

**Special Meeting  
Sullivan County Legislature  
August 5, 2010 at 12:45PM**

The Special Meeting of the County Legislature was called to order by Chairman Rouis at 12:45PM, with the Pledge of Allegiance.

Roll Call indicated Mrs. Goodman not present and Mr. Hiatt absent.

The Clerk read the notice of meeting which read as follows:

A Special Meeting of the County Legislature has been called for **Thursday, August 5, 2010 at 12:45PM** in the Legislative Chambers of the County Government Center, Monticello, N.Y. The purpose of the meeting is to authorize a contract for an Equipment and Vehicle Auction and to urge the NYS Legislature for Medicaid and State Mandate Relief.

**RESOLUTION NO. 392-10 INTRODUCED BY JONATHAN ROUIS, CHAIRMAN OF THE SULLIVAN COUNTY LEGISLATURE AUTHORIZING THE EXECUTION OF A MODIFICATION AGREEMENT FOR THE PUBLIC AUCTION OF VEHICLES AND EQUIPMENT**

**WHEREAS**, the County of Sullivan (“County”) has had a long standing professional relationship with Absolute Auction & Realty, Inc. and Haroff Auction & Realty, Inc. (“Auctioneers”) for the auctions of parcels of real property and the County has been completely satisfied with their performance, and

**WHEREAS**, pursuant to Resolution No. 153-08 adopted by the Sullivan County Legislature on April 17, 2008 the County entered into a contract with the Auctioneers (“Original Agreement”), and

**WHEREAS**, the Original Agreement detailed the terms and conditions under which the Auctioneers agreed to auction off excess vehicles and equipment possessed by the County’s Department of Public Works (“DPW”), and

**WHEREAS**, the DPW has further need to auction off excess vehicles and equipment in their possession which are of no further use to the County, and

**WHEREAS**, the Auctioneers have agreed to conduct another auction under the same terms and conditions of the Original Agreement, and

**WHEREAS**, the Auctioneers have the ability and expertise to conduct the auction of said vehicles and equipment and the fees for said auction shall be a 15% buyer premium paid by the successful bidder at the auction with no cost to the County, and

**WHEREAS**, it is in the best interest of the County to enter into a modification agreement with the Auctioneers extending the Original Agreement in order to allow for an additional public auction of excess vehicles and equipment.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to enter into a modification agreement with the Auctioneers extending the Original Agreement in order to allow for an additional public auction of excess vehicles and equipment, said modification agreement to be in a form to be approved by the County Attorney’s Office.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder**, put to a vote with Mrs. Goodman, Mr. Hiatt and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** August 5, 2010.

**RESOLUTION NO. 393-10 INTRODUCED BY JONATHAN F. ROUIS, CHAIRMAN OF THE LEGISLATURE, ELWIN “WOODY” WOOD, VICE CHAIRMAN OF THE LEGISLATURE, DAVID A. SAGER, LEGISLATOR, DISTRICT 1, KATHLEEN LABUDA, MAJORITY LEADER, LEGISLATOR, DISTRICT 2, FRANK ARMSTRONG, LEGISLATOR, DISTRICT 5, JODI I. GOODMAN, LEGISLATOR, DISTRICT 6, LENI C. BINDER, MINORITY LEADER, LEGISLATOR, DISTRICT 7, RON G. HIATT, LEGISLATOR, DISTRICT 8, AND ALAN J. SORENSEN, LEGISLATOR, DISTRICT 9 URGING THE STATE OF NEW YORK TO ELIMINATE THE UNFUNDED MANDATES AND REDUCE THE UNDERFUNDED MANDATES THAT CAUSE COUNTY PROPERTY TAX INCREASES IN CONJUNCTION**

## **WITH IMPOSING A CAP ON COUNTY PROPERTY TAXES**

**WHEREAS**, Governor David Paterson and many State Legislators are supportive of a cap on Local and County property tax levies of 4%, or 120% of inflation, whichever is less; and

**WHEREAS**, little or no action has been taken by the State of New York to decrease or control the costs of unfunded State mandates, which have been driving County property tax levels for decades; and

**WHEREAS**, without mandate reform, such a cap would be disingenuous because State mandates make up as much as 75 to 85 percent of a County budget, and these State costs increase substantially each year, well over the proposed 4% cap. Some examples:

- County payments to the NYS Retirement System are expected to rise 10% in 2011.
- The local cost of Medicaid rises 3% each year, and Sullivan County will send \$20 million of local tax money to Albany in 2011.
- The State continues to shift its costs to Counties in the 2009-10 and 2010-11 State budgets.
- New York State currently owes Sullivan County about \$15 million, overdue for State services rendered by Sullivan County.
- During the 2010 legislative session, the State shifted over \$100 million in costs to Counties for delivering state services locally in child welfare and youth detention programs, representing yet another unfunded mandate.
- The State of New York has cut aid to Public Nursing Homes.
- The Mental Hygiene mandates require more than \$2 million of property tax revenues annually in Sullivan County.
- Health Insurance premiums through NYSHIP will grow by more than 13% in 2011, requiring an additional \$1 million from Sullivan County's property tax levy, or more than a 2% increase.

**WHEREAS**, Counties are mandated by the State to use County tax dollars to pay for State programs such as Medicaid, mental hygiene, early intervention services, pre-school special education services, public assistance, child welfare, youth detention, jails, and numerous other programs; and

**WHEREAS**, the property tax cap proposal does nothing to reduce or eliminate the current mandates; and

**WHEREAS**, the property tax cap proposal allows County boards to override the cap with a two-thirds majority vote, thereby not only shifting costs to County governments, but also unfairly shifting blame to County leaders for property tax increases that are actually caused by the State Government.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature urges the State not to impose a Local or County property tax cap, unless it is coupled with the elimination of the unfunded and underfunded State mandated programs that directly cause County property tax increases; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Legislature shall transmit copies of this resolution to Governor David Paterson, Senate Democratic Leader John Sampson, Senate Republican Leader Dean Skelos, Assembly Speaker Sheldon Silver, Assembly Republican Leader Brian Kolb, State Senator John J. Bonacic, 42<sup>nd</sup> Senatorial District, Assemblywoman Aileen M. Gunther, 98<sup>th</sup> Assembly District, all New York State County Governing Bodies, all Sullivan County Towns and Villages, and the New York State Association of Counties.

**Moved by Mr. Sager, seconded by Mrs. Binder**, put to a vote with Mrs. Goodman, Mr. Hiatt and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** August 5, 2010.

At this point, Mrs. Goodman joined the meeting.

**RESOLUTION NO. 394-10 INTRODUCED BY JONATHAN F. ROUIS, CHAIRMAN OF THE LEGISLATURE, ELWIN "WOODY" WOOD, VICE CHAIRMAN OF THE LEGISLATURE, DAVID A. SAGER, LEGISLATOR, DISTRICT 1, KATHLEEN LABUDA, MAJORITY LEADER, LEGISLATOR, DISTRICT 2, FRANK ARMSTRONG, LEGISLATOR, DISTRICT 5, JODI I. GOODMAN, LEGISLATOR, DISTRICT 6, LENI C. BINDER, MINORITY LEADER, LEGISLATOR, DISTRICT 7, RON G. HIATT, LEGISLATOR, DISTRICT 8, AND ALAN J. SORENSEN, LEGISLATOR, DISTRICT 9 URGING THE STATE OF NEW YORK TAKE OVER STATE MANDATED PROGRAMS AND SERVICES THAT ARE FUNDED BY COUNTY PROPERTY TAXES**

**WHEREAS**, the State of New York mandates County governments to provide programs and services on behalf of the State government, without funding for those mandated programs and services; and

**WHEREAS**, State mandates make up as much as 75 to 85 percent of a County budget, and these State costs increase substantially each year; and

**WHEREAS**, Counties are mandated by the State to use County tax dollars to pay for State programs such as Medicaid, mental hygiene, early intervention services, pre-school special education services, public assistance, child welfare, youth detention, jails, and numerous other programs; and

**WHEREAS**, the County property tax levy is driven by unfunded and underfunded State mandates; and

**WHEREAS**, the State of New York should take over the programs and services associated with the unfunded State mandates, and the financial responsibility for those State mandated programs and services shall be the financial responsibility of the State of New York, with zero County tax dollars paying for those State program and services; and

**WHEREAS**, the State of New York remains one of only two States in the country that requires Counties to pay for a portion of Medicaid; and

**WHEREAS**, the federal government only funds 50% of the New York Medicaid expenses, while about 31 other States and the District of Columbia are supported by a larger percentage of expenses that are funded by the federal government; and

**WHEREAS**, comprehensive reform of Medicaid benefit levels must be addressed by the State government, as it is reported that the State of New York spends more per Medicaid recipient than the States of California and Texas combined ; and

**WHEREAS**, true property tax relief will only be realized by the elimination of unfunded and underfunded State mandates that actually cause property tax increases.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature urges the State of New York to take over State mandated programs and services that are funded by County property taxes; and

**BE IT FURTHER RESOLVED**, the State of New York is urged to undertake comprehensive Medicaid reform; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Legislature shall transmit copies of this resolution to Governor David Paterson, Senate Democratic Leader John Sampson, Senate Republican Leader Dean Skelos, Assembly Speaker Sheldon Silver, Assembly Republican Leader Brian Kolb, State Senator John J. Bonacic, 42<sup>nd</sup> Senatorial District, Assemblywoman Aileen M. Gunther, 98<sup>th</sup> Assembly District, all New York State County Governing Bodies, all Sullivan County Towns and Villages, and the New York State Association of Counties.

**Moved by Mrs. Binder, seconded by Mr. Sager**, put to a vote with, Mr. Hiatt and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** August 5, 2010.

Upon motion by Mrs. LaBuda, seconded by Mrs. Binder, the Special Legislative Meeting was adjourned at 12:46PM, subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk to the Legislature