

**Sullivan County Legislature
Regular Meeting
January 22, 2009 at 2:00PM**

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

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Chairman Rouis's appointment of two (2) legislative representative slots on the Cornell Cooperative Extension Board of Directors
2. Chairman Rouis's appointments to the 2009 Fire Advisory Board
3. Real Property Advisory Board recommendations in regard to the formerly owned Slavick property
4. A DEC Fact Sheet regarding the Brownfield Cleanup Program
5. Regular monthly committee meetings dates and times for 2009 received from each of the respective Legislative Committee Chairs dated January 16, 2009
6. Notice establishing schedule to respond to motion for Interlocutory Review from the State of New York Public Service Commission dated January 8, 2009
7. Records Destruction Notification filed by the Treasurer's Office dated January 6, 2009, County Auditor dated January 8, 2009, Department of Law dated January 8, 2009 and January 12, 2009 and Real Property Tax Services dated January 7, 2009.
8. The Standing committees for 2009 will remain the same.
9. Annual Clerk's Report of monies received during fiscal year ending December 2008 and Motor Vehicle Account of all monies received for fiscal year 2008 in accordance with Section 406 of County Law, filed by Daniel Briggs Sullivan County Clerk dated January 13, 2009.
10. Memo dated January 5, 2009 from County Manager Fanslau regarding the compensation levels for employees of the Board of Elections
11. Letter dated January 22, 2009 from Todd Diorio Business Manager of Laborer's Local 17 advising that they have ratified the contract by vote on December 29th
12. Letter dated January 20, 2009 from Richard Robinson regarding the formerly owned Slavick property.

Public Comment:

1. County Clerk Briggs submitted his comments in writing. (see attached)

Moved by Mr. Rouis, seconded by Mr. Wood. Put to a roll call vote: Mr. Sager, No, Mrs. LaBuda No, Mr. Wood Yes, Mr. Rouis Yes, Mr. Armstrong, No, Mrs. Goodman, No, Mrs. Binder Yes, Mr. Hiatt, Yes, Mr. Sorensen No. Resolution fails by one vote.

RESOLUTION INTRODUCED BY JONATHAN F. ROUIS, CHAIRMAN OF THE LEGISLATURE TO ENACT A LOCAL LAW OF 2009

WHEREAS, proposed Local Law of 2009 entitled "A Local Law to Set Recording Fees at the Office of the Sullivan County Clerk", was presented to the Sullivan County Legislature at a meeting held on December 30, 2008 at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled "A Local Law to Set Recording Fees at the Office of the Sullivan County Clerk", County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2009.

A LOCAL LAW of 2009 TO SET CERTAIN FEES IMPOSED BY THE COUNTY CLERK FOR RECORDING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT

WHEREAS, Section 8021(a)(4)(a)(1) of the Civil Practice Law and Rules of the State of New York relating to fees to be charged when the County Clerk renders services OTHER than in his capacity as clerk of the supreme court or a county court, or other than in an action pending in a court of which he is clerk, provides for the payment of specified fees, payable in advance, and

WHEREAS, in July, 2008, Chapter 288 of the Session Laws of New York, amended Section 8021(a)(4)(a)(1) by adding new sub-section as follows:

“Section 8021(a)(4)(a)(2) Notwithstanding clause one of this subparagraph, any county may opt by county law to increase the fee for recording, entering, indexing and endorsing a certificate on any instrument from five dollars to twenty dollars and, in addition thereto, increase from three dollars to five dollars for each page or portion of a page. Such increase shall take effect thirty days after the county enacts such fees. For the purpose of determining the appropriate recording fee, the fee for the cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent a county clerk has placed an image of such cover page online, such county clerk shall make a good faith effort to redact such information.”, and

WHEREAS, the County of Sullivan desires to enact a Local Law setting the fees and adopting the provisions of Section 8021(a)(4)(a)(2):

NOW THEREFOR BE IT ENACTED AS FOLLOWS:

- 1. This local law shall only be applicable to services provided by the Sullivan County Clerk other than in his capacity as Clerk of the Supreme Court, or of the County Court, and other than in an action pending in a court of which he is clerk.*
- 2. The fee for recording, entering, indexing and endorsing a certificate on any instrument shall be increased from five dollars to twenty dollars.*
- 3. The fee for each page or portion of a page shall be increased from three dollars to five dollars for each page or portion of a page.*
- 4. A cover page shall not include any social security account number or date of birth.*
- 5. To the extent the County Clerk has placed an image of such cover page online he shall make a good faith effort to redact such information.*
- 6. The provisions of this local law shall become effective thirty days after this local law shall become effective.*

This Local Law shall become effective upon filing with the New York State Secretary of State.

RESOLUTION NO. 01-09 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO ACCEPT INTER-COUNTY INTEROPERABLE EMERGENCY COMMUNICATIONS GRANT

WHEREAS, Sullivan County has been awarded a grant to develop an inter-county (Sullivan, Orange, Delaware and Ulster Counties) Interoperable Emergency Communications plan, which will be achieved through two phases: 1) a needs assessment and development of standard operating procedures, and 2) training and exercising the standard operating procedures, once developed. The planning efforts will be consistent with the goals and objectives identified in the Statewide Communication Interoperability Plan; and

WHEREAS, the grant award from the New York State Office of Homeland Security, Project No. IC08-1007-E00, is in the amount of \$275,000, with no matching funds required.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a participation agreement with the New York State Office of Homeland Security to accept said grant, said agreement to be in a form as approved by the County Attorney's Office.

BE IT FURTHER RESOLVED, that the Sullivan County Commissioner of Public Safety shall administer the fund, and the program, with technical assistance from the Sullivan County Department of Grants Administration; and

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

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 02-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT A GRANT AWARD FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES IN THE FORM OF A LEGISLATIVE MEMBER ITEM

WHEREAS, the New York State Division of Criminal Justice Services has awarded the Sullivan County Sheriff's Office \$37,500 as a Legislative Member Item through Senator Bonacic; and

WHEREAS, the funding will be utilized for law enforcement assistance and criminal justice initiatives as determined by the Sullivan County Sheriff's Office; and

WHEREAS, the grant amount is for \$37,500 and is subject to no matching requirement; and

WHEREAS, the contract period for this grant is September 1, 2008 through March 31, 2009,

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

BE IT FURTHER RESOLVED, that the grant funding and program will be administered by the Sullivan County Sheriff's Office.

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

Moved by Mrs. Binder, seconded by Mr. Armstrong, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 03-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE PREPARATION OF A NEW YORK STATE ARCHIVES GRANT, OFFERING LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUNDS, APPLICATION FOR SULLIVAN COUNTY

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

WHEREAS, the objective of the funding is the development of a County government wide needs assessment for records management inventory and planning projects; and

WHEREAS, the New York State Education Department / New York State Archives has issued a Notice of Funding Availability (NOFA) for FY 2009-2010 and set an application deadline of February 2, 2009; and

WHEREAS, the maximum reimbursable grant award may be up to \$75,000 subject to no matching requirement.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Clerk's Office is hereby authorized to prepare an application seeking funding from the LGRMIF program; and

BE IT FURTHER RESOLVED, that should a grant application be prepared by the Sullivan County Clerk's Office seeking funding assistance from the LGRMIF program, the County Manager shall be authorized to execute any and all necessary documents to apply for and accept the grant award, in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that if a LGRMIF award is secured, the Sullivan County Clerk's Office shall administer the fund, and the program, with technical assistance from the Sullivan County Department of Grants Administration; and

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

Moved by Mr. Armstrong, seconded by Mr. Sager, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 4-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2009 COUNTY BUDGET

WHEREAS, the County of Sullivan 2009 Budget requires modification,

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

Moved by Mrs. Binder, seconded by Mr. Sager, put to a vote and unanimously carried as amended and **declared duly adopted on motion** January 22, 2009.

Jan 2009 Modifications to 2009 Sullivan County Budget							
Page	Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
28	District Attorney	A-1165-21-2105	FIXED AUTOMOTIVE EQUIP			\$ 27,650	
N/A	District Attorney	APP FUND BALANCE	DRUG FORFEITURE RESERVE FUND				\$ 27,650
45	Real Property Tax Map	A-1355-46-4609	SPECIAL SERVICES/OTHER			\$ 68,000	
79	Other General Govt Support	A-1989-99-47-4736	MISC EXPENSE				\$ 96,000
83	Public Safety Admin	A-3010-47-4717	DEPT BLDG/PROP REPAIRS				\$ 312
83	Public Safety Admin	A-3010-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			\$ 312	
178	Youth Programs	A-7310-40-4013	CONTRACT OTHER			\$ 3,000	
184	Aging - Main Unit	A-7610-87-40-4021	CONTRACT TRANSPORTATION			\$ 25,000	
			Total A Fund	\$ -	\$ -	\$ 123,962	\$ 123,962
			Grand Total	\$ -	\$ -	\$ 123,962	\$ 123,962

RESOLUTION NO. 05-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE PAYMENT OF TOWN ELECTION EXPENSES

WHEREAS, the County of Sullivan has agreed to absorb the costs associated with the HAVA election expenses on behalf of the fifteen Towns, and

WHEREAS, the Audit Department currently does not have authorization to pay for expenses which were previously paid for by the Towns;

NOW, THEREFORE, BE IT RESOLVED, the Audit Department be authorized to pay all expenses associated with the HAVA election expenses on behalf of the fifteen Towns.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 06-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2009 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CORNELL COOPERATIVE EXTENSION

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

WHEREAS, the annual contract with this agency needs to be renewed for 2009 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2009 annual contract at the following maximum funding level for the period January 1, 2009 through December 31, 2009:

1. **CORNELL COOPERATIVE EXTENSION** – maximum amount \$437,000.

Cooperative Extension	\$394,250
Consumer Affairs	\$42,750

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

Moved by Mr. Sorensen, seconded by Mr. Armstrong, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 07-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2009 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY SOIL & WATER CONSERVATION

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

WHEREAS, the annual contract with this agency needs to be renewed for 2009 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2009 annual contract at the following maximum funding level for the period January 1, 2009 through December 31, 2009:

2. **SULLIVAN COUNTY SOIL & WATER CONSERVATION** – maximum amount \$130,625.

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

Moved by Mr. Armstrong, seconded by Mr. Sager, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

Mr. Sager suggested setting up an Ad-hoc Committee so this agency as well as Conflict Legal Aid, are in the county's best interests. He knows Mr. Hiatt has brought this up in the past but maybe an open competitive bid for the contracts should occur and there should be more discussion on this issue in the future. Mr. Hiatt stated he has received information and input from different areas such as members of the Bar and the Judiciary and he would be happy to see an Ad-hoc committee to sit down---Mr. Sager stated he knows we are mandated to provide certain services but are these two groups providing them the best to us, are there less expensive ways of accomplishing this or more efficient ways of handling it that can produce better results. Mr. Hiatt stated he would be more than happy to be part of an Ad-hoc committee and if there are any other legislators that want to be involved he invites that. We could set up a series of meetings and go over that. He thinks we will see that there are ways to increase efficiency and save money at the same time. Mr. Sorensen added that he agrees with Mr. Sager and Mr. Hiatt and to put it in perspective these two contracts collectively add up to \$1.3 million or the equivalent of about 4% of the real property tax levy and is a significant amount of money. He questions the process in which the entities involved were selected, whether it was a competitive process and whether it is the most cost effective way to proceed. When you are dealing with 2 items that make up 4% of the tax levy, we really need to take a good look at it. Chairman Rouis added to provide a little history on that particular issue, the previous system by which the public defense was administered was through the 18B process by which lawyers were appointed by the Judges in the courts and paid a fee. There was a change in the hourly rate allowed by the state for this and the rate per hour was basically doubled for the attorneys in the 18B System. At the time, when the legislature looked at it budget wise, it would have cost the county \$1.8 million to \$2 million under the 18B system which didn't provide direct oversight. The lawyers were appointed by the court and the vouchers were submitted with little ability to have oversight and when we decided to move to the legal aid system with the Conflict Panel handling the conflicts it was done on a fixed price contract arrangement. A couple of years ago we did do some due diligence on the contract. He thinks looking at it again can't hurt. They weren't just picked and it was done at

a fairly significant savings to the county at the time. The last time we looked at this we did some surveys to the judiciary to see the effectiveness of the representation from their standpoint. Both organizations received fairly high marks from the Judges. If Mr. Sager and Mr. Hiatt would like to deal with that, we can put a committee together and see where that will go. He believes that we can move forward with the contracts at this time as we have the standard outs and we do need to provide the service until we decide which direction we are going in. Mr. Sager stated just so that everyone is aware, there is a 30 day out. While the services do need to be provided, if we can provide better uses and more efficient way of dealing with it. Chairman Rouis then called the question on the resolution all in favor with Mr. Sorensen opposed.

RESOLUTION NO. 08-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH SULLIVAN LEGAL AID PANEL, INC. FOR THE FISCAL YEAR 2009

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

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

WHEREAS, the contract with Sullivan Legal Aid Panel, Inc. expired on December 31, 2008 and both parties are desirous of renewing said contract.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with Sullivan Legal Aid Panel, Inc. for one (1) year commencing January 1, 2009, in an amount not to exceed Eight Hundred Fifteen Thousand (\$815,008) and Eight Dollars, said contract be in such form as the County Attorney shall approve.

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

Moved by Mrs. LaBuda, seconded by Mr. Hiatt, put to a vote with Mr. Sorensen opposed, resolution carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 09-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH SULLIVAN COUNTY CONFLICT LEGAL AID, INC.

WHEREAS, the County has adopted a Plan for representation of persons who are financially unable to obtain counsel pursuant to County Law Section 722; and

WHEREAS, in order to provide the required legal counsel to indigents the County shall enter into a contract with Sullivan Legal Aid Panel, Inc. commencing January 1, 2009 through December 31, 2009; and

WHEREAS, the County has received proposals from various companies to provide representation of indigents in the event there is a conflict of interest with the Sullivan Legal Aid Panel, Inc.; and

WHEREAS, it is in the best interest of the County of Sullivan to contract with Sullivan County Conflict Legal Aid, Inc. to perform this service.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with Sullivan County Conflict Legal Aid, Inc. for one (1) year commencing January 1, 2009, in an amount not to exceed Five Hundred Thousand (\$500,000) Dollars, said contract be in such form to be approved by the County Attorney.

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

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote with Mr. Sorensen opposed, resolution carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 10-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF A CONTRACT WITH THE FEDERATION OF SPORTSMEN'S CLUBS OF SULLIVAN COUNTY

WHEREAS, the Federation of Sportsmen's Clubs of Sullivan County provides services, activities and programs related to habitat improvement and public access to hunting, fishing and wildlife conservation/improvement; and

WHEREAS, the County of Sullivan has appropriated \$23,750 in the 2009 County Budget for the Federation of Sportsmen's Clubs of Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into a contract at a cost of \$23,750 with the Federation of Sportsmen's Clubs of Sullivan County to enable payment of the budgeted appropriation in such form as approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 11-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO RENEW AN AGREEMENT WITH THE DELAWARE VALLEY ARTS ALLIANCE (DVAA) INC.

WHEREAS, the furtherance of the arts and cultural activities are necessary functions for society and development of the County of Sullivan; and

WHEREAS, Delaware Valley Arts Alliance, Inc. has demonstrated a commitment to the arts and to the community; and

WHEREAS, the County of Sullivan has appropriated \$23,750 in the 2009 County budget for the Delaware Valley Arts Alliance, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute an agreement between the County and the Delaware Valley Arts Alliance, Inc. for provision of art services to the residents, artists and art groups of the County, which services shall include management and distribution of the County Cultural Calendar, referral services relating to County arts resources, and acting as a conduit for grant funds for the County's individual artists and non-profit arts groups for \$25,000 for the period from January 1, 2009 to December 31, 2009 said contract to be in such form as approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 12-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH THE SULLIVAN COUNTY LIBRARY ALLIANCE

WHEREAS, the Sullivan County Legislature has appropriated \$12,825 in the 2009 Budget for the Sullivan County Library Alliance; and

WHEREAS, the County of Sullivan is desirous of supporting the Library Alliance.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized by the Sullivan County Legislature to execute a contract for the period January 1, 2009 through December 31, 2009 with the Sullivan County Library Alliance in an amount not to exceed \$12,825 and in such form approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 13-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH LITERACY VOLUNTEERS OF SULLIVAN COUNTY FOR THE YEAR 2009 AT A COST NOT TO EXCEED \$4,750

WHEREAS, the Literacy Volunteers of Sullivan County is a not-for-profit organization that provides a variety of free services to help people achieve personal goals through literacy; and

WHEREAS, through a trained corps of volunteer tutors it is the mission of the Literacy Volunteers of Sullivan County to foster and enhance family literacy and assist adults functioning at low levels of literacy and further proficiency in English as a second language; and

WHEREAS, it is the goal of the Literacy Volunteers of Sullivan County to halt the rising tide of illiteracy in Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorize the County Manager to enter into a contract with the Literacy Volunteers of Sullivan County for the year 2009 at a cost not to exceed \$4,750.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 14-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH COMMUNITY ACTION COMMISSION TO HELP THE ECONOMY (CACHE)

WHEREAS, the Community Action Commission to Help the Economy (CACHE) is a private non-profit agency operating in Sullivan County under an approved federal program as defined in Section 99-h of the General Municipal Law; and

WHEREAS, the County of Sullivan has appropriated \$28,500 in the 2009 Sullivan County Budget to provide funding to such agency for its program; and

WHEREAS, CACHE has requested such funding to defray the cost of such program operated by it.

NOW, THEREFORE, BE IT RESOLVED,

1. The County Manager shall execute an agreement with the Community Action Commission to Help the Economy (CACHE) for the purpose of providing funds for the period January 1, 2009 to December 31, 2009 in an amount not to exceed \$28,500 per year, to defray costs of the program not paid by federal funding, said sum to be paid upon voucher in quarterly installments, said contract to be in a form approved by the County Attorney.
2. CACHE shall, at its own cost and expense, provide such books, records and fiscal information as may be required by the Office of Audit and Control.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 15-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF A YEAR 2009 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY HEAD START, INC.

WHEREAS, the County of Sullivan contracts with Sullivan County Head Start, Inc. for services pertaining to preschool programs for low income families, among other things; and

WHEREAS, the annual contracts with Sullivan County Head Start, Inc. needs to be renewed for the year 2009 to assure the continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2009 annual contract, for the period January 1, 2009 through December 31, 2009, with Sullivan County Head Start, Inc., at a maximum funding level of \$51,300, in such form as approved by the County Attorney.

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

Mr. Sorensen inquired if the Partnership was going to produce quarterly reports as we suggested last year in terms of Performance Reports. Chairman Rouis stated he believes that whatever you ask of Mr. McCausland, he would be more than willing to comply with.

RESOLUTION NO. 16-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO RENEW AN AGREEMENT WITH THE PARTNERSHIP FOR ECONOMIC DEVELOPMENT IN SULLIVAN COUNTY

WHEREAS, the Partnership for Economic Development in Sullivan County, a not-for-profit corporation, consisting of various public and private agencies and businesses of the County of Sullivan, provides promotional and advertising services, new business acquisition, existing business expansion and other related activities; and

WHEREAS, the most recent agreement between the County and the Partnership for Economic Development expired on December 31, 2008; and

WHEREAS, the Partnership for Economic Development has been designated to oversee the administrative function of the Empire Zone Program.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to sign an agreement renewing the existing contract with the Partnership for Economic Development in the amount of \$170,000 for the year 2009, in such form as approved by the County Attorney.

Moved by Mr. Wood, seconded by Mr. Sager, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 17-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2009 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND VISITORS ASSOCIATION

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

WHEREAS, the annual contract with this agency needs to be renewed for 2009 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2009 annual contract at the following maximum funding level for the period January 1, 2009 through December 31, 2009:

3. **VISITORS ASSOCIATION** – in the amount of \$531,250 or not to exceed 85% of the Room Tax Collections for 2009.

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

Moved by Mrs. Binder, seconded by Mr. Sager, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 18-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF PROFESSIONAL SERVICES FOR PERIOD FROM JANUARY 1, 2009 THROUGH DECEMBER 31, 2009

WHEREAS, the County of Sullivan, through the Department of Family Services, Child Protective Services, is required to investigate all reports of child sexual abuse in Sullivan County, accepted by the State Central Registry, and

WHEREAS, the County of Sullivan, through the Department of Family Services, desires to contract for the provision of comprehensive child sexual abuse assessments and medical examinations, and

WHEREAS, the Montefiore Child Protection Center has extensive training and experience in providing comprehensive child sexual abuse assessments and medical examinations and is willing to furnish such professional services to Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with Montefiore Child Protection Center for the period 1/1/09 through 12/31/09 to provide such services; and

BE IT FURTHER RESOLVED, that the maximum amount of this professional services contract shall not exceed \$30,000.00; and

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

Moved by Mrs. Goodman, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 19-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE CONTRACT WITH THE ARMY CORP OF ENGINEERS (“USACE”) TO CONDUCT A HYDROLOGY AND HYDRAULIC MODEL (“H&H MODEL”) FOR THE EAST CALLICOON CREEK WATERSHED AREA

WHEREAS, the Sullivan 2020 Strategic Plan, the Hazard Mitigation Plan, and the Flood Management Study have all set a strategy to work with organizations, including the “USACE” to assess past flooding in the East branch of the Callicoon Creek watershed and to determine the flood reduction benefits of potential projects; and

WHEREAS, the primary objectives of the model are to map the flooding impacts in the watershed, determine flood elevations and provide alternatives for flood reduction benefits in the watershed; and

WHEREAS, in order to properly assess flooding impacts it will be necessary to conduct an “H & H Model” for the watershed; and

WHEREAS, the “USACE” has the ability and expertise to conduct the “H & H Model”; and

WHEREAS, the total cost associated with the “H & H Model” shall be \$192,000 with a county direct monetary contribution of \$65,000, an in-kind contribution of \$31,000 and the remaining \$96,000 from Congressman Hinchey’s office; and

WHEREAS, the County’s required match of \$65,000 shall be budgeted for the Fiscal Years 2009 & 2010 but may be paid entirely in 2009 if funding is available; and

WHEREAS, the outcome of the “H&H Model” will provide recommendations and projects to implement to reduce the impact of flooding in the East Callicoon Creek Watershed.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with the “USACE” in order to conduct an “H & H Model”, said agreement to be approved by the County Attorney.

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 20-09 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE EXECUTION OF ALTERNATIVES TO INCARCERATION CONTRACT THROUGH DECEMBER 31, 2008.

WHEREAS, the County has a five year contract with the New York State Division of Probation and Correctional Alternatives to provide an Alternatives to Incarceration (ATI) Community Service Program which includes Community Service and Pretrial Release, and

WHEREAS, Resolution No. 357-06 authorized the execution of the Alternatives to Incarceration contract through December 31, 2010, and

WHEREAS, State funding has been modified to \$40,672 for the Alternatives to Incarceration (ATI) Community Service Program for the contract year January 01, 2008 through December 31, 2008,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute a contract renewal for the ATI Community Service Program to continue to provide a Community Service Program and Pretrial Services, for the term of January 01, 2008 through December 31, 2008, said contract to be in such form as the County Attorney shall approve, and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute any documents necessary to receive State funding, in such form as the County Attorney shall approve.

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 21-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE A CHANGE ORDER AGREEMENT TO THE AGREEMENT WITH DELTA ENGINEERS INCORPORATED FOR ENGINEERING INSPECTION SERVICES FOR THE BRIDGE 82 REHABILITATION PROJECT

WHEREAS, Resolution 232-08 authorized an agreement with Delta Engineers for providing engineering inspection services for the rehabilitation of County Bridge 82; and

WHEREAS, additional work is needed to provide full time contract construction inspection during the Rehabilitation of County Bridge No. 82; and

WHEREAS, the Division of Public Works recommends that a Change Order be implemented; and

WHEREAS, the project is funded through the existing New York State Department of Transportation CHIPS reimbursement grant.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a change order agreement with Delta Engineers, in such form as the County Attorney shall approve, for a contract amount not to exceed \$20,000.

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

Mrs. Goodman moved to table the following resolution, seconded by Mr. Hiatt, put to a vote and carried, resolution tabled.

RESOLUTION INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE

RESOLUTION MODIFYING THE AGREEMENT WITH THE VILLAGE OF MONTICELLO FOR THE ENFORCEMENT OF ITS TAX LIENS

WHEREAS, pursuant to Resolution No. 426-07 adopted by the Sullivan County Legislature on September 27, 2007 the County Manager was authorized to enter into an Inter-Municipal Agreement (“IMA”) wherein the County of Sullivan (“County”) would commence and complete tax foreclosure proceedings on the Village of Monticello’s (“Village”) delinquent real property taxes; and

WHEREAS, pursuant to a Resolution adopted by the Village of Monticello Board of Trustees on October 1, 2007 the Village authorized the execution of the IMA; and

WHEREAS, the authorized representatives of the County and the Village executed an IMA, dated October 16, 2007; and

WHEREAS, Section 1(g) of the IMA permits modification of the IMA upon the mutual consent of the parties; and

WHEREAS, the County and the Village mutually agree to modify the IMA and enter into a Modification Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the modifications to the IMA as detailed in the Modification Agreement; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute the Modification Agreement, said Modification Agreement to be in a form approved by the County Attorney's Office.

RESOLUTION NO. 22-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AMEND RESOLUTION NUMBER 72-08 WITH TIME WARNER CABLE.

WHEREAS, the County of Sullivan has entered into a 5 year Facilities Agreement with Time Warner Cable to provided Wide-Area Network (WAN) infrastructure services as authorized under resolution #72-08 dated February 21, 2008; and

WHEREAS, beginning in June 2008, Time Warner announced they would be charging additional Federal, State, Local and Regulatory fees associated with providing those WAN services to the County of Sullivan under that Facilities Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the County Audit Department is hereby authorized to pay the monthly service and support fees plus any and all Federal, State, Local and Regulatory fees associated with the County of Sullivan Facilities Agreement with Time Warner Cable.

Moved by Mr. Rouis, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 23-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO SET SALARIES FOR CERTAIN MANAGEMENT AND CONFIDENTIAL EMPLOYEES, AND TO ABOLISH A CERTAIN POSITION

WHEREAS, the 2009 Sullivan County Budget has been adopted by the County Legislature, and

WHEREAS, some salary rates for management and confidential employees need to be set or amended, and

WHEREAS, the County Manager has recommended that certain titles and positions be abolished to further enhance the streamlining and restructuring of the County government.

NOW, THEREFORE, BE IT RESOLVED that the 2009 salary rates for the below set forth management and confidential employees shall be set, effective January 1, 2009 as follows:

A1430	Personnel Assistant	\$28,150.00
A-1343	Payroll Coordinator/Software Support Technician	\$60,000.00

BE IT FURTHER RESOLVED, that the following position is hereby abolished:

A-1343	Client Support Technician II	Grade XIV
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BE IT FURTHER RESOLVED that the County Legislature hereby further amends the Schedule "A" attachment to Resolution Number 319-08, to reflect the salaries established on the appropriate grade level, and the positions abolished, as set forth above.

Moved by Mr. Rouis, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 24-09 INTRODUCED BY EXECUTIVE COMMITTEE TO SET SALARIES FOR MANAGERIAL AND CONFIDENTIAL EMPLOYEES

WHEREAS, the 2009 Sullivan County Budget has been adopted by the County Legislature, and

WHEREAS, the salary rate for a certain management and confidential employee, needs to be set and amended.

NOW, THEREFORE, BE IT RESOLVED, that the salary rate be set for the following managerial title, effective January 1, 2009.

Administrative Assistant to the Sheriff \$38,431

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

The following resolution was voted on without a motion and a second. Per Rule #31, there needs to be a motion and second for every resolution.

Chairman Rouis stated given the fact that resolution number one the local law which was setting the fees that were in the budget for 2009, does the legislature want to table this resolution so we can look at what we are going to do with that shortfall in the revenue. Moved to table by Mr. Armstrong, seconded by Mr. Hiatt. Mrs. Binder inquired if that was a budget neutral transfer of abolish and creation or was that based on the income from that law. Manager Fanslau stated it was budget neutral. It was already budgeted. The fees were budgeted in anticipation as well. Mrs. Binder inquired if this position was contingent upon those fees. Chairman Rouis stated there is no discussion on a motion to table. Chairman Rouis then called the question on the motion to table. After a show of hands, the Clerk indicated she was unsure of who voted for what. Chairman Rouis called the question again, the motion to table fails with Mr. Sager, Mrs. LaBuda, Mrs. Goodman, Mrs. Binder and Mr. Sorensen opposed. (4-5). Chairman Rouis then asked for a motion on this resolution. Mrs. Binder inquired if he was calling the question on the resolution. Chairman Rouis called the question on this resolution. Mrs. Goodman stated shouldn't there be a motion first. Mrs. Binder stated he already has a motion. Chairman Rouis stated we are voting on the resolution as is. Mrs. Binder stated we have already voted to table it. Chairman Rouis called the question on the resolution, question results were 5-4 with Mr. Wood, Chairman Rouis, Mr. Armstrong and Mr. Hiatt opposed.

RESOLUTION INTRODUCED BY THE PERSONNEL COMMITTEE TO ABOLISH AND CREATE POSITIONS WITHIN THE DEPARTMENT OF MOTOR VEHICLES IN THE OFFICE OF THE COUNTY CLERK

WHEREAS, the County Clerk has requested the authorization to restructure job duties within the Department of Motor Vehicles in the Office of the County Clerk, and

WHEREAS, the County Clerk intends to utilize the title created herewith to market the services of the Department of Motor Vehicles; provide for a renewed effort to realize increased DMV work with automobile dealers throughout New York State; and to provide greater accessibility to and mobility of the DMV, and

WHEREAS, the County Manager has reviewed the request from the County Clerk, and concurs with the merits of the request, and

WHEREAS, the realignment of job duties as proposed by the County Clerk will increase the efficiency, productivity, customer service, and potential revenues of the DMV, and

WHEREAS, it is in the best interest of the County of Sullivan to abolish and create the following positions.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation and abolishment of the following positions within the

Department of Motor Vehicles in the Office of the County Clerk, and placed upon the associated grade on the Teamsters Union pay scale:

CREATE:

A-1410-11 MOTOR VEHICLE BUREAU CUSTOMER SERVICES SPECIALIST GRADE IV

ABOLISH:

A-1410-11 COUNTY CLERK WORKER I GRADE
IV

**RESOLUTION NO. 25-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
CREATE POSITIONS WITHIN THE DEPARTMENT OF PUBLIC HEALTH MAIN
UNIT/CHHA**

WHEREAS, the Director of the Department of Public Health has demonstrated the need to create an additional position for a Public Health Nurse in the Public Health Main Unit/CHHA, and

WHEREAS, the County Manager concurs with the request of the Director of the Department of Public Health to create said position for a Public Health Nurse, and

WHEREAS, the County Manager also recommends that the County Legislature authorize the Vacancy Committee to create additional Public Health Nurse positions as the need arises, with said action to be ratified by a subsequent resolution of the Legislature, and

WHEREAS, the position of Public Health Nurse is revenue producing, essentially covering the costs of said position(s), and

WHEREAS, it is in the best interest of the County of Sullivan to abolish and create an additional position of Public Health Nurse, and to authorize the Vacancy Committee to create additional Public Health Nurse positions as the need is demonstrated.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of an additional Public Health Nurse position within the Department of Public Health Main Unit/CHAA, effective January 1, 2009, and

BE IT FURTHER RESOLVED that the Vacancy Committee is hereby authorized to create additional Public Health Nursing positions that are revenue producing, as the need is demonstrated, with such action to be ratified by a subsequent resolution of the Legislature.

Moved by Mrs. Goodman, seconded by Mr. Hiatt , put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

**RESOLUTION NO. 26-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE
TO REAPPOINT FOUR (4) MEMBERS OF THE SULLIVAN COUNTY PARKS AND
RECREATION COMMISSION**

WHEREAS, parks are an important resource in Sullivan County; and

WHEREAS, Local Law No. 8 of 1977 established the Park and Recreation Commission and its By-Laws state that members are appointed to three year terms; and

WHEREAS, the purpose of the Sullivan County Parks & Recreation Commission is to provide advice regarding the development, maintenance, and operation of county park and recreation facilities and programs; and

WHEREAS, there is a need to reappoint four (4) members to the Park and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following individuals to the Park and Recreation Commission:

Appointment

Term

Mr. Warren Bergstrom

01/01/09 – 12/31/11

120 Downs Rd.
Monticello, NY 12701

Mr. Frank Haskell
21 Shamfield Heights Rd.
Jeffersonville, NY 12748

01/01/09 – 12/31/11

Mr. John Horton
P.O. Box 938
Wurtsboro, NY 12790

01/01/09 – 12/31/11

Mr. Robert McCarty
12 Skyview Drive
Liberty, NY 12745

01/01/09 – 12/31/11

Moved by Mrs. LaBuda, seconded by Mr. Armstrong, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 27-09 INTRODUCED BY PERSONNEL COMMITTEE TO AUTHORIZE THE DEPARTMENT OF FAMILY SERVICES CONTINUE WITH THE MANAGEMENT STRUCTURE AND WORKFLOW STRUCTURE IMPLEMENTED AS A RESULT OF THE CONSOLIDATION OF THE DIRECTOR OF MEDICAID SERVICES AND THE DIRECTOR OF TEMPORARY ASSISTANCE, AS WELL AS, THE SUPERVISORY RESPONSIBILITIES OF THE CHIEF SOCIAL WELFARE EXAMINERS, IN ACCORDANCE WITH RESOLUTION NO. 294-08

WHEREAS, the Department of Family Services realigned certain job duties associated with Management and Confidential positions, and positions represented by the Teamsters Union Local 445 Main Unit, as authorized by Resolution Number 294-08; and

WHEREAS, Legislature required that a Performance Evaluation, as well as, a workflow Analyses, shall be completed upon 90 days of a working test period and a report be forwarded to the County Manager and the Personnel Committee; and

WHEREAS, the Commissioner of the Division of Health and Family Services has determined that the realigned structure that has employed the positions of Director of Temporary Assistance, and Chief Social Welfare Examiners has been and will continue to be effective, efficient, and is in the best interest of the County, and

WHEREAS, the County Manager has recommended that the Department of Family Services continue with the management structure and workflow structure implemented as a result of the consolidation of the Director of Medicaid Services and the Director of Temporary Assistance, as well as, the supervisory responsibilities of the Chief Social Welfare Examiners.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the realigned structure of a Management and Confidential position of Director of Temporary Assistance and the Teamsters represented positions of Chief Social Welfare Examiners to be formally adopted, based upon the determination of the Commissioner of the Division of Health and Family Services, and the recommendation of the County Manager, and

BE IT FURTHER RESOLVED, that the two (2) Chief Social Welfare Examiner positions in the Department of Family Services shall be funded at Grade X of the Teamster's Salary schedule, and in accordance with Resolution Number 294-08 that such reallocation to Grade X would be treated as a single upgrade, and

BE IT FURTHER RESOLVED, that the Payroll Department is hereby authorized and directed to pay the two (2) Chief Social Welfare Examiner positions at Grade X of the Teamster's Salary schedule retroactive to the commencement of the date of appointment, in accordance with Resolution Number 294-08.

Moved by Mr. Sager , seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion January 22, 2009.

RESOLUTION NO. 28-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO PROVIDE LEGISLATIVE APPROVAL TO AUTHORIZE THE COUNTY TO DECLINE TO EXERCISE ITS RIGHT OF FIRST REFUSAL TO ACQUIRE GENE MEARS' BAY #1 IN THE 5-BAY T-HANGAR

WHEREAS, Mr. Mears currently holds the lease for Bay #1 of which an original construction cost and improvements has been determined to be approximately \$31,000.00; and

WHEREAS, Mr. Mears' lease agreement with the County has 10.83 years remaining on a 30 year lease; and

WHEREAS, Mr. Mears' has a certified purchase of \$15,000.00 for the sale and assignment of the lease of the bay; and

WHEREAS, the County of Sullivan has declined to exercise its right of first refusal to acquire the lease upon the same terms; and

WHEREAS, the County of Sullivan shall receive payment for 50% of the profit made on the sale of the bay in the amount of \$1,950.55.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the sale and assignment of lease of Mr. Mears' Bay #1 of the 5-Bay T-Hangar at the Sullivan County International Airport; and

BE IT FURTHER RESOLVED, that the documents for transfer of the lease be reviewed and approved by the County Attorney.

Moved by Mr. Hiatt, seconded by Mr. Armstrong, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 29-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN INCREASE IN THE ADMISSION FEES AT LAKE SUPERIOR STATE PARK.

WHEREAS, Lake Superior State Park is operated and maintained by Sullivan County through a license agreement with the Palisades Interstate Park Commission (“PIPC”); and

WHEREAS, PIPC does not contribute financially to the operation and maintenance costs; and

WHEREAS, the current fees are inadequate to accommodate rising operational and maintenance costs; and

WHEREAS, it is the goal of Sullivan County to make Lake Superior self sufficient; and

WHEREAS, the Sullivan County Office of Management & Budget has reviewed and supports the below admission increases.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the following schedule of admission fees will be effective on May 1, 2009.

General Admission – Day Pass

\$5.00 per person
Under 3 - Free

Sullivan County Resident Season Pass (with required proof of residency)

\$15.00 per person

Group Picnic Permit Discounted Day Pass (permit required)

\$3.00 per person
Under 3 - Free

Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote with Mr. Sager and Mr. Sorensen opposed, resolution carried and **declared duly adopted on motion** January 22, 2009.

Mr. Sager indicated that initially when this was brought up, they had undergone the same five percent decrease as well as all other agencies that the county funds, went through. This was proposed at \$57,000. He feels it is unfair not to keep them at the same level as everybody else. If it stays at \$57,000, he would support this. He knows that everyone's funding is being cut and he is sure that the DVAA, which is near and dear to his heart, would love to have their funding restored to as well as every other group that comes to us. This group was funded much more than they requested last year. While it is a viable entity, he thinks that it is unfair to suddenly increase them \$3,000. In addition, he would like a breakdown at some point of where the 250 children come from within the county. He would like to see a breakdown by township to understand; who is utilizing the service where it is being utilized and best served. Mr. Hiatt indicated he is happy to respond. This is distinguishable from the other agencies where the funding was adjusted in this resolution and the next resolution, because both of them took major hits in their funding. They took huge hits from what they had last year. Because of what they do and because of these huge hits, he thinks that this little bit extra that the county can contribute is appropriate and he wishes the county could do more. That is why he is going to support it from the \$57,000 to \$60,000. Mr. Sager stated we should ask detailed information from all the agencies that we provide funding to so they can justify the funding that we provide them. Mr. Armstrong added he has gone to several of their programs that they put on and he thinks that the question here is, who is at risk. The children in this program---- it is not just a one shot deal, it is a continuing program. The results he has seen so far are fantastic. To cut their funding from what they have lost already, continues a continuity of concern and care for these children and without that, what they have managed to succeed so far, they might not be able to continue. He feels that this money is well spent and certainly it is better than the alternatives such as incarceration and probation and other things.

RESOLUTION NO. 30-09 INTRODUCED BY FRANK ARMSTRONG, CHAIRMAN OF THE MANAGEMENT AND BUDGET COMMITTEE, KATHLEEN LABUDA, VICE-CHAIRMAN OF THE MANAGEMENT AND BUDGET, RONALD HIATT, DISTRICT 8 LEGISLATOR AND ALAN SORENSEN, DISTRICT 9 LEGISLATOR TO AUTHORIZE EXECUTION OF THE 2009 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CREATIVE THINK TANK, INC.

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

WHEREAS, the annual contract with this agency needs to be renewed for 2009 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2009 annual contract with the Creative Think Tank, Inc. at the following maximum funding level for the period January 1, 2009 through December 31, 2009:

4. **CREATIVE THINK TANK, INC.** – maximum amount \$60,000.

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

Moved by Mr. Hiatt, seconded by Mr. Armstrong, put to a vote with Mr. Sager opposed, resolution carried as amended and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 31-09 INTRODUCED BY RONALD HIATT, DISTRICT 8 LEGISLATOR, JODI I. GOODMAN, DISTRICT 6 LEGISLATOR AND LENI BINDER, DISTRICT 7 LEGISLADY TO AUTHORIZE EXECUTION OF THE 2009 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND BOYS AND GIRLS CLUBS OF AMERICA ®

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

WHEREAS, the annual contract with this agency needs to be renewed for 2008/2009 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2008/2009 annual contract with the Boys and Girls Clubs of America ® at the following maximum funding level for the period of September 1, 2008 through August 31, 2009:

5. **BOYS AND GIRLS CLUBS OF AMERICA®** – maximum amount \$75,000.

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

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 33-09 INTRODUCED BY JONATHAN F. ROUIS, CHAIRMAN OF THE LEGISLATURE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A CONTRACT WITH O'CONNOR, DAVIES, MUNNS & DOBBINS, LLP FOR THE PURPOSE OF CONDUCTING RANDOM AUDITS OF ROOM TAX FOR THE PERIOD 9/1/07 – 8/31/08 AND TO SUMMARIZE FINDINGS FROM AUDITS PREVIOUSLY DONE

WHEREAS, the Sullivan County Treasurer is charged with the collection of the Sullivan County Room Tax, and

WHEREAS, the County Treasurer has recommended with concurrence from the County Manager that the Legislature retain the services of O'Connor, Davies, Munns & Dobbins, LLP for the purpose of compliance, evaluation, random audits, and to summarize findings from audits previously performed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to sign an agreement to retain the services of O'Connor, Davies, Munns & Dobbins, LLP in accordance with the MOU dated December 18th, 2008 at a cost not to exceed \$17,500 for the fiscal year 2008 for the purpose of auditing room tax records for the previous year, through the quarter ending August 31, 2008 and to prepare and submit to the County Treasurer a summary of findings from previous room tax audits performed by them.

Moved by Mr. Armstrong, seconded by Mr. Wood, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 33-09 INTRODUCED BY JONATHAN F. ROUIS, CHAIRMAN OF THE COUNTY LEGISLATURE TO AUTHORIZE CONTRACT FOR NETWORK CABLING SERVICES WITH IP LOGIC, INC.

WHEREAS, the County, in response to Resolution 379-08, is migrating to a Voice Over Internet Protocol (VoIP) telephone system; and

WHEREAS, the County will require expansion of its network cabling into physical building areas of our Monticello Campus facilities in the Government Center proper, the Annex and the Jail that were not previously networked to support the VoIP telephone system.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to enter into a contract for network cabling services with IP Logic, Inc. for an amount not to exceed \$34,060, said agreement to be in such form as the County Attorney shall approve.

Moved by Mrs. Binder, seconded by Mr. Armstrong, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

RESOLUTION NO. 34-09 INTRODUCED BY RONALD HIATT, CHAIRMAN OF THE HEALTH AND FAMILY SERVICES COMMITTEE TO REAPPOINT FIVE MEMBERS TO THE LONG TERM CARE COUNCIL FOR SULLIVAN NYCONNECTS (FORMERLY CALLED THE POINT OF ENTRY SYSTEM).

WHEREAS, the Sullivan County Legislature has authorized the creation of a Long Term Care Council to assist in the development of SULLIVAN NYCONNECTS (formerly called the Point of Entry system), and

WHEREAS, there is a need to reappoint five (5) members to the Long Term Care Council, and

WHEREAS, the appointment for Lynn Brooks, Jennie Cortese, Deborah Gayron, Liliam Stettner, and Sharon Yabut shall be for a term to end December 31, 2010, and

WHEREAS, all the above appointments are to commence on January 1, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following members to the Long Term Care Council, for the term to expire on the date opposite of the name.

<u>Member</u>	<u>Term</u>
Lynn Brooks	12/31/10
Jennie Cortese	12/31/10
Deborah Gayron	12/31/10
Liliam Stettner	12/31/10
Sharon Yabut	12/31/10

Moved by Mrs. Binder, seconded by Mr. Armstrong, put to a vote and unanimously carried and **declared duly adopted on motion** January 22, 2009.

Recognition of Legislators

Mr. Hiatt stated he would like to respond to the County Treasurer's earlier comments. Mr. Hiatt corrected himself by stating the County Clerks comments and apologized to Mr. Briggs and Mr. Cohen. Mr. Hiatt stated he would like to respond to Mr. Briggs comments about imposing the changes in the fees. No one likes to change and adjust these fees upward. It is our concern to maintain the personnel and the services provided. Mr. Briggs suggested that no legislators ever came to him to talk to him about it beforehand. This was proposed in December and he doesn't know of him coming to any of the legislators, telling us in advance. Today we heard from the Village of Monticello at the last minute and we tabled the resolution and are waiting to listen to some more. We have to figure out a way to pay for these people who provide the services. Likewise, he tells us that we need to be creative and how to make up the differences. Since he is there and in the trenches, he invites Mr. Briggs to come back and help us be creative and we can use some of his creative juice to tell us how we can pay for these people to provide those services. He looks forward to talking to him. It is kind of hard if he doesn't get input ahead of time to make a decision other than what he made today. That is all he wanted to say.

Mrs. Goodman stated that she understands what Mr. Hiatt is saying but she thinks a lot of times we have a tendency of assuming things. If it is our County Clerk's house, would we ever paint a house without speaking to the homeowner first. This is his house and she thinks we should have gestured out to him instead of him coming to us. She just thinks it is a more appropriate since it is his house and home and we were looking to change things. It is a better process and she does welcome Mr. Hiatt's idea and she is sure that Mr. Briggs would love to come and speak to us. Let's get creative and see how good we are.

Mrs. Binder stated on a completely different note. Awhile back we had Judge Finn at some of the community meetings and we desperately tried to get her to expand her program because it is such a great program. She thinks as things get harder financially, we seek those kids who are borderline, stepping over that line, if they have no place to go and no one to support them and give them any kind of emotional support. She knows it is a feel good kind of thing and is much deeper than that. The bottom line is with all of these monies and she understands Mr. Sager's issue that it is not county wide and the cuts are reflected everywhere and it is just how we feel about it and each person votes on that \$3,000 difference. The main thing about these programs is the fact that one kid, one juvenile, in any kind of incarceration or special setting, costs us more than the total cost of these two programs and that goes on and on. So she thinks we have to be very vigilante in this point in time when things are really getting tighter and harder for the families that we make sure we put some resources into prevention and maybe we can save it on the cure.

Mr. Armstrong stated it was a misunderstanding stating it was not county wide. One of the things that happened when he first investigated her program, he did notice that they were recruiting young people from as far away as Jeffersonville. So it really is a county wide program available to everyone.

Mr. Sager stated good and he would like to see the breakdown of that. Since we like to rehash this from last year when the issue was brought to his attention, the discussion in his office with a certain member of the legislature was that one person from the Town of Callicoon had been serviced by this agency yet when it came out to a public forum and we are all trying to look good in public, it was suddenly several and it becomes more global. He would like to see the

breakdown per township. Quite honestly he feels bad. He likes Josephine Finn and he has nothing against her and feels it is a worthwhile program but he would like us to start demanding of all our agencies, if we are giving them money, we want breakdowns of where the money is going and what those breakdowns are.

Mr. Sorensen added that the county does deal with a lot of different contract agencies and he thinks it is incumbent upon us because we are allocating county taxpayer dollars for a variety of different contract agencies, that there is an Annual Report at a minimum, provided by these contract agencies showing how the funding was spent, line item, what the allocation of those dollars went to and there should be benchmarks and performance measures for each of the agencies and he is not singling out certain agencies.

Josephine Finn stated just to let everyone know, she feels the same way that Mr. Sager does. They have set out lines of things that they wanted to do. Everything that you see on the list that is before you, was in their budget. It was laid out for a certain amount of money and they sent that to the Manager before they even got started as they planned on doing it. She has no problem reporting on what she does and actually they would like to put in some more things and reach out to some more places. Ms. Finn asked Mr. Sager what district he was in. Mr. Sager stated he stated District 1, Bethel, Cohecton, Delaware and Tusten. Ms Finn indicated that she has the ability to move. They went into a building at the Monticello Housing Authority. They picked up the Dream Tank and moved it there for a night and serviced about 50 kids and that is what they do. They have the ability to move anywhere in the county and put on a specific program if need be but they can't go to every area of the county and drag kids out. The only thing that they can do is advertise that they are there and what we are doing.

Mrs. LaBuda stated on a totally different issue, she wanted to thank the County Manager and the Office for the Aging. Last week at Mr. Hiatt's Health and Family Services Committee meeting, it was told to the Legislature that 27 constituents throughout the County, were denied transportation to medical appointments. She spoke to the County Manager and spoke to the Office for the Aging after that meeting and today he allocated \$25,000 to the transportation line in the county budget so that all of our constituents who are non-Medicaid, can get to the facilities and doctor appointments. She just wanted to say thank you and let's keep up the good work.

Chairman Rouis stated in closing, we pass a budget every year, in late December and here it is, early January, to which we are already straying from the items in it. He doesn't have to remind everyone of the situation that we are now facing, and to just ask everyone to be cognizant of while we may look at issues one at a time, they all fit together in the fabric of what is our budget. He said there are going to be countless groups of people that are going to come through our doors in the next nine months, because the situation is not getting any better and while we do feel and do want to do for all these, we have to do in the context that we have to live within the items that we set forth in our budget. When we vote down revenue items that were in the budget and we vote to increase expenses that were not in the budget, we are going to create a problem down the line. He just asks everyone, as we go forward, to think about those things so we don't get to September and have to go back with catastrophic cuts.

County Treasurer Ira Cohen stated he appreciates what Chairman Rouis just said and he wanted to add to that. He originally wanted to just clarify the intent of the tabling of resolution No. 23 today but he is glad what Chairman Rouis stated. He doesn't feel that the tabled resolution would have any impact on fiscal conditions in the county and he will reserve his comments for later. Another discussion will take place on this issue at the next Real Property Advisory Board meeting. He believes that meeting is scheduled to take place on February 3, 2009, but they can confirm that date and notify the parties.

Mrs. Goodman stated that it was a courtesy that she wanted to offer to Mr. Hiatt and Mr. Sorensen so they can reach out to the village and be more prepared for a decision.

There being no further comments, Mr. Hiatt moved to adjourn, seconded by Mr. Armstrong, put to a vote and carried. The Regular Meeting was declared closed at 2:39PM subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk of the Legislature