



Sullivan County

100 North Street
Monticello, NY 12701

Planning, Real Property and Economic Development Committee

Meeting Agenda - Final

Chairman Matt McPhillips
Vice Chairman Terry Blosser-Bernardo
Committee Member Luis Alvarez
Committee Member Catherine Scott
Committee Member Joseph Perrello

Thursday, January 11, 2024

10:00 AM

Government Center

Call To Order and Pledge of Allegiance

Roll Call

Comments:

Reports:

1. Division of Planning [ID-6056](#)
Attachments: [December 2023](#)
[Nov 23 AG report](#)
2. Division of Community Resources [ID-6044](#)
Monthly Report
January 2024
Attachments: [2024 PCD DCR January Report](#)
3. **County Treasurer**
4. Real Property Tax Services [ID-6057](#)
Attachments: [Real Property Tax Services Monthly Report for 11.2023](#)
5. Visitors Association [ID-6064](#)
Attachments: [EDC January Report 1_5.docx](#)
6. IDA [ID-5840](#)
Attachments: [09-23 IDA Activity Report.docx](#)
7. **Partnership for Economic Development**
8. **Chamber of Commerce**

Public Comment

Resolutions:

1. To approve the updated USDOT Drug and Alcohol Testing Policy for the Sullivan County Transportation Department. [ID-6005](#)
Attachments: [DRUG AND ALCOHOL TESTING POLICY COPY Updated December 19 2023a](#)
2. Agreement with SCOFA (NY Connects) and LAMAR to provide Billboards (Outdoor) [ID-6045](#)
Sponsors: Office for the Aging and Deoul
3. Reappoint two members and appoint one member to the Sullivan County Industrial Development Agency Board [ID-6050](#)
4. Authorize modification of Youth Bureau Funding Program correct names of a program. [ID-6059](#)
Sponsors: Office for the Aging and Deoul
5. To authorize application for funding from the New York State Department of Agriculture & Markets for a 2023 County Farmland Protection Implementation Grant. [ID-6063](#)
6. To authorize the County Manager to execute a contract with the Partnership for Economic Development in Sullivan County, Inc. [ID-6066](#)

Adjourn



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6056

Agenda Date: 1/11/2024

Agenda #: 1.



DIVISION OF PLANNING, COMMUNITY DEVELOPMENT & ENVIRONMENTAL MANAGEMENT

ACTIVITY REPORT

December 2023

CONTENTS

- I. Planning
- II. Sustainable Energy
- III. Parks, Recreation & Beautification
- IV. Grants
- V. Agriculture & Farmland Protection

I. PLANNING ACTIVITY

Land Use Planning & Technical Assistance:

- **GML-239 Referrals**

GML-239 Referrals, December 2023					
Date Received	Date Requested	Project Name	Action Type	Referral ID #	Legislator
12/1/23	12/29/23	NY Forestburgh I, LLC – 5 Mvac Solar Facility	Site Plan Review	FOR23-03	Rajsz
12/5/23	1/4/24	PZ-156 White Lake Estates	Site Plan Review	BET23-02	M. McPhillips
12/5/23	1/4/24	PZ-166 Seven X	Site Plan Review	BET23-03	M. McPhillips
12/6/23	1/12/24	Amend Town Code Chapter 250	Adoption/Amendment of Zoning Map	THO23-20	Blosser-Bernardo
12/7/23	12/15/23	Loch Sheldrake Commercial Zoning	Adoption/Amendment of Zoning Map	FAL23-19	Ward
12/14/23	1/12/24	Winterton Gardens	Site Plan Review	BLO23-04	Salomone, Jr.
12/15/23	1/2/24	HASC	Special Use Permit	LIB23-22	Alvarez
12/19/23	1/19/24	MFR Development, LLC	Area Variance	BET23-04	M. McPhillips
12/20/23	1/19/24	Verizon Wireless	Site Plan Review	THO23-21	Blosser-Bernardo

12/27/23	1/11/24	Camp Mayin Tohar	Area Variance	FAL23-20	Perrello
12/29/23	1/17/24	Woodfall Estates	Area Variance	WOO24-01	Perrello

Land Use, Strategic and Comprehensive Planning

- **Neversink Watershed Management Plan**
 - Meetings of the steering committee as well as public outreach events continue as the plan is drafted.
- **Countywide Resiliency Plan:**
 - The County’s consultant, Metropolitan Urban Design Workshop (MUDW) is in the process of drafting the plan, which will be presented to the public for comment prior to January 31, 2024.
- **Water Resources and Infrastructure**
 - A scope of work is being drafted and finalized for a Request for Proposal to identify a vendor to collect, organize, evaluate, and report currently available information on water/wastewater infrastructure countywide.
 - Division staff are in communication with with ITS/GIS staff to discuss possible use of technology in this initiative to assess the current condition of critical infrastructure.
- **Hazard Mitigation**
 - An application for funding through the federal BRIC program (Building Resilient Infrastructures Communities) has been submitted to support the update to the County’s Multi-Jurisdictional Hazard Mitigation Plan.

Recreation, Quality of Life & Tourism-based Economic Development

- **Sullivan O&W Rail Trail**
 - Updated cost estimates have been received for the Neversink Crossing project. County staff will be reaching out to the Town of Fallsburg and its new leadership to discuss the project. The revised design report for the project has been submitted to the state for review.
 - Staff continue to participate in monthly meetings of the O&W Rail Trail Alliance as well as regular meetings with the engineering firm and partner municipalities.

- Town of Rockland will be starting work on design/engineering for the segment between Rotary Park and Sonoma Falls. The County has funding allocated in the 2024 budget for this work.
- Appraisals for two properties along the trail are in process via the Open Space Institute.
- Tentative dates have been set for 2024 events:
 - SNO&W (Sat 2/24/24)
 - National Trails Day (Sat 6/1/24)
 - BOW-WO&W (Thurs 8/1/24)
 - HO&WL (Fri 10/25/24)

Community Development & Revitalization

- **CDBG Housing**
 - **Manufactured Home Replacement**
 - Fully subscribed, 4 applications with signed formal funding awards.
 - \$625,000 total committed funding, fully subscribed: Contracts are complete and signed.
 - Foundations have been poured and the units have been delivered.
 - Estimated time for final expenditure of funds in this program is estimated in January 2024.
 - **Home Repair**
 - 9 projects are currently under repair and/or finished, totaling \$250,000 of work.
 - RUPCO has conducted Contractor Outreach and implemented a new media campaign to push the information out to homeowners and local agencies. This has resulted in an additional 10 projects for the program.
 - We have requested an extension through May 31, 2024 to allow time to finish construction on the recently identified projects.
- **EPA Brownfields Assessment Grant**
 - All final reporting and disbursement requests have been submitted to the EPA by the grant deadline of 12/31/2023
 - Tectonic has completed testing for all three sites – Broadway Theater, Strong Building, and Key Bank.
 - BRS continues to assist the County with ensuring all aspects of the project are in compliance with program requirements. All reporting has been completed for the program
- **Bicycle and Pedestrian Infrastructure Master Plan**
 - We have received the draft contract from NYS Department of Environmental Conservation. The NYSDEC anticipates we will have contracts executed by March or April of 2024. Once this contract is

executed Planning can move forward with a solicitation to procure a consultant to assist with and write the plan.

- Planning will be seeking to establish an Advisory Committee to assist with the development of the plan and provide feedback throughout the process, and will develop and RFP to secure
 - The plan will focus on connecting residents and visitors in and around community centers (villages, hamlets) with safe pedestrian and bicycle infrastructure.
- **Plans & Progress**
 - Open projects continue to be closed out, with only 4 projects left to request reimbursement.

Economic Development

- **Emerald Corporate Center Economic Development Corporation (ECCEDC)**
 - In December the ECCEDC Board voted to transfer Emerald Springs Water Company (ESWC) and all assets to the Town of Thompson, based on discussions with counsel having experience with the process.
 - The decision was guided by requirements of the NYS Department of Public Service, which does not regulate the ESWC but will have to consent to the transfer.
- **Revolving Loan Fund**
 - The Legislature voted to transfer the funds and administration to the Sullivan County IDA. Planning staff are working with the County Attorney's Office to complete the transition, providing electronic and hard copy files of all open projects.

Administration

- We are actively recruiting potential candidates for vacant positions including a Planner and Director in the Department of Planning. Research Analyst started on December 18 – Welcome Shoshanna Mitchell!
- Attended monthly and quarterly meetings of various boards including the Sullivan County Land Bank, Emerald Corporate Center Economic Development Corporation, Workforce Development Board, and D&H Canal Bicentennial Planning Committee.
- Participated in round table discussion for Leadership Sullivan.
- Upcoming training has been scheduled for January 30, a roundtable discussion with Planning, Zoning and Municipal Board members with presentations from the NYSDEC and NYSDOH about water and wastewater infrastructure.

II. OFFICE OF SUSTAINABLE ENERGY (OSE)

- OSE continues to act as lead for the Resiliency Plan project. The draft plan will be presented at a public meeting during the second half of this month.
- Staff have been contacted by several residents and small businesses for assistance with energy efficiency and renewable energy upgrades. Site visits have been conducted where necessary and technical assistance provided.
- OSE staff continue to act in a lead role for the Bicycle and Pedestrian Infrastructure Master Plan as the project is being funded via the NYS Climate Smart Communities Grant Program. This is being done in conjunction with staff from Grants Administration and Planning.
- OSE staff have continued to review monthly utility statements. A series of estimated readings of the electric demand meters at the Sullivan County International Airport drew attention to exponentially increasing, estimated, demand cost at the various facilities. After closer analyzation of bills from New York State Electric and Gas (NYSEG) by Stephen Stuart and Kacper Sandelewski, a pattern of faulty estimated demand readings became apparent. Based on further calculations that were carried out, we have concluded that the amount of overcharge by NYSEG is possibly as high as \$5,698.91. NYSEG's Special Office for Demand Meters has been contacted on three occasions and this matter is in resolution.

III. PARKS, RECREATION & BEAUTIFICATION

- Callicoon Park Property: Fisher Associates have developed the scope of work for the development of an entryway, parking area, and walking path to the Delaware River. The scope includes design, engineering, required environmental survey of wetlands/watercourse, delineation and boundary/topographic surveying and permitting. Partial funding for these services will be thru a grant that was received by the Division of Planning. The environmental survey will not be able to be completed until the growing season in the Spring of 2024.
- Lake Superior Trails: Fisher Associates are developing the design and waste water management plan for phase I (2.8 miles) of the Lake Superior Westside hiking trails. The trail is marked out from the lake dam picnic area on Dr. Duggen Road to Pucky Huddle Road. Survey work is being completed at certain points along the trail. We are hoping to begin work on the trail in the Spring/Summer of 2024.
- The 200th anniversary of the D&H Canal is coming up in 2025. The groundbreaking of the canal took place in Wurtsboro on July 13, 1825. We are currently working on bi-centennial celebrations, programming and events with the local municipalities, SCVA and local organizations who are involved with the canal.
- The 2023 County-wide Roadside and Hiking Trail Litter Pluck Event that ran from April 1st through October 31st was a success. Over 300 bags, almost 200 tires, 1 Ton of Loose material, and 25 freon items (examples refrigerators/dehumidifiers/air-conditioners) were plucked from the roads and trails.
- Contracts are being developed for the completion of the Parks Master plan.
- Attended Leadership Development Training.
- Park Maintenance:
 - Clearing brush along the D&H Canal and lock area at the D&H Canal Interpretive Center.
 - Replacing deteriorated split rail along the D&H Canal Interpretive Center canal area.
 - Replacing decking on the Lake Superior boat docks.

IV. GRANTS ADMINISTRATION

- Activity/Technical Assistance
 - Since November 20, we have received five inquiries related to funding resource requests: one non-profit start up, Ulster County Community Action, a campground interested in upgrades and expansion, a landlord interested in making repairs, and a non-profit engaging in Holocaust survivor education and arts programming.
- In-County Grant Readiness
 - DGA is prepared to initiate strategies to address issues related to grants compliance and to enhance the County's capacity to acquire and manage grants. Pending collaboration with management and Compliance, the goals include assessing current compliance-related issues, revision of the grant's manual (Grants Best Practices), and training initiatives. DGA staff met with OMB on December 28 to review the grants manual, and will meet with the Compliance Officer on January 3.
 - Sullivan County's FEMA GO account was set up with assistance from ITS, and appropriate users were enrolled in order to advance the BRIC Sub application. Of note, it is anticipated that FEMA GO will be the primary platform for all future FEMA-related funding opportunities.
 - Assistance has been provided to departments requiring support with the grant process, including the District Attorney's Office, ITS, Community Resources, Public Health, Planning, Public Safety, and Public Works. Of note:
 - ITS has expressed interest in proposed project areas related to tax mapping scanning and infrastructure mapping, in a collaborative effort with County Clerk's and Real Property offices.
 - Local (Multi-jurisdictional) Hazard Mitigation Plan – DGA and Planning partnered to submit a sub-application to NYS DHSES for the Building Resilient Infrastructure Communities (BRIC) grant program.
- Administrative Activities
 - Grant System Users Inventory is complete, with the exception of a few missing responses. The information will assist DGA in understanding which departments are affected by the transition from Grants Gateway to SFS, as well as to develop a strategy for training. In addition to identifying funding related systems and assigned users for determination of appropriate assignments, etc.

V. AGRICULTURE & FARMLAND PROTECTION

- CCE November Ag report attached

TECHNICAL ASSISTANCE:**Farm Visits: 2 Technical Assistance/Inquiries: 90 Soil Tests: 2**

Business and Marketing Plans, Sales Channels, Ag Districts, beginning farmer, soil tests, field crops, poultry production, plant pests, disease, and ID, vegetable production, whole farm planning, farmers markets, Farm to School, Grant and Funding sources, Mobile Markets, agricultural job posting, beginner farm/starting farm, County loan program, NRCS funding, mentorship, land access and beginner farmer resources, hay feed, orchard production, mentee application, and farmer mentor interest.

PAST WORKSHOPS

Farmer Mixer at Hidden Acre Farm on November 2nd: 26 participants attended our monthly Farmer Mixer with Cornell Cooperative Extension Orange County and the Hudson Valley Young Farmers Coalition. The Farmer Mixer was at Hidden Acre Farm in Bloomingburg, NY and we had an incredible turnout with the 3 organizations hosting the Farmer Mixer together.

UPCOMING WORKSHOPS

Farmer Mixer at Somewhere in Time Farm on December 4th: Continuing our monthly Farmer Mixer events, our December Farmer Mixer will be at Somewhere in Time Farm. These events are organized as networking opportunities for aspiring, beginner, and seasoned farmers in our region.

Farm Food Safety Workshops- 10 workshops are in planning stages that will be delivered via webinar and in-person. These include: Produce Safety Certification, Farm Composting, Alphabet Soup: Understanding FSMA, GAPs, and PSR, Farmworker Health & Hygiene Training, Wholesale Market Readiness, Washing, Packaging, and Sanitizing Produce, Writing a Farm Food Safety Plan.

Funding Webinar Series: The series will be monthly 1-hr informational webinars about agricultural funding resources February– April. Each month will focus on a different funding resource: Farmer Service Agency, Natural Conversation Resources Services, NYS Grown & Certified, General Funding Opportunities. The webinars will be added to the CCESC YouTube page to be available for future viewership.

TRAININGS

CCE staff attended the annual Cornell Cooperative Extension Ag Training at Cornell University, The training provides an opportunity for staff to stay up to date on current research projects, production methods, food systems work and other emerging topics.

2024 Farmer Mentorship Cohort: Through our Beginner Farmer Program we are organizing our 1st farmer mentorship cohort for 2024. We currently have 2 pairs of mentors and mentees, for our 2023 mini mentorship, but our 2024 mentorship cohort will have 15 mentee openings, 5 of the mentee spots will be saved for veteran farmers. Our cohort will bring their farm business goals into their mentorship, engage in monthly farm visits with their farmer mentor, attend workshops to help fulfill their goals, and learn alongside their fellow mentees. CCE will also provide a \$10,000 stipend to each mentee to support them through the mentorship and beginning steps of their farm businesses and mentors will be compensated monetarily for their time and labor. The application window for mentees is November 1st – December 22nd, with the mentorship officially starting February 5th, 2024.

FARM TO SCHOOL

CCE staff are continuing to participate in Farm to School efforts, along with Sullivan 180, the Catskills Food Hub and local school districts. We are continuing to assist cafeterias and developing future networking events to connect farmers and school districts.

Beginner Farmer MENTORSHIP COHORT



The Beginner Farmer Mentorship program is for folks who are ready to take the next step toward turning their farm dreams into a reality!

- Benefit from in-person learning with:
 - farmer mentors
 - CCE staff
 - and fellow mentees!
- Receive a \$10,000 stipend distributed quarterly across 12 months

**GET MATCHED WITH
A FARMER MENTOR TODAY!**

Questions?
Contact Taylor Adam at
(845)292-6180 ext. 130
beginnerfarmer@cornell.edu

Cornell Cooperative Extension | Sullivan County



Apply Now

For details and to apply,
scan below:



This project is supported by USDA, National Institute of Food and Agriculture award #2022-06508.

Cornell Cooperative Extension Sullivan County provides equal program and employment opportunities. Contact the office to request accommodations.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6044

Agenda Date: 1/11/2024

Agenda #: 2.

Division of Community Resources Monthly Report

January 2024

Workforce Development

- ✓ The minimum wage in New York State will increase effective January 1, 2024. Westchester County, Long Island and NYC will increase to \$16.00/hour. Sullivan County and rest of the State will increase to \$15.00/hour.

Minimum wage for Home Care Aides will increase to \$18.55/ hour in Westchester, Long Island and NYC. Sullivan County and the rest of the State will go to \$17.55/ hour.

- ✓ The County Legislators approved and funded the Welding Trade Class for County residents. The class held at BOCES ran from October 10 through December 21. The adult students met Tuesday and Thursday evenings from 5:30pm to 9 pm. Nine of eleven students completed the course and received a number of industry recognized certifications through Lincoln Tech. Four students graduated with employment. The remaining five will receive job placement services from the Center for Workforce Development (CWD).
- ✓ The CWD has been working for last few years with partners to provide Certified Nursing Assistant (CNA) training which is in high demand. While SUNY Sullivan were able to develop an approved program, they have been unable to secure an instructor. Recently, a meeting was held with HC Staffing and Training who work with the DV Job Corps. They can provide an instructor and BOCES will allow the use of their training space at Garnet Medical Center Catskills. A proposal has been received and is under review.
- ✓ The CWD will be assisting Delaware Valley Job Corps with a recruitment event for their Patient Care Technician Trade program. A January date will be announced.
- ✓ The CWD holds in-house recruitment events from March through November at the Career Center. For the month of November 9 businesses participated and 83 potential hires attended these events.

For 2023 there were 10 in-house events held serving 31 business and were attended by 224 job seekers.

- ✓ The CWD sent an email blast to County departments and vendors offering a presentation/review of services of the CWD and other departments under the Division of Community Resources. This is being conducted for outreach purposes to bring awareness of what services are available with new and changing staff. To date 7 presentations have been completed and 3 are scheduled.

- ✓ Workforce Innovation & Opportunities Act (WIOA) updates: Bi-weekly, statewide calls for Directors are held; NYS Department of Labor (DOL) is rolling out Virtual Career Centers; Virtual Reality Training & Solutions; Digital Literacy to all Career Centers; Community Colleges as Group Program Sponsors.

- ✓ Career Center data updates:
 - Social media:
 - 882 followers; November 2023 had a reach of 7,960 people with 680 Facebook page views, a reduction from October.
 - Center Services:
 - The CWD provided services to 29 business customers and listed 120 jobs in the month of November.
 - The CWD assisted 636 participants that came into the Career Center for the month of November 2023.
 - Welfare to Work caseload profile November 2023:
 - Total Caseload - 285
 - TANF – caseload 163
 - Medical issues – 8%
 - Disabled – 31%
 - Pregnant/Newborn – 2%
 - Needed in Home – 4%
 - No Child Care – 12%
 - Criminal Justice involved – 12%
 - Cases closed – 12
 - Safety Net – caseload – 122
 - Medical issues – 16%
 - Disabled – 26%
 - Needed in Home – 2%
 - Criminal Justice involved – 96%
 - Cases closed – 16

Labor Market Data for November 2023 compared to November 2022

- ✓ Sullivan County saw an increase in total nonfarm jobs of 4.1% (1,200) and an increase of 5.6% (1,300) in total private sector jobs.

Please note: The net month (October 2023 – November 2023) showed a loss of -0.3% (-100) nonfarm jobs and a loss of -0.4% (-100) in private sector jobs.

- ✓ For Sullivan County the job gains were:
 - Leisure & Hospitality at 16.2% (600)
 - Information at 100% (100)
 - Financial Activities at 12.5% (100)
 - Mining, Logging & Construction at 7.1% (100)
 - Professional and Business Services at 5.3% (100)
 - Manufacturing at 4.8% (100)
 - Trade, Transportation & Utilities at 2.1% (100)
 - Educational and Health Services at 1.4% (100)

For Sullivan County the sectors that showed no job growth were:

- Other Services

For Sullivan County Government sectors that showed job losses were:

- Government at -1.7% (-100)

- ✓ NYS showed an increase of 1.0% (100,200) in total nonfarm jobs and 1.0% (79,000) in private sector jobs.

The largest jobs gains were found in:

- Education and Health Services at 5.7% (126,400)
- Leisure & Hospitality at 2.5% (22,5000)
- Government at 1.4% (21,200)
- Other Services at 1.0% (3,700)

For NYS the sectors that showed no growth were:

- Professional and Business Services

NYS saw job losses in:

- Information at -8.9% (-26,500)
- Trade, Transportation and Utilities at -2.0% (-26,400)
- Mining, Logging and Construction at -2.2% (-8,800)
- Manufacturing at -1.4% (-6,100)
- Financial Activities at -0.2% (-1,300)

- ✓ Within the region, Sullivan County's private employment sector grew the fastest year-over-year, up 5.6 percent. The second fastest growth was recorded in the Dutchess-Putnam Metropolitan Division (+2.8%) followed by Orange-Rockland-Westchester labor market area (+0.3%) and the Kingston MSA (+0.2%)
- ✓ The Hudson Valley region showed an increase of 0.7% (6,500) in total nonfarm jobs and an increase of 0.8% (6,500) in private sector jobs.

The largest job gains were found in:

- Education and Health Services at 4.8% (10,400)
- Leisure & Hospitality at 6.5% (5,800)
- Other Services at 3.7% (1,500)

For the HV region the sectors that showed no job growth were:

- Government

The Region's job losses were in:

- Mining, Logging and Construction at -8.4% (-5,100)
- Trade, Transportation and Utilities at -1.6% (-2,800)
- Professional Business Services at -1.4% (-1,600)
- Financial Activities at -1.3% (-600)
- Manufacturing at -1.9% (-800)
- Information at -4.7% (-600)
- Financial Activities at -0.7% (-300)

- ✓ Sullivan County's unemployment rate was 3.5% for November 2023 up from 2.9% in November 2022.

November 2023 had 38,900 people in the labor force (37,500 employed & 1,400 unemployed). The number of employed individuals increased 5.0% (1,800) and the number of unemployed increased by 27.3% (300) leaving the labor force with a net gain of 5.7% (2,100).

The total labor force increased 0.5% (200) from October 2023 to November 2023. There was an increase of 0.3% (100) in employed workers and an increase of 7.7% (100) in the number of unemployed workers.

- ✓ The Hudson Valley's unemployment rate for November 2023 is 3.5%, an increase from 2.7% in November 2022.
- ✓ NYS's unemployment rate was 4.0% in November 2023 compared to 3.8% in November 2022.

- ✓ The November 2023 unemployment rates across the 62 NYS counties ranged from a low of 2.8% for Saratoga County to a high of 6.1% for Bronx and Hamilton Counties. Sullivan County with a 3.5% rate ranked 20th in the State along with Cayuga, Chenango, Madison, Schenectady, Suffolk, Ulster and Westchester Counties.
- ✓ Hudson Valley unemployment rankings for November 2023:
 - # 4 Putnam County at 3.2%
 - #10 Dutchess County at 3.3%
 - #10 Rockland County at 3.3%
 - #20 Sullivan County at 3.5%
 - #20 Ulster County at 3.5%
 - #20 Westchester County at 3.5%
 - #28 Orange County at 3.6%

Transportation

✓ County Transportation:

Month 2023	Veterans Medical Centers	Veterans In-County Medical	Senior Medicals	Shopping Buses
January	45		86	70
February	35		77	66
March	33		108	67
April	46		82	68
May	52	7	91	89
June	41	14	92	97
July	42	8	71	73
August	51	18	93	111
September	51	69	74	130
October	59	22	91	166
November	50	17	98	131
December				

Move Sullivan 2023	Average Daily Ridership	Monthly Ridership	Monthly Paratransit
January	235 (21 days)	4,929	84
February	266 (19 days)	5,057	65
March	286 (22 days)	6,301	85
1st Quarter Totals		16,287	234
April	315 (20 days)	6,291	120
May	330 (22 days)	7,267	143
June	362 (22 days)	7,952	110
2nd Quarter Totals		21,510	373
July	416 (19 days)	7,901	163
August	450 (23 days)	10,358	198

September	416	(19 days)	7,895	164
3rd Quarter Totals			26,154	525
October	425	(21 days)	8,932	154
November	413	(20 days)	8,254	173
December				
4th Quarter Totals				
Annual Totals				

Community Assistance Center (CAC)

- ✓ The team continues to provide referral and assistance to callers looking information and/or resources.
- ✓ Continue distribution of test kits.
- ✓ The CAC remains active providing food assistance deliveries as well as connections to community resources.
- ✓ The Food Bank deliveries to the pantries are bi-monthly.
- ✓ Support HV Food Bank monthly mobile pantry efforts in Freemont, Yulan and Foxcroft Village.
- ✓ A member of the Sullivan Catskill Food Security Coalition.

Office for the Aging November 2023 Monthly Report

Monthly Accomplishments
<p><u>OFA Director:</u></p> <ul style="list-style-type: none"> • Continued participation on Food Security Coalition. • Continued participation on New York State Master Plan on Aging Levels of Care subcommittee. • Continued participation on Empowering Towards Independence Forum planning committee, now postponed until March 2024. • Legal Services contract with Rural Law Center in effect, will begin taking referrals. • Senior Needs Assessment wrapping up, final report due around first of the year 2024- Surveys, marketing, promotion visits and focus groups. Over 600 responses received. • HHCAP- open enrollment October 15-December 7th. Over 260 individuals assisted with navigating Medicare plans. • Monthly Hoot distribution continues to increase via mail, email and drop off locations. • Over 240 applications processed to date as HEAP alternate certifying site.

- Continued distribution of free COVID test kits to community organizations.
- Participated in Hospice of Orange and Sullivan County Annual partner event.
- Leadership training ongoing for Director, Coordinators and Managers with supervisory responsibilities.
- Presented in-service to staff at CWD regarding OFA services.

RSVP:

- Welcomed new volunteer and retired business owner the RSVP Driver Team.
- Over 1100 volunteer hours logged and set to be reimbursed this month.
- Successful outreach through Monticello Seniors Visit, Golden Park Mini Health Fair and radio show 'Ciliberto and Friends' about RSVP and OFA services.
- Sizeable donation of blankets, gloves, hats, and more to St. Peter's Catholic Church in Liberty, United Methodist Church in Liberty, and to local nursing homes through Third Judicial District's Holiday Donation Drive.

Nutrition:

	Units:	Clients:	Contributions:
Homebound:	1,609	91	\$1,320.00
Congregate served at home:	904	43	
Congregate served at sites:	225	35	\$380 (collected at our 2 active congregate meal sites)
Guests served at sites	3	3	\$13.50
Total:	2,741	172	\$1,713.50

- Full Time Nutrition staff continues to fill vacancies due to vacations/sick time, staff shortages.
- Continuing to work closely with Transportation Dept. to work on re-opening additional congregates sites.
- SC Jail provided a wonderful Thanksgiving dinner with all the trimmings for all our seniors. We still continue to supplement the meals with care packages comprised of items from Hudson Valley Food Bank deliveries twice monthly to the Community Assistance Center.

Transportation:

- 93 SCT (Sullivan County Transportation) Medical Trips
- 131 SCT Shopping Trips
- 47 RSVP Medical Trips
- 4 OFA Staff provided Medical Trips
- 55 Congregate Nutrition Site Transportation

HIICAP:

- 56 Clients entered for November, over 260 assisted during annual election, data entry still being caught up.

NY Connects:

- 76 Clients served.

PERS:

- 21 clients currently receive PERS through CSE, EISEP & IIIIE funding

EISEP:

TOTALS

Open casefiles w PCAs as of 11/01	15
New casefiles opened 11/01–11/30	2
Casefiles closed 11/01–11/30	8
Casefiles with no PCA as of 11/30	3
Casefiles on hold as of 11/30	3
Casefiles reassessed 11/01–11/30	2
Casefiles waitlisted as of 11/30	3
New inquiries / screenings 11/01–11/30	5
Screened clients waitlisted as of 11/30	1
Screened clients on hold as of 11/30	16
Screened clients closed as of 11/30	3

Sullivan County Youth Bureau:

- Meeting with Sullivan West Central School regarding Youth Internship.
- Participation in Healing Community Study.
- Attended NY State Youth Bureau Conference held in Syracuse.
- Advisory Board meeting held.
- Government Day for Sullivan West.
- Continued involvement with several community organizations to spread information on Youth Bureau resources.
- Youth Bureau e-blasts and social media ongoing, increase in followers and engagement.
- Review and processing for applications for State Funding and submission of claims ongoing.

IN PROGRESS FOR NEXT MONTH

- Continue to work on opening additional Congregate sites in conjunction with Sullivan County
Transportation and Jail kitchen. Posting for PT Nutrition Site Operator added to Center for
Workforce Development's Hot Jobs.
- Continued participation in Long Term Supports Subcommittee of Master Plan on Aging-
Statewide collaborative planning effort between OFA & Dept. of Health.

- Continued RSVP site additions ongoing. Recruitment efforts have increased especially for medical transportation.
- Redesign of brochures and informational materials for several programs. Working to create materials in alternative languages.
- Ancillaries to be ordered for EISEP clients bi-annually, order planning underway.
- Policies and procedure review ongoing for all programs and functions and currently being updated and improved.
- Planning underway for a RSVP Driver recognition event with RSVP Advisory Council.
- Resolutions for renewals of Transportation and Nutrition MOU's.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6057

Agenda Date: 1/11/2024

Agenda #: 4.

Real Property Tax Services Monthly Report for November 2023

Real Property:

We continue to provide services internally, to the assessment community and to the public.

Deed and subdivision count:

These statistics through the end of **November** 2023:

November deed count: 370

2023 total: 4599

2022 total: 4705

November Subdivision Lots: 27

2023 total: 437

2022 total: 522

Director's activities for the month of November:

- Attended a meeting of the Sullivan County Assessor's Association
- Reviewed and made recommendations on two (2) correction of error applications
- Reviewed recapitulation reports provided to us by our vendor, Telescent, LLC for accuracy

General office activity for the month of November:

- Reviewed one (1) new condominium project
- Answered numerous 911 address inquires
- Updated the Forestburgh zoning map.

E-911:

November new addresses assigned: 228

2023 Total: 636

2022 Total: 410

November new roads created: 0

S.C.R.P.T.S. DEED/SUBDIVISION REPORT

MONTH OF		November	2023	DEEDS		SUBDIVISION LOTS	
SUBDIVISION LOTS	DEEDS	TOWN	MONTH	2022	2023	2022	2023
2	37	BETHEL	JANUARY	507	541	13	4
	17	CALLICOON	FEBRUARY	401	478	80	14
2	6	COCHECTON	MARCH	436	390	24	30
	11	DELAWARE	APRIL	384	282	57	16
14	76	FALLSBURG	MAY	425	397	29	125
	2	FORESTBURGH	JUNE	435	417	39	90
	4	FREMONT	JULY	457	408	61	24
	10	HIGHLAND	AUGUST	472	451	192	60
	36	LIBERTY	SEPTEMBER	399	391	11	42
	19	LUMBERLAND	OCTOBER	399	474	2	5
2	49	MAMAKATING	NOVEMBER	390	370	14	27
	9	NEVERSINK	DECEMBER				
	12	ROCKLAND	TOTAL	4705	4599	522	437
7	74	THOMPSON					
	8	TUSTEN					
27	370						
		4599 NEW DEEDS RECEIVED IN 2023					
		437 NEW SUBDIVISION LOTS FILED IN 2023					

This report reflects the number of deeds received through November 2023.

0 units of the Subdivision lots total for November 2023 were Condos.

S.C.R.P.T.S. E-911 ADDRESS REPORT

MONTH OF		November	2023	NEW E-SITES ADDED		ADDRESS VERIFICATION & OTHER ISSUES	
NEW E-SITES ADDED	ADDRESS VERIFICATIONS ETC	TOWN	MONTH	2022	2023	2022	2023
201	0	BETHEL					
3	2	CALLICOON	JANUARY	14	9	21	18
1	0	COCHECTON	FEBRUARY	11	80	7	8
2	0	DELAWARE	MARCH	141	13	11	13
8	1	FALLSBURG	APRIL	11	15	11	31
0	0	FORESTBURGH	MAY	34	52	8	4
0	0	FREMONT	JUNE	33	53	23	7
1	0	HIGHLAND	JULY	26	41	17	7
1	1	LIBERTY	AUGUST	37	111	6	11
2	0	LUMBERLAND	SEPTEMBER	26	17	11	7
2	3	MAMAKATING	OCTOBER	21	17	4	6
1	0	NEVERSINK	NOVEMBER	56	228	17	8
2	0	ROCKLAND	DECEMBER				
3	1	THOMPSON					
1	0	TUSTEN					
		OUTSIDE CO.	TOTAL	410	636	136	120
228	8	New E-Sites added in 2023					
		Address verification, address changes, and other issues, 2023					

This report reflects the number of new E-Sites created through November 2023

Other issues include road name issues, address changes and corrections, etc.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6064

Agenda Date: 1/11/2024

Agenda #: 5.

Update for January 2024

Economic Development Committee

As we move forward into 2024, we are aggressively marketing the Sullivan Catskills to attract travelers from all over the world. This includes targeting regional, national, and international audiences. The main goal of the SCVA is to showcase the many assets that can be found in this beautiful region under the brand name "Sullivan Catskills."

With the current uncertainties surrounding our social and economic climates, it is important for the Sullivan Catskills to be prepared to continue promoting itself as an affordable and easily accessible destination. This means staying ahead of any potential challenges and finding innovative ways to attract visitors.

One strategy being implemented by the SCVA is expanding into the shoulder season, which refers to the periods just before and after peak tourism times. This opens up opportunities to target niche travel markets, such as weddings, life events, and romantic getaways. By offering unique experiences during these quieter times, the Sullivan Catskills can attract a diverse range of travelers.

Additionally, the SCVA is actively pursuing the convention and meeting market. This includes providing incentives for shoulder and mid-week meetings and corporate events. One exciting event that will be returning to the Sullivan Catskills in September is NYSAC (New York State Association of Counties). This conference brings together leaders from all 62 counties in New York and provides an excellent opportunity for the Sullivan Catskills to showcase its assets and attract future visitors.

The SCVA's efforts to market the Sullivan Catskills as a top travel destination will continue to evolve and adapt to the changing landscape. By staying proactive and innovative, we can ensure that the Sullivan Catskills remains a desirable and accessible getaway for all types of travelers

FAST FACTS

According to the recently released data, 2022 traveler spending in Sullivan County reached a record high of \$892 million a 25.8 % increase over 2021's \$710 million in traveler spending. Since 2019 visitor expenditures increased 154.4 %. Were it not for tourism-generated state and local taxes, the average household in the county would have to pay an additional \$3,370 to maintain the same level of government revenue, already hard hit by the pandemic.

This boost has brought about a myriad of economic benefits, including increased employment opportunities and support for local businesses. In 2022, total tourism-generated employment registered 4,701 jobs, 16.3% of all jobs, according to Tourism Economics.

SCVA Activities for December-The SCVA is/has

- Producing a 2024 Travel Guide -will distribute end of January for travel show season.
- Developing a new Website-launch will be 3rd week in January.
- Enhancing the New Catskills downloadable phone “Go” app design—with advanced features and visitor track tools.
- Participated in Heart-A-Thon meeting
- Strategizing for a Geocaching program set for Spring
- Working with a new transportation service from NYC
- Begun planning Catskill Cuisine2

Ads and Placements for last quarter of 2023

- Google Display ads
- Visit Vortex Winter Ad
- Edible NJ Holiday ads
- Catskill Confidential Holiday Ad
- Travel, Taste and Tour Magazine – Print Ad and Editorial
- ROVA December-January Print Ad
- Brand USA 2024
- Global Heroes – January 2024 Print ad and Editorial
- NY Lifestyle Magazine Holiday Print Ad
- Digital ads for Social Media, Mid-Hudson News, Valley Table
- Winter TV commercial

Meetings

- Regional Catskill Association Tourism Promotion Agency Meeting
- Sullivan O&W Rail Trail Alliance Meeting
- D&H anniversary meeting
- Accessibility Tours Meeting
- SCVA Marketing Meeting

Social Media & E-News

- Continue to utilize videos produced with our members to create short vignettes and Tik Tok placements to use on our social channels. Tik Tok and Instagram reels are seeing a lot of likes and comments.
- SCVA continues to work with our social media group Awestruck and Fisher Mears Associates to create and implement targeted marketing to the drive traffic within two hundred miles of the Sullivan Catskills

Below are our metrics for October (9/15 – 10/15).

Digital Ads 10/15 – 11/15

Google Ads

371,821 impressions
Search Campaign has a 10.48% CTR - industry standard is 4.4%
Average CPC is \$1.04- Industry Standard is \$1.53
3,036 website clicks

Facebook Ads

222,288 impressions
Facebook Campaign has a 1.24% CTR – industry standard is .90%
Average CPC is \$0.47– industry standard is .63
2755 Website clicks

Facebook Organic

401,722 Impressions
16,450 Post Engagements
3,132 pageviews

- Top 3 posts:
 - Outstanding Tourism Executive of the year Award - Roberta
 - Fall scenic photo by Jerry Cohen
 - Hemlock Drone post

Instagram Organic

79,888 account impressions
17,490 post impressions
33,609 story impressions
Average engagement rate of 4.25% - industry standard is .91%
131 Website Clicks

- Top 3 Reels:
 - Peace, Love & Lights
 - 3,856 Plays
 - 99 Likes
 - 6 Comments
 - 12 Shares
 - 5 Saves
 - Small Business Saturday w/ @westerncallicoon
 - 11,902 Plays
 - 766 Likes
 - 184 Shares
 - 100 Saves

- 8 Comments
- Thank you @theupstateupdates for sharing..
 - 4,228 Plays
 - 273 Likes
 - 16 Shares
 - 14 comments
 - 2 saves
- Top 3 Posts:
 - Kartrite resort
 - “I do” Villaroma resort
 - Savory Delights at The Laundrette

OTT Results (10/15 – 11/15)

- Impressions: 258,765
- Completion Rate: 98.13%
- Website Conversions: 9,800 (June 22 – November 27 Attribution window)

Companion Display Ads:

- Impressions: 179,683
- Clicks: 199

Recent stories

[Luxury Hotels Are Going Green With Unique Garden Experiences - Maxim](#)

11/26/2023	Travel + Leisure	This Cozy Resort in Upstate New York Feels Like an All-season Adult Camp — With Mountain Views, 'Goat Therapy,' and Bonfires	Samantha Falewée	Online	TBD	16,400,000	151,700														
11/28/2023	Travel + Leisure	Best Travel Tuesday Deals 2023	Dan Koday	Online	TBD	16,400,000	151,700														
12/5/2023	River	Sullivan Catskills to	Editors	Online	TBD	43,700	404														

	Reporter	publish 2024 Travel Guide						
12/5/2023	Thrillist	The Best Places in the U.S. to Visit in January	Perri Blumberg	Online	Core Creative	6,200,000	57,350	
12/8/2023	Thrillist	Ski Resorts for Beginners in the U.S.	Perri Blumberg	Online	Core Creative	6,200,000	57,350	
12/9/2023	Staten Island Advocate	NY Gov. Hochul signs new law to develop more food and beverage trails in NYS: View the full list	Editors	Online	TBD	1,612,517	14,916	
12/9/2023	Delectious Food	New York Governor Hochul signs new law to develop more food and drink trails in New York State	Editors	Online	TBD	7,502	69	
12/10/2023	Mid Hudson News	Sullivan Visitors Association bestows tourism excellence awards	Editors	Online	TBD	474,000	4,385	
12/12/2023	Sullivan County Democrat	Propulsors of tourism industry honored	Derek Kirk	Online	TBD	22,000	204	
12/13/2023	The River Reporter	Hello in there	Jonathan Charles Fox	Online	TBD	43,700	404	
12/20/2023	The River Reporter	Lakes and rivers, shops and fun	Annemarie Schuetz	Online	TBD	43,700	404	

Social Media Ads

[Version 1 horizontal](#)

[Version 2 vertical](#)

TV Ads

[SCVA Winter 23 Version A-New TV output for Fishermears.MP4 \(dropbox.com\)](#)

[SCVA Winter 23 Version B-New TV output for Fishermears.MP4 \(dropbox.com\)](#)

Me-Time to Make Your Soul Happy

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Únase a la Sullivan Catskills Visitors Association.
Te ayudaremos a promocionar tu empresa y atraer a la gente a su puerta.



There's nothing better than biking the beautiful countryside of the Sullivan Catskills. Tour through every square mile (997) over winding roads and savor our low-key small-town vibes.

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Arnold House Tavern, and Geneva Hall are a
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Happy Trails and Bon Appetit!
Tour the Dove Trail—a tribute to the 1969 Woodstock festival. Sip on the Good Taste Craft Beverage Trail. Meander through dozens of hiking trails. When it's time to dine, imaginative chefs and creative mixologists rule the foodie scene.

CATSKILL CUISINE
SULLIVAN CATSKILLS MAY 12 & 13

BETHEL WOODS CENTER FOR THE ARTS
A two-day foodie affair with local and celebrity chefs and farm-fresh seasonal ingredients.

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Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5840

Agenda Date:

Agenda #: 6.

ACTIVITY REPORT – SEPTEMBER 2023
COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY (IDA), SULLIVAN COUNTY
FUNDING CORPORATION (SCFC), THE SULLIVAN COUNTY INFRASTRUCTURE LOCAL
DEVELOPMENT CORPORATION (TSCILDC)

September 28, 2023

The IDA Board held its regular monthly meeting on September 11, at which time the Board adopted the following resolutions:

- Resolution authorizing payment for services to the **Partnership for Economic Development in Sullivan County, Inc.** for the third quarter of 2023.
- Resolutions extending the sales tax abatement periods for four ongoing projects: **NY Thompson III LLC** (solar facility along Old Route 17 in the Town of Thompson); **NY Liberty II LLC** (solar facility along Harris Road in the Town of Liberty); **Empire Resorts Real Estate I, LLC** (reconstruction of the golf course at the site of the Concord in the Town of Thompson); and **Empire Resorts Real Estate II, LLC** (Alder Hotel in the Town of Thompson).
- Resolution consenting to the assignment of the **BRR Brothers III LLC** project to Sullivan Glen Wild Corp. This is a metal fabrication and storage of manufactured products facility on Glen Wild Road in the Town of Fallsburg. The project will be assigned to a new owner, but no change to the scope of the project is contemplated.

The Sullivan County Infrastructure Local Development Corporation (TSCILDC) Board also met on September 11 to conduct routine business and to discuss the proposed **2024 Special Assessment Report** relating to the Adelaar Infrastructure Project. It is anticipated that the Board will approve the Special Assessment Report at its October meeting.

The proposed **2024 IDA Budget** has been circulated to the Sullivan County Legislature, County Manager, and County Clerk, is available at www.sullivanida.com. On Friday, October 6 at 9:30 AM, a representative of the IDA will be available in the Legislative Hearing Room to hear any comments on the proposed budget. Written and verbal comments can also be mailed or e-mailed to the IDA through October 13.

The next meeting of the IDA Board is scheduled for Monday, October 16 at 11:00 AM in the Legislative Committee Room at the Sullivan County Government Center. The SCFC and TSCILDC Boards will also meet on October 16. All three agencies are expected to adopt their 2024 budgets at that time, for submittal to the New York State Authorities Budget Office by November 1.

##



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6005

Agenda Date: 1/11/2024

Agenda #: 1.

Narrative of Resolution:

USDOT DRUG AND ALCOHOL UPDATED TESTING POLICY FOR THE SULLIVAN COUNTY TRANSPORTATION DEPARTMENT

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

Amount to be authorized by Resolution: N/A

Are funds already budgeted? No

Specify Compliance with Procurement Procedures: N/A

RESOLUTION TO APPROVE THE UPDATED USDOT DRUG AND ALCOHOL TESTING POLICY FOR THE SULLIVAN COUNTY TRANSPORTATION DEPARTMENT.

WHEREAS, in order to ensure compliance with Drug-Free Workplace Act of 1988 and the Omnibus Transportation Employee Act of 1991, the County of Sullivan wishes to adopt a USDOT Drug and Alcohol Testing Policy (“Policy”), and

WHEREAS, the Policy must be approved on a bi-annual basis, and

WHEREAS, the Policy has been updated and will be implemented in compliance with all federal and state statutes and regulations, and

WHEREAS, the Policy is attached hereto as Exhibit A and by this reference is made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature adopts the attached Sullivan County Transportation Department’s USDOT Drug and Alcohol Testing Policy, and

BE IT FURTHER RESOLVED that the appropriate County officials shall take the steps necessary to ensure that the Policy is implemented in compliance with federal and state statutes and regulations.

DRUG AND ALCOHOL TESTING POLICY

Sullivan County Transportation

A. PURPOSE

- 1) The Sullivan County provides public transit and paratransit services for the residents of Sullivan County. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Sullivan County declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. Covered employees shall abide by the terms of this policy statement as a condition of employment. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates drug and alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result, or a refusal to test; 49 CFR Part 382 for Federal Motor Carrier Safety Administration (FMCSA); and The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of specimens for drug and alcohol testing.
- 3) Any provisions set forth in this policy that are included under the sole authority of Sullivan County and are not provided under the authority of the above-named Federal regulations are underlined. Tests conducted under the sole authority of Sullivan County will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. See Attachment A for a list of employees and the authority under which they are included.

This policy applies to every person whose position requires the possession of a commercial driver's license (CDL); every employee performing a "safety-sensitive function" as defined below, and any person applying for such positions.

Under FMCSA (Part 382), you are a covered employee if you perform any of the following safety-sensitive functions:

- Driving a commercial motor vehicle which requires the driver to have a CDL
- Waiting to be dispatched to operate a commercial motor vehicle
- Inspecting, servicing, or conditioning any commercial motor vehicle
- Performing all other functions in or upon a commercial motor vehicle (except resting in a sleeper berth)
- Loading or unloading a commercial motor vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloading, remaining in readiness to operate the vehicle, or giving or receiving receipts for shipments being loaded or unloaded
- Repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle

Under FTA (Part 655), you are a covered employee if you perform any of the following: (1) operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), (2) maintenance of a revenue service vehicle or equipment used in revenue service, (3) security personnel who carry firearms, (4) persons controlling the dispatch or movement of revenue service vehicles and (5) any transit employee who operates a non-revenue service vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above-mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

C. DEFINITIONS

Accident (FTA): An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual die;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the

scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Actual Knowledge: (For FMCSA Agencies) Actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use, except as provided in §382.121. Direct observation as used in this definition means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.

Adulterated specimen: A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing, it is taken as a sample representing the whole specimen.

Alternate specimen: An authorized specimen, other than the type of specimen previously collected or attempted to be collected.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

Clearinghouse: The FMCSA database that 49 CFR Part 382 requires employers and service agents to report information to, and to query, regarding CDL drivers who are subject to the DOT controlled substance and alcohol testing regulations.

Collection Site: A place selected by the employer where employees present themselves for the purpose of providing a specimen for a drug test.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify a specific drug or drug metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

Covered Employee Under FTA/FMCSA Authority: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

Cutoff: The analytical value (e.g., drug or drug metabolite concentration) used as the decision point to determine a result (e.g., negative, positive, adulterated, invalid, or substituted) or the need for further testing.

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

DOT, The Department, DOT Agency: These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is

available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Employee: Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under 49 CFR Part 40, the term employee has the same meaning as the term “donor” as found on CCF and related guidance materials produced by the Department of Health and Human Services.

Evidential Breath Testing Device (EBT): A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations, and appears on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices” because it conforms to the model specifications available from NHTSA.

Initial Drug Test: The first test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a specimen is adulterated, diluted, substituted, or invalid

Invalid Result: The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of HHS; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under 49 CFR Part 40.

Limit of Detection (LOD): The lowest concentration at which the analyte (e.g., drug or drug metabolite) can be identified.

Limit of Quantification (LOQ): For quantitative assays, the lowest concentration at which the identity and concentration of the analyte (e.g., drug or drug metabolite) can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed

positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative specimen: A specimen that is reported as adulterated, substituted, positive (for drug(s) or drug metabolite(s)), or invalid.

Oral Fluid Specimen: A specimen that is collected from an employee's oral cavity and is a combination of physiological fluids produced primarily by the salivary glands. An oral fluid specimen is considered to be a direct observation collection for all purposes of 49 CFR Part 40, as amended.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

Primary specimen: In drug testing, the specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of specimen validity testing.

The primary specimen is the portion of the donor's subdivided specimen designated as the primary ("A") specimen by the collector to distinguish it from the split ("B") specimen, as defined in 49 CFR Part 40, as amended.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine as specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split (Bottle B) specimen when the second HHS-certified laboratory corroborates the original result reported for the primary (Bottle A) specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions: (FMCSA) All time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

- (1) All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
- (2) All time inspecting equipment as required by §§392.7 and 392.8 of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- (3) All time spent at the driving controls of a commercial motor vehicle in operation;
- (4) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of §393.76 of this subchapter);
- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- (6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Safety-sensitive functions: (FTA) Employee duties identified as:

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Driver's License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling dispatch or movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

Specimen: Fluid, breath, or other material collected from an employee at the collection site for the purpose of a drug or alcohol test.

Specimen Bottle: The bottle that, after being sealed and labeled according to the procedures in 49 CFR Part 40, is used to hold a primary (“A”) or split (“B”) specimen during the transportation to the laboratory. In the context of oral fluid testing, it may be referred to as a “vial,” “tube,” or “bottle.”

Split Specimen: In drug testing, the specimen that is sent to a first laboratory and stored with its original seal intact, and which is transported to a second laboratory for retesting at the employee’s request following MRO verification of the primary specimen as positive, adulterated or substituted.

Split specimen collection: A collection in which the single specimen collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B)

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: An employee’s specimen not consistent with a normal human specimen, as determined by HHS (e.g., a urine specimen, with creatinine and specific gravity values that are so diminished, or so divergent that they are not consistent with normal human urine).

Test Refusal: The following are considered a refusal to test if the employee:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- (2) Fail to remain at the collection site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a specimen. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of specimen without a valid medical explanation.
- (6) Fail or decline to take an additional test as directed by the collector or the employer for drug testing.

- (7) Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.
- (14) As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

Undiluted (neat) oral fluid: An oral fluid specimen to which no other solid or liquid has been added. For example: A collection device that uses a diluent (or other component, process, or method that modifies the volume of the testable specimen) must collect at least 1 mL of undiluted (neat) oral fluid.

Urine specimen: Urine collected from an employee at the collection site for the purpose of a drug test.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use at or above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use at or above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the specimen, if the specimen was diluted, or if the specimen was altered.

D. EDUCATION AND TRAINING

- 1) For FMCSA Agencies: Sullivan County will provide educational materials that explain the requirements of Part 382 as well as this policy. Sullivan County will ensure that a copy of these materials is distributed to each driver prior to the start of alcohol and controlled substances testing and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle.

The materials to be made available to drivers shall include what is provided in this policy document in addition to a detailed discussion the following:

- 1) Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management; and
- 2) The requirement that the following personal information collected and maintained under Part 382 and this policy shall be reported to the FMCSA Clearinghouse:
 - a. A verified positive, adulterated, or substituted drug test result;
 - b. An alcohol confirmation test with a concentration of 0.04 or higher;
 - c. A refusal to submit to any test required by subpart C of this part;
 - d. An employer's report of actual knowledge, as defined at §382.107;
 - e. On duty alcohol use pursuant to §382.205;
 - f. Pre-duty alcohol use pursuant to §382.207;
 - g. Alcohol use following an accident pursuant to §382.209; and
 - h. Controlled substance use pursuant to §382.213;
 - i. A substance abuse professional (SAP as defined in §40.3 of this title) report of the successful completion of the return-to-duty process;
 - j. A negative return-to-duty test; and
 - k. An employer's report of completion of follow-up testing.
- 3) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal

health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

- 4) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

- 1) Prohibited substances addressed by this policy include the following.
 - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1308.11 through 1308.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. It is important to note that the use of marijuana in any circumstances remains completely prohibited for any safety-sensitive employee subject to drug testing under USDOT regulations. The use of marijuana in any circumstance (including under state recreational and/or medical marijuana laws) by a safety-sensitive employee is a violation of this policy and a violation of the USDOT regulation 49 CFR Part 40, as amended.

USDOT drug testing regulations (49 CFR Part 40) require that all employees covered under FTA/FMCSA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Sullivan County supervisor and the employee is

required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.

- c. Alcohol: The use of beverages containing alcohol (including mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited.

F. PROHIBITED CONDUCT

- 1) Illegal use of the drugs listed in this policy and as defined in 49 CFR Part 40, as amended is prohibited at all times. All covered employees are prohibited from reporting for duty or remaining on duty if they have used a prohibited drug as defined in 49 CFR Part 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) Sullivan County shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
 - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT regulations require the employee to be removed from the performance of safety-sensitive duties until:
 - i. The employee's alcohol concentration measures less than 0.02; or

- ii. FOR FTA COVERED EMPLOYEES: The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.
 - iii. FOR FMCSA COVERED EMPLOYEES: The start of the employee's next regularly scheduled duty period, but not less than twenty-four hours following administration of the test.
- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
 - 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
 - 7) Sullivan County under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
 - 8) Consistent with the Drug-free Workplace Act of 1988, all Sullivan County employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including agency premises and agency vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the Sullivan County management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in this policy.

H. TESTING REQUIREMENTS

- 1) Drug testing and alcohol testing will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA/FMCSA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in this policy, and return to duty/follow-up.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Sullivan County authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

- 3) All covered employees will be subject to drug testing and alcohol testing as a condition of ongoing employment with Sullivan County. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in this policy.

I. DRUG TESTING PROCEDURES

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine and/or oral fluid specimen will be collected as described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary specimen. For those specimens that are not negative, a confirmatory test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the confirmatory test are at or above the minimum thresholds established in 49 CFR Part 40, as amended.
- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to

Sullivan County. If a legitimate explanation is found, the MRO will report the test result as negative.

- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
- 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Sullivan County will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Sullivan County will seek reimbursement for the split sample test from the employee.
- 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.
- 7) Observed collections
 - a. Consistent with 49 CFR Part 40, as amended, collection under direct observation with no advance notice will occur if:
 - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Sullivan County that there was not an adequate medical explanation for the result;
 - ii. The MRO reports to Sullivan County that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
 - iii. The laboratory reported to the MRO that the urine specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the urine specimen as negative-dilute

and that a second collection must take place under direct observation (see §40.197(b)(1)).

- iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
- v. The temperature on the original urine specimen was out of range (See §40.65(b)(5));
- vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with (See §40.65(c) (1)).
- vii. All follow-up-tests; or
- viii. All return-to-duty tests

Urine collections that are required to be directly observed will be conducted by a person of the same gender as the donor as required by 49 CFR Part 40.67.

J. ALCOHOL TESTING PROCEDURES

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC's Web page for "Approved Evidential Breath Measurement Devices". Alcohol screening tests may be performed using a non-evidential testing device (alcohol screening device (ASD)) which is also approved by NHTSA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids". If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The

procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

- 2) A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours for FTA covered employees, and twenty-four hours for FMCSA covered employees, or for the duration of the work day whichever is longer and will be subject to the consequences described in this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Sullivan County affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA/FMCSA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

- 1) All applicants for covered transit positions shall undergo drug testing prior to performance of a safety-sensitive function.
 - a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.
 - b. An employee shall not be placed, transferred or promoted into a position covered under FTA/FMCSA authority or company authority until the employee takes a drug test with verified negative results.
 - c. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded and the applicant will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before

being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.

- d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA/FMCSA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with this policy.
- e. If a pre-employment test is canceled, Sullivan County will require the applicant to take and pass another pre-employment drug test.
- f. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide Sullivan County with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. Sullivan County is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide Sullivan County proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

2) FMCSA Drug Testing Exceptions

A driver is not required to undergo a pre-employment test if:

- I. The driver has participated in a DOT testing program within the previous 30 days; and
- II. While participating in that program, either:
 - a. Was drug tested within the past six months (from the date of application with the employer), or
 - b. Participated in the random drug testing program for the previous 12 months (from the date of application with the employer); and
- III. The Sullivan County can ensure that no prior employer of the driver of whom Sullivan County has knowledge has records of a violation of this part or the controlled substances use rule of another DOT agency within the previous six months.

L. REASONABLE SUSPICION TESTING

- 1) All Sullivan County FTA/FMCSA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Sullivan County authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) Sullivan County shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in this policy.

- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the Sullivan County.
- 4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with this policy. Sullivan County shall place the employee on administrative leave in accordance with the provisions set forth under this policy. Testing in this circumstance would be performed under the direct authority of the Sullivan County. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in this policy or the associated consequences.

M. POST-ACCIDENT TESTING

FTA Procedures:

- 1) FATAL ACCIDENTS – A covered employee will be required to undergo drug and alcohol testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.
- 2) NON-FATAL ACCIDENTS – A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:
 - a. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
 - b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

FMCSA Procedures:

Covered employees shall be subject to FMCSA post-accident drug and alcohol testing under the following circumstances:

FATAL ACCIDENTS – As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee who was performing safety-sensitive functions with respect to the vehicle.

NON-FATAL ACCIDENTS – As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, an alcohol test will be conducted on each driver who receives a citation within eight (8) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

1. The accident results in injuries requiring immediate medical treatment away from the scene; or
2. One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, a drug test will be conducted on each driver who receives a citation within thirty-two (32) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

1. The accident results in injuries requiring immediate medical treatment away from the scene; or
2. One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

General Accident Procedures:

The appropriate supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, as but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Sullivan County is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Sullivan County may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA/FMCSA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Individuals who may be covered under company authority will be selected from a pool of non-DOT-covered individuals.

- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA/FMCSA administrator. The current year testing rates can be viewed online at <https://www.transportation.gov/odapc/random-testing-rates>.
- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) USDOT covered employees will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under Sullivan County authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under Sullivan County authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. RETURN-TO-DUTY TESTING

Sullivan County will terminate the employment of any employee that tests positive or refuses a test as specified in this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the agency, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free

and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

P. FOLLOW-UP TESTING

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be immediately removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.
- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a list of USDOT qualified SAPs. A test refusal is defined as any of the following circumstances:
 - a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.

- b. Fail to remain at the collection site until the testing process is complete. An employee who leaves the collection site before the testing process commences for a pre-employment test has not refused to test.
 - c. Fail to attempt to provide a specimen. An employee who does not provide a specimen because he or she has left the collection site before the testing process commenced for a pre-employment test has not refused to test.
 - d. In the case of a directly-observed or monitored urine collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
 - e. Fail to provide a sufficient quantity of specimen without a valid medical explanation.
 - f. Fail or decline to take an additional test as directed by the collector or the employer for drug testing.
 - g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
 - h. Fail to cooperate with any part of the testing process.
 - i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection.
 - j. Possess or wear a prosthetic or other device used to tamper with the collection process.
 - k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
 - l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
 - m. Fail to remain readily available following an accident.
 - n. As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
- 4) An alcohol test result of ≥ 0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours for FTA covered employees, and twenty-four hours for FMCSA covered employees, or the remainder or the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a non-DOT alcohol test with a result of less than 0.02 BAC.
- 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
- a. Mandatory referral to an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return-to-work agreement;

- b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from Sullivan County employment.
 - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in this policy; however, all follow-up testing performed as part of a return-to-work agreement required under this policy is under the sole authority of Sullivan County and will be performed using non-DOT testing forms.
 - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return-to-work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
 - d. **A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in this policy.**
 - e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in this policy.
 - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Sullivan County.
 - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.
- 7) FMCSA Procedures for Voluntary Self-Identification

In accordance with 49 CFR Part 382.121, any covered employee who has self-identified to alcohol misuse or prohibited drug use may voluntarily refer her or himself to the Director of Transportation provided the employee makes the admission prior to performing a safety-sensitive function (i.e., prior to reporting for duty) and does not self-identify in order to avoid any testing under this policy. After an employee voluntarily refers her or himself

to the employer, the DER will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional assistance before any use affects job performance.

Any safety-sensitive employee who self-identifies to alcohol misuse or prohibited drug use under this policy will immediately be removed from his/her safety-sensitive function until successful completion of an educational or treatment program, as determined by a drug and alcohol abuse evaluation expert. Prior to returning to a safety-sensitive function, the employee must also undergo a non-DOT return-to-duty drug test with a verified negative result and/or a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

Sullivan County is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

- 1) Drug/alcohol testing records shall be maintained by the Sullivan County Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.

- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other management personnel on a need-to-know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Sullivan County or the employee.
- 10) If a party seeks a court order to release a specimen or **part** of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the *[LOCAL GOVERNING AUTHORITY]* on *[MONTH DD, YEAR]*.

[APPLICABLE SIGNATURES]

Attachment A

<u>Job Title</u>	<u>Job Duties</u>	<u>Testing Authority</u>
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Dispatcher

FTA

Job Duties: Scheduling vehicle assignments and routing the transportation system, including the dispatch of drivers and vehicles. Record keeping and other duties may be required. Work is performed under general supervision of the Director of Transportation.

F/T (Full Time Bus Drivers)

FTA

Job Duties: Transports the public to and from medical appointments, to and from shopping, delivers meals to the homebound, transports veterans to and from Albany and Castle Point VA hospitals and transports veterans to and from local doctor appointments within Sullivan County.

Attachment B Contacts

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

Sullivan County Drug and Alcohol Program Manager

Name: Ruthann Hayden
Title: Director of Transportation
Address: 401 County Road 183 Swan Lake,
N.Y 12783
Telephone Number: 845-807-0182

Medical Review Officer

Name: Partners in Safety
Title: Dr. Russell Kramer
Address: 800 Route 17M Middletown,
N.Y. 10940
Telephone Number: 845-341-0515

Substance Abuse Professional #1

Name: The Employee Assistance Program
Title: Nicole Gerace, LCSW, PLLC
Address: 55 Chamberlain St. Wellsville,
N.Y. 14895
Telephone Number: 800-252-4555

Substance Abuse Professional #2

Name: Partners in Safety
Title: Dr. Charles Chandler
Address: 800 Route 17M Middletown,
N.Y. 10940
Telephone Number: 845-341-0515



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6045

Agenda Date: 1/11/2024

Agenda #: 2.

Narrative of Resolution:

Agreement with SCOFA (NY Connects) and LAMAR to provide Billboards (Outdoor)

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

Amount to be authorized by Resolution: \$19,625.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

Funding Reimbursable by NY Connects grant through New York State Office for the Aging

Appropriation code(s): A7610.87.40.4021

Estimated Cost Breakdown by Source County: \$ 0

State: \$ 19,625.00

RESOLUTION INTRODUCED BY PLANNING, REAL PROPERTY AND ECONOMIC DEVELOPMENT COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH LAMAR

WHEREAS, a proposal was received for Outdoor Advertising (Billboards) for the Sullivan County Office for the Aging (NY Connects), and

WHEREAS, LAMAR, 700 James Ave, Scranton, PA 18510, will provide said services from January 2, 2024 through December 31, 2024, and

WHEREAS, the Sullivan County Office for the Aging (NY Connects) has approved said proposal and recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a contract, with, LAMAR at an annual price not to exceed \$19,625.00, in accordance with NY Connects 2023 budget, said contract to be in such form as the County Attorney shall approve.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6050

Agenda Date: 1/11/2024

Agenda #: 3.

Narrative of Resolution:

Reappoint two members and appoint one member to the Sullivan County Industrial Development Agency 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 THE PLANNING, REAL PROPERTY AND ECONOMIC DEVELOPMENT COMMITTEE TO REAPPOINT TWO MEMBERS AND APPOINT ONE MEMBER TO THE SULLIVAN COUNTY INDUSTRIAL DEVELOPMENT AGENCY:

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, two members are up for reappointment as well as 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 demonstrated a 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 reappoints Carol Roig and Scott Smith and appoints Ira Steingart, of the Town of Fallsburg to fill a vacancy on the IDA board; and

BE IT FURTHER RESOLVED, that these reappointments and appointment shall become effective immediately.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6059

Agenda Date: 1/11/2024

Agenda #: 4.

Narrative of Resolution:

Authorize modification of Youth Bureau Funding Program correct names of a program.

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:

**AUTHORIZE THE MODIFICATION OF THE LEGISLATIVE STATE FUNDING PROGRAM
RESOLUTION NUMBER 452-23 ADOPTED ON NOVEMBER 22, 2023.**

WHEREAS, Resolution #452-23 was approved by the Sullivan County Legislature on November 22, 2023, for the County to allocate State funds between the County of Sullivan and County-oriented entities with achieving such goals as youth programing; and

WHEREAS, this resolution is to modify the previous resolution, more specifically the contract with Sullivan Public, modifying the contract agreement name from High School After School Art Program to Sullivan Public - Eldred After School Art Program to the resolution; and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature does hereby authorize the modification of said contract to reflect Youth Development in their Community is known as Sullivan Public - Eldred After School Art Program; and

BE IT FURTHER RESOLVED, that the form of said agreement will be approved by the Sullivan County Attorney’s Office.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6063

Agenda Date: 1/11/2024

Agenda #: 5.

Narrative of Resolution:

TO AUTHORIZE APPLICATION FOR FUNDING FROM THE NEW YORK STATE DEPARTMENT OF AGRICULTURE & MARKETS FOR A 2023 COUNTY FARMLAND PROTECTION IMPLEMENTATION GRANT

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

Amount to be authorized by Resolution: \$50,000 50/50 Match

Are funds already budgeted? Yes A8020-90-47-4763

Specify Compliance with Procurement Procedures:

Click or tap here to enter text.

RESOLUTION INTRODUCED BY THE DIVISION OF PLANNING, COMMUNITY DEVELOPMENT, AND ENVIRONMENTAL MANAGEMENT TO AUTHORIZE APPLICATION FOR FUNDING FROM THE NEW YORK STATE DEPARTMENT OF AGRICULTURE & MARKETS FOR A 2023 COUNTY FARMLAND PROTECTION IMPLEMENTATION GRANT

WHEREAS, the Sullivan County Agricultural and Farmland Protection Board was created by the Sullivan County Legislature and adopted a Countywide Farmland Protection Plan in 1999; and

WHEREAS, the Plan is in need of updating and therefore is eligible for \$50,000 in funding through the New York State Department of Agriculture and Markets to complete the Plan update; and

WHEREAS, the NYS Department of Ag & Markets - County Agricultural and Farmland Protection Planning Grants requires the County to provide a 50 % match of cash or in-kind services, of which the County will meet the requirement in the provision of a 50% cash match; and

WHEREAS, the Sullivan County Legislature does hereby authorize the Division of Planning, Community Development, and Environmental Management in collaboration with Cornell Cooperative Extension of Sullivan County, as authorized under Resolution #44-23, to apply for, accept, and administer funding from the New York State Department of Agriculture and Markets.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, Chairman of the County Legislature, and / or their authorized representative (as required by the funding source) to execute any and all necessary documents to submit the New York State Department of Agriculture and Markets County Agricultural and Farmland Protection Planning Grant application for funding; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, and / or Chairman of the County Legislature (as required by the funding source) to accept the award, and enter into an award agreement or contract to administer the funding secured, in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that should the New York State Department of Agriculture and Markets County Agricultural and Farmland Protection Planning Grant funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6066

Agenda Date: 1/11/2024

Agenda #: 6.

Narrative of Resolution:

TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A CONTRACT WITH THE PARTNERSHIP FOR ECONOMIC DEVELOPMENT IN SULLIVAN COUNTY, INC.

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

Amount to be authorized by Resolution: \$100,000

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

Click or tap here to enter text.

TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A CONTRACT WITH THE PARTNERSHIP FOR ECONOMIC DEVELOPMENT IN SULLIVAN COUNTY, INC

WHEREAS, the County of Sullivan (“County”) and the Partnership for Economic Development (Partnership); have enjoyed a long relationship and

WHEREAS, the Partnership works closely with the Industrial Development Agency to attract economic development projects in Sullivan County; and

WHEREAS, the current contract between the Partnership and the County expired on December 31, 2023; and

WHEREAS, the parties mutually desire to continue their relationship in which the partnership will continue to promote Sullivan County as a destination for current and potential employers to be establish or expand their current involvement in Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan shall enter into a one (1) year Contractual relationship with the Partnership which will carry a price term of one hundred thousand dollars (\$100,000) to be paid from the County to the Partnership in exchange for the partnership continuing to market Sullivan County as a business destination to potential investors; and

BE IT FURTHER RESOLVED, that the Contract shall be for a period of one (1) year, January 1, 2024 through December 31, 2024; and

BE IT FURTHER RESOLVED: that payments provided for herein from the County of Sullivan shall be tendered on or about April 1, 2024, July 1, 2024, October 1, 2024 and December 31, 2024; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute the aforementioned Contract in a form approved by the County Attorney