEREAS, Tetra Tech is offering support in the exercise planning, two controller/evaluators to support exercise, and would assist with after action report development at a total cost of \$6504.82, and

WHEREAS, this support and expertise is needed and the contractual cost will be paid for with Public Health Services' Department's emergency preparedness grant, and vendor agreement will be in accordance with a Master Services Agreement,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to enter and execute a contract with Tetra Tech, to give exercise development, planning and support to Sullivan County Public Health Services for its state-required Public Health Emergency Preparedness Exercise, after approval of contract from the County Attorney.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 477-17 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AMEND RESOLUTION NO. 312-16 AUTHORIZING AGREEMENT WITH ROLLING V BUS CORPORATION

WHEREAS, pursuant to Resolution No. 312-16, adopted by the Sullivan County Legislature on July 21, 2016 the County of Sullivan, through the Department of Family Services, executed an extension agreement with Rolling V Bus Corporation for Welfare to Work Transportation Services; and

WHEREAS Resolution No. 312-16 authorized the County Manager to enter into an extension agreement with Rolling V Bus Corporation at a cost not-to-exceed \$450,000; and

WHEREAS, the expanded utilization of the services and needs of the program during the period of July 1, 2016 through June 30, 2017 have created a need to increase the not-to-exceed amount to \$575,000 for that period only.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby amends Resolution No. 312-16 to authorize an increase of the not-to-exceed amount to \$575,000 for the period of July 1, 2016 through June 30, 2017 only; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute a modification agreement with Rolling V Bus Corporation for the period of July 1, 2016 through June 30, 2017 to reflect the above-referenced increase in the not-to-exceed amount; and

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

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 478-17 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE NEW SERVICE ORDERS FOR FACILITY FIBER COMMUNICATIONS AND INTERNET SERVICES THROUGH SPECTRUM ENTERPRISE (formerly Time Warner Cable).

WHEREAS, Spectrum Enterprise acquired Time Warner Cable (TWC) in May 2016, and

WHEREAS, per resolutions 169-14, 206-14 & 377-14, the County currently has a 5-year facilities agreement put in place on May 1, 2014 under TWC that is in need of replacement with Spectrum Enterprise due to modifications necessary; (1) for new connections; (2) to accommodate an increase in internet bandwidth and (3) increase connection communication speeds between its core network locations, and

WHEREAS, Spectrum Enterprise differs in their way of initiating services by only requiring "Service Orders" (not contracts) for new and updated connections for their fiber and internet services, and

WHEREAS, the County of Sullivan wishes to continue to utilize the services of Spectrum Enterprise to facilitate, manage and support its technology communications requirements county wide to serve the needs of its constituents.

NOW, THEREFORE, BE IT RESOLVED, that the current 5-year agreement under Time Warner Cable be replaced with Spectrum Enterprise "Service Orders," and

BE IT FURTHER RESOLVED, that the Information Technology Services Department's Chief Information Officer is hereby authorized to enter into and submit service orders with Spectrum Enterprise as the County's communications needs and growth require in an amount not to exceed \$350,000/year for a period of 5 years commencing May 1, 2017 through April 30, 2022.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 479-17 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE AN AGREEMENT WITH THE UNIVERSITY OF SOUTHERN CALIFORNIA, SUZANNE DWORAK-PECK SCHOOL OF SOCIAL WORK TO PROVIDE FIELD INTERNSHIP EXPERIENCE FOR ENROLLED STUDENTS

WHEREAS, The Department of Community Services ("Community Services") wishes to enter into a formal agreement with The University of Southern California, Suzanne Dworak-Peck School of Social Work ("USC") to permit qualified students to participate in such internships.

NOW, THEREFORE BE IT RESOLVED, that the County Manager is hereby authorized to enter into an agreement with USC for the period from January 1, 2018 through December 31, 2018, which period may be renewed by the parties for three (3) additional successive terms without further approval by the Legislature; and

BE IT FURTHER RESOLVED, that any and all acts undertaken on behalf of the County with respect to the use of USC student interns by Community Services prior to the date hereof be ratified and approved; and

BE IT FURTHER RESOLVED, that the form of said contract shall be approved by the Sullivan County Attorney's Office.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 480-17 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE AGREEMENT FOR THE PROVISION OF NON-SECURE DETENTION RELATED SERVICES FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2018.

WHEREAS, the County of Sullivan, through the Department of Family Services, is required to arrange the provision of non-secure detention services for Sullivan County youth and families; and

WHEREAS, each year, the Department of Family Services contracts with Berkshire Farm Center and Services for Youth for Unreserved Usage, Non-Secure Detention services at annually adjusted per diem rates; and

WHEREAS, Berkshire Farm Center and Services for Youth submitted a proposal for R-17-36 for Sullivan County's exclusive use of one Non-Secure Detention bed at the per diem rate of \$295; and

WHEREAS, the Department of Family Services wishes to award a portion of R-17-36 to Berkshire Farm Center and Services for Youth for Reserved Usage, Non-Secure Detention services and enter into contract due to the anticipated increased need.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement as detailed above for the provision of Reserved Usage, Non-Secure Detention Services; and

BE IT FURTHER RESOLVED, the contract period shall be from January 1, 2018 through December 31, 2018. This agreement may be extended, upon mutual agreement, for four (4) additional years on a yearly basis; and

BE IT FURTHER RESOLVED, the maximum of the non-secure detention services contract is not to exceed the Department of Family Services budgeted amount for the services; and

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

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 481-17 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO EXECUTE AGREEMENTS WITH LOCAL CERTIFIED FOSTER HOMES FOR EMERGENCY RESERVED ACCOMMODATIONS

WHEREAS, the County of Sullivan, through the Department of Family Services, is mandated to make available Foster Care related services as needed for children/youth and currently maintains contracts with various agencies; and

WHEREAS, the Department of Family Services also serves as the designated agency to certify local foster homes within the County; and

WHEREAS, the Department wishes to contract with select certified local foster homes that are capable and willing to adhere to requirements for Emergency Reserved Accommodations such as accepting any child referred by the Department 24 hours a day; and

WHEREAS, when reserved accommodations are not available, the Department has to utilize a more costly alternative out of County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements with any local foster home certified by the Department of Family Services for Emergency Reserved Accommodations during the period from November 1, 2017 through October 31, 2018; and

BE IT FURTHER RESOLVED, the maximum of these contracts are not to exceed \$15,000 in total; and

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

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 482-17 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE EXTENSION OF AGREEMENT WITH KRISTT KELLY OFFICE SYSTEMS CORP. FOR THE LEASE OF MULTIFUNCTION DEVICES (MFDs)

WHEREAS, the County entered into a 5-year lease agreement dated December, 31, 2011 with Kristt Kelly Office Systems Corporation (Kristt) pursuant to Resolution No. 462-11, adopted by the Sullivan County Legislature on September 15, 2011 for the lease of Kyocera Multifunction devices to serve the County's print/copy/scanning needs, and

WHEREAS, resolution 506-16, adopted December 15, 2016 authorized a 1-year extension that is set to expire on December 31, 2017 and the solution is scheduled for replacement during FY2018, and

WHEREAS, Kristt has agreed to extend the current lease agreement through 2018 at the same monthly rate charged in FY2017 with a 30-day termination provision by either party while the County researches and evaluates new replacement solutions, and

WHEREAS, the Sullivan County Chief Information Officer recommends and requests the extension of the lease agreement with Kristt.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a modification agreement with Kristt Company Office Systems Corporation for an amount not to exceed \$4,675.00/month plus monthly per-click charges for toner/maintenance/copy fees, said modification agreement shall be in such form as the County Attorney shall approve.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 483-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENACT LOCAL LAW 5 OF 2017 AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR A TERM NOT TO EXCEED FORTY (40) YEARS

WHEREAS, proposed Local Law entitled "AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR A TERM NOT TO EXCEED FORTY (40) YEARS", was presented to the Sullivan County Legislature at a meeting held on November 16, 2017, 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.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled "AUTHORIZING THE COUNTY OF SULLIVAN, NOTWITHSTANDING SECTION 215 OF THE COUNTY LAW, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR A TERM NOT TO EXCEED FORTY (40) YEARS", County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a roll call vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

Local Law No. 5 of the year 2017

A LOCAL LAW AUTHORIZING THE COUNTY OF SULLIVAN, notwithstanding Section 215 of the County Law of the State of New York, TO ENTER INTO A LEASE OF COUNTY OWNED REAL PROPERTY FOR A SPECIFIC PROJECT FOR A TERM NOT TO EXCEED FORTY (40) YEARS.

SECTION 1. Purpose

The County of Sullivan seeks to enter into an agreement with SBA Towers IX, LLC, a subsidiary of SBA Communications Corporation, which agreement shall lease real property owned by the County of Sullivan for an initial term not to exceed forty (40) years.

SECTION 2. Legal Authority

RESOLUTION NO. 484-17 INTRODUCED BY THE EXECUTIVE COMMITTEE

RESOLUTION TO ENACT LOCAL LAW 6 of 2017 TO AMEND THE SULLIVAN COUNTY CODE TO REORGANIZE THE STRUCTURE OF COUNTY GOVERNMENT

WHEREAS, proposed Local Law entitled “A Local Law to Amend the Sullivan County Code to Reorganize the Structure of County Government”, was presented to the Sullivan County Legislature at a meeting held on November 16, 2017, 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.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled “A Local Law to Amend the Sullivan County Code to Reorganize the Structure of County Government”, County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a roll call vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

New York State County Law Section 215 provides that after determining that a property is no longer needed for public use a County may sell the property or lease the property for a term not to exceed five years.

New York State Comptroller Opinion 68-857 opines that a municipality may enter into leases for a term in excess of five years if the municipality authorizes such leases by local law.

New York State Municipal Home Rule Law Section 24 provides that any local law that changes a provision of law relating to leasing of real property is subject to referendum on petition (permissive referendum).

SECTION 3. Applicability

The County of Sullivan is authorized, notwithstanding Section 215 of the County Law of the State of New York, to enter into a lease of County owned real property for a specific project for a term not to exceed forty (40) years.

This Local Law is applicable to the specific project with SBA Towers IX, LLC, a subsidiary of SBA Communications Corporation, for the location, erection and maintenance of a cell tower in the vicinity of the Sullivan County Adult Care Center, Liberty, New York.

SECTION 4. Effective Date This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.

A LOCAL LAW TO AMEND THE SULLIVAN CODE TO REORGANIZE THE STRUCTURE OF COUNTY GOVERNMENT

- Explanation: This Local Law shall set forth amendments to the Sullivan County Code to reflect modifications to streamline and realign the Divisions, Departments and Agencies of the County of Sullivan.
- Legislative Intent: The Sullivan County Legislature, after due diligence and careful consideration, declares that it is in the best interests of the citizens and the government of the County of Sullivan to modify and streamline the delivery of the government services, reduce duplication of services and promote interaction amongst the various departments and agencies, and in furtherance thereof, hereby amends the Administrative Code of the Sullivan County Charter (hereinafter, the "Code").
- Effective: This local law shall become effective as of the date of filing with the Secretary of State.
- Amendments: Articles I through Article VII of the Code are amended as follows:

Administrative Code

Chapter A Administrative Code

[HISTORY: Adopted by the Board of Supervisors (now County Legislature) of the County of Sullivan 12-14-1995 by L.L. No. 11-1995; amended in its entirety 7-17-1997 by L.L. No. 3-1997. Subsequent amendments noted where applicable.]

ARTICLE I

Government of Sullivan County

§ A1-1 Title.

This chapter shall be known as the "Sullivan County Administrative Code."

§ A1-2 Purposes.

The Sullivan County Administrative Code is intended to outline the organizational structure of the County government as prescribed in the New York County Law, to delineate the location of the responsibilities of the County government and to make provision for administrative leadership in order to promote an efficient and responsible County government.

§ A1-3 Effect of local laws, enactments.

All existing laws, ordinances, legalizing acts and resolutions of the County shall remain operative except where inconsistent with this Administrative Code as adopted by local law.

ARTICLE II

The County Legislature

§ A2-1 County Legislature.

The County Legislature shall be the elected governing body of Sullivan County which shall perform the legislative, appropriating, policy determining and administrative functions as provided for in the County Law.

§ A2-2 Membership.

The County Legislature shall be composed of the elected legislators elected from single-member legislative districts, each member elected for a term of four years and having one vote. Members of the Legislature shall be elected from the districts established in § C2.01 of the Sullivan County Charter.

§ A2-3 Powers and duties.

- A. The County Legislature shall exercise all the powers and duties now or hereafter conferred or imposed by state law upon a Board of Supervisors and/or a County Legislature of a county and all powers and duties necessarily implied or incidental thereto, and all the powers assigned to it by the Sullivan County Charter, and restricted as therein provided. Among such powers and duties, but not by way of limitation, it shall:**

- (1) Make appropriations, levy taxes, incur indebtedness and adopt the County budget.
 - (2) Enact, amend or repeal this Administrative Code, local laws, legalizing acts or resolutions; and provide for the administrative implementation thereof.
 - (3) Adopt, by resolution, all necessary rules and regulations for its own conduct and procedure.
 - (4) By local law, create, alter, combine or abolish administrative units of County government not headed by elected officers or officers designated in the Sullivan County Charter, establishing or abolishing positions of employment in connection therewith.
 - (5) Appoint heads of units of County government, except those officers who are required to be elected and/or whose appointment is otherwise provided for by law, by the Sullivan County Charter or by this Administrative Code.
 - (6) Establish or abolish positions of employment.
 - (7) Fix, by resolution, the maximum compensation of all County officers and employees, except members of the judiciary and the District Attorney.
 - (8) Fix, by resolution, the compensation to be paid from County funds to persons rendering service to or in behalf of, but who are not officers or employees of, the County.
 - (9) Adopt such standard rules and regulations regarding County employment as it may deem appropriate.
 - (10) Fix the amount of bonds of officers and employees paid from County funds as hereinafter provided.
 - (11) Authorize contracts for goods and services on behalf of the County.
 - (12) Conduct studies and investigations in furtherance of its legislative functions, and in connection therewith obtain and employ professional and technical advice, appoint citizens committees, commissions and boards, subpoena witnesses, administer oaths and require the production of books, papers and other evidence necessary or material to such studies or investigations.
 - (13) Legalize and validate by legalizing any act had or taken in connection with a lawful municipal purpose by a governing board or other body, office, agency or unit of a local municipality wholly within the County in the manner provided in the County Law.
- B. A member of the County Legislature of the County of Sullivan may be appointed by the County Legislature of Sullivan County to any board or committee, the members of which are public officers.

§ A2-4 Chair of County Legislature.

[Amended 12-9-1997 by L.L. No. 7-1998]

The County Legislature at its organizational meeting held only on January 1 of each and every even-numbered year following the election of the Legislators, or as soon thereafter as is practical, shall elect from its membership a Chairman who shall serve until replaced.

§ A2-5 Chair of County Legislature; powers and duties.

Except as may otherwise be provided in this Administrative Code, the Chair of the County Legislature shall have all the powers and duties now or hereafter conferred or imposed upon a Chair of a County Legislature by law. Among such powers and duties, but not by way of limitation, the Chair shall:

- A. Determine in consultation with the County Manager what officer shall perform a particular power or duty not clearly defined herein or by law.

- B. Execute and deliver documents and contracts authorized by law and by the County Legislature, which are not within the powers of the County Manager as described in § C3.06J of the Sullivan County Charter.**
- C. Perform such other administrative duties as the Legislature determines to be necessary.**

§ A2-6 Vice Chairman and other officers of County Legislature; selection; powers and duties.

[Amended 12-9-1997 by L.L. No. 7-1998]

The County Legislature, within the time provided for in the Sullivan County Charter to elect a Chairman, shall elect a Vice Chairman, by majority vote, and may elect other officers as it deems required, all of whom shall serve until replaced. The Vice Chairman shall, in the absence of the Chairman, preside over each duly constituted meeting of the Legislature, have and exercise all of the powers and duties of the Chairman at any meeting over which the Vice Chairman is called to preside, and, except as herein limited, shall have and exercise those additional powers and duties authorized by resolution of the Legislature, provided that such resolution shall specify the dates during which the Vice Chairman may exercise such powers and duties, and that the powers and duties authorized to the Vice Chairman shall not be exercised by the Chairman during the designated time period. The Vice Chairman shall at no time appoint a person to an office or position of employment with the County, nor appoint the Chairman or members of any committee of the Legislature. The Vice Chairman may, in the absence of the Chairman from the County, or upon the Chairman's authorization, execute all agreements on behalf of the County which the Legislature authorized the Chairman to execute.

§ A2-7 Death, resignation or disability of Chairman, Vice Chairman and/or other officers.

[Added 12-9-1997 by L.L. No. 7-1998]

In the event of the death, resignation or disability of the Chairman, the Vice Chairman shall act as Chairman until a new Chairman is elected. In the event of the death, resignation or disability of the Vice Chairman or any other officers that may have been elected, the Legislature shall elect a replacement Vice Chairman and may elect replacements for the other officers. The election to replace the Chairman, Vice Chairman or other officers contemplated herein shall be held at the next regular meeting of the County Legislature or sooner at a special or emergency meeting if desired. The degree of disability of any officer must be such so as to render that person's ability to perform impractical in order to justify a replacement by the Legislature.

§ A2-8 Committees of County Legislature, appointment.

[Amended 12-17-1998 by L.L. No. 9-1998; 2-17-2000 by L.L. No. 1-2000; 1-23-2003 by L.L. No. 3-2003; 10-23-2008 by L.L. No. 6-2008; 11-19-2009 by L.L. No. 8-2009]

Committees are the basis for the organization of administrative units and functions of government as presented in this Administrative Code. Within 20 days after his or her election, the Chair of the County Legislature shall appoint from among the members of the Legislature the Chairs and members of the standing committees, to wit: the Management and Budget Committee; the Government Services Committee; the Health and Family Services Committee; the Personnel Committee; the Planning, Community Development, Real Property, and Capital Planning and Budgeting Committee; the Public Safety & Law Enforcement Committee; the Public Works Committee; the Economic Development Committee; the Parks, Agriculture and Sustainability Policy Committee; and the Veterans Committee. In the case of a newly created committee, the Chair and members shall be appointed by the Chair of the County Legislature within 20 days after the creation of such new committee. In addition, the Chair of the Legislature may appoint members to new and existing special committees as may be created by the Legislature. The Chair of the County Legislature shall also fill any and all vacancies on any committee within 20 days of the creation of such vacancy. All committees shall meet at the call of the Chair and/or pursuant to the rules of the Legislature.

§ A2-9 Committees of County Legislature; jurisdiction, powers and duties.

[Amended 12-17-1998 by L.L. No. 9-1998; 2-18-1999 by L.L. No. 1-1999; 5-20-1999 by L.L. No. 4-1999; 2-17-2000 by L.L. No. 1-2000; 3-15-2001 by L.L. No. 1-2001; 1-

23-2003 by L.L. No. 3-2003; 12-18-2003 by L.L. No. 8-2003; 10-19-2006 by L.L. No. 1-2006; 4-26-2007 by L.L. No. 2-2007]

A. The jurisdiction of the committees shall be as follows:

- (1) Management and Budget Committee. [Amended 10-23-2008 by L.L. No. 6-2008]
 - (a) The County budget.
 - (b) The County Auditor.
 - (c) The County Treasurer (except matters related to real property tax enforcement functions).
 - (d) Information Technology Services.
 - (e) Office of Management and Budget.
 - (f) Payroll Department.
 - (g) Risk Management and Insurance
 - (h) Grants Administration Department.
- (2) Government Services Committee.
 - (a) Purchasing and central services.
 - (b) The County Clerk's office.
 - (c) The Board of Elections.
 - (d) Consumer affairs.
 - (e) Sullivan County Community College.
 - (f) Cornell Cooperative Extension Services.
- (3) Health and Family Services Committee.
 - (a) Family services and public welfare.
 - (b) Mental health, alcohol and drug abuse outpatient programs.
 - (c) Public health services.
 - (d) Health Services Advisory Committee.
 - (e) Professional Advisory Committee.
 - (f) Utilization Review Committee.
 - (g) Office for the Aging.
 - (h) Adult care center.
 - (i) Youth services.
- (4) Personnel Committee. [Amended 10-23-2008 by L.L. No. 6-2008]
 - (a) Personnel and civil services.
- (5) Economic Development Committee.
 - (a) Sullivan County Empire Zone.

- (b) Sullivan County Industrial Development Agency.
- (c) Sullivan County Partnership for Economic Development.
- (d) Sullivan County Visitor's Association.
- (e) Sullivan County Chamber of Commerce.
- (f) Center for Workforce Development.
- (g) Agriculture economic development. [Added 12-20-2007 by L.L. No. 3-2008]
- (6) Public Safety & Law Enforcement Committee.
- (a) Sullivan County Sheriff.
- (b) Sullivan County District Attorney.
- (c) Public defense/Legal Aid/Conflict Legal Aid.
- (d) Coroners.
- (e) Emergency services, 911, EMS, Fire Services.
- (f) Probation.
- (g) The Electrical Licensing Board.
- (h) Animal welfare services.
- (i) Stop DWI.
- (7) Public Works Committee. [Amended 10-23-2008 by L.L. No. 6-2008]
- (a) Public buildings and grounds; equipment and facilities management.
- (b) Public works.
- (c) Highways and bridges.
- (d) Sullivan County International Airport.
- (e) Traffic Safety Board.
- (f) The Sealer of Weights and Measures.
- (g) Transportation Advisory Board.
- (h) Flood mitigation and management.
- (i) Solid waste management.
- (j) Recycling.
- (k) Fleet maintenance.
- (l) Motor pool and transportation services.
- (8) Planning, Community Development, Real Property and Capital Planning and Budgeting Committee. [Amended 10-23-2008 by L.L. No. 6-2008; 11-19-2009 by L.L. No. 8-2009]
- (a) Comprehensive planning, land use, and state-mandated planning functions.

§ A2-10 Executive Committee of County Legislature.
[Amended 2-17-2000 by L.L. No. 1-2000; 3-15-2001 by L.L. No. 1-2001]
There shall be an Executive Committee of the County Legislature consisting of the membership of the Legislature, with the Chair of the Legislature as the Chair of the Committee. The Executive Committee shall oversee compliance with legislative

B. Unless waived by a majority vote of the County Legislature, each resolution relating to a division, department, agency or other matter within the purview of a standing committee shall first be referred to said committee for its recommendation to the Legislature, affirmative, negative or neutral, before being acted upon by the Legislature. Except in cases of overlapping responsibility, each such resolution shall be referred to only one standing committee; however, any committee may request the opinion of another committee on any resolution.

(j) Agriculture Planning

(i) County Museum. [Added 12-20-2007 by L.L. No. 3-2008]

(h) Historical and cultural resource management.

(g) Parks, recreation and beautification.

(f) The County Historian.

(e) Sustainable energy – fiscal impacts.

(d) Benchmarks for measuring progress on sustainability goals.

(c) Sustainable policies for current county facilities and fleets.

(b) “Green” building standards, renewable energy, and other “best practices.”

(a) Sustainable principles, practices and technologies for future county facilities.

(10) Parks, Agriculture and Sustainability Policy Committee. [Added 11-19-2009 by L.L. No. 8-2009]

(a) Veterans' services.

(9) Veterans Committee.

(f) Capital budgeting and planning analyses.

(k) Legislative oversight of fiscal impacts of capital projects.

(j) Formulation of the six-year Capital Plan.

(i) Community development. [Amended 12-20-2007 by L.L. No. 3-2008]

(h) Real Property Advisory Board.

(g) County Treasurer (real property tax enforcement and real property administration function).

(f) Real Property Tax Services Agency.

(e) Agriculture Planning Districts.

(d) Environmental protection.

(c) Environmental management.

(b) GIS planning and mapping functions.

intent, coordinate the activities of the various committees of the Legislature, advise and assist the Chair of the Legislature in his/her duties, either at his/her request or on its own initiative, and make such recommendations to the Legislature as it may deem appropriate. The Executive Committee shall perform the annual performance review of the County Manager provided for in § C3.05 of the Sullivan County Charter. The Executive Committee shall act as the Rules Committee of the Legislature, acting in regard to the rules of the Legislature and amendments thereto; and shall receive from other jurisdictions within the County their ordinances, local laws, enactments or other legislation requiring action by the Legislature and recommend action thereon. The Executive Committee shall also consider all matters relating to optional forms of County government and reapportionment. The Executive Committee shall have legislative oversight of the Sullivan County Board of Ethics, the Human Rights Commission, and the County's Strategic Plan. The Executive Committee shall have additional duties as may be assigned by the Chairman of the Legislature, from time to time.

§ A2-11 Clerk to County Legislature; Deputy Clerk.
 There shall be a Clerk and Deputy Clerk to the County Legislature. The Clerk shall be appointed by the Legislature to serve at its pleasure and until a successor is appointed and has qualified. The Deputy Clerk shall be appointed by the Clerk or the County Legislature. In addition to duties prescribed by state law, the Clerk or Deputy shall serve as secretary to all committees of the Legislature and perform other duties as assigned by the Legislature.

ARTICLE III
 County Manager

§ A3-1 County Manager.
 There shall be a County Manager who shall be the Chief Executive and administrative head of the County government in accordance with § C3.00 of the County Charter.
 § A3-2 Appointment; qualifications.
 The County Manager shall be appointed by the County Legislature to serve at the pleasure of the County Legislature pursuant to § C3.01 of the Charter of Sullivan County. At the time of appointment, the County Manager shall have the qualifications and be restricted as set forth in §§ C3.02, C3.03 and C3.04 of the Charter of Sullivan County.
 § A3-3 Powers and duties.
 [Amended 10-23-2008 by L.L. No. 6-2008]

Without curtailing, diminishing or transferring the powers of any elected County official, the County Manager shall be responsible for the overall administration of County government and shall provide and coordinate staff services to the County Legislature, Chair of the Legislature and its committees. The County Manager shall perform all the duties now and hereafter conferred or imposed upon the officer by law and directed by the County Legislature and shall have all powers and perform all the duties necessarily implied or incidental thereto. Among such powers and duties, but not by way of limitation, are:
 A. The County Manager shall appoint, with the approval of the County Legislature, to serve at his/her pleasure a Deputy County Manager. Where an existing Commissioner is selected, the duties described in this section shall be in addition to the positions held by such individual. Additionally, the County Legislature shall fix the salary. The Deputy County Manager shall be responsible for all executive functions in the absence of the County Manager due to vacation, illness or emergency, or any other reason, expressly written by the County Manager, unless the County Manager has either limited said authority in writing, or has designated another senior management staff member as the Acting County Manager in accordance with § C3.07 of the County Charter.

B. To appoint such assistants within the office as may be authorized by the County Legislature.

C. To work in conjunction with and coordinate the activities of County division and department heads and the administration of all units of County

government to most efficiently implement the directives of the County Legislature.

- D. To determine in consultation with the Chair of the Legislature what officer shall perform a particular duty not clearly defined by law or this Administrative Code.
- E. To execute and enforce all local laws, legalizing acts, ordinances and resolutions of the County Legislature and all other acts required by operation of law.
- F. To serve as an advisor to the County Legislature and develop policy and procedural recommendations for consideration of the County Legislature.
- G. To undertake research and submit to the County Legislature reports and recommendations regarding governmental operations as he may deem appropriate or the County Legislature may request, and provide such assistance to the Legislature and its committees as may be requested by the Legislature.
- H. To serve as liaison between the Legislature and the boards, commissions and advisory committees established by the State Legislature.
- I. To maintain liaison and represent the County Legislature in contacts with political subdivisions, state and federal officials and agencies.
- J. To make appointments of all division heads, subject to confirmation by the County Legislature; and make recommendations for appointments by the County Legislature for all heads of units of County government which are subject to appointment by the County Legislature.
- K. To have advisory oversight of the County Auditor regarding methods of accounting and auditing procedures for the County and its administrative agencies as he may deem necessary.
- L. To examine and approve all contracts, and other documents by which the County incurs financial obligations.
- M. To coordinate with the County Auditor, except in regard to the Auditor's investigations of the County Manager and the County Manager's office, if any.
- N. To have advisory oversight of the County Auditor regarding prescribing the form of receipts, vouchers, bills or claims to be filed by all administrative agencies, departments, offices or officials, institutions and other agencies of the County.
- O. To be the budget officer of the County and be responsible for the preparation and administration of the budget of the County.
- P. To develop and recommend a budget program that includes long-range capital budgeting and annual operating capital budgets under the direction of the Legislature.
- Q. To manage the plan for Sullivan County Self-Insurance and Employer's Liability.
- R. To place all County insurance which shall be deemed necessary with the business and property of the County within appropriations set by the County Legislature.
- S. To establish and maintain as its agent a uniform purchasing system to provide for the purchase, sale, rental and servicing of all supplies, materials, equipment and services for the County and all its units, including inspection, supervision and determination as to quality and conformity with specifications, and be responsible for compliance therewith.

- T. To participate in the conduct of collective negotiations with organized employee representatives.
- U. To have such other powers and perform such other duties as may now or hereafter be conferred or imposed upon him by the County Legislature.
- V. To exercise such other duties and powers, including the powers of appointment and discharge, as may be conferred on the County Manager by the Sullivan County Charter.
- W. Development of goals and functions of sustainable energy, including measures for energy conservation, generation, and efficiencies, and may direct functions related to County facilities and fleet with the Division of Public Works and the Division of Management and Budget, and functions related to external organizations with the Office of Sustainable Energy.

§ A3-4 Acting County Manager.

The County Manager shall designate an Acting County Manager or Managers pursuant to the provisions of § C3.07 of the Charter of Sullivan County.

ARTICLE IV
Elected Offices

§ A4-1 County Treasurer.

[Amended 4-26-2007 by L.L. No. 2-2007]

There shall be a County Treasurer elected from the County at large for a term of four years. The duties of the County Treasurer shall be those duties including but not limited to receiving, disbursing and keeping official accounts of County funds; borrowing and investing; and collection of taxes. The Treasurer is responsible to the County Legislature in matters of budget, tax enforcement functions and personnel.

§ A4-2 Committee oversight of County Treasurer.

[Amended 12-17-1998 by L.L. No. 9-1998; 4-26-2007 by L.L. No. 2-2007]

The County Treasurer shall be subject to the legislative oversight of the Planning, Community Development, Real Property and Capital Planning and Budgeting Committee on matters relating to the Treasurer's tax enforcement functions. On other matters, the County Treasurer shall be subject to the legislative oversight of the Management and Budget Committee and Personnel Committee.

§ A4-3 County Clerk.

[Amended 4-26-2007 by L.L. No. 2-2007]

There shall be a County Clerk who shall be elected for a four-year term as required by law. The duties of the County Clerk shall be those prescribed by law. The County Clerk is responsible to the County Legislature in matters of budget and personnel and works through the Government Services Committee on these matters when necessary.

§ A4-4 Committee oversight of County Clerk.

[Amended 4-26-2007 by L.L. No. 2-2007]

The County Clerk shall be subject to the legislative oversight of the Committee of Government Services, Management and Budget Committee and Personnel Committee.

§ A4-5 District Attorney.

There shall be a District Attorney elected from the County at large for a term of four years. At the time of nomination and election, and throughout the term of office, the District Attorney shall be and remain duly licensed and entitled to practice law in the State of New York. The powers and duties of the District Attorney shall be all the powers and duties now or hereafter conferred or imposed by law, including but not limited to prosecuting all crimes and criminal offenses within the County and prosecuting related civil matters.

§ A4-6 Committee oversight of District Attorney.

[Amended 1-23-2003 by L.L. No. 3-2003]

The District Attorney shall be subject to the legislative oversight of the Public Safety Committee, Management and Budget Committee and Personnel Committee.

§ A4-7 County Sheriff.

There shall be a Sheriff elected from the County at large for a term of four years. The powers and duties of the Sheriff shall be those, both criminal and civil, now or

hereafter conferred or imposed upon a County Sheriff by law, including but not limited to the following:

- A. Act as the chief police and law enforcement officer for, and have jurisdiction throughout, the County.
- B. Be the keeper of the County Jail.
- C. Undertake the processes required pursuant to civil litigations in accordance with the State constitution.

§ A4-8 Committee oversight of County Sheriff.

[Amended 1-23-2003 by L.L. No. 3-2003]

The County Sheriff shall be subject to the legislative oversight of the Public Safety Committee, Management and Budget Committee and Personnel Committee.

§ A4-9 County Coroners.

There shall be four County Coroners elected from the County at large for a term of four years, who shall have all the powers and perform all the duties now or hereafter conferred or imposed by law.

§ A4-10 Committee oversight of County Coroners.

[Amended 1-23-2003 by L.L. No. 3-2003]

The County Coroners shall be subject to the legislative oversight of the Public Safety Committee, Management and Budget Committee and Personnel Committee.

ARTICLE V

Legislative Appointments, Miscellaneous

§ A5-1 County Attorney.

[Amended 1-23-2003 by L.L. No. 3-2003; 4-26-2007 by L.L. No. 2-2007]

There shall be a County Attorney who shall be appointed and qualified, and restricted, and have the powers as set forth in §§ C4.00, C4.01 and C4.02 of the Charter of Sullivan County. When the interests of the County Legislature, the County and/or the County Manager are inconsistent with the interests of a County officer or employee, the County Attorney shall represent the County, the County Legislature or the County Manager, as the case may be. When the interests of the County and/or the County Legislature are in conflict with the County Manager, the County Attorney shall represent the County or the County Legislature, as the case may be. The County Attorney works through the Management and Budget and Personnel Committees in budget and personnel matters respectively.

§ A5-2 Office of Personnel and Civil Service Administration.

- A. There shall be an Office of Personnel and Civil Service Administration which shall be headed by a Human Resources Director and shall include a Personnel Officer and Equal Employment Opportunity Officer. The Personnel Officer shall be appointed by the County Legislature for a six-year term as required by law. The Personnel Officer shall perform the following duties:
 - (1) Administration of the civil service system for the County and all municipalities therein as prescribed by law.
 - (2) Establish and maintain a centralized system of recruitment, and ensure compliance with equal employment opportunity programs of the County.
 - (3) Assist in labor negotiations.
 - (4) Have oversight of the equal employment opportunity activities of the County.
- B. There shall be an Equal Employment Opportunity Officer within the Office of Personnel and Civil Service Administration who shall be appointed by the Personnel Officer, with the approval of the County Manager, in accordance with the provisions of the Civil Service Law. The Equal Employment Opportunity Officer shall have such duties required to be performed by the County of Sullivan Affirmative Action Plan now or hereafter adopted and amended, and such other duties the Personnel Officer shall assign. The Equal Employment Opportunity Officer shall report to the Personnel Officer with

respect to all matters involving general administration of the plan and to the County Manager with respect to all matters relating to evaluation of implementation and enforcement of the plan, all complaints of discrimination and all recommendations for modification to the plan. Nothing contained herein shall prevent the Personnel Officer from acting as the County's Equal Employment Opportunity Officer and nothing contained herein shall preclude the Human Resources Director from acting as the Personnel Officer.

§ A5-3 Committee oversight of Personnel Officer and Office of Personnel and Civil Service Administration.

[Amended 1-23-2003 by L.L. No. 3-2003]

The Personnel Officer and the Office of Personnel and Civil Service Administration shall be subject to the legislative oversight of the Personnel Committee.

§ A5-4 Real Property Tax Service Agency.

[Amended 12-17-1998 by L.L. No. 9-1998]

There shall be a Real Property Tax Service Agency headed by a Director of Real Property Tax Services who shall be appointed by the County Manager and confirmed by the Legislature for a term of six years as required by law. The Director of Real Property Tax Services shall retain all powers and duties conferred by the laws of New York State. The Director shall be chosen on a basis of his knowledge of principles and methods relating to the assessment of real property and his executive and administrative experience and shall meet the minimum qualifications established by the State Board of Real Property Services. The powers and duties of the Director shall be all those provided by law and state regulations, including but not limited to the following:

- A. Prepare and maintain tax maps in current condition and provide copies for the County.
- B. Provide advisory appraisals to towns in the County as required by law.
- C. Coordinating any County-wide revaluation program.
- D. Advising and training Assessors on procedures for preparing and maintaining assessment rolls, property report cards and appraisal cards.
- E. Cooperate and assist in the training programs provided by the state board.
- F. Prepare and furnish an annual report to the County Legislature, a copy of which shall be sent to the state board.
- G. Act as Team Coordinator of the Sullivan County Damage Assessment Team pursuant to Resolution 178 of the year 1987.

§ A5-5 Committee oversight of Real Property Tax Services Director and Real Property Tax Services Agency.

[Amended 12-17-1998 by L.L. No. 9-1998; 4-26-2007 by L.L. No. 2-2007]

The Real Property Tax Services Director and the Real Property Tax Services Agency shall be subject to the legislative oversight of the Planning, Community Development, Real Property and Capital Planning and Budgeting Committee.

§ A5-6 Sullivan County Community College; Board of Trustees.

There shall be a community college within the County known as the "Sullivan County Community College," which shall be administered by the County Legislature and the Board of Trustees of the Sullivan County Community College pursuant to the provisions of the Education Law. The members of the Board of Trustees authorized by law to be appointed by the County government shall be appointed by the County Legislature.

§ A5-7 Committee oversight of Sullivan County Community College.

[Amended 1-23-2003 by L.L. No. 3-2003; 4-26-2007 by L.L. No. 2-2007]

The Sullivan County Community College shall be subject to the legislative oversight of the Government Services Committee of the Legislature.

§ A5-8 County Historian.

There shall be a County Historian appointed by the County Legislature to serve at its pleasure. The County Historian shall have all the powers and perform all the

duties provided by law, including collection and preservation of material related to the history of the County, supervision of activities of local historians and preparation of an annual report of historical events occurring in the County.

§ A5-9 Committee oversight of County Historian.

[Amended 1-23-2003 by L.L. No. 3-2003; 4-26-2007 by L.L. No. 2-2007]

The County Historian shall be subject to the legislative oversight of the Parks, Agriculture and Sustainability Policy Committee of the County Legislature.

ARTICLE VI

County Auditor

[Amended 5-20-1999 by L.L. No. 4-1999; 1-23-2003 by L.L. No. 3-2003; 4-26-2007 by L.L. No. 2-2007]

§ A6-1 County Auditor.

The Auditor shall retain all powers and duties as conferred by the Charter and the laws of New York State. The County Auditor shall retain the independence of office provided for by the Sullivan County Charter. The County Auditor shall hold no other position in the government of Sullivan County. The County Auditor shall be appointed and qualified, and restricted, and have the powers as set forth in §§ C9.00, C9.01, C9.02 and C9.03 of the Sullivan County Charter. For administrative purposes only, the County Auditor shall be part of the Division of Management and Budget.

§ A6-2 Office of Audit and Control.

- A. There shall be an Office of Audit and Control which shall be headed by the County Auditor. The County Auditor shall retain the independence of office provided for by the Sullivan County Charter. The County Auditor shall hold no other position in the government of Sullivan County. The Office of Audit and Control shall perform the duties, including but not limited to the following:
- (1) Audit all claims or charges against the County or against funds for which the County is responsible.
 - (2) Conduct financial and compliance audits of records and accounts for all officers and employees charged with any duty relating to County funds or funds for which the County is responsible.
 - (3) Conduct management and performance audits of County administrative units and County-funded programs.
 - (4) Provide assistance as needed to the County Manager in budget preparation, monitoring and maintenance, or in any other and related matter as designated by the County Manager.
 - (5) Provide information to the County Legislature as requested.
 - (6) Shall report his/her findings to the County Manager, the County Legislature and the Commissioner of Management and Budget.
- B. For administrative purposes only, the Office of Audit and Control shall be part of the Division of Management and Budget.

§ A6-3 Committee oversight of County Auditor and Office of Audit and Control.

The County Auditor and the Office of Audit and Control shall be subject to the legislative oversight of the Management and Budget Committee.

ARTICLE VII

Line Departments

[Amended 6-18-1998 by L.L. No. 3-1998; 8-20-1998 by L.L. No. 6-1998; 1-1999 by L.L. No. 1-1999; 5-20-1999 by L.L. No. 4-1999; 2-17-2000 by L.L. No. 1-2000; 3-15-2001 by L.L. No. 1-2001; 1-23-2003 by L.L. No. 3-2003; 4-26-2007 by L.L. No. 2-2007; 12-20-2007 by L.L. No. 3-2008; 3-20-2008 by L.L. No. 4-2008; 10-23-2008 by L.L. No. 6-2008]

§ A7-1 Deputy County Manager.

- A. The County Manager shall appoint, with the approval of the County Legislature, to serve at his/her pleasure a Deputy County Manager. Where an existing Commissioner is selected, the duties described in this section shall be in addition to the positions held by such individual. Additionally, the County Legislature shall fix the salary. The Deputy County Manager shall be responsible for all executive functions in the absence of the County Manager due to vacation, illness or emergency, or any other reason, expressly written by the County Manager, unless the County Manager has either limited said authority in writing, or has designated another senior management staff member as the Acting County Manager in accordance with § C3.07 of the County Charter.
- B. The Deputy County Manager shall assist the County Manager, and shall have all the powers and duties conferred upon him by the County Manager, as more fully described in the relevant job description for the Deputy County Manager. Where an existing Commissioner is appointed by the County Manager as the Deputy County Manager, the job description shall reflect the powers and duties of the Deputy County Manager, and the division that the Deputy County Manager serves as Commissioner.

§ A7-2 Division of Management and Budget; County Treasurer; County Auditor; Office of Audit and Control; Department of Information Technology Services; Office of Management and Budget; Department of Purchasing and Central Services; Office of Personnel and Civil Service Administration; Department of Risk Management and Insurance; Human Rights Commission; Grants Administration Department; Payroll Department; County Clerk; Board of Elections;; Department of Consumer Affairs; Veteran's Services Agency;

There shall be a Division of Management and Budget headed by a Commissioner of Management and Budget who shall be appointed by and serve at the pleasure of the County Manager, subject to confirmation by the County Legislature. The Commissioner of Management and Budget shall be chosen on the basis of his/her education and experience, his/her knowledge of governmental administration, including experience in accounting and finance, and his/her executive and administrative experience. The powers and duties of the Commissioner of Management and Budget shall be all the powers and duties assigned to the departments of the division as follows, except to the extent the County Treasurer, the County Auditor and the Office of Audit and Control shall report to the Commissioner for administrative purposes only. With respect to the obligations set forth in A3-3 Q and R the Director of Risk Management and Insurance shall have direct access to the County Manager. With respect to the obligations set forth in A5-2 B the Personnel Officer shall have direct access to the County Manager:

- A. County Treasurer. For administrative purposes only, the County Treasurer shall be part of the Division of Management and Budget. The Treasurer shall retain all powers and duties as conferred by the Charter and the laws of New York State.
- B. Information Technology Services. There shall be a department of Information Technology Services within the Division of Management and Budget, which shall be headed by the Chief Information Officer, who shall be appointed by the Commissioner of Management and Budget with the approval of the County Manager. The Management and Budget Committee of the County Legislature shall have legislative oversight over Information Technology Services. The Department shall perform duties including but not limited to the following:
 - (1) Maintain County financial system equipment.
 - (2) Integration of outside software, selection and education of office automation functions and assist in selecting computers and software.
 - (3) Provide training of County personnel on applications installed on the County computer network.

- (4) Provide adequate maintenance of electronic networks.
 - (5) Establish and implement procedures for continued operations should a physical disaster occur.
 - (6) Establish and maintain the telephone systems of the County.
 - (7) Establish and maintain information technology and productivity.
 - (8) Serve as Webmaster for the County website, and all County departments, and other agencies as determined by the County Manager.
 - (9) Responsible for the GIS Enterprise System and administration, including the internal County-wide implementation of the system and public facing GIS interface.
- C. Department of Management and Budget. There shall be a Department Management and Budget within the Division of Management and Budget, which shall be headed by the Commissioner of Management and Budget. The Department shall include, but is not limited to, County fiscal personnel with job functions pertaining to receivables, performance management, performance measures, and budget forecasting, except as provided by the Charter and the laws of New York State. The Department of Management and Budget shall perform duties including but not limited to the following:
- (1) Develop and maintain proper internal controls for all fiscal procedures and policies adopted by the County Legislature.
 - (2) Prepare federal, state and other claims for reimbursement.
 - (3) Formulate and implement the capital plan and capital projects.
 - (4) Perform analyses of budget performance.
 - (5) Perform budget forecasting.
 - (6) Employee position control, numbering, and budgeting.
- D. Department of Purchasing and Central Services. There shall be a Department of Purchasing and Central Services within the Division of Management and Budget which shall be headed by a Director of Purchasing and Central Services, who shall be appointed by the Commissioner of Management and Budget with the approval of the County Manager, subject to the provisions of the Civil Service Law. The Department shall perform duties including but not limited to the following:
- (1) Establish and maintain purchasing procedures in accordance with statutory, regulatory and policy requirements.
 - (2) Engage in the purchasing of equipment and supplies, the provision of centralized office operational services and the purchasing of services for facilities owned or leased by the County.
- E. County Auditor and Office of Audit and Control. For administrative purposes only, the County Auditor and the Office of Audit and Control shall be part of the Division of Management and Budget.
- F. Sullivan County Community College. (See §§ A5-8 and A5-9.)
- G. Cornell Cooperative Extension Services.
- H. Veterans' Services Agency (for administrative purposes only).

- (1) The Veterans' Services Agency shall report directly to the Sullivan County Legislature, and shall be subject to administrative oversight by the County Manager.
 - (2) Veterans' Services Agency shall be subject to legislative oversight by the Veterans' Committee.
 - (3) There shall be a Director of the Veterans' Services Agency, who shall have all the powers and duties conferred by the laws of the State of New York.
 - (4) The Director of the Veterans' Services Agency shall be a veteran and shall be appointed by the Chairman of the Legislature with the approval of the Legislature after consulting with all veterans' service organizations and after giving due regard to his/her experience, dedication and demonstrated capacity to promote veterans' interests. The term of office of the Director of the Veterans' Services Agency shall be that term for which the then members of the appointing County Legislature were elected. The Director of the Veterans' Services Agency shall be removed during his/her term only for cause and only after written charges have been filed by the County Legislature and he/she has an opportunity to be heard.
- I. Office of Personnel and Civil Service Administration. The Office of Personnel and Civil Service Administration shall be part of the Division of Management and Budget. It shall be headed by a Human Resources Director, who shall be appointed by the County Manager. The Office of Personnel and Civil Service Administration shall include a Personnel Officer who is recommended by the County Manager and appointed by the County Legislature to serve in accordance with the statutory term of office.
- (1) The Personnel Officer shall be chosen on the basis of his or her education and experience, knowledge of governmental administration and executive and administrative experience. The Personnel Officer shall retain all powers and duties necessarily conferred by the laws of New York State, and shall be limited to such authority, unless additional authority has been granted in writing by the County Manager, with the consent of the County Legislature. The Personnel Officer has full autonomy in regards to civil service functions. The Commissioner of Management and Budget would only have direct oversight of the non-civil service functions.
 - (2) Human Rights Commission (for administrative purposes only).
- J. Department of Risk Management and Insurance. There shall be a Department of Risk Management and Insurance within the Division of Management and Budget which shall be headed by the Director of Risk Management and Insurance, who shall be appointed by the Commissioner of Management and Budget with the approval of the County Manager. This position shall not be exempt from the provisions of the Civil Service Law. The Department shall perform duties including but not limited to the following:
- (1) Administration of the Sullivan County Self-Insurance Plan, an authorized self-insurer of the New York State Workers' Compensation Board.
 - (2) Administration of the County of Sullivan Employee Benefit Plans, which may include other municipal entities through municipal cooperative agreements.
 - (3) Provision for all adequate insurance and surety bond coverage protecting the County from all reasonable risks of loss or damage, as directed by the County Manager.
 - (4) Administration of the County's Loss Prevention Program in conjunction with the Commissioner of Public Works.
 - (5) Administration of the County's disability insurance program.

- (6) Manage the plan for Sullivan County Self-Insurance and Employer's Liability with the County Manager.
- (7) As approved by the County Manager, place all County insurance which shall be deemed necessary with the business and property of the County within appropriations set by the County Legislature.
- K. County Clerk. For administrative purposes only, the County Clerk shall be part of the Division of Management and Budget. The Clerk shall retain all powers and duties as conferred by the Charter and the laws of New York State.
- L. Board of Elections. For administrative purposes, the Board of Elections shall be part of the Division of Management and Budget. The Election Commissioners shall retain all powers and duties as conferred by New York State law.
- M. Grants Administration Department. The Grants Administration Department shall be headed by, the Grants Administration Supervisor, who shall be appointed by the Commissioner of the Division of Management and Budget with the approval of the County Manager. The Grants Administration Supervisor shall report to the Commissioner of the Division of Management and Budget.
 - (1) The Department of Grants Administration shall facilitate access to discretionary funding for County of Sullivan departments.
 - (2) The Department of Grants Administration shall research funding opportunities and write grant applications on behalf of any County department, as assigned or approved by the County Manager.
 - (3) The Department of Grants Administration shall be responsible for, and assist County Departments in the coordination of grant applications on behalf of the County of Sullivan.
 - (4) The Department of Grants Administration shall guide/educate and assist County departments as needed with grant processes, fiscal tracking and timely filing of grant reimbursements due to the County of Sullivan, as directed by the County Manager.
 - (5) The Department of Grants Administration shall assist County departments in improving the administration and management of existing grant resources.
 - (6) The Department of Grants Administration shall be authorized to provide technical assistance to the towns and villages of the County, as approved by the County Manager.
- N. Payroll Department. There shall be a Payroll Department within the Division of Management and Budget, which shall be headed by the Payroll Supervisor, who shall be appointed by the Commissioner of the Division of Management and Budget with the approval of the County Manager. This position shall not be exempt from the provisions of the Civil Service Law. The Payroll Department shall perform duties including but not limited to the following:
 - (1) All payroll functions of the County, including withholding tax, pension contributions, employer taxes, any garnishments, or other court orders associated with payroll regarding a County employee based on union and non-union contracts, Federal and State laws.
 - (2) Federal and State bi-weekly, monthly, quarterly and annual reporting.
 - (3) Management, support and training of County employees on the County wide time-keeping and scheduling system.
 - (4) Ensuring coordination, compliance, support and training of County employees on the County's financial and payroll software management system(s).

§ A7-3 Division of Public Works; Commissioner of Public Works; appointment; qualifications; powers and duties.

There shall be a Division of Public Works headed by a Commissioner of Public Works who shall be appointed by the County Manager, subject to confirmation by the County Legislature. Anything in Highway Law § 100 to the contrary notwithstanding, the Commissioner of Public Works shall serve at the pleasure of the County Manager. The Commissioner of Public Works shall be chosen on the basis of his/her knowledge of governmental administration, including experience in bridge and highway construction and maintenance, infrastructure management and his/her executive and administrative experience. The Commissioner of Public Works may also serve as the Commissioner of Solid Waste Management when so appointed by the County Manager, subject to confirmation by the County Legislature. The Commissioner of Public Works shall:

- A. Be responsible for the construction, maintenance, supervision, repair, alteration, demolition and custodial care of County buildings, highways, bridges, parking fields, drives and related facilities, parks and recreational facilities, preserves, walks and other facilities in the nature of public works within County jurisdiction or where contractually or otherwise appropriate and lawful, including the establishment and maintenance of a property management system, in conjunction with the County Manager, County Auditor, and the Commissioner of the Division of Management and Budget.
- B. Possess such powers and duties with respect to drainage, flood control, watersheds, sanitation, sewerage and water supply as may be prescribed by local law.
- C. Have all the powers and perform all the duties conferred or imposed by law upon a Commissioner of Public Works and perform such other and related duties required by the County Legislature.
- D. Have the additional powers of the departments and units of the Division of Public Works set forth in § A7-4 hereof.
- E. Be responsible for the formulation and implementation of a program for the collection and sanitary disposal of solid waste in the County of Sullivan, including the possible integration of existing operations within the County, both public and private, with new and comprehensive County-wide facilities for accepting, hauling, processing, separating, selling and disposing of solid waste, as may be authorized by the County Legislature, supervise the operation of all such facilities, equipment and personnel, analyze the operation and make periodic reports of the same, together with recommendations to the Sullivan County Legislature, adopt, amend and modify rules and regulations for the use, operation and maintenance of such facilities and other than establishment of fines, penalties, costs and fees, which said rules shall be effective 30 days after the date the same shall be filed with the Clerk of the County Legislature.

§ A7-4 Additional powers and duties of Commissioner of Public Works.

- A. Department of Sullivan County International Airport. There shall be a Department of Sullivan County International Airport in the Division of Public Works of which the Commissioner of Public Works shall be the head. The Department shall perform all duties required for the administration and operation of the Sullivan County Airport. The Commissioner shall appoint an Airport Superintendent, with the approval of the County Manager, to coordinate airport operations, maintenance, planning, construction and all other duties required for airport administration and operation.
- B. Department of Engineering. There shall be a Department of Engineering in the Division of Public Works. The Department shall support and coordinate the planning of County roads and bridges. The Department shall be headed by the Deputy Commissioner of Public Works/Engineering Supervisor, who shall be

appointed by the Commissioner of Public Works with the approval of the County Manager.

- C. Department of Facilities Management and Maintenance. There shall be a Department of Facilities Management and Maintenance in the Division of Public Works. The Department shall efficiently and economically repair and maintain County-owned buildings and their environment. The Department shall coordinate with the Office of Sustainable Energy, energy conservation, generation, and alternatives, relating to all County facilities. The Commissioner of the Division of Public Works shall oversee the building facilities of the County, to include maintenance and janitorial, space allocation, leases, facility planning and construction. The Commissioner shall use the personnel and such other resources of the Division of Public Works as may be required to perform these duties and such others as may be assigned by the County Manager.**
- D. Department of Construction. There shall be a Department of Construction in the Division of Public Works. The Department shall maintain and construct County roads and bridges.**
- E. Department of Motor Pool, Fleet and Equipment Maintenance. There shall be a Department of Motor Pool, Fleet and Equipment Maintenance in the Division of Public Works. The Department will strive to achieve the legislative goals as outlined in various policies such as the Fleet Policy and Benchmarking Policy as may be amended from time to time. The Department shall repair and maintain all County machinery and vehicles. The Commissioner shall oversee all vehicles owned, leased, or operated by the County, with the exception of vehicles assigned to the Office of the District Attorney and the Office of the County Sheriff. The Commissioner shall have the authority to assign all County-owned and -operated vehicles to a shared motor pool, to be coordinated by the Division of Public Works, with the exception of vehicles assigned to the Office of the District Attorney and the Office of the Sheriff. The Commissioner shall use the personnel and such other resources of the Division of Public Works as may be required to perform these duties and such other personnel as may be assigned by the County Manager. The Department shall coordinate with the County Manager regarding sustainable energy, energy conservation, generation, and alternatives, relating to the County fleet.**
- F. Department of Weights and Measures. There shall be a Department of Weights and Measures headed by a Sealer of Weights and Measures appointed by the Commissioner of Public Works, with the approval of the County Manager. The Director shall have all the powers and perform all the duties provided by law, including but not limited to inspecting and testing all weights, seals and measures of every kind in the County used for commercial purposes and the corrections of violations. The Department of Weights and Measures shall be subject to the legislative oversight of the Government Services Committee.**
- G. Department of Solid Waste Management. There shall be a Department of Solid Waste Management. The Manager of the Department of Solid Waste Management, if he is not the Commissioner of Public Works, shall be appointed by the Commissioner of Public Works subject to the provisions of the Civil Service Law and subject to the approval of the County Manager. The Manager of the Department of Solid Waste Management shall be chosen on the basis of his/her education and experience, his/her knowledge of governmental administration, including experience in solid waste management and/or related fields, and his/her executive and administrative experience. The Department of Solid Waste Management shall perform duties including but not limited to formulating, implementing and operating a program for the collection and sanitary disposal of solid waste in Sullivan County.**
- H. Department of Transportation and Mobility Management. The Commissioner shall oversee the management of any transportation services provided by Sullivan County.**

- I. **Environmental Management; Soil and Water Conservation District.** There may be a Soil and Water Conservation District whose activities shall be directed by a Board of Directors composed of two Legislators, a representative from the Farm Bureau, a representative from the Grange and three members-at-large appointed by the County Legislature. The Commissioner of Planning, Community Development and Real Property serves as an ex officio, nonvoting member. It shall be responsible for carrying out a conservation planning and application program, including soil erosion control, flood prevention and preservation of natural resources and wildlife of the County.

§ A7-5 Deputy Commissioner of Public Works.

The Commissioner of Public Works may appoint, with the approval of the County Manager, to serve at his/her pleasure a Deputy Commissioner of Public Works. Where existing management staff is selected, the duties described in this section shall be in addition to the positions held by such individual. Additionally, the County Manager shall approve the appointment of the Deputy Commissioner, and the County Legislature shall fix the salary. The Deputy Commissioner shall be responsible for all executive functions in the absence of the Commissioner due to vacation, illness or emergency, or any other reason.

§ A7-5(a) County Superintendent of Highways.

There shall be a County Superintendent of Highways. The County Superintendent of Highways shall be appointed by the County Legislature for a term and with responsibilities, authority and obligations pursuant to Highway Law § 102. In the discretion of the County Manager, and subject to A7-3 above, the Superintendent of Highways may also serve as the Commissioner of Public Works.

§ A7-6 Division of Health and Family Services.

- A. **The Division of Health and Family Services shall perform the County's responsibilities under the Social Services Law of the State of New York and related federal, state and local programs and responsibilities, and shall perform the County's responsibilities under the Mental Hygiene Law of the State of New York and related programs, and shall perform the County's responsibilities under the New York State Public Health Law and related programs and the Older Americans Act. The Division shall be headed by a Commissioner of Health and Family Services who shall be appointed by the County Manager, subject to approval by the County Legislature.**
 - (1) **Department of Social Services/Department of Family Services.** Within the Division of Health and Family Services, there shall be a County Department of Social Services, which may also be referred to as the "Department of Family Services" and may, at the discretion of the County Manager, be headed by a Commissioner of Social Services/Family Services. The Commissioner of Health and Family Services may also be designated, in the discretion of the County Manager, as the County Commissioner of Social Services/Family Services, in which event he shall have a term of office if and as required by New York State law. However, the Commissioner of Health & Family Services shall have the discretion and authority, subject to approval by the County Manager, to appoint a separate County Commissioner of Social Services/Family Services who shall serve with a term if and as required by New York State law, in which event the Commissioner of Health and Family Services shall not have such term. The County Commissioner of Social Services at the time of appointment and throughout the term of office must meet the qualifications prescribed by the Social Services Law of the State of New York and the New York State Commissioner of Social Services.
 - (2) **Department of Community Services.** Within the Division of Health and Family Services there shall be a County Department of Community Services, which shall be headed by a director or administrator appointed by the Commissioner of Health and Family Services, with the approval of the County Manager, who shall perform all the functions of the Department in regard to mental hygiene

services and all the duties imposed upon a County Director of Community Services.

- (3) **Community Services Board.** There shall be a Community Services Board as required by statute, which shall act in an advisory capacity only. Pursuant to Mental Hygiene Law § 41.05, Subdivision (c), all policymaking functions are vested in the Director or Administrator of Community Services subject to the approval of the Commissioner of Health and Family Services.
- (4) **Professional and legal staff.** The Commissioner of Health and Family Services shall have the discretion and authority to appoint professionals and employees as permitted by law, including a legal department, to perform duties he considers necessary to carry out the duties and obligations of the Department of Social Services/Family Services, subject to appropriations of the County Legislature. Such appointments will be made subject to the approval of the County Manager if the Commissioner of Social Services is the Commissioner of Health and Family Services; if not, then such appointments shall be subject to approval by the Commissioner of Health and Family Services and the County Manager. The legal department will be responsible for the conduct of all proceedings in Family Court, including, specifically but not exclusively, child and spousal support, paternity, abuse and neglect and foster care placements and extensions. Attorneys in the Department shall not, however, conduct juvenile delinquency or persons in need of supervision proceedings, unless specifically authorized to do so by the County Attorney.
- (5) **Department of Aging.** There shall be a Department of Aging, which shall be known as the Office of the Aging, within the Division of Health and Family Services which shall be headed by a Director of Aging Services, who shall be appointed by the Commissioner of Health and Family Services, subject to the provisions of the Civil Service Law, and with the approval of the County Manager. The Department of Aging Services shall perform duties including but not limited to administering federal, state and local programs for the County's elderly and their families in order to improve their quality of life by providing choices that allow them to remain in their own homes and communities longer with independence and dignity, through meaningful volunteer opportunities, nutritious and well-balanced meals and coordinated human service transportation, or any other programs that may be necessary or appropriate.
- (6) **Department of Public Health Services.** There shall be a Department of Public Health Services within the Division of Health & Family Services headed by a Director of Public Health, who shall qualify as the County's "local health officer" under the laws of the State of New York. The Commissioner of Health & Family Services may serve as the Director of Public Health. If the County Manager elects to appoint the same person to be the Commissioner of Health & Family Services and the Director of Public Health, the County Manager shall make the appointment subject to confirmation by the County Legislature and the provisions of the Civil Service Law. Otherwise, the Director of Public Health shall be appointed by the Commissioner of Health & Family Services, subject to the approval of the County Manager and the provisions of the Civil Service Law. The powers and duties of the Director of Public Health shall include all the powers and duties assigned to the Department of Public Health Services by this Administrative Code and by the laws of the State of New York. The Director of Public Health shall perform duties including but not limited to the following:
 - (a) Responsible to the County Legislature, which shall be the Board of Health.
 - (b) Prepare and fulfill the requirements as documented in the Municipal Facilities Plan for the State Health Department, defined in Subpart 40-1, 1.
 - (c) Prevent epidemics and control communicable diseases, promote healthy behaviors, monitor the health status of the population, mobilize community action, respond to disasters, assure the quality, accessibility to and

accountability of medical care, reach out to link high-risk and hard-to-reach people to needed services, and lead the development of sound health policy and planning.

- (d) Supervise the general program of public health nursing as prescribed by state law.
 - (e) Supervise the management of the following services:
 - [1] Certified Home Health Agency Program.
 - [2] Long-Term Home Health Care Center.
 - [3] Diagnostic and Treatment Center.
 - [4] WIC.
 - [5] Early Care Program.
 - (7) Department of Adult Care Center. There shall be a Department of Adult Care Center within the Division of Health & Family Services which shall be headed by an Administrator who shall be appointed by the Commissioner of Health & Family Services, subject to the provisions of the Civil Service Law, and with the approval of the County Manager. The Department of Adult Care Center shall perform duties including but not limited to the following:
 - (a) Responsible for the operation of the County Adult Care Center facility.
 - (b) Responsible for the operation of the medical model adult day-care program at the County Adult Care Center facility.
 - (c) Coordinate activities to assure compliance with federal, state and local laws.
 - (d) Coordination of contract services within the County Adult Care Center facility.
 - (8) Health Services Advisory Board. There shall be a Health Services Advisory Board appointed by the County Legislature, which shall have such powers and duties as are required by state law.
 - (9) Professional Advisory Committee and Utilization Review Committee. As required by regulations of the State Commissioner of Health, there shall be a Professional Advisory Committee and a Utilization Review Committee for the Certified Home Health Care Program and the Long-Term Home Health Care Program.
 - (10) Department of Youth Services. There shall be a Department of Youth Services within the Division of Health and Family Services, which shall be headed by a Director of Youth Services, who shall be appointed by the Commissioner of Health and Family Services, subject to the provisions of the Civil Service Law, and with the approval of the County Manager. The Department of Youth Services shall perform duties including but not limited to administering federal, state and local youth programs in order to enhance the development of the children and youth of the County.
 - (11) Privacy Officer. The Privacy Officer shall be responsible for compliance with privacy regulations, including the federal HIPAA law, and said officer shall recommend policies to the Commissioner of the Division of Health and Family Services regarding compliance with such regulations. The Privacy Officer shall also serve as the HIPAA Compliance Officer for the Division of Health & Family Services.
- B. The Committee on Health & Family Services shall have legislative oversight of the following Departments of the Division Health and Family Services: Department of Aging; Department of Public Health Services; Department of

Adult Care Center; Health Services Advisory Board; and Professional Advisory Committee and Utilization Review Committee.

§ A7-7 Public Safety; Division of Public Safety and Law Enforcement; appointment; qualification; powers and duties.

There shall be a Division of Public Safety headed by a Commissioner of Public Safety who shall be appointed by and serve at the pleasure of the County Manager, subject to confirmation by the County Legislature. The Commissioner of Public Safety shall be chosen on the basis of his/her education and experience, his/her knowledge of government administration, including experience in the administration of criminal justice programs, emergency management and his/her executive and administrative experience.

- A. **Public defense.** Within the Division of Public Safety, or by contract, the County Legislature shall provide for the representation of persons accused of crime or parties before Family Court pursuant to Article 18B of the County Law.
- B. **County Sheriff.** For administrative purposes only, the County Sheriff shall be part of the Division of Public Safety. The Sheriff shall retain all powers and duties as conferred by the laws of New York State.
- C. **District Attorney.** For administrative purposes only, the District Attorney shall be part of the Division of Public Safety. The District Attorney shall retain all powers and duties as conferred by the laws of New York State.
- D. **County Coroners.** For administrative purposes only, the County Coroners shall be part of the Division of Public Safety. The County Coroners shall retain all powers and duties as conferred by the laws of New York State.
- E. **County Fire Coordinator; County Fire Advisory Board.** Within the Division of Public Safety there shall be a County Fire Coordinator who shall be appointed by the County Legislature. The County Fire Coordinator shall be responsible for administering County programs for fire training and mutual aid and acting as liaison among the County legislative body, the County Fire Advisory Board and fire-fighting forces. The County Fire Advisory Board shall consist of not less than 15 or more than 21 members, who shall be appointed by the County Legislature. At least one member of the County Advisory Board shall reside in each Town of Sullivan County. The County Fire Advisory Board shall have such powers as are conferred on it by statute. For administrative purposes only, the County Fire Advisory Board shall be part of the Division of Public Safety, and subject to the legislative oversight of the Committee on Public Safety of the County Legislature.
- F. **Office of Emergency Management; Director of Emergency Management.** There shall be an Office of Emergency Management headed by a Director of Emergency Management who shall be appointed by and serve at the pleasure of the Commissioner of Public Safety, subject to approval by the County Manager. The Director of Emergency Management shall be directly responsible to the Commissioner of Public Safety and the County Manager and shall have and exercise all of the powers and perform all of the duties now and hereafter conferred or imposed by law, including responsibilities for damage assessment and situation/status evaluation imposed by Resolution 178 of 1987. The Director of Emergency Management shall be subject to the legislative oversight of the Committee on Public Safety of the County Legislature.
- G. **Department of Probation; Probation Director.** Within the Division of Public Safety there shall be a Department of Probation headed by a Probation Director. If the County Manager elects to appoint the same person to be the Commissioner of Public Safety and the Probation Director, the County Manager shall make the appointment subject to confirmation by the County Legislature. The Probation Director shall be appointed by the County Manager. The duties and qualifications of the Director of Probation shall be

those conferred or imposed by law, and related duties assigned by the County Manager to provide adequate probation services to the County.

- H. **Animal welfare services.** The County may obtain animal welfare services by contracting with a responsible third party or by providing such services internally. Such third-party contracts shall be approved by the County Legislature and supervised by the Commissioner of Public Safety.
- I. **Electrical Licensing Board.** The Sullivan County Electrical Licensing Board shall be subject to the administrative oversight of the County Manager or designee.
- J. **Stop DWI Program,** may be assigned to another department with the approval of the County Manager.
- K. **County Emergency Medical Services (EMS) Coordinator; County Emergency Medical Services (EMS) Advisory Board.** Within the Division of Public Safety there shall be a County Emergency Medical Services (EMS) Coordinator who shall be appointed by the County Legislature. The County Emergency Medical Services (EMS) Coordinator shall be responsible for administering County programs for EMS training and mutual aid and acting as liaison among the County legislative body, the County Emergency Medical Services (EMS) Advisory Board and EMS forces. The County Emergency Medical Services (EMS) Advisory Board shall consist of the Captain or his designee of each EMS unit located and operating within Sullivan County. The County Emergency Medical Services (EMS) Advisory Board shall have such powers as are conferred on it by statute, or by the County Legislature, by resolution, from time to time. The Committee on Public Safety of the County Legislature shall have oversight authority of the EMS Advisory Board.
- L. **E-911 Emergency Communication** shall be responsible for the operation, maintenance, supervision, repair and security of the E-911 telephone call-taking and dispatch system and of the E-911 control center, for establishing and implementing policies and procedures with respect to fire, police and emergency medical dispatch and for managing the necessary staff to carry out these functions.

§ A7-8 Division of Planning, Community Development and Real Property; comprehensive planning, land use, and state-mandated planning functions; flood mitigation and management; watershed planning; historic and cultural resource management; and community development plan implementation; environmental protection; Center for Workforce Development; Real Property Tax Services Agency (for Administrative purposes only); GIS planning functions; agricultural economic development;

There shall be a Division of Planning, Community Development and Real Property headed by a Commissioner of Planning, Community Development and Real Property who shall be appointed by and serve at the pleasure of the County Manager, subject to confirmation by the Sullivan County Legislature on the basis of his/her education and experience and his/her knowledge of municipal planning and zoning. The Division of Planning, Community Development and Real Property is responsible to administer and update the County-wide 2020 strategic plan and offer training and technical assistance on planning and zoning issues, including policy research and land use options that will protect and preserve the natural resources of the County of Sullivan.

- A. **Comprehensive planning, land use, state-mandated planning functions, and policy research functions.** The Division of Planning, Community Development and Real Property shall assist the County and other municipalities within the County in policy research with respect to planning, zoning and land use issues. It shall also perform state-mandated General Municipal Law land use reviews and provide technical assistance and training to municipalities on matters of planning and zoning, comprehensive plans, and design guidelines.

- B. **Center for Workforce Development.** There shall be a Center for Workforce Development as a department within the Division of Planning, Community Development and Real Property, which shall be headed by a Director of Workforce Development, who shall be appointed by the Commissioner of Planning, Community Development and Real Property, subject to the provisions of the Civil Service Law and with the approval of the County Manager. The Center for Workforce Development's duties shall include but not be limited to administration of federal, state and local employment programs in order to provide the necessary administrative backup and services to support employment opportunities for the County's disadvantaged, unemployed and underemployed in order for them to maintain their independence and dignity
- C. **Real Property Tax Services Agency.**
 - (1) There shall be a Real Property Tax Services Agency headed by the Director of Real Property Tax Services who shall be appointed by the County Manager subject to confirmation by the Legislature on the basis of his/her education and experience pursuant to the provisions of the Real Property Tax Law.
 - (2) For administrative purposes only, the Real Property Tax Services Agency shall be part of the Division of Planning, Community Development and Real Property.
 - (3) The Director of Real Property Tax Services shall retain all powers and duties as conferred by the laws of New York State.
 - (4) The Planning, Community Development, Real Property and Capital Planning and Budgeting Committee of the County Legislature shall have legislative oversight of the Real Property Tax Services Agency.
- D. **Open space and farmland preservation.**
- E. **Watershed planning.**
- F. **Agricultural districts, including compliance with regulations of the New York State Department of Agriculture and Markets, and economic development and G.Farmland Protection Board (for administrative purposes only).**
- G. **Community development implementation, including responsibility for developing and coordinating the Community Development Plan that will identify deficiencies, and identify possible funding sources to address deficiencies.**

A7-9 Division of Environmental Sustainability, Beautification and Recreation

There shall be a Division of Environmental Sustainability, Beautification and Recreation headed by the County Manager or his designee. The Division shall coordinate with the County Manager regarding sustainable energy as it relates to providing education on energy conservation, generation, and efficiencies, including grants, loans, and a conduit for information, with as many public and private entities as possible, with the goal of making schools, office buildings, town halls and even private businesses and homes as energy-efficient as possible. The Division of Planning, Community Development and Real Property shall coordinate the goals of sustainable energy with external organizations. The Division of Public Works and the Division of Management and Budget shall coordinate the goals of sustainable energy with internal organizations related to County facilities and the County fleet

- A. **The Office of Sustainable Energy shall be responsible for review and management of:**
 - (1) Sustainable principles, practices and technologies in future county facilities.
 - (2) "Green" building standards, renewable energy, and other "best practices."
 - (3) Sustainable policies in current county facilities.
 - (4) County fleet review of hybrid and alternative fuel vehicles.

- (5) **Benchmarks for measuring progress on sustainability goals.**
- (6) **Oversight of external education of sustainability policies.**
- B. Department of Parks, Recreation and Beautification. There shall be a Department of Parks, Recreation and Beautification headed by the Director of Parks, Recreation and Beautification who shall be appointed by the County Manager. The Director shall perform duties, including but not limited to, promoting and organizing recreational facilities.**
- C. Parks, Recreation and Beautification Commission. There may be a Parks, Recreation and Beautification Commission whose members shall be appointed by the County Legislature to advise the Director of Parks, Recreation and Beautification regarding the development, maintenance and operation of County park and recreational facilities and programs.**
 - (1) **Historic and cultural resource management.**
 - (2) **Parks, recreation and beautification**
- D. County Historian.**

RESOLUTION NO. 485-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AGREEMENTS WITH LOCAL NOT-FOR-PROFIT ORGANIZATIONS THAT SEEK ADMINISTRATIVE ASSISTANCE WITH SPECIFIC DRIVES OR PROGRAMS IN EXCHANGE FOR SERVICES DIRECTED AT OR PROVIDED TO RESIDENTS OF THE COUNTY.

WHEREAS, the Sullivan County Legislature has long supported and would like to continue to support local Not-for-Profit organizations that serve many children and vulnerable residents of Sullivan County, and to lend assistance with specific causes that benefit our local communities; and

WHEREAS, in addition to the above, there are Not-for-Profit organizations in Sullivan County whose efforts increase tourism, economic development, access to the arts and culture, and awareness of health-related issues and benefits; and

WHEREAS, the Sullivan County Legislature understands and appreciates the work of these Not-for-Profit organizations and wishes to enable these organizations to reach as many residents of Sullivan County as possible.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into agreements with Not-for-Profit organizations to provide administrative assistance with specific drives or programs that benefit residents of Sullivan County in exchange for services that are, and continue to be, provided to Sullivan County residents.

BE IT FURTHER RESOLVED, such agreements be in a form approved by the County Attorney.

Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 486-17 INTRODUCED BY EXECUTIVE COMMITTEE TO REAPPOINT FOUR (4) MEMBERS TO THE SULLIVAN COUNTY COMMISSION ON HUMAN RIGHTS

WHEREAS, pursuant to the Resolution No. 490-04 adopted on December 6, 2004, the Sullivan County Legislature created a Sullivan County commission on Human Rights (“Commission”); and

WHEREAS, Resolution No. 109-05 adopted on March 17, 2005, the Sullivan County Legislature appointed the members to the Commission for designated terms, and

WHEREAS, Resolution No. 113-06 indicates terms are to commence on January 1 and terminate on December 31 in the year in which they are scheduled to terminate.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following members to the Human Rights Commission with their expiration date:

Reappointments:

Member	Term
Kathie Aberman	1/1/2018 - 12/31/2020
Judy Balaban	1/1/2018 - 12/31/2020
Gabriel Bertonazzi	1/1/2018-12/31/2019
Bill Liblick	1/1/2018 - 12/31/2020

Moved by Mrs. Rajs, **seconded** by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 487-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE SALE OF PROPERTY TO THE HIGHEST BIDDER(S) FROM THE NOVEMBER 2017 REAL PROPERTY ONLINE AUCTION

WHEREAS, the Sullivan County Legislature authorized auctions to be conducted by Haroff Auction and Realty, Inc. and Absolute Auctions and Realty, Inc. for real property acquired by virtue of the In Rem tax foreclosure proceedings; and

WHEREAS, Haroff Auction and Realty, Inc. and Absolute Auctions and Realty, Inc. conducted an online auction November 6, 2017 through November 8, 2017; and

WHEREAS, by the Terms of Sale, the County reserved the right to withdraw any property listed in the notice of sale from the auction and further required that all such bids at the auction be approved or rejected by the Sullivan County Legislature; and

WHEREAS, the Real Property Advisory Board recommends all bids made at said auction be accepted; and

WHEREAS, the successful bidders will have until 5:00 p.m. on Friday, December 15, 2017, pursuant to the terms and conditions of the auction, to pay the balance due to the Sullivan County Treasurer’s Office or any deposit remitted will be forfeited; and

WHEREAS, the successful bidders must purchase all parcels they were the successful bidders for; and

WHEREAS, if the successful bidder(s) do not remit the balance of the bid amount by Friday, December 15, 2017, pursuant to the terms and conditions of the auction, the parcels will be re-offered for sale, and the deposit(s) will be forfeited, and

NOW, THEREFORE, BE IT RESOLVED, the bids recorded during the real property online auction held November 6, 2017 through November 8, 2017 are hereby accepted and the Chairman of the Sullivan County Legislature is hereby authorized and directed to execute the necessary documents to convey such title to the successful bidder, or to the party to whom conveyance shall be made, and

BE IT FURTHER RESOLVED, the Sullivan County Treasurer is authorized to forfeit and retain any deposits made on bids that are not paid in full on or before 5:00 p.m. December 15, 2017, pursuant to the terms and conditions of the auction.

Moved by Mrs. Rajs, seconded by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 488-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ADOPT A SOLID WASTE FEE SCHEDULE FOR 2018

WHEREAS, the Sullivan County Legislature adopted Local Law 6 of 2012 amending Local Law 6 of 2010 and Local Law No. 7 of 2009 and Local Law No. 1 of 1992 and Chapter 171 of the Code of Sullivan County to add a new Article VIII Establishing a Solid Waste Fee, and

WHEREAS, Local Law 6 of 2012 provides that there shall be an annual Solid Waste Fee and that the County Legislature establish by resolution a “Rate Schedule assigned to all parcels of improved property based upon the authorized use of real property”, and

WHEREAS, a proposed Rate Schedule has been submitted to the Legislature for adoption for calendar year 2018, and

WHEREAS, the County Legislature has determined that the proposed Rate Schedule will not create any significant adverse environmental impacts.

BE IT THEREFORE RESOLVED AS FOLLOWS:

1. For the calendar year 2018 the Solid Waste Fees shall be as follows:
 - A. The annual direct billed portion of the solid waste fee, billed to owners of parcels of improved property, shall be as follows:
 - i. Residential category = \$120.00 per parcel.
 - ii. Residence with enhanced STAR or Aged Exemption category = \$108.00 per parcel.
 - iii. Commercial Residential category = \$120.00 per unit, up to 15 units, then capped at \$1,800.00 per parcel.
 - iv. Legislative Definitions category = \$120.00 per parcel.
 - v. Commercial (non-residential) category = \$300.00 per parcel.

Moved by Mrs. Rajs, seconded by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 489-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE AWARD AND EXECUTION OF A CONTRACT FOR THE INSTALLATION OF A SLOPE STABILIZATION SYSTEM ON COUNTY ROAD NO. 49

WHEREAS, a bid for Slope Stabilization/Soil Nails, Bid No. 32-16, was awarded, by Delaware County, to GeoStabilization International, LLC (GSI), 543 31 Road, Grand Junction, Colorado 81504; and

WHEREAS, a bid document contained a “Special Note” that the agreement can be extended in (1) one year increments at the same terms and conditions upon mutual agreement of both parties; and

WHEREAS, a agreement extension was executed by Delaware County and GeoStabilization International, LLC (GSI) to extend the agreement for (1) one year through March 31st, 2018; and

WHEREAS, the original bid document allowed for other municipalities to piggyback these services; and

WHEREAS, a portion of the roadway embankment along County Road 49 has become further compromised, by the recent rain event of October 29th 2017, to a point where the stability of the pavement's foundation has now come into question; and

WHEREAS, a proposal was received from GeoStabilization International, LLC, dated November 6th, 2017, to stabilize the slope on County Road No. 49 by designing and installing a stabilization system for the roadway/stream bank; and

WHEREAS, the Sullivan County Division of Public Works has reviewed the proposal and recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with GeoStabilization International, LLC, in accordance with Bid No. 32-16, for a total amount not to exceed \$120,000.00, which includes unit costs for above described work and optional scour micropiles, said agreement to be in such form as the County Attorney shall approve.

Moved by Mrs. Rajszy, seconded by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION 490-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE RENEWAL OF THE CONTRACT WITH THE TOWN OF COCHECTON TO LEASE TOWN OWNED PROPERTY TO THE COUNTY FOR THE OPERATION OF THE WESTERN SULLIVAN TRANSFER STATION

WHEREAS, the County has been operating a solid waste transfer and recycling station on the lands owned by the Town of Cochection; and

WHEREAS, the County desires to continue to operate a temporary regional solid waste transfer recycling station for the period of one (1) year, January 1, 2018-December 31, 2018; and

WHEREAS, the Town desires to continue to lease Town owned property to the County to operate a temporary regional solid waste transfer and recycling station for one (1) year at the cost of \$5,000; and

WHEREAS, the County will provide snow plowing services at the property from January 1, 2018-December 31, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute a lease renewal for the period January 1, 2018 through December 31, 2018 under terms and conditions acceptable to the County Manager, in such form as approved by the County Attorney.

Moved by Mrs. Rajszy, seconded by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

RESOLUTION NO. 491-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE ROUND 4 CONTRACTS FOR THE 2017 PLANS AND PROGRESS SMALL GRANTS PROGRAM

WHEREAS, the Sullivan County Legislature allocated \$100,000 in the FY 2017 budget to be distributed to local communities, non-profits and civic-organizations through the Plans and Progress Small Grants program; and

WHEREAS, the program is designed to accept applications on a rolling basis with periodic reviews; and

WHEREAS, the program review committee assessed recent applications and presented its recommendations to the Sullivan County Legislature;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature approves the projects listed in the attached Schedule A and the disbursement of the associated funds, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the County Manager to enter into contracts with these award recipients for these projects upon meeting the guidelines of the Plans and Progress small grants program, said contracts to be in a form approved by the County Attorney.

Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

Schedule A: Round 4 Plans & Progress Program Recommendation Awards

Applicant	Town	Applicant District	District(s) of Project Impact	Project	Award Recommendation
Catskill Mountainkeeper	Rockland	3	County-wide	Trailkeeper website upgrades and marketing	\$6,587
Neversink Agricultural Society	Neversink	3	County-wide	Grahamsville Fairgrounds – Restroom Access and Water Management Repairs	\$10,000
St. Peter's Stewardship	Liberty	6	6	Liberty Wellness Program – Building a Healthier Liberty	\$1,000
Loch Sheldrake Fire District	Fallsburg	7	7	Purchase new chairs and storage carts for community hall	\$3,500
Sullivan County Dramatic Workshop	Fallsburg	8	8	Rivoli Theatre stabilization	\$4,000
Monticello Chamber of Commerce	Thompson	8&9	8&9	Monticello branding and marketing campaign	\$9,500
Ethelbert B. Crawford Public Library	Thompson	9	9	Mural on existing retaining wall	\$2,075

RESOLUTION NO. 492-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE CHAIRMAN OF THE SULLIVAN COUNTY LEGISLATURE TO EXECUTE AN EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS CORPORATION

WHEREAS, the County of Sullivan (“County”) is the owner of real property designated as Tax Parcel in the Town of Thompson as Section 12, Block 1, Lot 26, Pittaluga Drive, Monticello, New York and

WHEREAS, New York State Electric & Gas Corporation (“NYSEG”) has requested that the County execute an Easement agreement in favor of NYSEG for the right to install, maintain, repair and/or replace a pad mounted transformer to be located on the County Jail property, and

WHEREAS, the easement shall be ten foot by ten foot square with transformer centered therein and the center shall be located approximately one hundred forty feet East of the Southeast corner of the County’s building.

NOW, THEREFORE, BE IT RESOLVED, that the County Chairman is hereby authorized to execute an Easement agreement in favor of New York State Electric & Gas Corporation to provide underground electric service to the County Jail property and shall be in such form as approved by the County Attorney.

Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION 493-17 INTRODUCED BY EXECUTIVE COMMITTEE TO AMEND RESOLUTION NUMBER 413-17 TO CORRECT THE DUE DATE OF PAYMENT

WHEREAS, on September 19, 2017 the Sullivan County Legislature adopted Resolution No. 413-17 authorizing the sale of property located on Town Park Rd. in the Town of Thompson and designated on the Sullivan County Real Property Tax Map as TH2.-1-22, being 1.50 +/- acres, is owned by the County of Sullivan by virtue of an Article 11 foreclosure for 2015 taxes, and

WHEREAS, the purchaser of said property requested more time from the Real Property Advisory Board to ascertain the required amount of funds; the Real Property Advisory Board had voted to do so and gave the purchaser until October 10th 2017, and

NOW, THEREFORE, BE IT RESOLVED, Resolution No 413-17 is hereby amended to correct the payment due date to October 10th, 2017.

Moved by Mrs. Rajsz, seconded by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and declared duly adopted on motion November 16, 2017.

RESOLUTION NO. 494-17 INTRODUCED BY EXECUTIVE COMMITTEE AUTHORIZING THE COUNTY MANAGER TO MAKE A MODIFICATION TO THE HEALTH INSURANCE OFFERING FOR ALL NEW HIRES TO AND PROMOTIONS FROM NON MANAGEMENT POSITIONS TO MANAGEMENT POSITIONS IN SULLIVAN COUNTY.

WHEREAS, Sullivan County management has investigated the differences between the health insurance coverage offered by the NYSHIP’s Empire and Excelsior plans and;

WHEREAS, a determination has been made that coverage of the Excelsior plan fits the needs of providing quality health coverage to our staff at a great savings to the county for each of the insured policies and;

WHEREAS, County Management is interested in beginning the roll out of this offering to new members of the Management team.

NOW, THEREFORE, BE IT RESOLVED, that effective December 1, 2017 all employees who are hired outside of the county workforce or promoted by the county within to fill a management position from a non-management position will be offered the NYSHIP Excelsior Plan as health insurance coverage and will pay not less than 15% of said coverage during and after retirement.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the employee handbook be amended by the Human Resources Department to reflect the employee group affected above and that the schedule regarding contributions to health insurance premiums also be amended to reflect the above change. Nothing in this resolution shall affect employees in a management position who currently have coverage for Empire even if they are promoted higher in management.

Moved by Mrs. Rajs, **seconded** by Mr. Samuelson, put to a vote with Mr. Perrello absent, unanimously carried and **declared duly adopted on motion** November 16, 2017.

Recognition of Legislators

Mr. Steingart wished everyone a Happy Thanksgiving.

There being no further business, Mr. Samuelson moved to adjourn, seconded by Mr. Perrello, subject to the call of the Chairman. The full board meeting was adjourned at 2:41PM.

ANNMARIE MARTIN, CLERK
Sullivan County Legislature

September 2017 Budget Modifications (Resolution)
 Modifications to the 2017 Sullivan County Budget

G/L Account	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1989-99-47-4736 - DEPT CONTINGENT				3,000
A-1420-46-4609 - MISC SERV/EXP SPECIAL SERV/OTHER			3,000	
A-3010-45-4541 - SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			38,000	
A-3010-R3306-R167 - ST AID HOMELAND SECRTY DEPARTMENTAL AID	38,000			
A-4050-42-4203 - OFFICE OFFICE SUPPLIES			500	
A-4050-42-4205 - OFFICE PRINTING			1,000	
A-4050-47-4774 - DEPT PUBLIC HEALTH EDUCATION			5,000	
A-4050-R4401-R167 - FED AID PUBLIC HEALTH DEPARTMENTAL AID	6,500			
A-1430-R1289-R134 - GEN GOV DEPT INCOME CHARGBCK - INTERDEPARTMNTL	3,000			
A-1430-42-4201 - OFFICE ADVERTISING			3,000	
A-4050-R4401-R167 - FED AID PUBLIC HEALTH DEPARTMENTAL AID	5,500			
A-4050-42-4203 - OFFICE OFFICE SUPPLIES			500	
A-4050-47-4774 - DEPT PUBLIC HEALTH EDUCATION			5,000	
A-1341-10-1011-PERSONAL SERV REGULAR PAY				52,000
A-1340-10-1011 - PERSONAL SERV REGULAR PAY			52,000	
A-1340-10-1011 - PERSONAL SERV REGULAR PAY				52,000
A-1230-10-1011-PERSONAL SERV REGULAR PAY			52,000	
General Fund Total	53,000		160,000	107,000

MEMORANDUM

TO: Joshua Potosek, Sullivan County Manager

FROM: Kathy Spencer, CEP, Principal Environmental Analyst

DATE: October 6, 2017

SUBJECT: 2017 SEQRA Amended Negative Declaration – Offsite Utilities, Sullivan County Jail

It is LaBella's understanding that some minor changes have occurred to areas potentially affected by off-site utility installations associated with the Sullivan County Jail project. Specifically, a segment of the watermain alignment has been re-routed, some valve and pump station changes are needed, and sanitary sewer improvements are now proposed. The purpose of this memo is to provide you with the results of the environmental review of these changes and the areas potentially impacted by them, which LaBella has conducted in accordance with the State Environmental Quality Review Act (SEQRA).

Our review has concluded that the changes to the public water and sanitary sewer systems will not result in significant adverse impacts to the environment. The County may use the information contained in this Memo to support this finding and to amend its most recent Negative Declaration for the Sullivan County Jail Project.

Background

An Environmental Assessment Form (EAF) was originally prepared for the construction of the Sullivan County Jail Project in 2008, in accordance with SEQRA. The County Legislature declared itself to be Lead Agency and issued a Negative Declaration for the project on September 9, 2010. The County subsequently amended the Negative Declaration on July 21, 2016 in order to re-analyze those environmental resources potentially affected by the passage of time, to meet changing standards or concerns identified in recent years by agencies with review responsibilities, and to update and confirm the SEQRA findings (i.e Negative Declaration). The only material changes to the project since the 2016 Amendment are the previously mentioned updates to the plans for off-site water and sewer utilities.

Construction of the jail facility has begun on the selected parcel north of NYS Route 17. All areas affected by the changes and improvements to the off-site utilities are located south of NYS Route 17 as described below and shown on the attached USGS location Map.

Off-Site Utility Improvement Plan Updates

Engineering plans for the project's off-site utility improvements have been updated to ensure the reliability of water services to the jail site and to minimize any potential impact on the Village of Monticello public water and sewer systems. All of the areas affected by the proposed improvements are located in the Village of Monticello.

The route of the watermain as originally envisioned in the 2008 EAF has been adjusted to better coincide with Village plans. The new routing involves approximately 2,100 linear feet of 12-inch watermain to be installed from the intersection of Jefferson Street and Raceway Road to the Village of Monticello's new water storage tank located on the hill located between Jefferson Street and Broadway Street (see attached USGS location map). The watermain will be installed in the right-of-way along Jefferson Road and in an easement through wooded land on the hillside. Limited vegetation clearing is anticipated along this linear easement, encompassing approximately 0.17 acres (7,400 ft²) in area.

A pumping station and a check valve will also be installed at the intersection of Jefferson Street and the aforementioned easement along the hill. Another easement covering an area of approximately 0.03 acres (1,200 ft²) adjacent to the Jefferson Street is necessary for the pump station installation. Both of the easements will be acquired on the vacant commercial parcel (tax no. 109.-1-14) owned by PF Jefferson Holdings, LLC (see attached Easement Map).

To improve the reliability of the Village of Monticello's public water system, an existing pressure booster pump station near the intersection of Dollard Drive and W Broadway will be removed. Additionally, two PRV vaults will be installed near the intersection of NYS Route 17B and W Broadway.

In collaboration of with the Village of Monticello, Sullivan County also plans to take actions to improve the reliability of the Village's public sewer system. The County will help fund the open-cut replacement of the approximately 230 linear feet of 12-inch sewermain on Fulton Street between York Avenue and Pelton Street. It will also assist with the trenchless rehabilitation of limited portions of sewermain, as well as replacement of several manholes along Jefferson Street. Moreover, there is a possibility of a sewer lateral installation for a medical building located at 64 Jefferson Street in order to mitigate an odor problem suspected to originate from the Village's sewer system. While not all of these improvements may come to fruition, they have been included in the current evaluation of potential environmental impacts.

The location of all proposed improvements involving ground disturbance is identified in the attached USGS Location Map. Environmental resources to be potentially impacted from the proposed utility improvements are discussed below.

Existing Conditions and Setting

The area potentially affected by off-site utility improvements can be described as relatively small, scattered sites located within a developed area of the Village of Monticello. With the exception of the hillside containing the Village's new water storage tank, the sites are located along highway/road

rights-of-ways and within or adjacent to buildings and parking areas. No significant or unique natural resources are present at these sites. The hillside where new watermain will be installed to connect to the water tank is lightly wooded with mainly deciduous trees. No wetlands or streams or other significant habitat is present at any of the sites. Installation of utility lines and improvements will involve relatively minor spot or linear excavations typical of utility installations throughout the County. Most of the improvements will be installed below ground, and the ground surface will be restored and re-seeded immediately following construction. No significant grading is planned, and standard sediment and erosion control practices will be implemented.

Impact on Plants and Animals

The project remains in compliance with the State and Federal Endangered Species Acts. No significant impacts to endangered or threatened species are anticipated due to the continued lack of their presence in the project area, as described in the following paragraphs.

With regard to State-listed species, the scattered locations affected by the proposed new utility improvements are outside of any areas of rare plants and rare animals and significant natural communities, according to the NYSDEC Environmental Resource Mapper (see attached Rare Plants and Animals map). No further coordination with NYSDEC is needed.

With regard to Federally-listed species, the online U.S. Fish & Wildlife Service (USFWS) 7-Step Project Review Process performed on October 5, 2017 indicated two potential species in the project vicinity: the Northern Long-eared Bat (threatened) and the Dwarf Wedge Mussel (endangered). More information about each species and its potential presence in the affected area is presented below.

Northern Long-eared Bat: According to the USFWS species profile, the Northern Long-eared Bat roosts singly or in colonies underneath bark, in cavities, in crevices of both live and dead trees, in cooler places (like caves and mines), and occasionally in structures like barns and sheds. They prefer habitats with constant temperatures, high humidity, and no air currents. Typical measures required to protect bats include restrictions on tree removal and on construction activities near caves/hibernation sites.

The location of possible bat roosting or hibernation sites in New York State is determined for the USFWS by the NY Natural Heritage Program. As previously stated, the project area is located outside of any areas of rare plants and rare animals and significant natural communities according to the NYSDEC Environmental Resource Mapper (see attached Rare Plants and Animals map). This indicates that the NY Natural Heritage Program does not know of any hibernaculum or roosting trees within the vicinity of the project area. As a result, tree removal will not occur within 0.25 miles of a known hibernaculum nor will it occur within a 150-foot radius of a known occupied maternity roost tree, and the project complies with the NLEB 4(d) rule. No significant impact to the Northern Long-eared Bat is therefore anticipated as a result of this project.

Dwarf Wedge Mussel: According to the NYSDEC Fact Sheet and NatureServe Explorer, this small freshwater mussel typically inhabits the bottom sediments of creeks and rivers of all sizes. Adult freshwater mussels are largely sedentary but may be displaced during flood episodes.

Given the project area is not located in or near a running body of water, the project is unlikely to disturb the Dwarf Wedge Mussel. This finding is further confirmed by the fact that NYSDEC indicates the project area is located outside of any areas of rare plants and rare animals and significant natural communities on the NYSDEC Environmental Resource Mapper.

Impact on Land

The proposed utility improvements will result in excavation for the installation of watermain, a pump station, and PRV vaults, as well as the replacement of sewermain. Assuming the construction will disturb an area approximately 20 feet in width along the linear utilities to be installed, approximately 1.5 acres in total will be affected. Disturbed areas will be restored to their original condition, and no significant impacts on the surrounding land will occur. The Sullivan County in coordination with the Village of Monticello will require the contractor to implement erosion control measures as outlined in the "New York Standards and Specifications for Erosion and Sediment Controls" to minimize the impact of the excavation and backfill activities and to avoid sedimentation.

Impact on Traffic

During construction, the proposed utility improvements will have minor impacts on the rights-of-way along portions of Jefferson Street and Fulton Street in the Village of Monticello. While temporary inconveniences may occur to travelers on these roadways during construction, no significant impacts have been identified. Construction signage and other measures will be implemented to direct traffic around the work area during watermain installation and sewermain rehabilitation. No long-term impacts will occur once installation is complete.

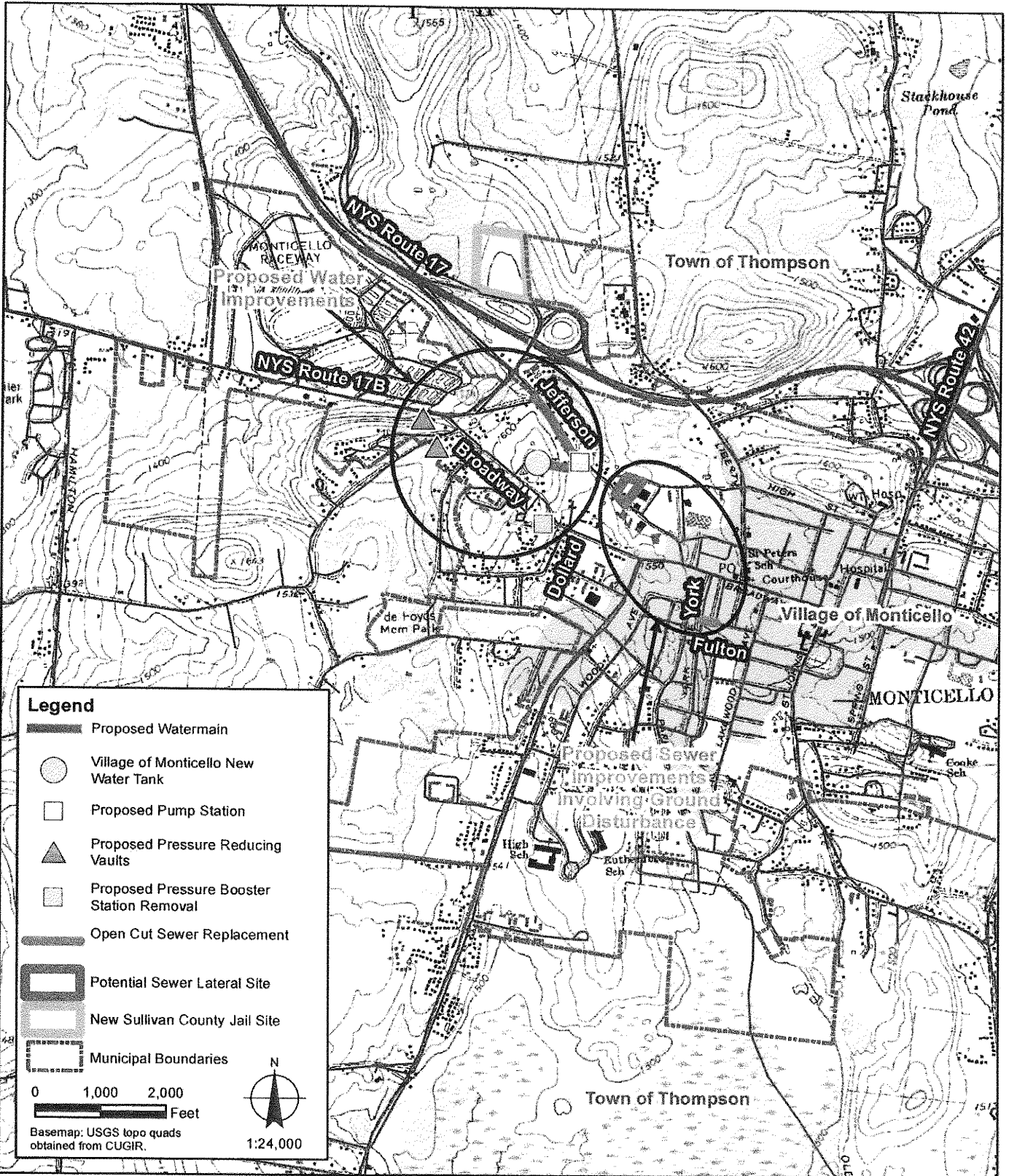
Impact on Noise, Odor, and Light

Minor increases in noise may occur during the construction period; however, any impacts on ambient noise levels will be temporary in nature and will only occur during reasonable construction hours. The proposed sewer system improvements may result in positive impacts regarding odor by lowering the existing level of odor, if any, in some portions of the Village. No permanent increases in odor relative to the existing levels are expected. The project does not involve lighting, and there will be no impacts on light as a result.

Impact on Historic and Archeological Resources

As a portion of Fulton Street where sewermain is to be replaced is located within an area considered archeologically sensitive, the project site was submitted to the New York State Historic Preservation Office (SHPO) for review. Coordination with SHPO will continue until this agency's concerns have been addressed and a No Effect determination has been received. As such, no significant adverse impacts to historic and archeological resources will occur, and compliance will be achieved with the National and State Historic Preservation Acts.

Path: J:\Sullivan County Jail\206049.01\Planning\2017 Watermain SEQR\Maps & Graphics\MAP.2017.10.6.USGS_2017Utilities.mxd



PROJECT/DRAWING NUMBER

206049.01

FIGURE 1

DRAWING TITLE

**USGS LOCATION MAP
MONTICELLO QUAD**

ISSUED FOR: REVIEW

DESIGNED BY: RCN
DRAWN BY: LW
REVIEWED BY: KS

DATE: OCTOBER 2017

PROJECT/CLIENT

**2017 UTILITY
IMPROVEMENTS**

SULLIVAN COUNTY JAIL

ABELLA
Associates, D.P.C.

300 STATE STREET
ROCHESTER, NY 14614
P: (585) 454-6110
F: (585) 454-3066

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EASEMENT MAP

SULLIVAN COUNTY ACQUISITION MAP

MAP NO. 1
PARCEL NOS. 1 & 2
SHEET 1 OF 3 SHEETS

SULLIVAN COUNTY JAIL

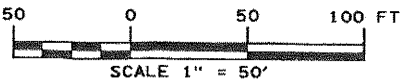
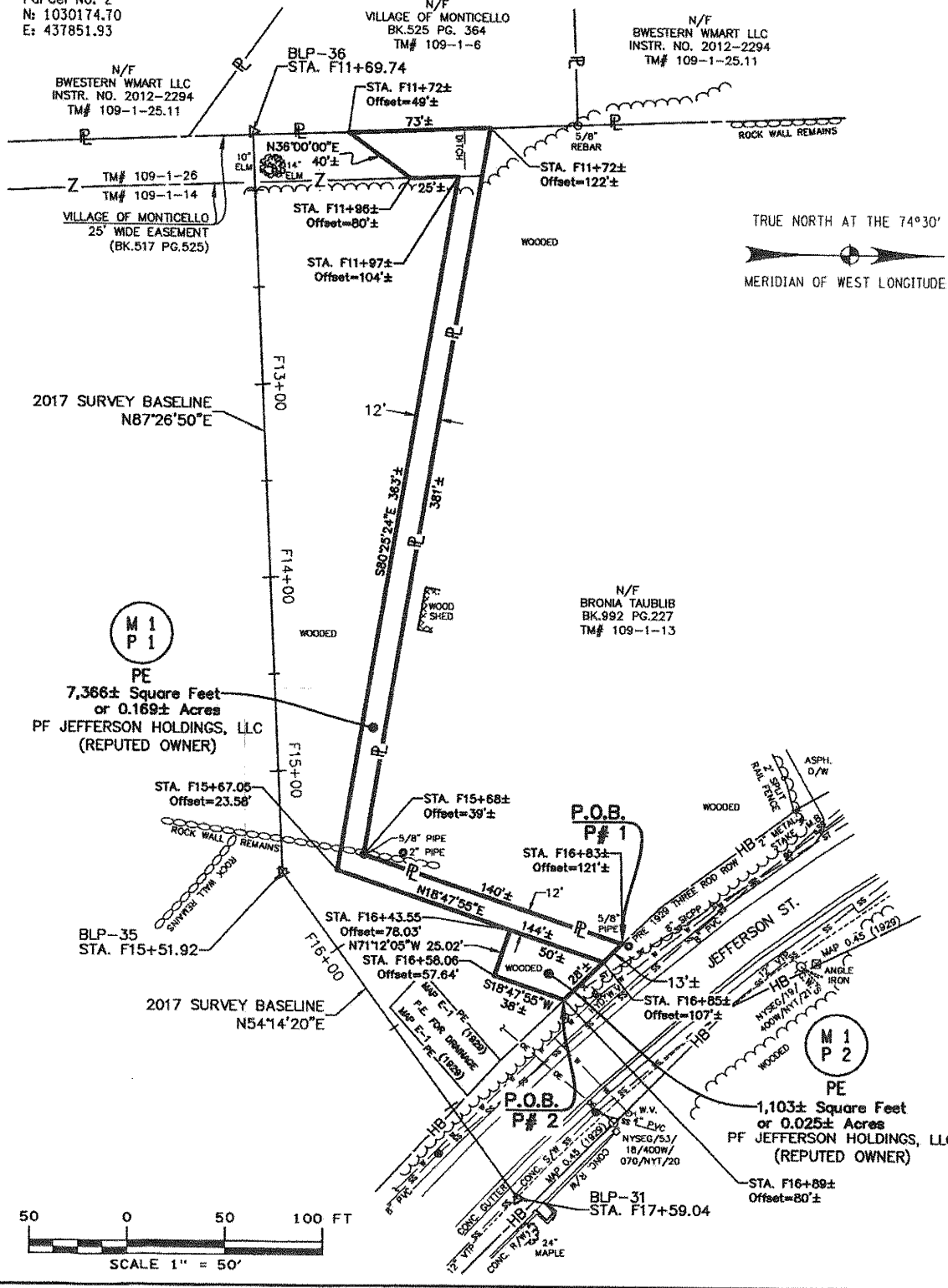
MAP REFERENCE INFORMATION:

PF JEFFERSON HOLDINGS, LLC
(REPUTED OWNER)
CCD INSTR. NO. 2013-6080

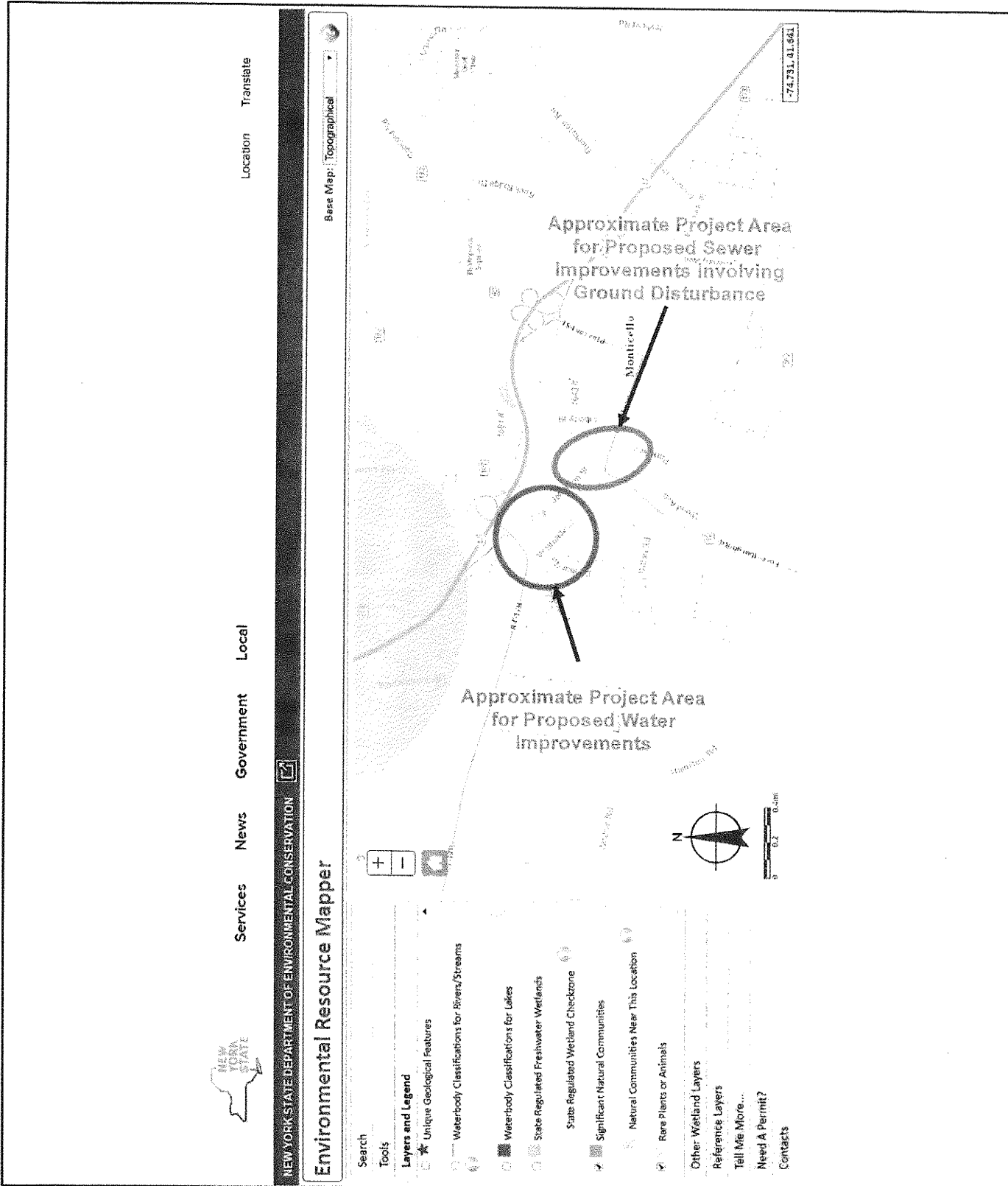
PARCEL SUMMARY:
Type: PERMANENT EASEMENT
Portion of 2017 Tax
Map Ref. Nos. 109-1-14
& 109-1-26
Village of Monticello
County of Sullivan
State of New York

Parcel Locator Points:

Parcel No: 1
N: 1030204.48
E: 437822.96
Parcel No: 2
N: 1030174.70
E: 437851.93



PREPARED BY MST CHECKED BY JRM FINAL CHECK BY



PROJECT/DRAWING NUMBER
206049.01
FIGURE 8

DRAWING TITLE	
PLANTS & ANIMALS MAP	
ISSUED FOR	DESIGNED BY: RCN
REVIEW	DRAWN BY: LW
DATE: OCTOBER 2017	REVIEWED BY: KS

PROJECT/CLIENT
2017 UTILITY IMPROVEMENTS
SULLIVAN COUNTY JAIL

ABELLA
Associates, D.P.C.

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