



Sullivan County

Executive Committee

Meeting Agenda - Final

100 North Street
Monticello, NY 12701

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

Thursday, September 19, 2024

9:00 AM

Government Center

Call To Order and Pledge of Allegiance

Roll Call

Public Comment

Resolutions:

1. To Reappoint Two Members to the Sullivan County Department of Public Health Professional Advisory Board [ID-6690](#)
2. TO APPORTION COST OF THE 2025 COUNTY SELF-INSURANCE PLAN, AND TO LEVY TAXES AND/OR BILL DIRECTLY THEREFOR [ID-6734](#)
Attachments: [Appendix I - Apportionment 2025](#)
3. To Reappoint Gerald J. Skoda, to the Health Services Advisory Board for the Department of Public Health [ID-6735](#)
4. Authorize County Manager on behalf of the Board of Elections to enter into a contract for the "Election Infrastructure Grant" [ID-6763](#)
5. To modify Resolution No. 440-23 [ID-6766](#)
Attachments: [2024-09 ATT Res 440-23 Warming Center](#)
6. To Appoint Leroy Cordero Floyd III, MD, MBA, CPE, FACP, FHM to the Health Services Advisory Board for the Department of Public Health [ID-6767](#)

7. The Legislative Discretionary Funding program is designed to assist Sullivan County and County-oriented entities with achieving such goals as public safety, public health, youth services, community development, and economic development [ID-6770](#)
8. To amend Resolution No. 223-24. [ID-6772](#)
9. Approve double time for Correction Officers working overtime at the Sullivan County Jail for the period between September 19, 2024 - March 19, 2025 [ID-6773](#)
10. RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND RESOLUTION NUMBER 376-22 AND AUTHORIZE A MODIFICATION AGREEMENT WITH ROLLING V BUS CORPORATION [ID-6774](#)
11. Modify Resolution No. 386-23 [ID-6775](#)
12. To accept/reject bids from the September 2024 Real Property Auction [ID-6776](#)
13. Adopt an Updated Guide for Reimbursement of Employees' Travel Expenses Policy [ID-6781](#)
Attachments: [Travel Policy effective 090124 final](#)
[Travel Policy effective 090124 with mark up](#)
14. Adopt a Proposed Local Law to Amend the Sullivan County Administrative Code regarding Investigation of Alleged Ethics Violations and Advisory Opinions [ID-6782](#)
Attachments: [A8A-4 Revised 8-19-24 - numbered lines](#)
15. To Amend 301-24 regarding Promised Tuition Free Scholarship Program [ID-6783](#)

Adjourn



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6690

Agenda Date: 9/19/2024

Agenda #: 1.

Narrative of Resolution:

Introduced by Executive Committee to Reappoint Two Members to the Sullivan County Department of Public Health Professional Advisory Board

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

Amount to be authorized by Resolution: \$0

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

INTRODUCED BY EXECUTIVE COMMITTEE TO REAPPOINT TWO MEMBERS TO THE SULLIVAN COUNTY PUBLIC HEALTH SERVICES PROFESSIONAL ADVISORY COMMITTEE

WHEREAS, pursuant TO 10 NYCRR (New York Codes, Rules and Regulations) Section 763.11 (a) (13) requires that Sullivan Public Home Health Certified Home Health and Long Term Home Health Care Program establish a Professional Advisory Committee to consist of “a group of professional personnel, which includes one or more physicians, registered professional nurses and representatives of the professional therapeutic services provided by the agency” and “at least one member who cannot be an owner nor employee compensated by the agency”, and

WHEREAS, the term of the two Professional Advisory Committee members expired on December 31, 2023 and both members have agreed to serve another term.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be appointed to Sullivan County Public Health Services Professional Advisory Committee, pursuant to Section 763.11 (13) of NYCRR, with the term of **1/1/2024 to 12/31/2027**

1. **Judy Balaban**
419 Puckyhuddle Road
Bethel, New York 12720

2. **Lise-Anne Deoul**
92 Main Street
Cornwall, NY 12518



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6734

Agenda Date: 9/19/2024

Agenda #: 2.

Narrative of Resolution:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPORTION COST OF THE 2025 COUNTY SELF-INSURANCE PLAN, AND TO LEVY TAXES AND/OR BILL DIRECTLY THEREFOR

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

Amount to be authorized by Resolution: 4,271,741

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

WHEREAS, the County Legislature adopted Local Law 2 of 2018 which restated and amended sections of Chapter 43 of the Law of Sullivan County; and

WHEREAS, the Risk Management & Insurance Department (“Risk Management”) is required to and hereby files a report by which it has estimated that the sum of \$4,271,741 will be necessary for the calendar year 2025 to meet the payments and expenses of the Workers’ Compensation Self - Insurance Plan; and

WHEREAS, Risk Management has determined the share of such estimated sum chargeable to each participant of the County Workers’ Compensation Self Insurance Plan; and

WHEREAS, the amount chargeable to each participant of the County Workers’ Compensation Self-Insurance Plan is detailed on the Self-Insurance Fund Charges, and, the \$4,271,741.00 was calculated as detailed in the 2025 Estimate of Expenses for the Self-Funded Workers’ Compensation Plan for Sullivan County (attached 2025 Allocation report) and made a part hereof; and

WHEREAS, the 2025 Cost Allocation Report shall collectively be considered Risk Management’s 2025 report for the funding estimate and participant apportionment costs for the County’s Workers’ Compensation Self-Insurance Plan, (“Risk Management’s 2025 Plan”)

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby adopts Risk Management’s 2025 Plan and directs that the amount set opposite the name of each participant on Appendix I of the County Workers’ Compensation Self - Insurance Plan be apportioned and charged to each respectively; with such amount so apportioned to the County and the Towns be levied and raised by tax in the next annual tax levy against the taxable property of the County and the Towns; and such amount apportioned to the Villages and Sullivan County Community College to be directly billed to the Villages and the College by Risk Management; and

BE IT FURTHER RESOLVED, that the amount apportioned to the County and the Towns shall be collected by inclusion in the next succeeding tax levy of each Town, and that when collected such amount shall be paid by the respective tax collectors to the County Treasurer, said amounts to be credited to the County Workers’ Compensation Self - Insurance Fund and the amount billed to the Villages and the College shall be paid directly to the Sullivan County

Treasurer.

2025 SELF-INSURANCE PLAN
FUND CHARGES

| PARTICIPANTS | | SHARE |
|-------------------------------------|-----------------|-----------------------|
| County | of Sullivan | \$1,682,025.00 |
| | TOWNS | |
| Town of | Bethel | \$136,478.00 |
| Town of | Callicoon | \$88,335.00 |
| Town of | Cochecton | \$45,590.00 |
| Town of | Delaware | \$72,029.00 |
| Town of | Fallsburg | \$424,796.00 |
| Town of | Forestburgh | \$34,138.00 |
| Town of | Fremont | \$48,435.00 |
| Town of | Highland | \$59,839.00 |
| Town of | Liberty | \$158,294.00 |
| Town of | Lumberland | \$71,293.00 |
| Town of | Mamakating | \$270,850.00 |
| Town of | Neversink | \$123,524.00 |
| Town of | Rockland | \$112,027.00 |
| Town of | Thompson | \$240,141.00 |
| Town of | Tusten | \$59,310.00 |
| | VILLAGES | |
| Village of | Jeffersonville | \$13,963.00 |
| Village of | Liberty | \$169,517.00 |
| Village of | Monticello | \$364,368.00 |
| Village of | Woodridge | \$51,787.00 |
| Village of | Wurtsboro | \$9,134.00 |
| | COLLEGE | |
| Sullivan County Community College | | \$35,867.00 |
| Distributed Non County Fund Balance | | \$0.00 |
| | | \$4,271,740.00 |
| TOTAL | | \$4,271,740.00 |

APPENDIX I



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6735

Agenda Date: 9/19/2024

Agenda #: 3.

Narrative of Resolution:

To Reappoint Gerald J. Skoda, to the Health Services Advisory Board for the Department of Public Health

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

Amount to be authorized by Resolution: 0

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT GERALD J. SKODA TO THE HEALTH SERVICES ADVISORY BOARD FOR THE DEPARTMENT OF PUBLIC HEALTH

WHEREAS, Section 357 of the Public Health Law mandates that two members of the Health Services Advisory Board (HSAB) be licensed physicians, with the remaining seven to be known public members selected on the basis of their interest and knowledge regarding health needs, resources and facilities of the community, and

WHEREAS, pursuant to Section 357 of Public Health Law, Health Services Advisory Board members shall have fixed terms of four years, which shall be deemed to run from the first day of the year in which the appointment was made, and

WHEREAS, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members may not serve for more than two terms consecutively; and

WHEREAS, the Gerald J. Skoda has expressed interest in continuing to serve on the Health Services Advisory Board; and

NOW, THEREFORE, BE IT RESOLVED, that Gerald J. Skoda now be *reappointed* to a second term on the Health Services Advisory Board per Public Health Law for the term of January 1, 2024 through December 31, 2027.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6763

Agenda Date: 9/19/2024

Agenda #: 4.

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE COUNTY MANAGER ON BEHALF OF THE BOARD OF ELECTIONS, TO ENTER INTO A CONTRACT FOR THE “ELECTION INFRASTRUCTURE GRANT” CONTRACT #24A-08870

WHEREAS, The Center for Tech and Civic Life (“CTCL”) has made available funding to support local election offices in conducting reliable and secure elections by modernizing outdated technology, improving access to voting for groups in rural communities, seniors, and veterans, and making needed infrastructure updates to enhance election security; and

WHEREAS, the grant funding contract (#24A-08870) requires the County to expend funding on eligible expenditures made in securing products or services related to administering secure elections, and other eligible costs between July 31, 2024 and December 31, 2024; and

WHEREAS, eligible and approved costs will be reimbursed to the County Board of Election for the local dollars spent on said costs;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, acting on behalf of the Sullivan County Board of Elections (as required by the funding source), to accept the award, and enter into an award agreement or contract in the amount of \$50,000 and to administer the funding secured for the “ELECTION INFRASTRUCTURE GRANT” CONTRACT #24A-08870, in such form as the County Attorney shall approve.

BE IT FURTHER RESOLVED, that should the 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-6766

Agenda Date: 9/19/2024

Agenda #: 5.

Narrative of Resolution:

To modify Resolution No. 440-23

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

Amount to be authorized by Resolution: \$235,000

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: Reviewed response of the request for proposal with Director of Purchasing and awarding contract to contractor for operations of warming centers.

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY RESOLUTION NO. 440-23

WHEREAS, the County of Sullivan, through the Department of Family Services, coordinates the operations of the County’s Warming Centers during months of cold temperatures to provide a safe and warm space for residents in need; and

WHEREAS, Resolution number 440-23 authorized the County Manager to enter into agreements with the following proposers:

1. St. John’s Episcopal Church at a not to exceed amount of \$33,000
2. Liberty United Methodist Church at a not to exceed amount of \$33,000
3. New Beginnings Community Worship Center, Inc. at a not to exceed amount of \$46,000
4. Sullivan County Federation for the Homeless at a not to exceed amount of \$120,000

WHEREAS, there is a need to amend Resolution number 440-23 to remove New Beginnings Community Worship Center, Inc due to dissolution; and

WHEREAS, Liberty United Methodist Church has submitted a letter of interest to assume New Beginnings Community Worship Center, Inc. staffing duties; and

WHEREAS, Resolution number 440-23 will be amended to now read that it authorizes the County Manager to enter into agreements with the following proposers from R-23-33

1. St. John’s Episcopal Church at a not to exceed amount of \$33,000
2. Liberty United Methodist Church at a not to exceed amount of \$82,000
3. Sullivan County Federation for the Homeless at a not to exceed amount of \$120,000

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a modification agreement with Liberty United Methodist Church, to increase the amount per yearly extension to \$82,000. Resolution No. 440-23 is hereby modified as per the above and all other provisions of Resolution No. 440-23 shall remain unchanged, said contract to be in such form as the County Attorney shall approve.



Sullivan County

100 North Street
Monticello, NY 12701

Certified Copy

Resolution: 440-23

File Number: ID-5914

Enactment Number: 440-23

RESOLUTION INTRODUCED BY HEALTH AND HUMAN SERVICES COMMITTEE TO AUTHORIZE AGREEMENTS FOR THE OPERATION OF WARMING CENTERS LOCATED IN MONTICELLO AND LIBERTY

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

Amount to be authorized by Resolution: \$235,000

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: Reviewed response of the request for proposal with Director of Purchasing and awarding contract to contractor for operations of warming centers.

WHEREAS, the County of Sullivan, through the Department of Social Services, coordinates the operation of the County's Warming Centers during months of cold temperatures to provide a safe and warm space for residents in need; and

WHEREAS, a request for Proposal, R-23-33, was issued for the operation of the warming centers the Department of Social Services recommends that contracts be executed with the following proposers:

1. St. John's Episcopal Church at a not to exceed amount of \$33,000
2. Liberty United Methodist Church at a not to exceed amount of \$36,000
3. New Beginnings Community Worship Center, Inc. at a not to exceed amount of \$46,000
4. Federation for the Homeless at a not to exceed amount of \$120,000

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be hereby authorized to execute Agreements with the proposers and they're not to exceed amounts noted above, for the period of October 1, 20 through September 30, 2024. These agreements may be extended on a yearly basis, for an additional four (4) years; and

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

I, AnnMarie Martin, certify that this is a true copy of Enactment Number 440-23, passed by the County Legislature on 11/22/2023.

Attest:

AnnMarie Martin

11/22/23

Date Certified



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6767

Agenda Date: 9/19/2024

Agenda #: 6.

Narrative of Resolution:

To Appoint Leroy Cordero Floyd III, MD, MBA, CPE, FACP, FHM to the Health Services Advisory Board for the Department of Public Health

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

Amount to be authorized by Resolution:

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

Introduced by Executive Committee to Appoint Leroy Cordero Floyd III, MD, MBA, CPE, FACP, FHM to the Health Services Advisory Board for the Department of Public Health

WHEREAS, Section 357 of the Public Health Law mandates that two members of the Health Services Advisory Board (HSAB) be licensed physicians, with the remaining seven to be known public members selected on the basis of their interest and knowledge regarding health needs, resources and facilities of the community, and

WHEREAS, pursuant to Section 357 of Public Health Law, Health Services Advisory Board members shall have fixed terms of four (4) years except three initial appointments shall be two (2) years and three initial appointments shall be three (3) years, which shall be deemed to run from the first day of the year in which the appointment was made, and

WHEREAS, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members may not serve for more than two terms consecutively; and

WHEREAS, Leroy Cordero Floyd III, MD, MBA, CPE, FACP, FHM has expressed interest in serving on the Health Services Advisory Board; and

WHEREAS, the Health Services Advisory Board members have discussed and recommend to the legislature that Leroy Cordero Floyd III, MD, MBA, CPE, FACP, FHM be appointed based on experience and qualifications in public health and community health, have reviewed the need for representation on the board this is reflective of the current needs of the Department of Public Health; and

NOW, THEREFORE, BE IT RESOLVED, that Leroy Cordero Floyd III, MD, MBA, CPE, FACP, FHM now be *appointed* to his initial appointment of a three (3) year term on the Health Services Advisory Board per Public Health Law for the term of January 1, 2024 through December 31, 2026.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6770

Agenda Date: 9/19/2024

Agenda #: 7.

Narrative of Resolution:

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

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

Amount to be authorized by Resolution: \$5,000

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: N/A

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

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

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

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

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

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the County Manager to enter into contracts with these award recipients for the contract period of January 1, 2024 through December 31, 2024, said contracts to be in a form approved by the County Attorney.

“Schedule A”

2024 Legislative Discretionary Contract Funding

| Applicant | Award Recommendation | Award Recommendation |
|---|---|----------------------|
| Mountaindale Fire Department First Aid Squad Inc. | Equipment (Legislator District 7) | \$5,000 |
| Bethel Local Development Corporation | Restore 6 Town Welcome Signs that serve as a Gateway promoting economic development | \$2,725 |



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6772

Agenda Date: 9/19/2024

Agenda #: 8.

Narrative of Resolution:

To amend Resolution No. 223-24

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

Amount to be authorized by Resolution: \$0

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AMEND RESOLUTION NO. 223-24 REGARDING LAKE COMMUNITIES ALLIANCE NY, INC.

WHEREAS, the Sullivan County Legislature adopted Resolution No. 223-24 on April 18, 2024 authorizing funding for the Lake Communities Alliance NY, Inc. the amount of \$3,800 from District 9 Legislator; and

WHEREAS, there is a need to amend the resolution to reflect the proper “award recommendations”; and

WHEREAS, the proper description should state “offset the cost to conduct mailings and paperwork needed” with a dollar amount of \$3,800.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby amends Resolution No. 223-24 to reflect the award recommendation to be “offset the cost to conduct mailings and paperwork needed” with a dollar amount of \$3,800.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6773

Agenda Date: 9/19/2024

Agenda #: 9.

Narrative of Resolution:

Approve double time for Correction Officers working overtime at the Sullivan County Jail for the period between September 19, 2024 - March 19, 2025

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

Amount to be authorized by Resolution: ?

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY LUIS A. ALVAREZ, CHAIRMAN OF THE PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE AUTHORIZING DOUBLE TIME FOR CORRECTION OFFICERS WORKING OVERTIME BETWEEN SEPTEMBER 19, 2024 AND MARCH 19, 2025

WHEREAS, there is a shortage of Corrections Officers, and

WHEREAS, this staffing shortage is magnified by retirement and resignation of Correction Officers, and

WHEREAS, staff in the Sullivan County Jail Division are overworked constantly, and

WHEREAS, this staffing shortage has resulted in increased amounts of overtime.

NOW THEREFORE BE IT RESOLVED that the Sullivan County Legislature hereby authorizes double time for those Correction Officers working overtime between September 19, 2024 and March 19, 2025.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6774

Agenda Date: 9/19/2024

Agenda #: 10.

Narrative of Resolution:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND RESOLUTION NUMBER 376-22 AND AUTHORIZE A MODIFICATION AGREEMENT WITH ROLLING V BUS CORPORATION

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

Amount to be authorized by Resolution: \$7,941.00

Are funds already budgeted? No

Specify Compliance with Procurement Procedures: n/a

WHEREAS, pursuant to Resolution No. 204-19, the County entered into a Transit System Opportunity with Rolling V Bus Corporation for the provision of “Move Sullivan” for Routes A & B with complimentary paratransit services; and

WHEREAS, pursuant to Resolution No. 307-22, the County authorized the bus services beginning August 1, 2022 and modified the agreement to include two new routes (Routes C & D) with complementary paratransit services as well as authorized the County to finance the cost of each route through December 31, 2023; and

WHEREAS, pursuant to Resolution No. 376-22, the County modified the original agreement for all four routes with amounts not to exceed \$1,186,951 (A & B total amount not to exceed \$555,951 and C & D total amount not to exceed \$631,000); and

WHEREAS, due to an increase in paratransit services the finalized ridership figures for Routes A&B requires an increase by \$14,088, and

WHEREAS, Routes C&D can be decreased by \$6,147 leaving funds needed from the General fund in the amount of \$7,941 to cover the outstanding balance in Routes A & B.

NOW, THEREFORE, BE IT RESOLVED, the County Manager is hereby authorized to continue to defray the cost for ridership and to execute a modification agreement with Rolling V Bus Corporation for a total amount not to exceed \$1,194,892 for the one-year period July 1, 2023 through June 30, 2024.

BE IT FURTHER RESOLVED, that said agreement shall be in such a form as approved by the County Attorney.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6775

Agenda Date: 9/19/2024

Agenda #: 11.

Narrative of Resolution:

Modify Resolution No. 386-23

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

Amount to be authorized by Resolution: 19326

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY RESOLUTION 386-23 REGARDING EAP

WHEREAS, Resolution #386-23 was approved by the Sullivan County Legislature on 9/21/2023, authorizing execution of an agreement with Employee Services, LLC dba ESI Employee Assistance Group, with an address of 55 Chamberlain Street, Wellsville, New York 14895, in accordance with #R-23-27; Employee Assistance Program Services for the period October 1, 2023 through September 30, 2024, with the option to extend on a yearly basis for four (4) additional consecutive years; and

WHEREAS, the Department of Human Resources proposes an extension of EAP services for the period of October 1, 2024 through September 30, 2025, at a cost not to exceed \$19,326.00, with the option to extend on a yearly basis for three (3) additional consecutive years at a cost not to exceed \$19,326.00 per annual extension.

NOW, THEREFORE, BE IT RESOLVED that the County Manager is authorized to sign a modification agreement extending EAP services for the period October 1, 2024 through September 30, 2025, at a cost not to exceed \$19,326.00, with the option to extend on a yearly basis for three (3) additional consecutive years at a cost not to exceed \$19,326.00 per annual extension.

BE IT FURTHER RESOLVED, that any and all agreement be approved to form by the Sullivan County Attorney's Office.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6776

Agenda Date: 9/19/2024

Agenda #: 12.

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ACCEPT/REJECT BIDS FROM THE SEPTEMBER 2024 REAL PROPERTY AUCTION

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

WHEREAS, Absolute Auctions and Realty, Inc. conducted an auction on September 11, 2024 and

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

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

WHEREAS, the successful bidders will have until 5:00 p.m. on Friday, October 11, 2024, pursuant to the terms and conditions of the auction, to pay the balance due to the Sullivan County Treasurer’s Office or any deposit remitted will be forfeited, and

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

WHEREAS, if the successful bidder(s) do not remit the balance of the bid amount by Friday, October 11, 2024, pursuant to the terms and conditions of the auction, the parcels will be reoffered for sale to the second bidders, and the deposit(s) will be forfeited, and

NOW, THEREFORE, BE IT RESOLVED, the bids recorded at the real property auction held on September 11, 2024 are hereby accepted and the Chairman of the Sullivan County Legislature is hereby authorized and directed to execute the necessary documents to convey such title to the successful bidder, or to the party to whom conveyance shall be made, and

BE IT FURTHER RESOLVED, the Sullivan County Treasurer is authorized to forfeit and retain any deposits made on bids that are not paid in full on or before 5:00 p.m. on October 11, 2024, pursuant to the terms and conditions of the auction.

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



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6781

Agenda Date: 9/19/2024

Agenda #: 13.

Narrative of Resolution:

Adopt an Updated Guide for Reimbursement of Employees’ Travel Expenses Policy

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

Amount to be authorized by Resolution: \$0

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT AN UPDATED GUIDE FOR REIMBURSEMENT OF EMPLOYEES’ TRAVEL EXPENSES POLICY

WHEREAS, the County of Sullivan amended the Guide for Reimbursement of Employees’ Travel Expense in June 2016 to comply with the Internal Revenue Service (IRS) guidelines; and

WHEREAS, since this adoption of the policy, the meal reimbursement rate has not been increased; and

WHEREAS, the County Manager’s Office and the County Auditor’s Office have compared other localities reimbursement rates and have updated the attached policy to reflect proposed rates; and

WHEREAS, the current reimbursement rates are as followed:

Breakfast \$10, Lunch \$15 and Dinner \$25; and

WHEREAS, the proposed reimbursement rates are as followed:

Breakfast \$15, Lunch \$20 and Dinner \$35

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby adopts the attached Guide to Reimbursement of Employees Travel Expense Policy effective September 1, 2024.

Section 1. General

This Guide to Reimbursement of Employees' Travel Expenses will outline what expenditures may be considered to be a County charge. It will also clearly delineate which reimbursable expenses are taxable according to the Internal Revenue Service (IRS) and which are non-taxable. Taxable reimbursable expenses must be reported on the employee's W-2.

A. Procedure for Filing Mileage/Travel Reimbursement Claims

1. Employee mileage/travel expenses for which reimbursement is being requested must be presented on a standardized County Travel Voucher. Claims for mileage reimbursement must show true odometer readings. All other expenses, including but not limited to lodging, parking, tolls, public transportation, including common carriers, and meals, should be accurately itemized and documented with appropriate receipts and/or other pertinent documentation. Please note: meals require an **itemized** receipt and reasonable tipping will be allowed. (See Section 3A. Meal Reimbursement)
2. Claims should be submitted on a monthly basis; however **must** be submitted within 60 days of the date the expense was incurred. (See Section 2. Accountable Plan) Reimbursements will still be made to the employee if submitted after 60 days of the date the expense was incurred; however, the reimbursement will become taxable, processed through payroll and create potential significant tax consequences for the employee.
3. All travel vouchers will be audited. Any amount deemed to be taxable according to IRS regulations shall be electronically scanned by the Office of Audit and Control and sent to the Payroll Department for processing. The employee will receive this scan as well via email.

B. Fraudulent Bills or Claims

The County reserves the right to prosecute fraudulent claims to the fullest extent of the law. In addition to other statutes, local laws and rules that may be relevant, please note:

1. *"A person is guilty of offering a false instrument for filing in the first degree when, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision thereof, he offers or presents it to a public office or public servant with the knowledge or belief that it will become a part of the records of such public office or public servant."*
2. "Offering a false instrument for filing in the first degree is a Class E Felony" (Penal Law, Section 175.35)

C. Relevant Provisions of Law

As required by Internal Revenue Code, County Law, Sections 203 and 369, General Municipal Law, Section 77-b, and County Administrative Code A9-3. Claims for travel expenditures should indicate the reason for the travel and/or expenses along with the authorization for incurring such expenditures. Prior written approval must be obtained via the "Request to Attend Form".

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2. A Request to Attend must identify the purpose of the travel, whether the travel is mandated, and how the employee or County will benefit by attending the seminar, workshop, convention, conference, meeting, school, etc. The request must also identify whether the employee(s) will receive a certificate, continuing education credits, or any other professional development designation or value associated with the seminar, workshop, convention, conference, meeting, school, etc.
3. The Request to Attend must be approved and signed by the employee's Department Head, Division Head, and the County Manager or designee. Total estimated cost and local share costs must be submitted with every Request to Attend.
 - a. All incidental charges incurred during the course of travel that were not anticipated or previously known, i.e. parking, tolls, special fees, etc. may be paid upon the discretion of the County Auditor, with documented receipts, without approval from the County Manager or designee up to \$25 per trip.
 - b. In the event that the additional expenses exceed \$25, additional approval from the County Manager or designee is required.

Section 2. Accountable Plan

An “accountable plan” is an I.R.S. reimbursement policy under which amounts are nontaxable to the recipient *only if ALL* of the following requirements are met. If these criteria are not met, the reimbursement will become **taxable** to the employee.

A. There must be a *business connection to the expense*.

1. Business Connection - There must be a business purpose for an employee’s travel that can be supported by documentary evidence in order to consider treating the reimbursement of travel expenses. Further, to meet the business connection requirement of an *accountable plan*, travel expense reimbursements other than mileage are only nontaxable to the extent that the expenses are incurred when the employee is *away from home* as defined by the IRS.
2. Away From Home (aka in “travel status”)- In order for a reimbursement of an expense for business travel to be excluded from income, including meals and lodging, the employee must travel *away from home* for official business. Employees are considered to be in travel status if their business duties require them to be away from home for longer than an ordinary day's work and, during that time, they need substantial sleep or rest in order to meet the demands of employment. Employees must obtain appropriate approvals prior to traveling for an assignment (See, Request to Attend).

B. There must be adequate accounting by the recipient within a reasonable period of time. IRS Safe Harbor rules for a reasonable period of time indicate the reimbursement must be substantiated within 60 days of the date the expense was incurred.

- I.* Substantiation Requirements: IRS substantiation requirements provide that the employee must document the date, time, place, amount, and business purpose of expenses. Employees should have documentary evidence, such as bills, itemized receipts, canceled checks, or similar documentation to support their claimed expenses.

C. If applicable, excess reimbursements must be returned to the County within a reasonable period of time. IRS “Safe Harbor” rules for a reasonable period of time indicate the excess reimbursements must be repaid within 120 days of the date the expense was incurred.

Section 3. Expenses

A. Meal Reimbursement

1. Any meal reimbursement for an employee who does not have overnight travel is a taxable fringe benefit according to the IRS and must be reported as wages on Form W-2.
2. Day Trip Reimbursement. Travelers may be reimbursed for lunch for day trips when traveling **outside of the County**. Travelers are entitled to reimbursement for breakfast if they have to leave at least two hours before their normal work start time, and/or for dinner if they return at least two hours later than their normal work ending time. Vouchers for meals must state the purpose of the travel, and in cases of a voucher for multiple meals, the voucher must state the names of the individuals who received each meal.
3. Meal limits. Based on the County's past practice and interpretation of actual and necessary expenses, the maximum amount of reimbursement per meals is as follows:
 - a. Breakfast \$15.00
 - b. Lunch \$20.00
 - c. Dinner \$35.00

Exceptions to meal limits may be made under limited special circumstances, at the discretion of the County Auditor.

4. Reasonable tipping will be allowed when properly documented. In no event shall it exceed 20% of the meal or 20% of the maximum amount of the meal reimbursement listed above, whichever is less.

B. Meal Allowance

1. Any employee designated by his/her Department Head to report to work prior to such employee's regular workday or so designated to continue to work after the end of his normal work day may be paid a meal allowance when so provided by the employee's work agreement.
2. Travel is not required for an employee to receive a meal allowance but it will be treated as a taxable fringe benefit.
3. Employees may not receive an allowance and a reimbursement for the same meal.

C. Mileage Reimbursement

1. In general, an employee shall receive mileage reimbursement for official travel only to the extent that the total miles travelled exceed the total round trip miles of commutation. Commuting mileage is defined as the number of miles travelled by an employee to and from the employee's residence and the employee's official work station. Commuting mileage is generally not reimbursed; however, to the extent it is, payment of commuting mileage is taxable according to the IRS regulations.

2. Official Work Station.

The employee's official work station is the main office or branch office to which an employee is assigned to report to work. The official work station is designated by the Department Head and the designation must be in the best interest of the County. The

purpose of an official work station is to establish when the employee is in travel status and eligible for reimbursement of travel expenses. Travel between the employee's home and official work station is considered commuting and is generally not reimbursable. The employee's home is considered to be in the city or town in which the employee primarily resides when working at his/her official station. If an employee works at more than one location, the department will designate the employee's official work station to be where he/she normally conducts business (i.e., the place where the employee works more time than any other work location). While a department can still make a designation in the best interest of the County, if a department assigns an official station that is not an employee's main place of business, there may be tax reporting obligations on the part of the County and potentially significant tax consequences for the employee.

3. Official travel mileage shall be computed along the most direct route possible with the employee bearing the expense of any extra mileage for travel by an indirect route.
4. Special Rule.
 - a. Official travel by an employee who has been designated by the Personnel Officer as a field employee; **OR**
 - b. An employee that uses his/her privately owned or leased automobile to transport a person other than a County employee to a hospital, court, home or other facility on the County's behalf; **OR**
 - c. Travel is required by the employee's Department Head to work
 - i. other than during the employee's normal work week, **OR**
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shall receive mileage reimbursement without deduction for commutation. If required to work other than the normal work day, an employee must have left for/arrived home from work more than one hour prior to/after their normal leave/arrival time in order to receive commutation mileage. However, any amount of commutation mileage that is reimbursed shall be a taxable fringe benefit according to IRS regulations. For field employees, this means reimbursement for daily travel between the employee's residence and the first and/or last work location, other than their official work station, are taxable.

D. Other Expenses.

1. Only actual, reasonable and necessary business-related expenses, such as lodging, registration fees, etc. will be reimbursed, and such expenses must be properly itemized with supporting documentation attached to the travel voucher. When meals and/or lodging are provided as part of a conference for which attendance has been approved, additional reimbursement is not permitted for those items.
2. Non-business related expenses including but not limited to: speeding fines, parking tickets, laundry, entertainment (e.g., theater tickets, in-room movies), other personal charges or alcoholic beverages will not be reimbursed.

Section 4. Transportation

A. County-Owned Vehicles

1. A County owned vehicle, if available, must be utilized by all County employees for any travel. The County Manager will not approve a Request to Attend and the Office of Audit and Control is not authorized to process claims for mileage unless the Division of Public Works (DPW) certifies that an appropriate County vehicle was not available. Please note, if there is a medical need or special circumstances that a County owned vehicle cannot be utilized by an employee for travel, prior approval must be given by the County Manager or designee.
2. If a County vehicle is available, vehicles should be fueled up at one of the County locations. When traveling a far distance, a gas credit card should be requested from the Division of Public Works. There is a separate policy for the use of these cards which must be followed. A reasonable purchase of gasoline to get the vehicle to a County location to be fueled up may be approved.
3. Other necessary and/or emergency expenses incurred while using a County vehicle for business purposes may be reimbursed, if justified. Please note, before incurring any out of the ordinary expense, the Department of Public Works should be contacted for approval.
4. A daily use record log shall be maintained for all County vehicles, except for Sheriff's Department and Department Heads' vehicles. Daily use log forms are available from the Department of Public Works. These forms should be maintained on a daily basis and forwarded to DPW monthly within 10 days after the end of each month. Certain revised forms may be approved by the County Manager for departmental use.

B. Common Carrier

Often times the most efficient and cost effective method of transportation is using a common carrier such as a train, bus, taxicab or airplane. Common carrier should be used when appropriate.

C. Personal Vehicle

A personal vehicle may be used for County business purposes when a County vehicle or common carrier is not available, is not cost effective, or is otherwise not feasible. Mileage reimbursement rates are determined by the IRS.

1. Claims must indicate the date and points of travel and be supported by a properly completed statement of auto travel which includes actual odometer readings.
2. Charges for gasoline, oil, accessories, repairs, depreciation, anti-freeze, towing, insurance and other expenditures will not be allowed. These are considered operational costs and are factored into the mileage reimbursement rate.

Section 1. General

This Guide to Reimbursement of Employees' Travel Expenses will outline what expenditures may be considered to be a County charge. It will also clearly delineate which reimbursable expenses are taxable according to the Internal Revenue Service (IRS) and which are non-taxable. Taxable reimbursable expenses must be reported on the employee's W-2.

A. Procedure for Filing Mileage/Travel Reimbursement Claims

1. Employee mileage/travel expenses for which reimbursement is being requested must be presented on a standardized County Travel Voucher. Claims for mileage reimbursement must show true odometer readings. All other expenses, including but not limited to lodging, parking, tolls, public transportation, including common carriers, and meals, should be accurately itemized and documented with appropriate receipts and/or other pertinent documentation. Please note: meals require an **itemized** receipt and reasonable tipping will be allowed. (See Section 3A. Meal Reimbursement)
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Often times the most efficient and cost effective method of transportation is using a common carrier such as a train, bus, taxicab or airplane. Common carrier should be used when appropriate.

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Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6782

Agenda Date: 9/19/2024

Agenda #: 14.

Narrative of Resolution:

Adopt a Proposed Local Law to Amend the Sullivan County Administrative Code regarding Investigation of Alleged Ethics Violations and Advisory Opinions

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

Amount to be authorized by Resolution: \$0

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO ADOPT A PROPOSED LOCAL LAW ENTITLED “A LOCAL LAW TO AMEND THE SULLIVAN COUNTY ADMINISTRATIVE CODE REGARDING § A8A-4. INVESTIGATION OF ALLEGED ETHICS VIOLATIONS AND ADVISORY OPINIONS

WHEREAS, proposed Local Law entitled “A Local Law to Amend the Sullivan County Administrative Code Regarding Investigation of Alleged Ethics Violations and Advisory Opinions” was presented to the Sullivan County Legislature at a meeting held on August 15, 2024 and September 19, 2024 at the County Government Center, Monticello, New York, to consider said proposed Local Law; and

WHEREAS, notice of public hearing having been duly published and posted as required by law, and said public hearings having been held on August 15, 2024 and September 19, 2024 and all persons appearing at said public hearing deeming to be heard.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt the Local Law entitled “A Local Law to Amend the Sullivan County Administrative Code Regarding Investigation of Alleged Ethics Violations and Advisory Opinions” in accordance with the Municipal Home Rule Law of New York State, which Local Law is annexed hereto and made a part hereof.

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

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

10 A. In the event a proceeding is commenced by sworn complaint, the Board shall, within 60
11 business days, review the allegations and supporting documentation and determine whether
12 or not a violation of this article has been alleged and/or if the complaint falls within the
13 prohibitions of this article. The 60 business days may be extended by agreement between
14 the Board of Ethics and the complainant. To the extent circumstances require an expedited
15 review of a complaint, the Board shall endeavor to provide its initial determination to the
16 complainant within a reasonable, expedited time frame. The Board shall render its initial
17 determination by majority vote. In the event the Board determines that the complaint does
18 not allege a violation of this article, the complaint shall be dismissed and simple notice of
19 the complaint and of its dismissal, without further detail, shall be mailed to the
20 complainant. The complaint and the determination shall be sealed and not available to any
21 person not a member of the Board of Ethics. The complaint and Ethics Board
22 determination is confidential and shall not be shared by the complainant with any person
23 not a member of the Board of Ethics.

24 B. In the event a member of the Board of Ethics raises the possibility of a violation by a non-
25 elected County official, the Board shall first determine, by majority vote, whether the
26 alleged conduct, if undertaken, would constitute a violation of this article. In the event the
27 Board determines that the conduct would not constitute a violation of this article, it shall
28 render a written determination. The complaint, preliminary investigation and
29 determination shall be sealed and not available to any person not a member of the Board
30 of Ethics.

31 C. Upon the review set forth in Subsection A above, in the event the Board determines that
32 any element of the complaint, if true, would constitute a violation of this article, it shall
33 provide written notification to the subject of the complaint within five business days. The
34 notification shall identify the complainant, describe the alleged violation and provide 15
35 business days in which the subject of the complaint may submit a sworn, written response
36 setting forth information and/or documentation sufficient to address the alleged violation.
37 The Board's notification shall also inform the subject of the complaint of its rules regarding
38 the conduct of adjudicatory proceedings, appeals, and the due process procedural
39 mechanisms available to such individual.

40 (1) In the event the Board of Ethics determines at any stage of the proceeding that the
41 proof presented does not demonstrate that a violation has occurred, or that there is no
42 violation or that any potential conflict of interest or violation has been rectified, it
43 shall, within 15 business days, provide written notice to the subject of the complaint

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

47 (2) Upon review of the complaint and of any information or documentation provided by
48 the subject of the complaint, a further investigation to determine whether reasonable
49 cause exists to believe a violation has occurred shall be commenced and completed
50 within 30 days, unless circumstances require a shorter or longer period of time. In the
51 event the Board requires more than 30 days to complete its investigation, it shall
52 provide notice of same to the complainant and the subject of the complaint.

53
54 (3) In the event the Board determines there is reasonable cause to believe a violation has
55 occurred, it shall provide written notice of reasonable cause to the subject of the
56 complaint and to the complainant. In the case of a ~~non-elected~~ County official or
57 employee, the Board shall also provide written notice to the appointing authority for
58 such person, ~~and, in the case of a County elected official, written notice to the Chair~~
59 ~~of the County Legislature. In the event of a conflict with the Chair, then notice shall~~
60 ~~be given to the Vice Chair.~~ Such determination of reasonable cause shall not be
61 disclosed or made public unless required by Public Officers Law or for use in a
62 disciplinary proceeding or a proceeding under this article involving the subject of the
63 complaint or another County official.

64
65 (4) ~~In the event Independent Counsel determines there is reasonable cause to believe a~~
66 ~~violation has occurred by and/or against an elected County official, or a member of~~
67 ~~the Board of Ethics, it shall provide written notice of reasonable cause to the subject~~
68 ~~of the complaint and to the complainant. In the case of an elected County official,~~
69 ~~Independent Counsel shall also provide written notice to the Chair of the County~~
70 ~~Legislature. In the event of a conflict with the Chair, then notice shall be given to the~~
71 ~~Vice Chair. Such determination of reasonable cause shall not be disclosed or made~~
72 ~~public unless required by Public Officers Law or for use in a disciplinary proceeding~~
73 ~~or a proceeding under this article involving the subject of the complaint or another~~
74 ~~elected County official or non-elected County official.~~

75
76 (5) Once reasonable cause has been established, the Board of Ethics shall schedule a
77 formal hearing, to be held within 60 days, at which the subject of the complaint is
78 entitled to legal representation of his or her own choosing and at his or her own
79 expense. Testimony shall be taken under oath and the proceeding shall be recorded.
80 The Board shall issue a decision containing specific findings within 30 days of the
81 completion of the hearing. A copy of the decision shall be served by certified mail on
82 the subject of the complaint or his or her legal representative, the complainant, and the
83 Clerk of the Legislature. The decision of the Board of Ethics shall not be confidential.

84
85 D. Dispositions. The Board shall state, in writing, the disposition of every sworn complaint it
86 receives and of every investigation it conducts and shall set forth the reasons for the
87 disposition. The report shall be made in accordance with § A8A-3F, subject to the
88 confidentiality requirements set forth herein.

89 E. Advisory opinions.

90 (1) An elected County official, a non-elected County official or employee or other
91 government official may request an advisory opinion from the Board of Ethics prior to
92 that elected County official, non-elected County official or employee or other
93 government official engaging in any behavior which he or she reasonably believes may
94 cause a violation of this article. The request for an advisory opinion shall be written
95 and sworn to and shall contain sufficient facts to permit the Board to make its
96 determination. An individual requesting the opinion is obligated to be forthcoming and
97 cooperative throughout the process, in the absence of which no advisory opinion will
98 be provided. The Board shall endeavor to provide written notice of its determination
99 within 10 business days. The elected County official, non-elected County official or
100 employee who requested the opinion shall be notified of the Board's determination
101 within 48 hours of the determination.

102 (2) Advisory opinions shall be filed with the Clerk of the Legislature; however, the Board
103 of Ethics shall first redact all names, identifying features, and any other information
104 which would tend to identify the complainant and the subject of the request for the
105 advisory opinion.

106 (3) In the event a complaint is subsequently filed against an elected County Official, a non-
107 elected County official or employee or other government official in which a violation
108 of this code is alleged based upon the facts which formed the basis of the request for
109 the advisory opinion, it shall be a complete defense to the alleged violation that the
110 elected County official, the non-elected County official or employee or other
111 government official acted consistent with, and in reliance upon, said advisory opinion.
112 An unredacted advisory opinion shall be available to the elected County official, the
113 non-elected County official, or employee who sought or needs it to defend himself or
114 herself.

115 F. Complaints against the Board of Ethics. The Board of Ethics shall not conduct an
116 investigation of itself or any of its members or staff. In the event the Board of Ethics
117 receives a sworn complaint in which it is alleged that the Board or any of its members or
118 staff has violated any provision of this article or any other law, it shall transmit a copy of
119 the complaint to the Chair of the Legislature and the County Attorney within 48 hours of
120 receipt of same. The Chair of the Legislature shall, within five business days, ~~create a~~
121 ~~three person subcommittee of legislators, at least one of whom is a member of a minority~~
122 ~~party, to address the complaint and provide the complainant with written notice of the~~
123 ~~subcommittee members. The subcommittee shall thereafter conduct whatever~~
124 ~~investigation or hearing necessary in the same manner and with the same authority as~~
125 ~~provided generally in this section.~~ refer the matter to outside, Independent Counsel for
126 investigation and determination. A copy of the ~~subcommittee's~~ Independent Counsels
127 findings and decision shall be distributed to all members of the Legislature. Further action,
128 if any, shall comply with the provisions of this article.

129 G. False complaints. Any person who knowingly files a false complaint may be subject to
130 disciplinary action, civil liability, or criminal prosecution.

131
132



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6783

Agenda Date: 9/19/2024

Agenda #: 15.

Narrative of Resolution:

To Amend 301-24 regarding Promised Tuition Free Scholarship Program

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

Amount to be authorized by Resolution: \$700,000 (\$700,000 is budgeted for 2024)

Are funds already budgeted? No

Specify Compliance with Procurement Procedures: N/A

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ENTER INTO A MOA WITH SULLIVAN COUNTY COMMUNITY COLLEGE TO CONTINUE SULLIVAN PROMISE TUITION-FREE SCHOLARSHIP PROGRAM

WHEREAS, on April 21, 2022, via Resolution No. 185-22, the Sullivan County Legislature authorized a contract with SUNY Sullivan to establish the Sullivan Promise Tuition-Free Scholarship program, and thus far the program has been extremely successful; and

WHEREAS, Resolution 301-24 was enacted on June 20, 2024; and

WHEREAS, there is a desire among the Sullivan County Legislature to modify Resolution 301-24 to include language in the Memorandum of Agreement with SUNY Sullivan that if the student does not go to SUNY Sullivan immediately following high school, the student shall be eligible for half of the gap tuition, rather than the full gap tuition.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to enter into a Memorandum of Agreement with SUNY Sullivan at an amount not to exceed \$700,000 for the 2024-2025 academic year at SUNY Sullivan for eligible students.

BE IT FURTHER RESOLVED, this contract in such a form shall be approved by the Sullivan County Attorney’s Office.