



Sullivan County

Executive Committee

Meeting Agenda - Final

100 North Street
Monticello, NY 12701

Chairman Nadia Rajsz
Vice Chairman Joesph Perrello
Committee Member Matt McPhillips
Committee Member Brian McPhillips
Committee Member Nicholas Salomone Jr.
Committee Member Catherine Scott
Committee Member Luis Alvarez
Committee Member Amanda Ward
Committee Member Terry Blosser-Bernardo

Thursday, August 15, 2024

9:00 AM

Government Center

Call To Order and Pledge of Allegiance

Roll Call

Comments:

Reports:

1. Division of Health and Human Services
August 2024
Monthly Report

[ID-6671](#)

Attachments: [2024-08 HHS Monthly Report.pdf](#)

Discussion:

Public Comment

Resolutions:

1. Appoint Joseph Perrello to the IDA Board [ID-6630](#)
2. To modify the contract with Catholic Charities of Orange, Sullivan and Ulster, to add a one-time state aid payment for repairs. [ID-6647](#)
3. To amend resolution #204-24, Indigent Burial Program [ID-6642](#)

Attachments: [2024-08 Indigent Burial Amendment - Menu.pdf](#)
[2024-08 Indigent Burial Amendment - P&P.pdf](#)

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4. To issue a Negative Declaration pursuant to the New York State Environmental Quality Review Act regarding the addition of parcels of real property to existing certified Agricultural Districts within Sullivan County. [ID-6644](#)
Attachments: [AD EAF Short Form 08.01.2024](#)
 5. To include viable Agricultural Land in an existing Certified Agricultural District within Sullivan County. [ID-6645](#)
 6. Modify Resolution No. 198-22 [ID-6650](#)
 7. RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ESTABLISH A SQUARE FOOT LEASE COST FOR BOX HANGARS AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA) TO BE APPLICABLE WHEN EXISTING LEASES ARE SOLD, ASSIGNED OR EXPIRE [ID-6660](#)
 8. RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE AN UPGRADE AGREEMENT WITH THERAMANAGER DOCUTRAC FOR THEIR ENTERPRISE CLOUD HOSTING SOLUTION [ID-6677](#)
 9. RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A RENEWAL AGREEMENT WITH LEXISNEXIS FOR 'PRISON SOLUTIONS,' A LEGAL RESEARCH SOLUTION [ID-6678](#)
 10. INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE ONE (1) PUBLIC HEARING to be held at Sullivan County Government Center in the Legislative Hearing Room 100 North Street, Monticello, NY 12701 on October 23, 2024. The Sullivan County Office for the Aging is preparing a County Annual Plan for services to the 60+ population of the county, provided through the Older Americans Act and the New York State Community Services for the Elderly Program; and a notice be published in the official newspapers. [ID-6679](#)
Sponsors: Office for the Aging and Deoul
 11. The Legislative Discretionary Funding program is designed to assist Sullivan County and County-oriented entities with achieving such goals as public safety, public health, youth services, community development, and economic development [ID-6682](#)
 12. Set a public hearing for 9/5/2024 at 8:45AM for Staggered Terms [ID-6684](#)
 13. TO CREATE ONE (1) PART-TIME RABIES CONTROL OFFICER POSITION IN THE DIVISION OF PUBLIC SAFETY AS REQUIRED BY NEW YORK STATE PUBLIC HEALTH LAW [ID-6686](#)

14. To create the position of Commissioner of Management and Budget and to confirm the appointment of Anna-Marie Novello as the Commissioner of Management and Budget. [ID-6688](#)
15. Adopt the 2024-2025 Sullivan County Community College Budget [ID-6689](#)
16. Enact a proposed Local Law regarding Section A8A-4 Investigation of Alleged Ethics Violations and Advisory Opinions [ID-6694](#)
Attachments: [A8A-4 Revised 8-6-24](#)
17. Appoint James Galligan to the Sunset Lake LDC [ID-6695](#)
18. Authorize County Manager to enter into MOA with Sullivan County Sheriff and CSEA for hiring of Correction Officers from the Sullivan Correctional Facility [ID-6696](#)
19. Enact Local Law entitled “Local Law Amending the County’s Installment Agreement Law” [ID-6702](#)
Attachments: [Installment Local Law 2024 working copy](#)
20. Enact a Local Law entitled “Local Law Amending the County’s Sale of Real Property Law” [ID-6703](#)
Attachments: [Repurchase Local Law 2024 working copy](#)

Adjourn



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6671

Agenda Date: 8/15/2024

Agenda #: 1.

Sullivan County Division of Health and Human Services (DHHS) -- Monthly Report – August 2024

Roadmap to Better Health Implementation

- Sullivan County Community Assistance Center Hotline: 845-807-0925 - National Suicide Hotline: 988 - Hope Not Handcuffs: 833-428-HOPE
 - Hudson Valley Fearless! (Domestic Violence and Human Trafficking Support Hotline): 845-562-5340

Strategy	Update on Activities Supporting the Strategy	Key Performance Indicators Positive Trend = GREEN, Negative = RED	
Ease Access to Care	<ul style="list-style-type: none"> • Crisis Mental Health Services: In response to two recent tragic events impacting the Sleepy Hollow neighborhood of Monticello, DHHS requested and received Crisis Incident Stress Management counselors from OMH who provided briefings to staff and residents on July 30. • Mental Health Treatment Access: Pediatric MH services continue to be provided by Astor with a goal of expanding into local school districts this Fall. DHHS and Sullivan BOCES also reviewing existing services provided by Rockland Children’s Psychiatric Center to find opportunities to expand 	Participating Unite Us Agencies	33
		Unite Us Cases	499 (+9)
		Percentage of Cases Open/Resolved	50.9% (-10.9%) (System average, 44.0%)
End the Opioid Crisis	<ul style="list-style-type: none"> • Drug Task Force Activities: 2nd planning meeting for the Overdose Fatality Review Board and bi-monthly meeting of Pillar Leads held on August 2nd. Current focus of Drug Task Force members is on providing support to the Village of Monticello as they address recent increases in the number of homeless, service-resistant persons staying in the Village. Several strategies were discussed among healthcare and human service providers in collaboration with Mayor Massey and Police Chief Lindsey in a meeting at Village Hall on August 6th. • Opioid Settlement Fund Distribution: Contract extensions are in place with all of last year’s providers. Will also look to expand on success of Liberty PD Quick Response Team and EAP initiatives with Fallsburg and Monticello PDs in the year ahead. Additional funding (amount TBD) coming from a new settlement (McKinsey & Company) 	911 overdose responses in May	15 (-1)
		2023 Opioid Deaths	35 (-8)
		2023 Drug-related ED Visits	68 (-8)
		2023 Drug-related Hospitalizations	11 (-4)
Enhance Our Community	<ul style="list-style-type: none"> • New York State’s Child Care Application Assistance Portal launched earlier this month: Users will have to sign up for the portal at https://hs.ocfs.ny.gov/CCAPsignup/invite. After signup/sign-in, applicants will be provided information on the program, including an eligibility questionnaire, the new portal, and the application dashboard for returning users. Income is only one factor to qualify for child care assistance, but limits have increased dramatically – a family of four making up to \$108,631.70 per year is eligible! Other families may also qualify, based on their specific needs. • Emergency Housing Update: On July 26th, DSS leaders met with the owner of the Knights Inn in Liberty, alongside the Liberty Police Chief and Code Enforcement Officer to address concerns with emergency housing quality and security at the Knights Inn. The owner committed to make a series of repairs and upgrades to the facility including Improving/adding exterior lighting, installing a new camera system to complement existing cameras with quick access available to Liberty PD, garbage clean-up along the perimeter of property, and an electric lock system for all exterior doors 	Emergency Shelter Census	283 (-3)
		Family Groups Sheltered	47 (-4)
Encourage Healthier Behavior	<ul style="list-style-type: none"> • Building Campaign for Youth Vaping and Alcohol Use Prevention: Concerns are growing among members of the drug task force regarding youth vaping and alcohol use. Fortunately, we have just learned of a settlement with Juul which will provide the county with \$481,474.24 to fight vaping. 	United Sullivan Media Campaign	Exceeding industry standards



**United Sullivan
Network**
For more
information:

www.unitedsullivan.org

Email: contact@unitedsullivan.org

- **Unite Us:** Community Resources is coordinating with Unite Us on connecting local food pantries to the network via the Community Assistance Center and is starting to plan a pilot with a few food pantries to see if Unite Us can help advance their work.
- **Joint Success Plan:** We in a new phase of our relationship with Unite Us. After spending the first year of our contract focused on recruiting and connecting partner agencies to the network, DHHS and Unite Us staff are starting to analyze user activity and referral success rates. While we are already happy with the improved service and access we are able to provide to county residents, our “joint success” planning will make referrals more efficient and effective for all involved.

- **Network Member Update:** The following chart provides the complete list of Sullivan County agencies currently active on Unite Us – there were no changes to the number of enrolled agencies. We are now focusing on developing the existing network.

Liberty Police Department	The Center for Discovery	Rehabilitation Support Services	Cornell Cooperative Extension	Dept of Community Services
Sullivan County Probation	Dispute Resolution Center	Sullivan 180	Office for the Aging	Lexington Center - Liberty
Community Action – Liberty and Monticello Offices	Dept of Public Health	Sullivan County Youth Bureau	Action Toward Independence	Catholic Charities - Behavioral Health
Every Person Influences Children	Dynamic Youth Community	Legal Services of the Hudson Valley	Garnet Health Medical Center - Catskills	Catholic Charities – Human Services
Independent Living, Inc	Center for Workforce Development	HONOREHG, INC.	Astor Services	Sullivan Allies Leading Together INC.
Mobile Mental Health Team	Restorative Management	Dept of Social Services	Bridge Back to Life Mobile Unit	Choices Mental Health Counseling
Sun River Health	Community Home Health Care			

Network Activity Overview

Monitor critical network metrics over time.

Clients Served	Clients Connected	Cases per Client	Cases	Managed Cases	Referred Cases	Off-Platform Cases
274	268	2.44	499	351	447	9

Client Demographics

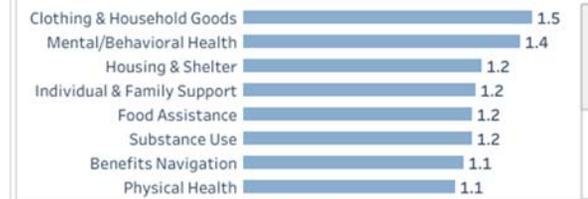
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Case Summary

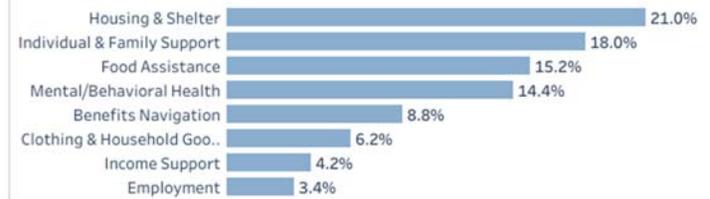
Average Reoccurring Needs

Expand (+) to view service subtype



Case Volume by Service Type

Expand (+) to view service subtype





Care Center at Sunset Lake Rehab

For more information: (845) 292-8640, <https://sullivanvny.us/Departments/Adultcarecenter>

Care Center at Sunset Lake Key Statistics			
Monthly Total Expenses to Date	Monthly Cash Receipts	End of Month Census	Meals Prepared for Residents
\$1,291,646.75	\$1,053,841.22	111	10,077
Admissions / Discharges (to home or Assisted Living Facility)	Total Day Care Visits	Total OT treatments	Total PT treatments
6/6	0	585	670

Administrator and Deputy Administrator Comments:

- In response to a question asked in committee last month: Resident Room Temperature per DOH (Federal Regulation 42 CFR 483.15 “Quality of Life” states that facilities initially certified after October 1990 must maintain a temperature range of 71-81 degrees. Beyond general comfort, it’s important that “climate” also refers to air quality of a facility. Although the Care Center is older, it is always our goal to stay consistent with this Federal Regulation.

Staffing (3 Stars):

- Recruiting and hiring efforts continue and we continue to work with staffing agencies
- In response to a question asked in committee last month: Day-to-day staffing decisions are made with the following priorities established: all full-time employees regardless of County or Frontline have access to shifts first, then part-time employees, then per-diem and last any shifts still available are offered to agency staff.
- In June, 3 full time CNAs were hired by Frontline. All three are still with the facility.

Health Inspections (1 Star) & Quality Measures (2 stars): No significant updates to report.

Social Work/Services Update:

- Census details: Unit 1 (9), Unit 2 (24), Unit 3 (40) and Unit 4 (38); total 111.
- Distributed Resident Rights information to all residents who are alert and oriented. If not alert and oriented, Resident Rights were mailed to Emergency Contact / Resident Representative
- Distributed Medicaid Recipient Letter to all residents who are alert and oriented. If not alert and oriented, Medicaid Recipient Letters were mailed to Emergency Contact / Resident Representative.

Nursing and Physical Therapy Update:

- There was a brief COVID outbreak in July. Six residents and two staff were isolated. As of the end of July, there were no longer any COVID positive staff or residents.
- Residents planned and crafted new items for the rehab holiday tree. This incorporated cognitive processing, budgeting, planning, and fine and gross motor skills.
- The garden group continued to tend the indoor and outdoor plants.
- Speech therapy is working to stage all residents for dementia and cognitive abilities. This will help with the roll out of new cognition-based facility wide programming in August. This was ongoing in July.
- Residents planned Olympic-themed rehab activities that will carry over into July and will result in many fun July and August rehab activities.
- Rehab patients participated in craft activities.
- Director of Rehab is working with Sullivan West High School to establish a pen pal program that will be led by rehab.

- Residents planned and participated in making lemonade and popsicles with OT and Speech therapy.

Activities Department Update:

- Most Recent Events: Unit BBQ's (continue), first ever Care Center Rave, National Iced Tea Day, Sports Day with Dad
- Celebrated National CNA Week
- Introduced 3 new group games



Department of Community Services (DCS)

For more information: (845) 292-8770, <https://sullivan.ny.us/Departments/CommunityServices>

National Suicide Hotline: 988 Mobile Mental Health: (800) 710-7083 Children's Mobile MH: (845)701-3777

- The Care Management unit continues to actively engage & work with clients for both of the Health Home agencies and the HARP Services (Health and Recovery Plan) which are Medicaid and Medicaid Managed Care Health Plans. As of the end of June 2024, there are five active Assisted Outpatient Treatment (AOT) orders and one person on enhanced AOT services.

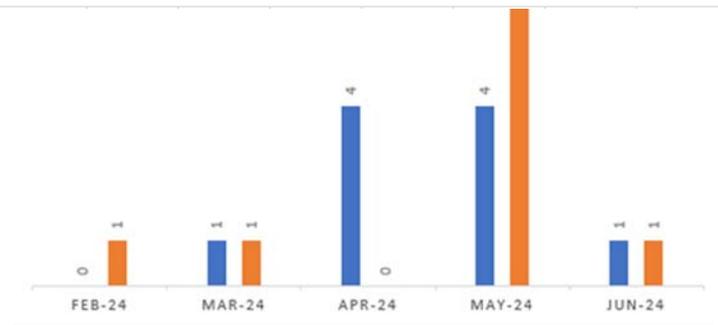
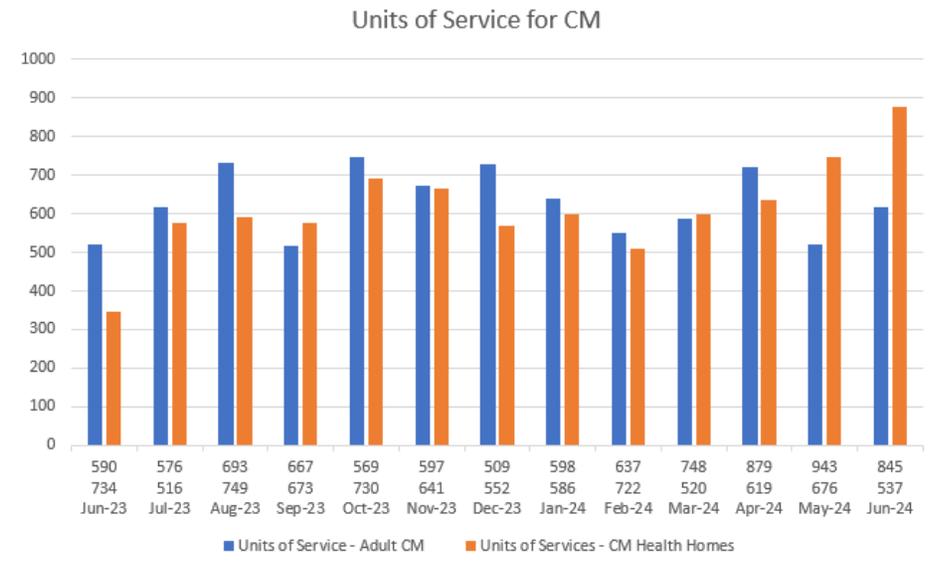
Behavioral Health Clinic (Mental Health and Substance Abuse):

- High Risk Clients: In June, there were 175 clients on the roster for high risk census.
- Open Access is Thursdays from 9:00am to 12:00pm.

Adult & Children's Single Point of Access (SPOA):

- On June 13, 2024, the Adult SPOA Committee met via Zoom with seven new cases reviewed and six previous cases reviewed.
- The total of 140 RSS supportive housing beds filled with 195 people on the waiting list and 12 current openings.
 - There are 7 people on the list for Family Care with no openings.
 - RSS Community Residence: 12 beds, 52 on the waiting list, no openings.
 - RSS Sullivan Treatment Apartment Program: 29 beds, 33 on the waiting list, 2 openings but the apartments are still in need of repairs.
 - RSS Sullivan County Respite: 1 bed, 1 on the list. It is unavailable.
 - RSS Supportive Apartment Program: 39 Regular and 16 L/S, 65 on the waiting list, 10 openings for Supported Housing.
 - RSS Invisible Children's Apartment Program: 6 beds, 10 on the waiting list, no openings.
 - RSS Chestnut Street Apartments: 37 beds, 34 on the waiting list, & no openings.

- Coordination of referrals and ongoing collaboration with service providers continue. Clients were recommended for/linked to various services, including: behavioral health treatment providers, RSS housing (apartment program and community residences), Access: Supported Housing, Sullivan PROS Program, OFA, APS, Action Toward Independence, Independent Living, Inc., and Care Management services.



- Children’s SPOA Committee met via Zoom on June 27, 2024 and reviewed four new referrals and two previous referrals.
- The Coordinator organized and facilitated the monthly Adult & Children SPOA Committee meetings (review of incoming referral packets, typing the case presentations, agenda, meeting minutes, waiting lists). Coordinator also conducted follow up throughout the month and completed monthly SPOA related data reports.

Local Government Unit:

- Staff retention and recruitment –restructured our all staff meeting to provide clear communication and support, working with managers to aide persons with burnout, working on media campaign to recruit, professionalizing the field by recruiting bachelor level persons – to train and maintain
- Working with our local 911 and Dutchess 988 regarding collaboration and training for 911 dispatchers and referral information.

DCS Stats:

SULLIVAN COUNTY DEPARTMENT OF COMMUNITY SERVICES						
STATISTICAL SUMMARY FOR: June 1, 2024 - June 30, 2024						
Prepared by : Sara A. Cole				CLIENTS		
PROGRAM	ON ROLLS: 6/1/2024	ADMISSIONS	DISCHARGES	ON ROLL: 6/30/2024	CLIENTS SERVED	UNITS OF SERVICE
SC BEHAVIORAL HEALTH CLINIC ADULT	447	20	22	445	467	668
SC BEHAVIORAL HEALTH CLINIC CHILD	17	0	2	15	17	9
SC BEHAVIORAL HEALTH CLINIC FORENSIC	72	7	5	74	79	101
SC BEHAVIORAL HEALTH CLINIC MICA	20	1	1	20	21	Included In Clinic Adult
SC BEHAVIORAL HEALTH CLINIC MAT	13	1	2	12	14	Included In Clinic Adult
TOTAL MENTAL HEALTH	569	29	32	566	598	778
SC CARE MANAGEMENT	26	0	1	25	26	528
SC HEALTH HOME- ADULT	42	1	1	42	43	308
SC HEALTH HOME - KENDRA, AOT and HH+	12	0	0	12	12	131
SC HEALTH HOME - CHILD	16	0	2	14	16	120
SC HEALTH HOME - OUTREACH	11	0	0	11	11	286
SC CM CCSI					2	9
TOTAL HEALTH HOME CASE MANAGEMENT PROGRAMS	96	1	4	93	99	1,096
SC SPOA - Adult	40			40	40	290
SC SPOA - Child	13			13	13	92
TOTAL SPOA	53	0	0	53	53	382

Mobile Mental Health Team

(MMHT) Stats: Provided on next page. There was another encouraging decrease in the number of calls year-over-year, June 2023 to June 2024.

Month/Year	Incoming Calls	Intial Phone Contacts	Outreaches	Diversion Rate	Hospital Referrals	Admissions	Admission Rate
Jun-23	377	147	34	62%	13	7	54%
Jul-23	319	123	17	65%	6	3	50%
Aug-23	316	113	21	67%	7	3	43%
Sep-23	371	135	16	75%	4	1	25%
Oct-23	309	122	23	78%	5	3	60%
Nov-23	404	139	31	62%	12	4	33%
Dec-23	449	85	9	100%	0	n/a	n/a
Jan-24	280	83	11	73%	2	2	100%
Feb-24	311	88	16	88%	2	1	50%
Mar-24	252	93	16	81%	3	0	0%
Apr-24	259	86	24	83%	4	4	100%
May-24	305	99	29	79%	6	4	67%
Jun-24	249	83	30	67%	6	4	67%



Department of Social Services (DSS):
For more information: (845) 292-0100

To complete a self-referral for services from DSS via the Unite Us network: <https://sullivanny.us/Departments/familyservices>

Public Assistance Cases (as of 06/30/2024)				
Temp. Assistance to Needy Families	Safety Net	Food Stamps	Medical Assistance	MA/Supplemental Security Income
192 (+2)	250 (+7)	6009(-1)	3443(-32)	2487(+13)
Homelessness Snapshot (as of 06/30/2024)				
Code Blue	Quarantined	Adults/Children	Sex Offenders	Total Homeless
0	0	209/91 (+8/-16)	20(-6)	300 (-4)

Temporary Assistance:

- Continuing to address all new applications and recertifications in accordance with OTDA regulations.
- Anonymous online customer satisfaction surveys are now available to all persons who interact with DSS. QR codes are posted in the DSS lobby to connect interested participants.

Medicaid:

- Continue to process the influx of new applications and recertify benefits for current recipients.

Child Care:

- Staff participated in WebEx trainings for the new and childcare assistance program application.
- Staff are now processing online applications!

Home Energy Assistance Program (HEAP):

- Conducting interviews for two vacant positions. One applicant accepted a position in late July.

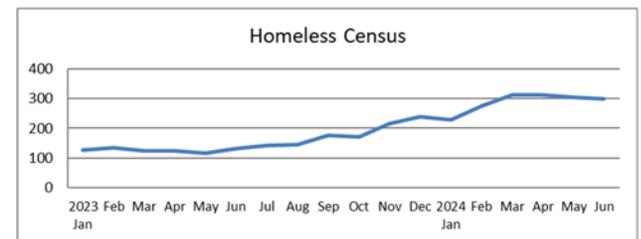
Housing:

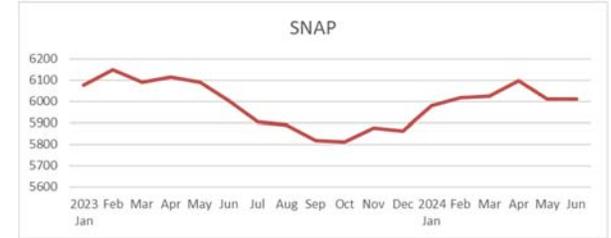
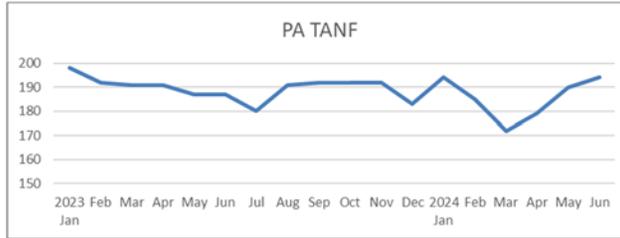
- Continues to address homeless applications as they come in. Just completed a reallocation of staff assignments to help with the flow of applications and implemented a screening sheet at first point of contact to help capture the history of the clients’ circumstances and determine level of need.

SNAP:

- Unfortunately, due to a staff member being out on Medical and other workers taken prior approved vacations we fell from 90 % to 69 % in processing cases with our thirty-day timeframe. Staff have returned as of the end of July, and we expect on-time approval rates to get back to previous levels quickly.

Temporary Assistance Case Trend Charts:





Fraud Investigations (as of June 30, 2024)						
Collections	Cases Active	Cases Referred	Completed	Arrests	Pending arrests	Burials
\$29,227.82 (+22,592.13)	210 (+1)	40 (-27)	39 (-15)	1 (-2)	4 (+1)	6 approved (+2) \$10,661.00 costs (+\$4,328.00)
Child Support Enforcement Cases (as of June 30, 2024)						
Collections	Petitions Filed	Paternity Establishments	Total Cases			
\$630,130 (-227,773)	19 (-20)	9 (-7)	2,829 (-41)			

ADULT SERVICES UNIT:	2023 TOTAL	2024 YTD	2024 JUN
PERSONAL CARE AIDES			
CASES OPENED	16	14	4
CASES CLOSED	17	5	0
# CASES (AVG.)	30	34	38
PERS			
# CASES (AVG.)	0	0	0
APS REFERRALS			
16A Neglect/Abuse	37	13	2
16B Neglects Own Basic Needs	113	29	2
16B Untreated Medical Conditions	33	18	3
16B Self-endangering Behaviors	15	11	0
16B Unable to Manage Finances	36	29	2
16B Environmental Hazards	21	18	4
APS			
CASES OPENED	261	117	13
CASES CLOSED	251	124	19
# CASES (AVG.)	148	155	149
GUARDIANSHIPS			
OPEN	38	37	-1
REP PAYEE			
OPEN	TBD	99	3

FOSTER CARE STATISTICS				CHILD PROTECTIVE STATISTICS			
	JUN 24	Trend	Goal		2023	YTD 24	JUN 24
Kinship%	14.53%		20%	# New Reports	1410	757	104
Congregate Care%	18.80%		16%	# Indicated Reports	174	125	26
Total in Care	117		<100	Physical abuse	14	10	3
RTF	0			Emotional abuse	0	0	0
Diagnostic	1			Sexual abuse	13	4	0
RTC	9			Neglect	62	57	13
Group Home	3			Domestic violence	13	11	1
Therapeutic Foster Home	14			Educational neglect	39	21	5
Regular Foster Home	58			Substance abuse	33	19	4
Kinship	17			1034	0	3	0
Other	15			# Unfounded Reports	710	276	46
Freed for Adoption	23			# Closed FAR	49	125	22
Certified Homes	79		5x #in ca	# Court Ordered 1034s	36	26	2
Newly Certified Homes	1			PREVENTIVE SERVICES STATISTICS			
Number of Closed Homes	2			NEW REFERRALS		12	
New Kinship Homes	0			TOTAL CASES		89	
Pending Certification	5						



Public Health
Prevent. Promote. Protect.

Public Health Department: For more information on our report: (845) 292-5910, sullivanvny.us/Departments/Publichealth

Certified Home Health Agency: CHHA census has averaged 151 daily, staff continue to reach the goal of 5 units on average a day! Our newly acquired Home Health Aide has moved through orientation with ease and is now independently serving patients. We are actively looking to fill vacancies including full time RN and PT, as we have one full time nurse out on a leave and others using their earned paid time off adding to staffing challenges.

Goal / Area of Focus	Update / Progress	Key Indicators/ Trends
Census	Average daily census for CHHA 151	Patient needs leaning more toward PT/OT
Productivity	Avg Productivity across all disciplines = 5.05	Meeting industry standards

SCDPH CHHA Department Specific Performance Indicators:																	
Measure/Indicator	2023 YE Score	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024	Jun 2024	Jul 2024	Aug 2024	Sep 2024	Oct 2024	Nov 2024	Dec 2024	Target 2024	Current vs. Goal	Trend	Best Practice
Admissions (2024)	532	88	83	92	83	92	94							n/a			
Admissions (2023)	1128	108	104	111	89	98	96	105	86	91	85	81	74				
Average Daily Census		143	159	163	163	155	151							n/a			
Prior Year (2023)	151.8333	159	168	169	161	154	149	149	137	136	151	147	142				
Long Term Pts (2024)		3.2	4	4	4	3	2										
Long Term Pts (2023)	2.8	3	3	2.2	2.5	2.5	2.4	3	3	3	3	3	3				
Productivity		4.38	4.50	4.43	4.81	4.96	5.05							5.50			7
Prior year	4.48	4.63	4.80	4.65	4.55	4.70	4.30	4.74	4.60	4.76	4.55	4.63	4.23	5.50			7
NTUC		12.5%	16.6%	14.9%	18.5%	12.7%	18.7%							20.0%			15%
Sample size		105	120	122	140	150	139										
Prior year	23.8%	22.4%	32.5%	24.2%	26.4%	23.2%	28.5%	30.1%	25.4%	28.9%	21.7%	26.4%	26.7%	20.0%			15%
Overtime: total		120.5	153	193.5	128	135	128.8							85.00			
prior year	160.3	89	115	122	122	121	127	129	131	131	134	138	161	85.00			
Lock Rate		91.4%	93.0%	93.0%	96.0%	90.0%	98.0%							100%			100%
Prior year	79%	84.0%	85.0%	93.0%	92.0%	91.0%	83.0%	88.8%	84.2%	91.5%	93.0%	93.0%	91.2%	100%			100%

Health Education / Rural Health Network

Goal / Area of Focus	Update / Progress	Key Indicators/ Trends
Social Media Engagement	Continued progress with reaching our community via social media	
Outreach / Lesson Plans	Ended June with 7 outreach events, 26 planned for July	
2nd Annual HealthFest	2 nd Annual HealthFest scheduled for 9.14.2024	

- Teen Vaping initiative planned with Melissa Stickle, Camille, and Commissioner Liddle
- Employee Yoga Wellness has been well received throughout the county; numerous employees from various departments have been attending
- Summer school series campaign underway
- Library tour began 7/8
- One PH Educator resigned (Graduated from Nursing Program @ SUNY Sullivan); replacement hired with only a week of vacancy.
- With this resignation, Medical Reserve Corps transitioned to Disease Surveillance and Investigations Unit; will function under oversight of Community Health Nurse and in tandem with Public Health Nurse/Emergency Preparedness program.

Healthy Families

Goal / Area of Focus	Update / Progress	Key Indicators/ Trends
Capacity	28 families enrolled at end of June	Funded capacity is 60; we have two vacancies affecting capacity and cannot take new families until new hire is trained.
Home Visits	63 of 70 expected home visits completed	
Referrals	7 referrals; 0 refused, 1 is a previous family and 6 were referred to community partners.	Referrals decreased.

	Total 9/22-8/23	Jun-24	Total YTD 9/1/23-6/30/24
# FSS/FSWs # FTEs	6	4	4
Staff Vacancies	0	2	2
Referrals received	224	7	87
Referrals pending	46	0	0
Discharges	36	3	39

Car Seat Numbers 2023-2024

Month	Seats distributed	Seat Check - No distribution
23-Oct	14	0
23-Nov	14	0
23-Dec	8	0
Jan-24	38	1
24-Feb	13	2
Mar-24	51	14
24-Apr	8	1
24-May	17	1
24-Jun	27	2
Totals	190	21

Maternal Child Health/CAPTA-CARA

Goal / Area of Focus	Update / Progress	Key Indicators/ Trends
Referrals: Increase referrals	<i>Increase noted after Mixer and MCH Nurse outreach</i>	<i>21 referrals (stayed steady) , 13/21 taken under care, 2 pending SOC, 6 NTUC</i>
Outreach	<i>Outreach to community partners continues.</i>	<i>Actively recruiting for 2nd MCH RN to supplement 1 FT RN and LPN</i>

Children and Youth with Special Healthcare Needs / Early Intervention

Goal / Area of Focus	Update / Progress	Key Indicators/ Trends
CPSE	<i>Caseload increased 1 from May 2024</i>	<i>And increased 6 compared to June 2023</i>
EI	<i>Active cases increased 2 from May 2024</i>	<i>And decreased 35 compared to June 2023</i>

SCPHS Early Care Program Performance Indicators:

Program/Indicator	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
EI Referrals 2024	23	14	25	27	23	15	0	0	0	0	0	0
EI Referrals 2023	30	14	17	28	29	19	16	19	18	35	21	31
EI OSC Caseload 2024	48	42	42	49	56	56	0	0	0	0	0	0
EI OSC Caseload 2023	86	86	98	110	111	112	100	96	78	64	57	50
EI Active Cases 2024	198	185	190	201	206	208	0	0	0	0	0	0
EI Active Cases 2023	199	191	198	241	246	243	245	245	235	235	204	194
CPSE Caselaod 2024	279	287	294	306	311	312	0	0	0	0	0	0
CPSE Caselaod 2023	264	245	281	302	306	306	139	146	209	232	246	252

2024	Total Claimed	Total Paid
School-Age	\$617,122.81	\$484,678.79
Service Coordination	\$11,302.56	\$10,828.80

Disease Surveillance and Investigation and Emergency Preparedness (continued next page)

Goal / Area of Focus	Update / Progress	Key Indicators/ Trends
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Immunization Program	<i>Public Health Order 2024-1, mandatory vaccinations for children in SC summer camps is in effect. Camp audits started in July. Feedback from camps has mostly been positive and support from staffs has been solid, and much appreciated!</i>	<i>YTD 155 immunizations provided (1.1.2024-6.30.2024) Continued outreach to and with community partners</i>
Rabies	<i>27 investigations, 1 bat, 3 racoons, 3 dogs tested. All animals tested were negative for Rabies. 4 people treated post exposure, 3 in county and 1 out of county. 66 domestic animals (cats, dogs) vaccinated at Clinic held in response to rabid fox.</i>	<i>A position has been created in the 2024 budget for a part time ACO. This position will fall under Public Safety, but will work in conjunction with DSI/SCDPH</i>
STI	<i>21 cases chlamydia, 7 gonorrhea, 0 MPox 1 primary Syphilis case, one secondary</i>	<i>1st case of congenital syphilis noted. This is despite numerous efforts to locate and treat the mother during pregnancy.</i>
Tuberculosis	<i>1 Active case; 1 suspect cases. 0 patients seen in the preventative clinic; 0 PPDs administered. 2 LTBI Immigration follow up; 9LTBY/+ QFT follow up</i>	<i>Continued LTBI cases noted to occur.</i>
Lead Poisoning Prevention	<i>1 case reported for a total of 122 tests completed</i>	<i>One less case of elevated lead reported</i>
COVID	<i>139 reported cases; increase from 86 reported cases in May</i>	<i>Covid-19 cases have been trending upward</i>
Other Communicable Diseases	<i>Continuing to adjust to increasing disease burden</i>	
Emergency Preparedness	<i>Working on updating PHERP (Public Health Emergency Response Plan) and Volunteer Management Plan.</i>	<i>Anticipating Measles outbreak and preparing for same.</i>

Other Program Areas

Program Area	Update / Progress	Key Indicators/ Trends
HIPAA/Corporate Compliance	<i>Routine walk-throughs were conducted without notable areas of issue</i>	
Training and Quality	<i>Performing assessment of policy and procedures. Numerous policies have been updated and approved through PAC. Working with each department to create QA dashboard. T&QI coordinator moving back to CHHA 6.8.2024; will recruit for replacement.</i>	

Staffing Update: Position Title & No.	Notes
Community Services (12 Positions Vacant, 51 Authorized, 23.53% Vacant)	
Account Clerk/Database #3039	Approved to fill
Assistant Social Worker II, #1836	Approved to fill
Care Services Coordinator, #3665 #3666	Posted
Community Mental Health Nurse, #0040	Posted
CS Coordinator, #3206	Posted
Community Services Planning & Outreach Coordinator, #3506	Posted
Fiscal Administrative Officer, #3594	Posted
Staff Social Worker I, FT#130 & #2320, PT#3308 & PT#3638	Posted
Public Health (21 Positions Vacant, 80 Authorized, 26.25% Vacant)	
Epidemiological Supervisor, #3579	
Occupational Therapist, #334(PD)	
Community Health Worker, #3653	
Licensed Practical Nurse, #1636	Posted
Personal Care Aide, #3654, #3655	
PH Nurse, Core #2729, #3419, CHHA #2185, D&T#2927, #2784 (PD)	Posted
Physical Therapist, #3589	
Registered Nurse, CHHA #747, #2875, #2502(PD), #2782(PD), Core #2373	Posted
Training & Quality Improvement Coord, #3524	
Senior Database Clerk, #3338 (PD)	
Supervising Comm Health Nurse, #148	
Family Support Worker, #3522	Vacant

Social Services (14 Positions Vacant, 175 Authorized, 8% Vacancy Rate)	
Account Clerk, #55	Posted
Caseworker, #1137, #2420, #2985, #3456	Posted
Sr. Family Services Investigator, #3249	CSEU
Records Management Clerk #2495	Vacant
Senior Account Clerk, #3557	Services – awaiting test results
Senior AC/DB #3223	TA – awaiting test results
Senior Caseworker, #183, #209, #241	Interviewing for one, two new openings due to promotions
SWE, #744, #582	Interviewing



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6630

Agenda Date: 8/15/2024

Agenda #: 1.

Narrative of Resolution:

Appoint Joseph Perrello to the IDA Board

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO FILL A VACANCY ON THE SULLIVAN COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD

WHEREAS, the County of Sullivan (“County”) and the Industrial Development agency have enjoyed a long and mutually beneficial relationship; and

WHEREAS, the Industrial Development Agency attracts economic development projects which promote job creation in Sullivan County; and

WHEREAS: The By-Laws of the Industrial Development Agency provides to its Administration by a Board of Nine (9) Directors; and

WHEREAS, a recent resignation has created an open seat on the Board of Directors of the IDA; and

WHEREAS: The IDA functions most effectively when all Board seats are occupied; and

WHEREAS: The Sullivan County IDA, has a tradition of including among its Directors both Community and Business Leaders from across Sullivan County; and

WHEREAS: The Sullivan County Legislature seeks to appoint Community Members who have a demonstrated commitment to their community as well as a record of successfully developing and maintaining businesses in Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of Sullivan County hereby appoints Joseph Perrello of the Town of Fallsburg to fill a vacancy on the IDA board created by the resignation of Suzanne Loughlin; and

BE IT FURTHER RESOLVED, that this appointment shall become effective July 26, 2024.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6647

Agenda Date: 8/15/2024

Agenda #: 2.

Narrative of Resolution:

To modify the contract with Catholic Charities of Orange, Sullivan and Ulster, to add a one-time state aid payment for repairs.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$13,485.

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE HEALTH & HUMAN SERVICES COMMITTEE TO MODIFY THE CONTRACT BETWEEN CATHOLIC CHARITIES OF ORANGE, SULLIVAN & ULSTER AND THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the NYS Office of Addiction Services and Supports has added a one-time payment for repairs to the state aide for Catholic Charities of Orange, Sullivan and Ulster; and

WHEREAS, a contract modification will add the one-time payment of \$13,485 for repairs; and

WHEREAS, all other terms and condition of the contract will remain the same; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to modify the contract with Catholic Charities of Orange, Sullivan, and Ulster to include the one-time payment of \$13,485 for the 2024 calendar year; and

BE IT FURTHER RESOLVED, that all other terms and conditions of the original contract will remain the same; and

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



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6642

Agenda Date: 8/15/2024

Agenda #: 3.

Narrative of Resolution:

To amend resolution #204-24, Indigent Burial Program

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: 0

Are funds already budgeted? No

Specify Compliance with Procurement Procedures: N/A

RESOLUTION INTRODUCED BY HEALTH AND HUMAN SERVICES COMMITTEE TO AMEND
RESOLUTION #204-24, INDIGENT BURIAL PROGRAM RESOLUTION

WHEREAS, a resolution to combine and create one all-encompassing Indigent Burial Program Resolution #204-24 was adopted by the Sullivan County Legislature on April 18, 2024; and

WHEREAS, the attachments, the Indigent Burial/Cremation Service and Payment Menu and the Sullivan County Department of Social Services Policy and Procedures for Indigent Burials, were incorrect.

NOW THEREFORE BE IT RESOLVED, that Resolution #204-24 is amended to reflect the correct attachments.

Indigent Burial/Cremation Service and Payment Menu

1. **Direct Burials:**

Adult Cemetery costs: up to \$1,800

Stillborn – 5 years: up to \$800 (6 years and over will be an adult reimbursement)

Burial plot – reimbursed up to \$500 with a receipt

2. **Direct Cremation:**

Adult Direct Cremation: up to \$1,200

Stillborn – 5 years: up to \$800 (6 years and over will be adult reimbursement)

Crematory fee – reimbursed up to \$500 with a receipt

*Shipping cost when it is approved to be reimbursed at standard USPS rates for shipment of remains to another US state or territory

*exceptional rate up to \$575 reimbursement in a case where the remains exceed 450lbs

3. **Burial: Pick up out of county transportation rate:**

Transportation - \$2.00 per loaded mile to point of destination within Sullivan County.

Maximum rate of \$150.00

4. **Cremation: Crematory travel expense outside of Sullivan County**

One-time flat rate - \$150 with crematory receipt

*When remains exceed 450lbs, the loaded mileage to transport to crematory may be reimbursed at the rate of \$2 per mile

5. **Purchase of additional services by non-legally responsible relative/friend:**

Supplementation: not to exceed \$1200.00

In the case of available assets, not to exceed:

-Indigent burial rate and additional expenses not to exceed the total of \$2,450.00

-Indigent cremation rate and additional expenses not to exceed the total of \$1,850.00

SULLIVAN COUNTY DEPARTMENT OF SOCIAL SERVICES
POLICY AND PROCEDURES FOR INDIGENT BURIALS

1. Direct Burials:

A direct (immediate) burial shall include: All local travel of the remains, staff services, securing of necessary authorizations, casket, grave, grave opening, death certificate, vault liner if required and any other service required by law. Funeral director will oversee requests for Military Honors, Honor Guard, and local Color Guard when requested by family for Veteran.

Adult Cemetery costs: up to \$1,800

Stillborn – 5 years: up to \$800 (6 years and over will be an adult reimbursement)

Burial plot – reimbursed up to \$500 with a receipt

2. Direct Cremation: A direct cremation shall include: All local travel of the remains, staff services, urn, securing of necessary authorizations including the crematory fee and any other service required by law.

Adult Direct Cremation: up to \$1,200

Stillborn – 5 years: up to \$800 (6 years and over will be adult reimbursement)

Crematory fee – reimbursed up to \$500 with a receipt

***Shipping cost when it is approved to be reimbursed at standard USPS rates for shipment of remains to another US state or territory**

*** exceptional rate up to \$575 reimbursement in a case where the remains exceed 450lbs**

3. Burial: Pick up out of county transportation rate:

Transportation - \$2.00 per loaded mile to point of destination within Sullivan County

Maximum rate of \$150.00

4. Cremation: Crematory travel expense outside of Sullivan County

One-time flat rate - \$150 with crematory receipt

***When remains exceed 450lbs, the loaded mileage to transport to crematory may be reimbursed at the rate of \$2 per mile**

5. Purchase of additional services by non-legally responsible relative/friend:

Non-legally responsible relatives/friends of the deceased are able to purchase additional services directly from the funeral director. This includes visitation, funeral or memorial service. These additional costs incurred are the responsibility of the non-legally responsible relative/friend and shall not exceed \$1,200.

Purchase from non-legally responsible relative/friend: not to exceed \$1,200

6. Collection of Funds:

The Sullivan County Department of Social Services will be responsible for the research and identification of available assets to be applied to burial/cremation costs with the assistance of the funeral home. The Funeral Director, assisted by the Sullivan County Department of Social Services, will be responsible for:

- Obtaining pending resources/ balances in available accounts. This includes but is not limited to nursing/adult homes, financial institutions (single/joint), representative payee, no-fault, crime victims, any property currently owned, monetary donations, death benefit, etc.
 - By resolving any issues presented including completing a 1310 affidavit in order to have these funds released directly to the funeral home. Sullivan County Department of Social Services will not be held liable to pay or make up for the account balances.

In the case of available assets:

Sullivan County Department of Social Services approval and payment will be made for the burial/cremation cost LESS any readily available balances of these assets or pending resources.

Final approval of an application is contingent on verifying need and in no case will approval be made if the indigent deceased or legally responsible relative has resources in excess of:

*Indigent BURIAL rate plus additional expenses totaling \$2,450.00

*Indigent CREMATION rate plus additional expenses totaling \$1,850.00

General Policy:

Indigent burials must be prior authorized by the County. **NO EXCEPTIONS WILL BE HONORED.** Failure to obtain prior approval from the County will result in denial of payment. A member of the family or a representative will be required to complete a DSS burial application and a face-to-face/phone interview with an agency representative in order to determine eligibility. In cases of an unclaimed deceased individual, the agency will act as representative.

PLEASE NOTE: A LDSS Supplementation Acknowledgement Statement must be completed and submitted with the Itemized Funeral bill of Goods and Services on all cremation/burial requests. If no supplementation payments are made the form must be completed and submitted that no additional payments were made and if a non-legally responsible relative/friend purchases additional services this form needs to be checked that they are not legally responsible and the cost did not exceed \$1,200.

The Funeral Director shall be responsible for providing the burial/cremation of the deceased according to current laws and regulations and, as far as practicable, in accordance with the decedent's religious convictions and affiliations. **The Funeral Directors agree to provide the Services under the terms of this policy wholly and not to bill, or seek reimbursement from family members for additional costs not included under this policy.**



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6644

Agenda Date: 8/15/2024

Agenda #: 4.

Narrative of Resolution:

To issue a Negative Declaration pursuant to the New York State Environmental Quality Review Act regarding the addition of parcels of real property to existing certified Agricultural Districts within Sullivan County.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ISSUE A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE ADDITION OF PARCELS OF REAL PROPERTY TO EXISTING CERTIFIED AGRICULTURAL DISTRICTS WITHIN SULLIVAN COUNTY

WHEREAS, The Sullivan County Legislature has the authority under New York State Agriculture and Markets Law Section 303-b to include additional parcels in the existing certified Agricultural Districts No. 1 and No. 4 on a yearly basis; and

WHEREAS, the New York State Department of Agriculture and Markets has consented to the Sullivan County Legislature being declared lead agency with respect to the environmental review of the proposal to add parcels to Sullivan Agricultural Districts No. 1 and No. 4; and

WHEREAS, a short form Environmental Assessment (attached hereto) has been prepared which concludes that the proposal to add parcels, pursuant to one or more Resolutions to be adopted by the Sullivan County Legislature, to Sullivan County Agricultural Districts No. 1 and No. 4 will not have a significant adverse impact on the environment and recommends that the County Legislature issue a Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby accepts the Environmental Assessment described in the SEQRA Environmental Assessment Form (attached hereto); and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby issues a Negative Declaration pursuant to the provisions of the New York State Environmental Quality Review Act, with respect to the proposal to add parcels to Sullivan County Agricultural Districts No. 1 and No. 4; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the Chairman of the Legislature to execute the Environmental Assessment Form.



**STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM
FOR AGRICULTURAL DISTRICTS**

UNLISTED ACTIONS ONLY

Please indicate lead agency status by checking the appropriate box below:

The proposed action is within the scope of a cooperative agreement between the undersigned County Legislative Body (“CLB”) and the Department of Agriculture and Markets (“Department”), the only other agency required to undertake an action in this case. Therefore, the undersigned CLB will serve as lead agency for the proposed action to ensure compliance with the requirements of the State Environmental Quality Review Act, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

The proposed action is not within the scope of a cooperative agreement between an applicable CLB and the Department. The agency that will serve as Lead Agency is the undersigned CLB, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

Part 1 – Project and Sponsor Information

1. The proposed action is located in the County of _____ and the Town(s) of _____.

2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the CLB of _____ County.

3. The name, address, and e-mail address for the Clerk of the above named CLB is:

_____.

4. Does the proposed action only involve the modification, consolidation or termination of a county-adopted, State-certified agricultural district by the CLB pursuant to Agriculture and Markets Law (AML) §§303-a, 303-b or 303-c? Yes No

If Yes, attach a narrative description (including a location map) of the intent of the proposed action and the environmental resources that may be affected in the County. If No, this form should not be used to evaluate the potential environmental impacts of the proposed action.

5. Is this an action proposed to modify an existing agricultural district? Yes No

If Yes, total number of acres comprising the agricultural district as it exists prior to modification: _____ acres.

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

6. If this proposed action involves a modification, will such modification result in a change in the size of the agricultural district? Yes No

- If yes, how many acres are involved in the change? _____ acres
- Does this represent an increase or a decrease?

7. Check all present land uses that occur on, adjoining, and near the proposed action?

Residential Industrial Commercial Agriculture Park/Forest/Open Space Other

If Other, please describe: _____

8. Information on Coastal Resources. Is the action located within, or have a significant effect on:

- A Coastal Area, or the waterfront area of a Designated Inland Waterway? Yes No
- A Coastal Erosion Hazard Area? Yes No
- A community with an approved Local Waterfront Revitalization Program? Yes No

If Yes, please identify the affected community or communities: _____

9. Information on Local Agricultural and Farmland Protection Plans

- Is the action compatible with the County's Agricultural & Farmland Protection Plan? Yes No

If Yes, date of Plan approval: _____

If Yes, please cite the applicable language: _____

10. Comments from Municipalities within the County

- Did the CLB receive any comments from municipalities about the addition or removal of land from the agricultural district? Yes No

If Yes, please briefly summarize the comments: _____

11. Attach any additional information as may be needed to clarify the proposed action.

I AFFIRM AND CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE
BEST OF MY KNOWLEDGE

Name of Person
Authorized to Sign: _____ **Date:** _____

Signature: _____ **Title:** _____

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

Part 2: Impact Assessment

Part 2 is to be completed by the County Legislative Body (“CLB”) as Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted to the CLB for the proposed modification, consolidation or termination of a county-adopted, State-certified agricultural district or otherwise available to the reviewer.

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification, consolidation or termination of an agricultural district(s). The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management actions that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

	None to small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and fail to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

Part 3: Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur,” or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short term, long-term and cumulative impacts.

The action contemplated herein, is a modification of Agricultural District #1 and #4. The modification only involves the inclusion of a certain number of parcels into the District. The inclusion of parcels into the District will in no way create an adverse environmental impact of any nature.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Sullivan, NY

Name of Lead Agency

_____ Date

Joshua Potosek

Print or Type Name of Responsible Officer in Lead Agency

County Manager

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6645

Agenda Date: 8/15/2024

Agenda #: 5.

Narrative of Resolution:

To include viable Agricultural Land in an existing Certified Agricultural District within Sullivan County.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO INCLUDE VIABLE AGRICULTURAL LAND IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT WITHIN SULLIVAN COUNTY

WHEREAS, Section 303-b of the Agriculture and Markets Law authorizes the inclusion of viable agricultural land into certified agricultural districts; and

WHEREAS, the County of Sullivan’s Agricultural & Farmland Protection Board has recommended that the parcels listed below be added to the existing certified Agricultural District No. 1 and Agricultural District No. 4 within Sullivan County; and

WHEREAS, a public hearing was held on the inclusion of these parcels into the existing certified Agricultural District No. 1 and Agricultural District No. 4 on July 25th, 2024 at which time all comments were heard by the Sullivan County Legislature; and

WHEREAS, all comments and considerations brought to the attention of the Sullivan County Legislature and the Sullivan County Division of Planning and Community Development were considered during all phases of the inclusion process, including but not limited to the environmental review process, in determining whether or not the parcels were to be included in the existing certified Agricultural District No 1 and Agricultural District No. 4.

NOW, THEREFORE, BE IT RESOLVED, that the following parcels are to be included in the existing certified Agricultural District No. 1 and Agricultural District No. 4:

Agricultural District No. 1:

Town of Delaware 22.-1-23.3

Town of Callicoon 10.-1-3.1

Town of Liberty 15.-1-1

Town of Liberty 15.-1-6

Town of Liberty 10.-1-11.1

Town of Liberty 10.-1-14.2

Town of Liberty 4.-1-20.2

Agricultural District No. 4:

Town of Mamakating 21.-1-49.1

Town of Mamakating 27.-1-73.2

Town of Liberty 17.-1-3.2

Town of Liberty 17.-1-3.1

Town of Liberty 17.-1-2.1

Town of Liberty 26.-1-34



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6650

Agenda Date: 8/15/2024

Agenda #: 6.

Narrative of Resolution

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY RESOLUTION # 198-22

WHEREAS, Resolution # 175-21 authorized the County Manager execute agreements with various Contractors, in accordance with #R-21-09; for Home Health Aides and Personal Care Aide services from July 1, 2021 through June 30, 2022, with an option to extend on a yearly basis, for four (4) additional years under the same terms and conditions, and

WHEREAS, pursuant to Resolution # 198-22 the County modified the hourly rate increase to \$32/hour for Agencies and an increase to \$18/hour for aid rates; and

WHEREAS, in order to serve the best interests of the department and clients, we are requesting an increase in the hourly rate to \$36/hour from \$32/hour for Agencies, stipulating an increase of the pay of the aides to \$21/hour from \$18/hour with the agency providing proof of aide rates upon annual monitoring visits; and

A & T Healthcare, LLC
339 North Main Street
New City, NY 10956
Spring Valley, New York 10956

\$36.00/Hour Home Health Aide
\$36.00/Hour Personal Care Aide
a minimum \$21.00/hour pay rate for all Aides

Any-Time Healthcare, Inc.
9 ½ Dolson Avenue
Middletown, NY 10940

Community Health Aide Services, Inc.
49 N. Airmont Road
Montebello, NY 10901

Wellness Home Care
252 Main Street
Goshen, NY 10924

Willcare Inc. d/b/a Willcare
726 East Main Street
Suite 501
Middletown, NY 10940

WHEREAS, the increase would begin with the renewal of these contracts on 7/1/2024, under the same terms and

conditions; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute contract modification to being on renewal date of 7/1/2024, under the same terms and conditions, with the above agencies at the price per hour listed above, said contracts to be in such form as the County Attorney shall approve.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6660

Agenda Date: 8/15/2024

Agenda #: 7.

Narrative of Resolution:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ESTABLISH A SQUARE FOOT LEASE COST FOR BOX HANGARS AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA) TO BE APPLICABLE WHEN EXISTING LEASES ARE SOLD, ASSIGNED OR EXPIRE

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? N/A

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ESTABLISH A SQUARE FOOT LEASE COST FOR BOX HANGARS AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA) TO BE APPLICABLE WHEN EXISTING LEASES ARE SOLD, ASSIGNED OR EXPIRE

WHEREAS, located on SCIA property are a three (3) box hangars known as H1, H5, and H7; and

WHEREAS, the County of Sullivan entered into long term leases with the tenants of H1 and H5 both of which leases shall expire in 2027; and

WHEREAS, it is in the best interest of the County to establish an equitable and consistent lease rate for the box hangars; and

WHEREAS, that the square foot lease cost for all the box hangars shall be five (\$5.00) dollars per square foot which shall be inclusive of taxes, maintenance fees, and utilities; and

WHEREAS, all other terms and conditions of box hangar leases shall be negotiated separately.

NOW, THEREFORE, BE IT RESOLVED, the lease rate for box hangars at the SCIA shall be five (\$5.00) dollars per square foot of building space being leased, all other terms and conditions being negotiated separately; and

BE IT FURTHER RESOLVED, that any documents necessary for the lease of box hangars be reviewed and approved as to form by the County Attorney.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6677

Agenda Date: 8/15/2024

Agenda #: 8.

Narrative of Resolution:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE AN UPGRADE AGREEMENT WITH THERAMANAGER DOCUTRAC FOR THEIR ENTERPRISE CLOUD HOSTING SOLUTION

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$55,060.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: Agreement and quote received from vendor

WHEREAS, Resolution 420-21, adopted by the Sullivan County Legislature on October 21, 2021, authorized an upgrade agreement with Theramanager Docutrac; and

WHEREAS, the vendor has satisfactorily provided their services to the Department of Community Services (DCS) and as intended, DCS has gained efficiencies across billing and clinical business processes; and

WHEREAS, there is a need and desire to continue these services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into a 1-year agreement with TheraManager DocuTrac in an amount not to exceed \$49,060.00; and

BE IT FURTHER RESOLVED, that the base subscription for these services shall include up to \$6,000 additional per year to fund e-prescribe tokens for up to 10 prescribers of medications that support patients’ mental health; and

BE IT FURTHER RESOLVED, that said agreement to be in such form as the County Attorney shall approve.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6678

Agenda Date: 8/15/2024

Agenda #: 9.

Narrative of Resolution:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A RENEWAL AGREEMENT WITH LEXISNEXIS FOR ‘PRISON SOLUTIONS,’ A LEGAL RESEARCH SOLUTION

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$16,632.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: New agreement and quote received from vendor.

WHEREAS, Resolutions #'s 224-17, 259-19, and 376-21 adopted by the Sullivan County Legislature authorized entering into multi-year agreements with LexisNexis for the Sullivan County Sheriff’s Office to provide mandatory access to constitutionally required legal research materials to inmates in their charge; and

WHEREAS, the Sullivan County Sheriff’s Office has modified the delivery of this service to the inmates in their charge from an on-premise to a cloud-based remote solution with LexisNexis at no additional monthly cost to the County; and

WHEREAS, LexisNexis has successfully provided a cost-effective electronic alternative to providing inmates with access to case law without the obligation to continue to devote resources to maintaining a traditional physical legal library over the past 7 years; and

WHEREAS, LexisNexis ‘Prison Solutions’ continues to best suit these needs while helping to control costs and provide secure access to legal research materials.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into a new 3-year master agreement with LexisNexis for their ‘Prison Solutions’ product covering 10/1/2024 through 9/30/2027 in an amount not to exceed \$462.00/month.; and

BE IT FURTHER RESOLVED, that said agreement to be in such form as the County Attorney shall approve.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6679

Agenda Date: 8/15/2024

Agenda #: 10.

Narrative of Resolution:

INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE ONE (1) PUBLIC HEARING TO BE HELD AT SULLIVAN COUNTY GOVERNMENT CENTER IN THE LEGISLATIVE HEARING ROOM 100 NORTH STREET, MONTICELLO, NY 12701 ON OCTOBER 23, 2024. THE SULLIVAN COUNTY OFFICE FOR THE AGING IS PREPARING A COUNTY ANNUAL PLAN FOR SERVICES TO THE 60+ POPULATION OF THE COUNTY, PROVIDED THROUGH THE OLDER AMERICANS ACT AND THE NEW YORK STATE COMMUNITY SERVICES FOR THE ELDERLY PROGRAM; AND A NOTICE BE PUBLISHED IN THE OFFICIAL NEWSPAPERS.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

Is subject of Resolution mandated? Explain: Yes, Mandated to hold one public hearing annually. State & Federal guidelines require that a public hearing be held concerning this plan so that all interested parties can be heard.

WHEREAS, the Sullivan County Office for the Aging is preparing a County Annual Plan for services to the 60+ population of the county, provided through the Older Americans Act and the New York State Community Services for the Elderly Program; and

WHEREAS, State and Federal guidelines require that a public hearing be held concerning this plan so that all interested parties can be heard.

NOW, THEREFORE, BE IT RESOLVED, that one public hearing is scheduled as follows, and that a notice of said public hearing to be published in the official newspapers of the County: Sullivan County Government Center in the Legislative Hearing Room on October 23rd, 2024, 100 North Street Monticello, NY 12701 10am-11am.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6682

Agenda Date: 8/15/2024

Agenda #: 11.

Narrative of Resolution:

The Legislative Discretionary Funding program is designed to assist Sullivan County and County-oriented entities with achieving such goals as public safety, public health, youth services, community development, and economic development

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$850

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: N/A

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE FUNDING THROUGH THE LEGISLATIVE DISCRETIONARY FUNDING PROGRAM

WHEREAS, the Sullivan County Legislature adopted a Legislative Discretionary Contract Funding Program pursuant to Resolution No. 327-16; and

WHEREAS, the program is designed to assist Sullivan County and County-oriented entities with achieving such goals as public safety, public health, youth services, community development, and economic development; and

WHEREAS, the program review took place during the 2024 Budget process and the Legislature had an opportunity to assess the applications submitted;

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 the contract period of January 1, 2024 through December 31, 2024, said contracts to be in a form approved by the County Attorney.

“Schedule A”

2024 Legislative Discretionary Contract Funding

Applicant	Award Recommendation	Award Recommendation
Kauneonga Lake Fire Department	Purchase of two (2) Scott #201215-21AV 3000 HT Face Pieces (Legislator District 1)	\$850



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6684

Agenda Date: 8/15/2024

Agenda #: 12.

Narrative of Resolution:

Set a public hearing for 9/5/2024 at 8:45AM for Staggered Terms

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO AMEND CHARTER SECTION 2.01(A) TO REPLACE THE CURRENT LANGUAGE WITH NEW LANGUAGE TO PROVIDE FOR STAGGERED TERMS OF THE SULLIVAN COUNTY LEGISLATURE.

WHEREAS, there has been introduced at a meeting of the Sullivan County Legislature held on August 15, 2024, a proposed Local Law to Amend Charter Section 2.01(A) by replacing the current language with new language to provide for staggered terms of the Sullivan County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on September 5, 2024 at 8:45 a.m., in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days’ notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on August 15, 2024, a proposed Local Law to Amend Sullivan County Charter Section 2.01(A) replace its current language with a new Section 2.01(A) which will provide for staggered terms of the Sullivan County Legislature.

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York 12701, on September 5, 2024, at 8:45 AM at which time all persons interested will be heard.

DATED: Monticello, New York

August 15, 2024

ANNMARIE MARTIN

Clerk of the Legislature

County of Sullivan, New York



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6686

Agenda Date: 8/15/2024

Agenda #: 13.

Narrative of Resolution:

TO CREATE ONE (1) PART-TIME RABIES CONTROL OFFICER POSITION IN THE DIVISION OF PUBLIC SAFETY AS REQUIRED BY NEW YORK STATE PUBLIC HEALTH LAW

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$45,000.00 (Salary - Already Budgeted) \$64,555.00 (Vehicle - Not Currently Budgeted)

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures: N/A

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO CREATE ONE (1) PART-TIME RABIES CONTROL OFFICER POSITION IN THE DIVISION OF PUBLIC SAFETY AS REQUIRED BY NEW YORK STATE PUBLIC HEALTH LAW

WHEREAS, Section 2144 of NYS Public Health Law Chapter 45, Article 21, Title 4 states: *“Each county health authority is required to develop a rabies control protocol that identifies and coordinates all activities within the county to accomplish a comprehensive rabies response. The county health authority shall have responsibility for the implementation of the protocol, including the coordination of the response to rabies issues by other local agencies.”*; and

WHEREAS, in order to comply with the requirements of NYS Public Health Law, and to mitigate the potential risk posed by the rabies virus in Sullivan County, the Sullivan County Division of Public Safety, in conjunction with the Sullivan County Public Health Services Department, has determined there is a need for a designated position to address these needs; and

WHEREAS, the Division of Public Safety believes that the needs of the County would be best served if the position of Rabies Control Officer was created; and

WHEREAS, the Rabies Control Officer will respond to reported animal bites and potential rabies exposure throughout the County, and will perform duties at the direction of the Commissioner of the Division of Public Safety.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby creates the Part-Time position of Rabies Control Officer, effective immediately; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby sets the salary for this position

in accordance with Grade III of the Management Salary Schedule; and

BE IT FURTHER RESOLVED, that the Commissioner of the Division of Public Safety is hereby authorized to fill this position immediately with a qualified candidate; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the Sullivan County Division of Public Safety to purchase one (1) new pickup truck (make/model TBD) at a cost not to exceed \$64,555.50 for use by the Rabies Control Officer.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6688

Agenda Date: 8/15/2024

Agenda #: 14.

Narrative of Resolution:

To create the position of Commissioner of Management and Budget and to confirm the appointment of Anna-Marie Novello as the Commissioner of Management and Budget.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: Salary set in accordance with the Management/Confidential Salary Schedule

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

TO CREATE THE POSITION OF MANAGEMENT AND BUDGET AND CONFIRM THE APPOINTMENT OF ANNA-MARIE NOVELLO AS THE COMMISSIONER OF MANGEMENT AND BUDGET

WHEREAS, pursuant to the provisions of Section A7-8 of the Sullivan County Charter, Anna-Marie Novello will be appointed by County Manager Joshua Potosek to the position of Commissioner of Management and Budget, and

WHEREAS, pursuant to the provisions of Section A7-8 of the Sullivan County Charter, the County Legislature has the power and duty to approve the appointment of the Commissioner of Management and Budget, and

WHEREAS, the approval of this appointment of Anna-Marie Novello, Commissioner of Management and Budget shall take effect August 19, 2024, with a salary set in accordance with the Management/Confidential salary schedule, to serve at the pleasure of the County Manager pursuant to Section A7-8 of the Sullivan County Charter.

NOW, THEREFORE BE IT RESOLVED, the Sullivan County Legislature hereby creates the position of Commissioner of Management and Budget and confirms the appointment of Anna-Marie Novello as Commissioner of Management and Budget, said appointment to be effective August 19, 2024.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6689

Agenda Date: 8/15/2024

Agenda #: 15.

Narrative of Resolution:

Adopt the 2024-2025 Sullivan County Community College Budget

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$4,300,000

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT THE 2024-2025 SULLIVAN COUNTY COMMUNITY COLLEGE BUDGET

WHEREAS, the Sullivan County Community College Board of Trustees has filed its 2024-2025 Operating Budget with the Sullivan County Legislature, and

WHEREAS the proposed Budget for 2024-2025 has appropriations in the amount of \$16,414,709 with the County Share to be raised by tax revenue in the amount of \$4,250,000 for the purposes of the Operating Budget and \$50,000 for County Employee Tuition, and

NOW, THEREFORE BE IT RESOLVED, that the 2024-2025 Operating Budget be approved in the amount of \$16,414,709 and the County’s share to be levied and assessed against the taxable real property of Sullivan County on the 2025 tax rolls at \$4,250,000 for the purposes of the Operating Budget and \$50,000 for County Employee Tuition.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6694

Agenda Date: 8/15/2024

Agenda #: 16.

Narrative of Resolution:

Enact a proposed Local Law regarding Section A8A-4 Investigation of Alleged Ethics Violations and Advisory Opinions

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ADOPT A PROPOSED LOCAL LAW ENTITLED “A LOCAL LAW TO AMEND THE SULLIVAN COUNTY ADMINISTRATIVE CODE REGARDING § A8A-4. INVESTIGATION OF ALLEGED ETHICS VIOLATIONS AND ADVISORY OPINIONS

WHEREAS, proposed Local Law entitled “A Local Law to Amend the Sullivan County Administrative Code Regarding Investigation of Alleged Ethics Violations and Advisory Opinions” was presented to the Sullivan County Legislature at a meeting held on August 15, 2024 at the County Government Center, Monticello, New York, to consider said proposed Local Law; and

WHEREAS, notice of public hearing having been duly published and posted as required by law, and said public hearing having been held on August 15, 2024 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 the Local Law entitled “A Local Law to Amend the Sullivan County Administrative Code Regarding Investigation of Alleged Ethics Violations and Advisory Opinions” in accordance with the Municipal Home Rule Law of New York State, which Local Law is annexed hereto and made a part hereof.

A LOCAL LAW TO AMEND ADMINISTRATIVE CODE § A8A-4. INVESTIGATION OF ALLEGED VIOLATIONS; ADVISORY OPINION

Explanation: This Amendment to Administrative Code §A8A-4. Investigations of Alleged Violations; Advisory Opinions shall be for the purpose of Amending the Ethics Code.

Legislative Intent: The Sullivan County Legislature, after consideration, declares that it is necessary to amend Administrative Code §A8A-4. Said amendments to the Administrative Code are detailed in a redline version of the current Local Law attached hereto and made a part hereof. All other language not amended by the redline

changes remain unchanged and in full force and effect.

Effective: This Local Law shall become effective as of the date of filing with the Secretary of State.

§ A8A-4. Investigation of alleged violations; advisory opinions.

Complaints. Upon receipt of a sworn complaint of a person alleging a violation of this article, **or upon the Board of Ethics** determining on its own initiative that a violation of this article may exist, **if the complaint is against an elected County official, it shall be referred to outside, Independent Counsel for investigation and determination, all other complaints shall be referred to the Board of Ethics and** the Board of Ethics shall have the power and duty to undertake an investigation to determine whether a violation has occurred **by and/or against a non-elected County official or employee of the County. Independent Counsel shall be bound by the same time frames provided below for the Board of Ethics.**

- A. In the event a proceeding is commenced by sworn complaint, the Board shall, within 60 business days, review the allegations and supporting documentation and determine whether or not a violation of this article has been alleged **and/or if the** complaint falls within the prohibitions of this article. The 60 business days may be extended by agreement between the Board of Ethics and the complainant. To the extent circumstances require an expedited review of a complaint, the Board shall endeavor to provide its initial determination to the complainant within a reasonable, expedited time frame. The Board shall render its initial determination by majority vote. In the event the Board determines that the complaint does not allege a violation of this article, the complaint shall be dismissed and simple notice of the complaint and of its dismissal, without further detail, shall be mailed to the complainant. The complaint and the determination shall be sealed and not available to any person not a member of the Board of Ethics. The complaint and Ethics Board determination is confidential and shall not be shared by the complainant with any person not a member of the Board of Ethics.
- B. In the event a member of the Board of Ethics raises the possibility of a violation by **a non-elected** County official, the Board shall first determine, by majority vote, whether the alleged conduct, if undertaken, would constitute a violation of this article. In the event the Board determines that the conduct would not constitute a violation of this article, it shall render a written determination. The complaint, preliminary investigation and determination shall be sealed and not available to any person not a member of the Board of Ethics.
- C. Upon the review set forth in Subsection A above, in the event the Board determines that any element of the complaint, if true, would constitute a violation of this article, it shall provide written notification to the subject of the complaint within five business days. The notification shall identify the complainant, describe the alleged violation and provide 15 business days in which the subject of the complaint may submit a sworn, written response setting forth information and/or documentation sufficient to address the alleged violation. The Board's notification shall also inform the subject of the complaint of its rules regarding the conduct of adjudicatory proceedings, appeals, and the due process procedural mechanisms available to such individual.
 - (1) In the event the Board of Ethics determines at any stage of the proceeding that the proof presented does not demonstrate that a violation has occurred, or that there is no violation or that any potential conflict of interest or violation has been rectified, it shall, within 15 business days, provide written notice to the subject of the complaint

and the complainant. The foregoing notice of determination shall be confidential, except the subject of the complaint may, in defense of any claim made against him/her, disclose the determination of the Board.

- (2) Upon review of the complaint and of any information or documentation provided by the subject of the complaint, a further investigation to determine whether reasonable cause exists to believe a violation has occurred shall be commenced and completed within 30 days, unless circumstances require a shorter or longer period of time. In the event the Board requires more than 30 days to complete its investigation, it shall provide notice of same to the complainant and the subject of the complaint.
- (3) In the event the Board determines there is reasonable cause to believe a violation has occurred, it shall provide written notice of reasonable cause to the subject of the complaint and to the complainant. In the case of a **non-elected** County official or employee, the Board shall also provide written notice to the appointing authority for such person, ~~and, in the case of a County elected official, written notice to the Chair of the County Legislature. In the event of a conflict with the Chair, then notice shall be given to the Vice Chair.~~ Such determination of reasonable cause shall not be disclosed or made public unless required by Public Officers Law or for use in a disciplinary proceeding or a proceeding under this article involving the subject of the complaint or another County official.
- (4) ~~In the event Independent Counsel determines there is reasonable cause to believe a violation has occurred by and/or against an elected County official, it shall provide written notice of reasonable cause to the subject of the complaint and to the complainant. In the case of an elected County official, Independent Counsel shall also provide written notice to the Chair of the County Legislature. In the event of a conflict with the Chair, then notice shall be given to the Vice Chair. Such determination of reasonable cause shall not be disclosed or made public unless required by Public Officers Law or for use in a disciplinary proceeding or a proceeding under this article involving the subject of the complaint or another elected County official or non-elected County official.~~
- (5) Once reasonable cause has been established, the Board of Ethics shall schedule a formal hearing, to be held within 60 days, at which the subject of the complaint is entitled to legal representation of his or her own choosing and at his or her own expense. Testimony shall be taken under oath and the proceeding shall be recorded. The Board shall issue a decision containing specific findings within 30 days of the completion of the hearing. A copy of the decision shall be served by certified mail on the subject of the complaint or his or her legal representative, the complainant, and the Clerk of the Legislature. The decision of the Board of Ethics shall not be confidential.

D. Dispositions. The Board shall state, in writing, the disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition. The report shall be made in accordance with § A8A-3F, subject to the confidentiality requirements set forth herein.

E. Advisory opinions.

- (1) An elected County official, a non-elected County official or employee or other government official may request an advisory opinion from the Board of Ethics prior to that elected County official, non-elected County official or employee or other government official engaging in any behavior which he or she reasonably believes may cause a violation of this article. The request for an advisory opinion shall be written and sworn to and shall contain sufficient facts to permit the Board to make its determination. An individual requesting the opinion is obligated to be forthcoming and cooperative throughout the process, in the absence of which no advisory opinion will be provided. The Board shall endeavor to provide written notice of its determination within 10 business days. The elected County official, non-elected County official or employee who requested the opinion shall be notified of the Board's determination within 48 hours of the determination.
 - (2) Advisory opinions shall be filed with the Clerk of the Legislature; however, the Board of Ethics shall first redact all names, identifying features, and any other information which would tend to identify the complainant and the subject of the request for the advisory opinion.
 - (3) In the event a complaint is subsequently filed against an elected County Official, a non-elected County official or employee or other government official in which a violation of this code is alleged based upon the facts which formed the basis of the request for the advisory opinion, it shall be a complete defense to the alleged violation that the elected County official, the non-elected County official or employee or other government official acted consistent with, and in reliance upon, said advisory opinion. An unredacted advisory opinion shall be available to the elected County official, the non-elected County official, or employee who sought or needs it to defend himself or herself.
- F. Complaints against the Board of Ethics. The Board of Ethics shall not conduct an investigation of itself or any of its members or staff. In the event the Board of Ethics receives a sworn complaint in which it is alleged that the Board or any of its members or staff has violated any provision of this article or any other law, it shall transmit a copy of the complaint to the Chair of the Legislature and the County Attorney within 48 hours of receipt of same. The Chair of the Legislature shall, within five business days, create a three-person subcommittee of legislators, at least one of whom is a member of a minority party, to address the complaint and provide the complainant with written notice of the subcommittee members. The subcommittee shall thereafter conduct whatever investigation or hearing necessary in the same manner and with the same authority as provided generally in this section. A copy of the subcommittee's decision shall be distributed to all members of the Legislature. Further action, if any, shall comply with the provisions of this article.
- G. False complaints. Any person who knowingly files a false complaint may be subject to disciplinary action, civil liability, or criminal prosecution.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6695

Agenda Date:

Agenda #: 17.

Narrative of Resolution:

Appoint James Galligan to the Sunset Lake LDC

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: Click or tap here to enter text.

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY NADIA RAJSZ, CHAIR OF THE LEGISLATURE TO APPOINT ONE MEMBER (GALLIGAN) TO THE SUNSET LAKE LDC

WHEREAS, on or about July 2, 2020, the Sullivan County Legislature authorized the establishment of a not-for-profit Local Development Corporation pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York (the “LDC Act”), by Resolution 252-20, for the purpose of ultimately transferring the subject real property, commonly known as the Care Center at Sunset Lake for contemplated Lease or sale; and

WHEREAS, The Sunset Lake Local Development Corporation as created under the July 2, 2020 resolution provided for three (3) board members and at the meeting of the Sullivan County Legislature on August 13, 2020, a resolution was passed increasing the number of Board Members on the LDC from 3 members to 5 members; and

WHEREAS, the terms of the members of the LDC, members pursuant to Resolution 321-20 passed, August 20, 2020 was established at three (3) years;

WHEREAS, there is currently one vacancy on the board due to the resignation of Albee Bockman.

NOW THEREFORE BE IT RESOLVED, that the seat of the Board of the Sunset Lake LDC shall be deemed vacant and the Sullivan County Legislature would like to fill this vacancy with James Galligan; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature appoints James Galligan to the Sunset Lake LDC effective August 15, 2024.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6696

Agenda Date: 8/15/2024

Agenda #: 18.

Narrative of Resolution:

Authorize County Manager to enter into MOA with Sullivan County Sheriff and CSEA for hiring of Correction Officers from the Sullivan Correctional Facility

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: Click or tap here to enter text.

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO MOA WITH THE SULLIVAN COUNTY SHERIFF AND CSEA FOR THE HIRING OF CORRECTIONAL OFFICERS FROM THE SULLIVAN CORRECTIONAL FACILITY

WHEREAS, the County of Sullivan (“County”) and the Sheriff of Sullivan County (“Sheriff”) and the Sullivan County Civil Service Employees Association Inc. (“CSEA”) are parties to a collective bargaining agreement (“contract”) governing terms and conditions of employment, and

WHEREAS, with the anticipated closing of the Sullivan Correctional Facility, the Sheriff and the County wish to attract trained personnel to the Jail Division of the Sheriff’s Office, who have already attended the corrections academy and/or have prior experience, and

WHEREAS, an employee with such previous training and experience would benefit the Sheriff and the County by saving the time and high costs normally associated with providing such training, and

WHEREAS, the Sheriff, the County and the CSEA desire to enter into this agreement to establish the rules of such program for setting the rates of pay and benefits for such employees.

NOW, THEREFORE, BE IT RESOLVED, upon consideration of a potential employee’s training and experience measured by their roster card, the Sheriff and the County will determine the amount of years of experience to be credited and the employee will then start at the base salary that corresponds with years credited and based on the Collective Bargaining Agreement in effect at the time of employment.

BE IT FURTHER RESOLVED, that the County Manager is authorized to enter into a Memorandum of Agreement with the Sullivan County Sheriff’s Office and Sullivan County CSEA approving salary compensation levels

based on years of experience measured by their roster card for the purposes of determining the starting base salary, longevity, vacation accruals and health benefits offered in conjunction with the County hire date in a form approved by the County Attorney. Years of service credit is applicable to longevity, salary and vacation accruals, not seniority.

BE IT FURTHER RESOLVED, any lateral transfer from the Sullivan Correctional Facility to the County Jail shall receive credit for up to 10 years of consecutive service with the New York State Department of Corrections when calculating the required 20 years of service for retiree health insurance.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6702

Agenda Date: 8/15/2024

Agenda #: 19.

Narrative of Resolution:

Enact Local Law entitled “Local Law Amending the County’s Installment Agreement Law”

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: Click or tap here to enter text.

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENACT A LOCAL LAW ENTITLED “LOCAL LAW AMENDING THE COUNTY’S INSTALLMENT AGREEMENT LAW”

WHEREAS, a proposed Local Law entitled “Local Law Amending the County’s Installment Agreement Law”, having been presented to the Sullivan County Legislature at a meeting and a public hearing held on August 15, 2024, at the County Government Center, Monticello, New York to consider said proposed local law, and notice of a 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 “Local Law Amending the County’s Installment Agreement Law”, which a redline version of said Local Law, indicating the amendments to be made to the current Local Law, is annexed hereto and made a part hereof.

A LOCAL LAW TO AMEND ARTICLE XIII OF CHAPTER 182 OF THE SULLIVAN COUNTY CODE

Explanation: This Amendments to Article XIII of Chapter 182 of the Sullivan County Code (Installment Agreement Law) shall be for the purpose of complying with changes to NYS Real Property Tax Law which were made in response to the US Supreme Court ruling in Tyler v. Hennepin.

Legislative Intent: The Sullivan County Legislature, after consideration, declares that it is legally necessary to amend Article XIII of Chapter 182 of the Sullivan County Code. Said amendments are detailed in a redline version of the current Local Law attached hereto and made a part hereof. All other language not amended by the redline changes remain unchanged and in full force and effect.

Effective: This Local Law shall become effective as of the date of the filing with the Secretary of State.

ARTICLE XIII INSTALLMENT PAYMENTS

§182-50	Authority
§182-51	Term
§182-52	Payment Schedule
§182-53	Down payment
§182-54	Eligible Properties
§182-55	Commencement
§182-56	Discretion
§182-57	Eligible Owner
§182-58	Amount Due
§182-59	Interest and Penalties

§182-50 Authority

[Amended 12-1-2005 by L.L. No. 3-2005]

The enforcing officer is hereby granted the authority to prepare and execute, on behalf of the County of Sullivan, Installment Agreement(s) with eligible owners for the installment payment of eligible delinquent taxes affecting all properties within such tax district, in accordance with §1146 and §1184 of the Real Property Tax Law, as amended, and this Local Law No. 3-2005, without further notice to, nor consent of, the County Legislature or County Manager.

§182-51 Term

The enforcement officer shall determine, and the Installment Agreement(s) shall specify, the maximum term to be determined by the enforcing officer on a case-by-case basis, which said maximum term shall not exceed 24 months

§182-52 Payment Schedule

The payment schedule shall be twenty four (24) monthly payments, each due on the last day of each month. The enforcing officer shall not be required to notify the eligible owner when an installment payment is due.

§182-53 Down Payment

The required initial down payment, as determined in the discretion of the enforcing officer, shall be either 15% or 25% of the eligible delinquent taxes.

§182-54 Eligible Properties

Only residential properties shall be permitted to be included in any Installment Agreements(s). Eligible owners shall be permitted to include no more than five (5) parcels in an Installment Agreement(s) at any one time. An individual may not sign more than five (5) Installment Agreements with the County, regardless of the form of ownership.

§182-55 Commencement

[Amended 7-25-1996 by L.L. No. 6-1996]

Installment payment of eligible delinquent taxes shall commence upon the signing of an Installment Agreement(s) between the enforcing officer and the eligible owner, which shall be no earlier than 30 days after the delivery of the return of unpaid taxes to the enforcing officer, in accordance with §1184(5) of the Real Property Tax Law. The fully-executed Installment Agreement(s) shall be kept on file in the office of the enforcing officer.

§182-56 Discretion

The enforcing officer shall have discretion regarding the specific terms of each Installment Agreement(s) within the limitations set forth in this legislation and in §1146 and §1184 of the Real Property Tax Law. In addition, the enforcing officer shall have discretion in approving or disapproving a particular eligible owner based upon the enforcing officer's determination of the ability and propensity of the eligible owner to timely comply with the terms and conditions of Installment Agreement(s).

§182-57 Eligible Owner

- A. Any owner of residential property with a tax delinquency greater than Five Hundred (\$500.00) Dollars but less than Thirty Thousand (\$30,000.00) Dollars shall be permitted to enter into a repayment plan to cure a tax delinquency at any time until the date of redemption, subject to the restrictions in paragraph (B) of this paragraph. If a property owner owns more than one parcel within the tax district in which there is a delinquent tax lien, the owner shall be required to address all of said parcels with delinquent taxes by entering into an Installment Agreement for each parcel or paying the taxes in full. Eligible owners shall be permitted to include no more than five (5) parcels in an Installment Agreement(s) at any one time. An individual may not sign more than five (5) Installment Agreements with the County, regardless of the form of ownership.

- B. A property owner shall not be eligible to enter into an Installment Agreement(s) where:
 - i. There is a delinquent tax lien on the same property for which the application is made or on another property owned by such person and such delinquent tax lien is not eligible to be made part of the Installment Agreement(s) pursuant to local law;
 - ii. Such person is the owner of another parcel within the tax district on which there is a delinquent tax lien, unless such delinquent tax lien is eligible to be and is made part of the Installment Agreement(s);
 - iii. Such person was the owner of property on which there existed a delinquent tax lien and which lien was foreclosed within three years of the date on which an application is made to execute an Installment Agreement(s); or Such person defaulted on an Installment Agreement(s) executed pursuant to local law within three years of the date on which an application is made to execute an Installment Agreement(s).

§182-58 Amount due

The amount due under an Installment Agreement shall be the eligible delinquent taxes plus the interest that is to accrue on each installment payment up to and including the date on which each payment is to be made. Pursuant to §1146 of the Real Property Tax Law, the Installment Agreement(s) shall provide that the amount due shall be paid, as nearly as possible, in equal amounts on each payment due date. Each installment payment shall be due on the last day of the month on which it is to be paid. Such payments shall be applied first to interest, penalties and other charges, and then to principal.

§182-59 Interest and penalties.

Interest on a total amount of eligible delinquent taxes, less the amount of the down payment made by the eligible owner, shall be the amount as determined pursuant to § 924-a of the Real Property Tax Law. The rate of interest in effect on the date the Installment Agreement(s) is/are signed shall remain constant during the period of the Installment Agreement(s). If an installment is not paid on or before the date it is due, interest shall be added at the rate prescribed by §924-a of the Real Property Tax Law for each month, or portion thereof, until paid. In addition, if an installment is not paid by the end of the 15th calendar day after the payment due date, a late charge of 5% of the overdue payment shall be added.

§182-60 Default

The owner shall be deemed to be in default of their Installment Agreement(s) pursuant to this section upon the occurrence of any of the following events:

- A. Any payment due under the Installment Agreement(s) is not made within forty-five days from the payment due date;
- B. Non-payment of any tax, special ad valorem levy or special assessment which is levied subsequent to the signing of the Installment Agreement(s) by the tax district, and which is not paid prior to the receipt of the return of unpaid taxes by the enforcing officer. This shall include all parcels owned by the eligible owner, whether or not the parcel(s) were included in the original Installment Agreement(s);
- C. The subject property is sold; or
- D. The total principal amount in arrears for all parcels included in an Installment Agreement(s) exceed Thirty Thousand (\$30,000.00) Dollars.

In the event of a default in payments, and after service of a twenty-day notice of default, the tax district shall have the right to require the entire unpaid balance, with interest, to be paid in full. The tax district shall also have the right to enforce the collection of the delinquent tax lien pursuant to the applicable sections of law. Where an eligible owner is in default and the tax district does not either require the eligible owner to pay in full the balance of the delinquent taxes or elect to institute foreclosure proceedings, the tax district shall not be deemed to have waived the right to do so.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6703

Agenda Date: 8/15/2024

Agenda #: 20.

Narrative of Resolution:

Enact a Local Law entitled “Local Law Amending the County’s Sale of Real Property Law”

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: Click or tap here to enter text.

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENACT A LOCAL LAW ENTITLED “LOCAL LAW AMENDING THE COUNTY’S SALE OF REAL PROPERTY LAW”

WHEREAS, a proposed Local Law entitled “Local Law Amending to the County’s Sale of Real Property Law”, having been presented to the Sullivan County Legislature at a meeting and a public hearing held on August 15, 2024, at the County Government Center, Monticello, New York to consider said proposed local law, and notice of a 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 “Local Law Amending to the County’s Sale of Real Property Law”, which a redline version of said Local Law, indicating the amendments to be made to the current Local Law, is annexed hereto and made a part hereof.

A LOCAL LAW TO AMEND CHAPTER 164 OF THE SULLIVAN COUNTY CODE

Explanation: This Amendments to Chapter 164 of the Sullivan County Code (Sale of Real Property Law) shall be for the purpose of complying with changes to NYS Real Property Tax Law which were made in response to the US Supreme Court ruling in Tyler v. Hennepin.

Legislative Intent: The Sullivan County Legislature, after consideration, declares that it is legally necessary to amend Chapter 164 of the Sullivan County Code. Said amendments are detailed in a redline version of the current Local Law attached hereto and made a part hereof. All other language not amended by the redline changes remain unchanged and in full force and effect.

Effective: This Local Law shall become effective as of the date of the filing with the Secretary of State.

Chapter 164 Real Property, Sale of

Article I - Property No Longer Needed for County Purposes

- § 164-1 Purpose.
- § 164-2 Definitions.
- § 164-3 Legislative intent.
- § 164-4 Sale by resolution.

Article II - Property Acquired for Delinquent Property Taxes

- § 164-5 Purpose.
- § 164-6 Definitions.
- § 164-7 Taking title to parcels.
- § 164-8 Sale of property acquired by County.
- § 164-9 Conveyance of subject parcels.

Article I - Property No Longer Needed for County Purposes

[Adopted 3-20-2003 by L.L. No. 4-2003]

§164-1 Purpose

The purpose of this article is to establish the policy and procedures in the County of Sullivan for the sale of parcels of real property no longer needed for County purposes in lieu of County Law §215.

§ 164-2 Definitions

When used in this article, the following definitions apply:

ASSESSED VALUE

The amount of the town's official assessed value, not including exemptions, on the latest assessment roll.

COUNTY

The County of Sullivan, a political subdivision of the State of New York.

LEGISLATURE

The Sullivan County Legislature.

PERSON

Any individual, group, association, partnership, corporation or other legal entity.

§164-3 Legislative intent.

- A. This subject is presently regulated by County Law §215 which requires, except for property which the county acquired by tax title or accepted for welfare assistance, or lands purchased or acquired for highways or canals or pursuant to §850 of the

County Law, that upon a determination of the County Legislature that County property is no longer necessary for public use, such governing body, by resolution adopted by the affirmative vote of two-thirds of the total membership taken by roll call and entered into the minutes, may sell and convey all of the right, title and interest of the County therein; and that such property may be sold or leased only to the highest responsible bidder after public advertising; and, if leased, the term may not exceed five years.

- B. Occasions arise where it is in the best interest of the County to dispose of real and/or personal property to a specific third party without the necessity of complying with the requirements of County Law §215. In order to accommodate this need, the Sullivan County Legislature hereby provides for the modification of the provisions of County Law §215 so that in the future, conveyances of property no longer necessary for public use shall be simplified, obviating the necessity of adopting a local law subject to permissive referendum.

§164-4 Sale By Resolution.

When the County Legislature shall determine that any County-owned real or personal property is no longer necessary for public use, such Board, by resolution adopted by the affirmative vote of two-thirds of the total membership of the Board taken by roll call and entered in the minutes, may sell, lease or otherwise convey all the right, title and interest of the County therein and declare the terms governing said transaction. The documents of conveyance shall be approved by the County Attorney and executed by the Chairman of the Legislature. A contract of sale preceding the conveyance shall be desirable but not mandatory, and the absence of a contract shall not negate or otherwise impair the conveyance itself once there has been execution and delivery. A resolution authorizing a conveyance shall not be deemed to be a contract, nor to be contractual in nature, and may be rescinded and revoked by subsequent resolution of the Legislature at any time prior to the actual consummation of the conveyance. Property sold, leased or otherwise conveyed pursuant to this provision may be made to the highest responsible bidder after public advertisement in the discretion of the Board.

- A. The income and proceeds of the lease or sale of any County property no longer necessary for public use may be applied toward the payment of the cost of new sites and buildings or expended for other lawful County purposes.
- B. Nothing herein shall be construed to authorize the sale or lease of any County property where such disposition is prohibited or restricted by law.
- C. All other provisions of County Law § 215 and other statutes not the subject of this legislation shall remain in full force and effect.
- D. The County may take back a purchase money note and mortgage as part of the consideration for the purchase price, upon resolution of the Legislature.
- E. Property may be sold if authorized by local law subject to permissive referendum in lieu of by resolution, in the discretion of the Legislature by a majority vote.

Article II - Property Acquired for Delinquent Property Taxes
[Adopted 3-19-2009 by L.L. No. 2-2009]

Editor's Note: This article also superseded former Article II, Property Acquired for Delinquent Property Taxes, adopted 4-15-2003 by L.L. No. 5-2003.

§164-5 Purpose.

The purpose of this article is to establish the policy and procedures in the County of Sullivan for the sale of parcels of real property not redeemed for delinquent real property taxes, in accordance with New York State Real Property Tax Law Article 11.

§ 164-6 Definitions.

When used in this article, the following definitions apply:

ASSESSED VALUE

The amount of the Town's official assessed value of real property, not including exemptions, on the latest assessment roll.

COUNTY

The County of Sullivan, a political subdivision of the State of New York.

DELINQUENT TAX

An unpaid tax, special ad valorem levy, special assessment or other charge imposed upon real property by or on behalf of a municipal corporation or special district, plus all applicable charges, relating to any parcel which is included in the return of unpaid delinquent taxes prepared pursuant to Real Property Tax Law or such other general, special or local law.

ENFORCING OFFICER

The Sullivan County Treasurer.

LEGISLATURE

The Sullivan County Legislature.

PERSON

Any individual, group, association, partnership, corporation or other legal entity.

REAL PROPERTY ADVISORY BOARD (RPAB)

An advisory board whose membership shall consist of the County Treasurer, the Director of Real Property Tax Services, the County Manager and the County Attorney, or their designees. The RPAB shall hear and discuss real property matters and tax foreclosure matters for the purpose of advising the Sullivan County Legislature's Management and Budget or Executive Committee and shall perform all duties requested by said Committee pursuant to this article. The role of the RPAB shall be advisory only and shall not circumvent formal action by the Legislature.

MANAGEMENT AND BUDGET OR EXECUTIVE COMMITTEE

The duly designated standing committees as defined in the Sullivan County Code,[1] which shall have jurisdiction of real property matters, regardless of its title by the Chairman of the Legislature, from time to time. [1] Editor's Note: See The Administrative Code, § A2-9(8).

§164-7 Taking title to parcels.

- A. When the appropriate Court executes a judgment pursuant to Real Property Tax Law Article 11 awarding title to one or more parcels of real property to the County, then the County shall take possession of any such parcel, unless:
 - i. Such parcel has been withdrawn from the proceeding; or
 - ii. The County as a matter of law is not permitted to take possession of such parcel;
 - iii. The Real Property Committee, consistent with applicable law and after considering the recommendation of the RPAB, determines that it would not be in the County's interest to take title to the parcel; or
 - iv. Such parcel is included in a tax installment agreement in good standing.
- B. Upon execution by the Enforcing Officer of a deed to such parcel or parcels, pursuant to Real Property Tax Law Article 11, the County, or other named grantee, shall be seized of an estate in fee simple absolute, and absentees and nonresidents, except as specifically exempted by law, who may otherwise have had any right, title, interest, claim, lien or equity of redemption in or upon such parcel shall be barred and forever foreclosed of any such right, title, interest, claim, lien or equity of redemption. Upon the execution of the judgment of foreclosure by the Court, the execution and/or recording of the deed by the Enforcing Officer shall be ministerial.
- C. The County may retain title to one or more properties for public use, by resolution of the Legislature, or it may sell or release its interest in such parcels as set forth herein.
- D. The judgment may include a provision granting title to all personal property deemed abandoned on the realty.
- E. Nothing contained herein shall be construed to preclude any such person from filing a claim pursuant to §1135 or §1197 of the NYS Real Property Tax Law for a share of any surplus that may be attributable to the sale of such parcel.

§164-8 Sale of property acquired by County.

- A. Public auction.
 - (1) Within a reasonable time after the Court renders judgment in favor of the County, authorizing the Enforcing Officer to convey title to the County, the County Legislature shall approve a date for a public auction. Such auction or auctions shall be conducted on behalf of the County by the Enforcing Officer. The County Legislature may authorize the Enforcing Officer and the County Manager to execute a contract from

time to time with an auction company to assist with the conduct of the auction. Decisions regarding the sale of specific properties at such auction shall be made by the Enforcing Officer. All parcels, except those sold through a release of the County's interest pursuant to § 164-8(B) herein, or through a private sale pursuant to § 164-8(C) herein, or retained for public use, or retained by the County of Sullivan for future determination, or conveyed to another municipality for public use, shall be subject to a public auction. Public notice of such auction shall be made at such times, places and manner in the discretion of the Enforcing Officer who may seek the advice of the RPAB, the County Legislature and/or the auction company, if any, hired by the County to assist the Enforcing Officer in the conduct of the auction.

- (2) The terms of sale for the annual public auction shall be prepared, and modified from time to time, by the Enforcing Officer, who may seek the advice of the RPAB, the County Legislature and/or the auction company, if any, hired by the County to assist the Enforcing Officer in the conduct of the auction. Bids made at such auction shall be subject to final approval by resolution of the Legislature, and any bid may be rejected by resolution of the Legislature in its sole discretion.
- (3) The Enforcing Officer may conduct more than one public auction annually.

B. In the event there are any unsold parcels after all unredeemed parcels have been offered for sale at public auction, then and in that event, the Enforcing Officer may: a) entertain offers for any unsold parcels by private sale pursuant to Section C hereinbelow, subject to the review and recommendation of the RPAB and approval by resolution of the County Legislature; b) determine to include said unsold parcels in a subsequent public auction; or c) retain one or more specific parcels for public use subject to the review and recommendation of the RPAB and approval by resolution of the County Legislature. Release of County's interest; repurchase program.

- (1) After the expiration of the redemption period, the Legislature may, prior to the public auction, permit the previous owner of record to repurchase the parcel through a release of the County's interest. The purchase price of such parcel shall be the total of the outstanding real property taxes, assessments, charges, interest, fees and penalties due and owing at the time of the sale; plus an additional 10% of the delinquent taxes, to be paid to the County's auctioneer, if any, pursuant to contract;; plus an additional amount of 10% of the total taxes due to be paid to the County in consideration therefore, plus other costs and surcharges, if any. The repurchase program shall take place annually, following the execution of the judgment of foreclosure by the Court, and ending at 5:00 p.m. approximately two weeks prior to the scheduled public auction, on a date to be determined by the Enforcing Officer. This program shall be available to each former record owner at the time the County commenced its foreclosure proceeding (by the filing of the in rem pleadings); however, each said owner must file a written application with the Enforcing Officer, along with payment in full, in an amount to

be calculated by the Enforcing Officer and received by the Enforcing Officer no later than 5:00 p.m. approximately two weeks prior to the scheduled public auction, on a date to be determined by the Enforcing Officer. Payment must be made with guaranteed funds - bank/cashier's check, attorney's IOLA check, money order, cash or credit card. Personal checks are not an acceptable method of payment.

- (2) If the release of the County's interest is made upon and after the expiration of the redemption period but before the judgment is executed, then the Enforcing Officer shall evidence the release by canceling and discharging the delinquent liens.
- (3) If the release is made after the judgment, the County Attorney shall effect the release of the County's interest by preparing and submitting to the Court which executed the judgment an order discontinuing the in rem tax foreclosure action as to said property, canceling the notice of pendency of such action as to said property, and vacating and setting aside the judgment of foreclosure and the deed, if any, executed pursuant to such judgment of foreclosure as to said parcels. The entry of such order shall restore all parties, including owners, mortgagees, lienors, receivers, administrators and encumbrancers, to the status each held prior to the time the County acquired judgment to said property, as if the judgment had never been rendered, and shall render said property liable for all taxes, deficiencies, liens, penalties, interest and other charges which shall accrue subsequent to those paid in order to obtain the release provided for in this section or which were, for whatever reason, omitted from the payment made to obtain such release. The deed and other documents of conveyance shall be recorded by the Sullivan County Clerk even if executed only by a representative of the County but not the grantee.
- (4) Prior to reacquisition, if the property lies within a Village, then the party reacquiring the property must demonstrate written certification and documentation that all outstanding Village taxes have been paid in full or are subject to an installment agreement in good standing.
- (5) The Legislature reserves the right to not conduct a repurchase program in any particular year, or to change the terms of the program in any particular year, by the adoption of a resolution prior to the commencement of the program that year.
- (6) After the Court renders judgment in favor of the County, the Enforcing Officer shall provide notice of the repurchase program to the former owner by regular first class mail at the address contained in the most recent tax roll. Notwithstanding this article, the repurchase program shall be deemed discretionary in that it is not required by state law; therefore, failure of the Enforcing Officer to mail the notice, or for the recipient to receive it, shall not give rise to a cause of action against the County.

C. Private sale

- (1) Anything above to the contrary notwithstanding, a private sale may be authorized on a case-by-case basis by resolution of the Legislature after considering the recommendation of the Enforcing Officer and RPAB. Pursuant to §1166(2) of the Real Property Tax Law, any such private sale agreements must be approved by a resolution of the Legislature.
- (2) The purchase price shall be determined by an appraisal prepared by a licensed New York State appraiser that establishes the full value of the property as of the date of the transfer of title. The cost of any such appraisal shall be borne by the prospective purchaser.
- (3) The Legislature retains sole discretion to approve a private sale, or not, in the best interest of the County, keeping in mind that it is otherwise the policy of the County, as expressed herein above, that real property not retained for public use shall be sold at public auction. The following are examples of criteria to be used to approve a private sale, but this list is not intended to be exhaustive:
 - a. Sale of property to promote economic development, where selection of a particular use would be in the best interests of the County.
 - b. Sale to a local government for public use.
 - c. Sale to a contiguous owner, but only if one or more of the following conditions exist:
 - i. To provide access to a landlocked property.
 - ii. To resolve a problem created by an encroachment, shared well or septic system, or common driveway, etc.
 - iii. If the parcel cannot be otherwise improved under existing zoning regulations.
- (4) The Legislature may engage the services of a real estate broker and/or its auction company, if any, to assist the County with the sale of parcels.
- (5) Prior to consummation of the private sale, if the property lies within a Village, then the party acquiring the property must demonstrate written certification and documentation that all outstanding Village taxes have been paid in full.
- (6) In addition to the sales price, the purchaser shall pay to the County of Sullivan all other lawful charges and fees.
- (7) This Subsection C (“Private Sale”) shall not apply to properties sold pursuant to the repurchase program, parcels retained for public use or conveyed to another municipality for public use, or parcels remaining unsold after conducting a public auction.

D. Retain Parcels for Public Use

- (1) Anything above to the contrary notwithstanding, where the enforcing officer has been notified that the tax district intends to retain tax-foreclosed property for a public use, the transfer of said tax-foreclosed property shall be authorized on a case-by-case basis by resolution of the Legislature after considering the recommendation of the Enforcing Officer and RPAB.

(2) For purposes of this subdivision, if the tax district intends to retain tax-foreclosed property for a public use, the property shall be deemed to have been sold on the date that the Enforcing Officer conveyed said property to the County after the filing of the Judgment of Foreclosure. The enforcing officer shall determine the existence and amount of a surplus relative to such property by an appraisal prepared by a licensed New York state appraiser that establishes the full value of the property as of the date of the transfer of title.

§164-9 Conveyance of subject parcels.

- A. The County shall convey all parcels to be conveyed to a third party by the terms of this article by quitclaim deed. All sales may include a concurrent sale of the personality acquired by the County and authorized by the judgment. All sales shall include costs in the nature of a surcharge \$20 plus a search fee and other expenses of foreclosure (\$250 or more) per parcel, in the discretion of the Enforcing Officer.
- B. The County of Sullivan shall not be liable for any physical condition of the property notwithstanding the County's ownership thereof.
- C. The Legislature shall have final approval over all conveyances covered by this legislation.
- D. If a parcel is sold at public auction and the former owner is the grantee therein, or regains ownership of the parcel within thirty-six (36) months subsequent to the date of the auction, then all liens that were of record when the County took title shall be reinstated.