



Sullivan County County Legislature

100 North Street
Monticello, NY 12701

Meeting Agenda - Final - Revised

Chairman Robert Doherty
Vice Chairman Michael Brooks
Legislator Nadia Rajsz
Legislator Nicholas Salomone Jr.
Legislator George Conklin
Legislator Luis Alvarez
Legislator Joseph Perrello
Legislator Ira Steingart
Legislator Alan J. Sorensen

Thursday, September 21, 2023

11:00 AM

Government Center

Call to Order and Pledge of Allegiance

Roll Call of Legislators

Presentations

Honoring Two Sheriff Deputies

Communications

Public Comment

Resolutions

1. Resolution to authorize the County Manager to execute the lease of three (3) vacant hangars at the Sullivan County International Airport [ID-5685](#)
2. Resolution to withdraw the parcel known as Town of Delaware SBL 15.-2-35 from a foreclosure proceeding pursuant to RPTL §1138(6)(b) and issue respective certificates canceling taxes [ID-5690](#)
3. Enter into a Contract with Niki Jones Agency, Inc. for Community Services. [ID-5720](#)
4. USDOT Drug and Alcohol Policy for the Sullivan County Transportation Department [ID-5740](#)

Attachments: [Drug And Alcohol Policy 2023](#)

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5. TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A SUBSCRIPTION AGREEMENT WITH EMERGENCY SERVICES MARKETING CORP. INC. FOR USE OF THE IamResponding RESPONDER NOTIFICATION SYSTEM UTILIZED BY THE SULLIVAN COUNTY BUREAU OF FIRE AND SULLIVAN COUNTY DIVE TASK FORCE [ID-5741](#)
 6. AUTHORIZE THE APPLICATION FOR RENEWAL OF NY CONNECTS EXPANSION AND ENHANCEMENT APPLICATION FOR 2023-2024 [ID-5743](#)
Sponsors: Office for the Aging and Deoul
 7. TO AUTHORIZE A CONTRACT AGREEMENT WITH RURAL LAW CENTER TO PROVIDE LEGAL SERVICES FOR THE SULLIVAN COUNTY OFFICE FOR THE AGING. [ID-5750](#)
Sponsors: Office for the Aging and Deoul
 8. AUTHORIZE THE MODIFICATION OF THE LEGISLATIVE COUNTY FUNDING PROGRAM RESOLUTION NUMBER 384-22 ADOPTED ON JUNE 15, 2022 AND THE ALLOCATION OF 2022 STATE AID TO COUNTY YOUTH PROGRAMS RESOLUTION NUMBER 385-22 ADOPTED ON JUNE 15, 2022. [ID-5758](#)
Sponsors: Office for the Aging and Deoul
 9. To authorize contract with Pathline, LLC for histology testing [ID-5759](#)
 10. Resolution to authorize the County Manager to execute a contract with OTIS Elevator Company, for Elevator Inspection, Testing, and Maintenance Services in various County buildings [ID-5762](#)
 11. Resolution to authorize the County Manager to execute the lease of one hangar (Hangar 4 - Bay 8) at the Sullivan County International Airport. [ID-5763](#)
 12. TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AGREEMENTS BETWEEN DEPARTMENT OF PUBLIC HEALTH AND VARIOUS SERVICE PROVIDERS [ID-5768](#)
 13. TO AUTHORIZE, AWARD & EXECUTE OF A CONTRACT WITH TELASCENT, LLC [ID-5771](#)
Attachments: [Schedule A - RFP R-23-28](#)
 14. TO CORRECT THE 2023 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #37.-2-6 [ID-5772](#)
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15. TO ACCEPT FUNDING FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR THE IMMUNIZATION ACTION PLAN (IAP) GRANT [ID-5773](#)
Attachments: [Reso Cover IAP Grant 2023-2028](#)
16. To Amend Resolution No. 461-19 by increasing the removal rate within Sullivan County from \$225.00 to \$275.00 [ID-5776](#)
17. TO APPROVE THE 2024 STOP DWI PLAN AND AUTHORIZE THE COUNTY MANAGER TO SIGN ANY AND ALL AGREEMENTS NECESSARY FOR THE PLAN [ID-5777](#)
Attachments: [STOP DWI 2024](#)
18. OFA Public Hearing [ID-5779](#)
Sponsors: Office for the Aging and Deoul
Attachments: [OFA PH](#)
19. AUTHORIZE THE APPLICATION FOR RENEWAL OF RSVP STATE GRANT APPLICATION FOR 2023-2024 [ID-5780](#)
Sponsors: Office for the Aging and Deoul
20. Accept award and authorize contract with NYS Office of Indigent Legal Services [ID-5785](#)
21. Resolution to authorize the County Manager to execute an agreement with NYSDOT to provide 95% funding for the Preliminary Engineering/Design work needed to replace County Bridge 301. [ID-5790](#)
22. TO AUTHORIZE THE AWARD AND EXECUTION OF AN AGREEMENT WITH NAWROCKI SMITH, LLP, FOR INTERNAL AUDITING AND CONSULTING SERVICES [ID-5792](#)
23. TO AMEND THE 2023 - 2028 CAPITAL PLAN; MODIFY THE 2023 COUNTY BUDGET; AND CREATE AND FUND ASSIGNED FUND BALANCES FOR RADIO TOWER CONSTRUCTION AND O&W RAIL TRAILS [ID-5796](#)
24. To Modify the 2023 Budget [ID-5797](#)
Attachments: [August 31 2023 Resolution Needed.pdf](#)
25. RESOLUTION TO RE-APPOINT FOUR MEMBERS and APPOINT ONE NEW MEMBER TO THE OFFICE FOR THE AGING ADVISORY COMMITTEE [ID-5742](#)
Sponsors: Office for the Aging and Deoul
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26. TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH EMPLOYEE SERVICES, LLC dba ESI EMPLOYEE ASSISTANCE GROUP FOR PROVISION OF EAP SERVICES TO EMPLOYEES [ID-5760](#)
- Attachments:** [ESI EAP Pricing, 8-2023](#)
27. Apportion Cost of the 2024 County Self-Insurance Plan [ID-5784](#)
- Attachments:** [WC 2024](#)
28. To authorize and Agreement between Sullivan County BOCES (BOCES) and the County of Sullivan (County) for use of facilities to run a Welding Trade Program. [ID-5787](#)
29. AMEND RESOLUTION 425-22 TO REFLECT INCREASE OF THE NEW YORK STATE OFFICE FOR THE AGING RSVP AWARD FOR THE PERIOD COVERING July 1, 2023 to June 30, 2024 [ID-5788](#)
- Sponsors:** Office for the Aging and Deoul
30. Urge Local, Federal and State Government Representatives to Advocate for Increased Funding Levels for Older Adults [ID-5809](#)
31. To authorize a stipend to a County Employee to assume administrative responsibilities due to a leave of absence a the Care Center at Sunset Lake. [ID-5811](#)
32. To authorize a stipend for a County employee to investigate complaints of non-licensed electricians on behalf of the Electrical Licensing Board. [ID-5812](#)
33. Authorize disbursement of funds to nine current employees in Public Health Services, Community Services and the Care Center at Sunset Lake that did not meet the specific eligibility pursuant to the guidelines of Health Care Workers through HWB. [ID-5813](#)
34. Authorize the purchase of equipment necessary for a Canine Unit [ID-5814](#)
35. RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENTER INTO AN AGREEMENT WITH SULLIVAN COUNTY BOCES CAREER & TECH CARPENTRY PROGRAM TO BUILD TRAINING PROPS ON-SITE AT THE EMERGENCY SERVICES TRAINING CENTER [ID-5815](#)
36. Enter into agreements to expand Website Chatbot Services [ID-5816](#)
37. Set Management salaries in the Sheriff's Office and set parameters [ID-5820](#)
38. To adopt the 2023-2024 Opioid Settlement Spending Plan. [ID-5821](#)
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39. Authorize entering into a Project Labor Agreement (PLA)

[ID-5823](#)

Recognition of Legislators

Announcements from Chair

Adjournment or Close



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5685

Agenda Date: 9/21/2023

Agenda #: 1.

Narrative of Resolution:

Resolution to authorize the County Manager to execute the lease of three (3) vacant hangars at the Sullivan County International Airport

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:

N/A

WHEREAS, the Sullivan County International Airport (SCIA) has three individuals who desire to become tenants; and

WHEREAS, the SCIA has available hangar space to let in Hangar 6; and

WHEREAS, a Public Hearing will be held on September 21, 2023 at 10:50AM as required prior to authorizing hangar leases.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute month to month lease agreements in such form as shall be approved by the County Attorney for the following:

Hangar H6 - Bay 8 to Mike Dane at \$300.00 per month plus \$25.00 utility fee per month.

Hangar H6 - Bay 4 to Bryan Collins at \$300.00 per month plus \$25.00 utility fee per month.

Hangar H7

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5690

Agenda Date: 9/21/2023

Agenda #: 2.

Narrative of Resolution:

WHEREAS, the County Treasurer is the Real Property Tax Enforcement Officer for the County of Sullivan pursuant to the Real Property Tax Law of the State of New York; and

WHEREAS, the County Treasurer filed a List of Delinquent Taxes on or about November 1, 2020 which included the parcel in question; and

WHEREAS, the County Treasurer commenced the tax foreclosure proceeding for unpaid 2020 taxes on October 28, 2021; and

WHEREAS, one parcel on said List of Delinquent Taxes, Town of Delaware SBL 15.-2-35, meets one or more of the criteria so that it should be withdrawn from the foreclosure proceeding pursuant to §1138 of the Real Property Tax Law, in that the tax has been cancelled or is subject to cancellation pursuant to §558 of the Real Property Tax Law; and

WHEREAS, based upon the foregoing, the County Treasurer and Real Property Advisory Board have determined that it would be in the best interest of the County to execute and file a Certificate of Withdrawal of this parcel from the foreclosure proceeding; and

WHEREAS, the County Treasurer and Real Property Advisory Board have determined that the commencement of supplementary proceedings against said parcel pursuant to §1138(5) of the Real Property Tax Law in the manner provided by §990 of the Real Property Tax Law would not be an effective means to enforce collection of the delinquent tax liens at the present time because the property is a 0.09 acre parcel of land which is a portion of a road in disrepair. All adjacent property owners were previously afforded an opportunity to purchase said parcel from the County and none of the owners were interested in doing so; and

WHEREAS, there is no practical method to enforce the collection of the delinquent tax liens regarding said parcel and that a supplementary proceeding to enforce collection of the taxes would not be effective; and

WHEREAS, considering all of the circumstances set forth above, it would be in the best interest of the County to have the County Treasurer execute and file a Certificate of Cancellation and a Certificate of Prospective Cancellation affecting said parcel; and

WHEREAS, the County has made the other tax districts whole regarding the delinquent tax liens affecting said parcels; and

WHEREAS, it would be in the best interest of the County to charge back to the various municipal corporations the amount so credited or guaranteed;

NOW, THEREFORE, BE IT RESOLVED, that after the filing of said Certificate of Withdrawal, the County

Treasurer is hereby authorized to issue a Certificate of Cancellation pursuant to §1138(6)(b) and to charge back to the affected municipal corporations the amounts so credited or guaranteed pursuant to §1138(6)(c), and to issue a Certificate of Prospective Cancellation pursuant to §1138(6)(d) and to file a copy of same with the Assessor of the assessing unit in which said parcel is located, and with the County Director of Real Property Tax Services pursuant to §1138(6)(d) of the Real Property Tax Law, thereby making said parcel exempt until this governing body shall determine that said parcel should be restored to the taxable portion of the assessment roll.

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:

n/a



Sullivan County
Legislative Memorandum

100 North Street
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File #: ID-5720

Agenda Date: 9/21/2023

Agenda #: 3.

Narrative of Resolution:

Enter into a Contract with Niki Jones Agency, Inc. for Community Services.

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

Amount to be authorized by Resolution: \$15,500.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: The Dept. of Community Services did an RFP for Website Design, Development, Hosting & Maintenance Services through the HEALing Community Studies.

WHEREAS, a Request for Proposal was issued (#R-23-18) for Website Design, Development, Hosting and Maintenance Service for the Department of Community Services; and

WHEREAS, Proposals were received and reviewed and the Department of Community Services recommends awarding to Niki Jones Agency, Inc., 39 Front Street, Port Jervis, NY 12771, for providing said services for the HEALing Community Studies; and

NOW, THEREFORE, BE IT RESOLVED, the County Manager be and hereby is authorized to execute a contract with Niki Jones Agency, Inc., in an amount of \$15,500.00, in accordance with RFP#: R-23-18, from September 1, 2023 through August 31, 2024, with a four (4) additional yearly extensions for maintenance services, said contract to be such form as the County Attorney shall approve.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5740

Agenda Date: 9/21/2023

Agenda #: 4.

Narrative of Resolution:

**USDOT DRUG AND ALCOHOL 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

WHEREAS, in order to ensure compliance with the 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 shall 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 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

A. PURPOSE

- 1) The County of Sullivan 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. 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 urine drug testing and breath 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 urine and breath specimens.
- 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) dispatchers or persons controlling the movement of revenue service vehicles and (4) any transit employee who operates a 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 dies;
- 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.

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.

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

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.

Evidentiary 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: (Screening Drug Test) the 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 urine 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 Mandatory Guidelines 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 standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Limit of Detection (LOD): The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measurand 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 or 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 test result: A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

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.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary 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 (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 Drivers License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling the movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

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.

Split Specimen Collection: A collection in which the urine collected is divided into two separate 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: 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 testing 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 breath or urine specimen. An employee who does not provide a urine or a breath 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 drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or a breath without a valid medical explanation.
- (6) Fail or decline to take a second 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 test.
- (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.

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 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 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 urine 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 urine, if the urine was diluted, or if the specimen was substituted.

D. EDUCATION AND TRAINING

- 1) For FMCSA Agencies: Sullivan County Transportation 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:

- a. Information concerning the effects of alcohol and controlled substance use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substance problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substance problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management; and
 - b. The requirement that the following personal information collected and maintained under this Part 382 and this policy shall be reported to the FMCSA Clearinghouse:
 1. A verified positive, adulterated, or substituted drug test result;
 2. An alcohol confirmation test with a concentration of 0.04 or higher;
 3. A refusal to submit to any test required by subpart C of this part;
 4. An employer's report of actual knowledge, as defined at §382.107;
 5. On duty alcohol use pursuant to §382.205;
 6. Pre-duty alcohol use pursuant to §382.207;
 7. Alcohol use following an accident pursuant to §382.209; and
 8. Controlled substance use pursuant to §382.213;
 9. A substance abuse professional (SAP as defined in §40.3 of this title) report of the successful completion of the return-to-duty process;
 10. A negative return-to-duty test; and
 11. An employer's report of completion of follow-up testing.
- 2) 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.

- 3) 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. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA/FMCSA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in Section H of 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 Transportation Department 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 any 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) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds 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) The Transit Department 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. A covered 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) The County of Sullivan, 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 transit system premises and transit 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 Section Q of this policy.

H. TESTING REQUIREMENTS

- 1) Analytical urine drug testing and breath testing for alcohol 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 Section K, L, M, and N of 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 urine drug testing and breath 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 Section Q of 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 specimen will be collected using the split specimen collection method 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 urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test or Liquid Chromatography/Mass Spectrometry (LC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS or LC/MS test are 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) The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.

8) Observed collections

- a. Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) 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 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 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 specimen was out of range;
 - vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.
 - vii. All follow-up-tests; or
 - viii. All return-to-duty tests

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 Section Q. of 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 Section Q of 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 urine 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 Section Q herein.
- 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. 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 Section Q of 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 Section Q of 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 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 Section Q of this policy. Sullivan County, shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of 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 Sections L through N of this policy or the associated consequences as specified in Section Q.

M. POST-ACCIDENT TESTING

FTA Procedures:

- 1) FATAL ACCIDENTS – A covered employee will be required to undergo urine and breath 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 transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, 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. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.
- 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) Covered transit employees that fall under the Federal Transit Administration regulations 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

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 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 removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, referred to a Substance Abuse Professional (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 includes 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 testing 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.
 - c. Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath 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.
 - d. In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
 - e. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
 - f. Fail or decline to take a second 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 test.
 - 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.

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) For the first instance of a verified positive test from a sample submitted as the result of a random drug/alcohol test, disciplinary action against the employee shall include:
 - a. Mandatory referral to Substance Abuse Professional for assessment, formulation of a treatment plan, and execution of a return to duty agreement;
 - b. Failure to execute, or remain compliant with the return-to-duty agreement shall result in termination from Sullivan County employment.
 - i. Compliance with the return-to-duty 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; in the judgment of the SAP the employee is cooperating with his/her SAP recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in Section P of this policy.
 - 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.
 - d. A periodic unannounced follow-up drug/alcohol test which results in a verified positive shall result in termination from Sullivan County employment.
- 5) The first instance of a verified positive post-accident or reasonable suspicion drug and/or alcohol test shall result in termination.
- 6) The second instance of a verified positive drug or alcohol test result for any category of testing shall result in termination from Sullivan County employment.
- 7) 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 NONDOT alcohol test with a result of less than 0.02 BAC.
- 8) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
 - a. Mandatory referral for an assessment by 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 Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of 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 Section Q of 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 Section Q of 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.

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.

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 transit system 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 BOARD]* 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
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F/T (Full Time Bus Drivers)

Job Duties:

Transports the public to and from medical appointments, to and from shopping, deliver meals to the homebound and also transports veterans to local medical appointments and Albany and Castle Point VA facilities.

Dispatcher is responsible for scheduling vehicle assignments and routes and the dispatch of drivers on a daily basis.

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: 100 North St. Monticello N.Y. 12701
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

Name: Employee Assistance Program
Title: Thomas Rue, LMHC
Address: 55 Chamberlain St. Wellsville, NY 14895
Telephone Number: 800-252-4555

Substance Abuse Professional

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

HHS Certified Laboratory Primary Specimen

Name: Lab Corp. of America
Address: 69 First Avenue Raritan N.J. 08869
Telephone Number: 1-800-223-0631



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5741

Agenda Date: 9/21/2023

Agenda #: 5.

Narrative of Resolution:

TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A SUBSCRIPTION AGREEMENT WITH EMERGENCY SERVICES MARKETING CORP. INC. FOR USE OF THE IamResponding RESPONDER NOTIFICATION SYSTEM UTILIZED BY THE SULLIVAN COUNTY BUREAU OF FIRE AND SULLIVAN COUNTY DIVE TASK FORCE

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

Amount to be authorized by Resolution: \$1,830.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: N/A

RESOLUTION INTRODUCED BY THE PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A SUBSCRIPTION AGREEMENT WITH EMERGENCY SERVICES MARKETING CORP. INC. FOR USE OF THE IamResponding RESPONDER NOTIFICATION SYSTEM UTILIZED BY THE SULLIVAN COUNTY BUREAU OF FIRE AND SULLIVAN COUNTY DIVE TASK FORCE

WHEREAS, Sullivan County 911 has been utilizing the IamResponding system, provided by Emergency Services Marketing Corp. Inc., for several years to provide responder notification and response status information for specific countywide command personnel; and

WHEREAS, this online tool has provided much needed situational awareness to not only responding command staff but also the 911 dispatch center; and

WHEREAS, the IamResponding system is utilized by the Sullivan County Bureau of Fire, Bureau of EMS, Wildland Search and Rescue Team and Sullivan County Dive Task Force; and

WHEREAS, the IamResponding system costs are \$610.00 per year for a 3-year subscription term totaling \$1,830.00; and

WHEREAS, Emergency Services Marketing Corp. Inc. now requires a subscription agreement(s) to be completed with the renewal of said services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into the necessary agreements with Emergency Services Marketing Corp. Inc. for a total 3-year cost not to exceed \$1,830.00. The subscription agreement(s) shall be subject to approval by the County Attorney.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5743

Agenda Date: 9/21/2023

Agenda #: 6.

Purpose of Resolution: AUTHORIZE THE APPLICATION FOR RENEWAL OF NY CONNECTS EXPANSION AND ENHANCEMENT APPLICATION FOR 2023-2024

Is subject of Resolution mandated? Explain:

Is this a renewal of a prior contract? Yes

Date of prior contract: 4/1/2022-3/31/2023

Amount authorized by prior contract: \$ 278,801.00

Does Resolution require expenditure of funds? Y

If “Yes”, provide the following information

Amount to be authorized by Resolution: \$307,611.00

Are funds already budgeted? Y

If “Yes” specify appropriation code(s): 7610-87-R4772-R392

If “No”, specify proposed source of funds:

Estimated Cost Breakdown by Source

County: 0

Grant(s): 0

State: 307,611.00

Other: 0

Federal Government: 0

(Specify):0

WHEREAS, the New York State Office for the Aging has notified Sullivan County that funding for the 2023-2024 NY Connects program is available in the amount of \$307,611; and

WHEREAS, the goal of the NY Connects Program is to promote information outreach and assistance to the elderly and disabled persons throughout the county especially in rural areas, and to the underserved populations that reside in Sullivan County; and

WHEREAS, the term for the NY Connects program is April 1, 2023 through March 31, 2024; and

WHEREAS, if the County's application is approved, the funds will be used to reimburse the County for NY Connects expenditures incurred by the Sullivan County Office for the Aging including: salaries, benefits, operational costs, and marketing costs; and

WHEREAS, reimbursement for County expenditures will be available after submission by the County and approval by the New York State Office for the Aging of an application, standard assurances, program narratives and program budget; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager or their designee is hereby authorized to execute the NY Connects renewal application with required assurances, and any amendments thereto, with the New York State Office for the Aging for the NY Connects Program, for the term beginning April 1, 2023 through March 31, 2024, to accept the award should one be granted, 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 all commitments and agreements are contingent upon receiving the necessary State allocations.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5750

Agenda Date: 9/21/2023

Agenda #: 7.

TO AUTHORIZE A CONTRACT AGREEMENT WITH RURAL LAW CENTER TO PROVIDE LEGAL SERVICES FOR THE SULLIVAN COUNTY OFFICE FOR THE AGING.

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

Amount to be authorized by Resolution: \$20,000

Are funds already budgeted? Yes

Federal Funds: \$14,228.00 Title IIIB

County Funds: \$5,772.00

WHEREAS, the Sullivan County Office for the Aging provides mandate Legal Services for Senior Citizens in Sullivan County, and

WHEREAS, the Sullivan County Office for the Aging issued a Request for Proposal RFP #R-23-14 for Legal Services for The Sullivan County Office for the Aging; and

WHEREAS, proposals were received and reviewed and it was determined that Rural Law Center of New York, 22 US Oval, Suite 101 Plattsburgh, NY 12903, is best qualified to provide these services; and

WHEREAS, Rural Law Center of New York will provide the services from October 1, 2023 through September 30, 2025, and

WHEREAS, the contract period for services to be provided shall be for an initial two (2) year period, with the option to extend for an additional three (3) years, on a yearly basis, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with Rural Law Center of New York for provision of mandated legal services for senior citizens as required by the New York State Office for the Aging, not to exceed \$10,000.00 for the period of 10/1/2023-9/30/2024 of which \$7,114.00 is received from Title IIIB Federal funds and \$2,886.00 from County funds, and not to exceed \$10,000.00 for the period of 10/01/2024-9/30/2025 of which \$7,114.00 is received from Title IIIB Federal funds and \$2,886.00 from County funds for a total of \$20,000.00 for 10/01/2023-9/30/2025 of which \$14,228.00 is received from Title IIIB federal funds and \$5,772.00 from County funds; and in an amount not to exceed \$20,000.

BE IT FURTHER RESOLVED, that the form of such agreement be approved by the Sullivan County Department of Law.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5758

Agenda Date: 9/21/2023

Agenda #: 8.

Narrative of Resolution:

Authorize modification of Youth Bureau Funding Program correct names of programs

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 COUNTY FUNDING PROGRAM
RESOLUTION NUMBER 384-22 ADOPTED ON JUNE 15, 2022 AND THE ALLOCATION OF 2022 STATE
AID TO COUNTY YOUTH PROGRAMS RESOLUTION NUMBER 385-22 ADOPTED ON JUNE 15, 2022.**

WHEREAS, Resolution # 384-22 and Resolution # 385-22 were approved by the Sullivan County Legislature on June 15, 2022, for the County to allocate State and County 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 Dispute Resolution Center, Inc./YARD and Dispute Resolution Center, Inc./CASA Youth Development in their Community, matching the contract agreement name of each program to the resolution; and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature does hereby authorize the modification of said contract to reflect Dispute Resolution Center, Inc/Youth Achievement, Recognition & Development is known as DRC-YARD and Dispute Resolution Center, Inc/Court Appointed Special Advocates is known as DRC-CASA, 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-5759

Agenda Date: 9/21/2023

Agenda #: 9.

Narrative of Resolution:

To authorize contract with Pathline, LLC for histology testing

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

Amount to be authorized by Resolution: Not to exceed \$5,000

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

**RESOLUTION INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE
TO AUTHORIZE CONTRACT WITH PATHLINE, LLC**

Whereas, forensic histology services are required for some of the autopsies ordered by the Sullivan County Coroners to be performed at Garnet Medical Center, and

Whereas, RFP #R-23-26 for Histology Services was issued and a response was received from Pathline, LLC;

Whereas, Pathline LLC, 535 E Crescent Avenue, Ramsey, NJ 07446, performs the histology testing services required by the Coroners’ Office and is the service that Garnet Medical Center contracts with, which would provide continuity to the process, and

Whereas, Pathline LLC will provide histology on select autopsies at a cost not to exceed \$5,000 annually with up to three one year extensions.

Now, therefore, be it resolved, that the County Manager be and hereby is authorized to execute a contract, with Pathline LLC, and 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-5762

Agenda Date: 9/21/2023

Agenda #: 10.

Narrative of Resolution:

Resolution to authorize the County Manager to execute a contract with OTIS Elevator Company, for Elevator Inspection, Testing, and Maintenance Services in various County buildings

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

Amount to be authorized by Resolution: \$35,000.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

B-23-52

WHEREAS, the Sullivan County Division of Public Works operates several passenger elevators in various County buildings; and

WHEREAS, these passenger elevators require periodic inspection, testing, and maintenance services; and

WHEREAS, bids were received for Elevator Inspection and Maintenance for various locations throughout the County, and

WHEREAS, after review of the received proposals the Division of Public Works recommends the County enter into contract with OTIS Elevator Company, 41 Page Park Drive Arlington, NY 12603.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with OTIS Elevator Company, at an annual cost of \$21,000.00 for elevator inspections, testing and maintenance with additional fees of \$325.00/hour for other than covered items and overtime rate of \$600.00/hour, for a grand total cost not to exceed \$35,000.00 per year. The term of this agreement shall be for one year, commencing November 1, 2023 through October 31, 2024, and may be extended annually for a period of four (4) additional years in accordance with B-23-52, 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-5763

Agenda Date: 9/21/2023

Agenda #: 11.

Narrative of Resolution:

Resolution to authorize the County Manager to execute the lease of one hangar (Hangar 4 - Bay 8) at the Sullivan County International Airport.

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:

N/A

TO SET A PUBLIC HEARING FOR LEASE OF PROPERTY AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on September 21, 2023 proposed lease of property consisting of a one (1) hangar lease. The lease is for Stephen Casciola - Hangar 4 Bay 8.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed lease by the Sullivan County Legislature on October 19, 2023 @ 10:50 a.m., in the Legislative Chambers, County Government Center, Monticello, New York, and at least ten (10) days' notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

COUNTY OF SULLIVAN

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held of September 21, 2023 with regard to a proposed lease

of property consisting of a hangar lease.

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing of the aforesaid proposed lease at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on October 19, 2023 @ 10:50 a.m. at which time all persons interested will be heard.

DATED: Monticello, New York

September 17, 2023

ANNMARIE MARTIN

Clerk of the Legislature

County of Sullivan, New York



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5768

Agenda Date: 9/21/2023

Agenda #: 12.

Narrative of Resolution:

INTRODUCED BY HEALTH AND HUMAN SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AGREEMENTS BETWEEN DEPARTMENT OF PUBLIC HEALTH AND VARIOUS SERVICE PROVIDERS

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

Amount to be authorized by Resolution: \$80,000 annually for each contract

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: 140-3.4. which is: Contracting for professional services

WHEREAS, Sullivan County provides mandated Early Intervention and Developmental Preschool Educational Services to eligible children from Sullivan County and is mandated to pay for such services as State-approved rates; and

WHEREAS, Sullivan County needs to authorize contracts with authorized New York State Department Pre-School Service Providers for the period beginning July 1, 2023 to June 30, 2026 at State-approved rates.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement between Department of Public Health and New York State Education Department Service Providers for the period of July 1, 2023 to June 30, 2026, each individual contract shall not to exceed \$80,000 annually; and

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



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5771

Agenda Date: 9/21/2023

Agenda #: 13.

Narrative of Resolution:

RESOLUTION INTRODUCED BY THE PLANNING, REAL PROPERTY AND ECONOMIC DEVELOPMENT COMMITTEE TO AUTHORIZE, AWARD & EXECUTE OF A CONTRACT WITH TELASCENT, LLC

WHEREAS, a Request for Proposal was issued for the preparation, maintenance, printing, and associated reporting of the Assessment Rolls, Tax Rolls and Tax Bills for the County of Sullivan; and

WHEREAS, a proposal was received from TelAscent, LLC, 5 Jeanne Drive, Newburgh, New York 12550, who is qualified for this project; and

WHEREAS, the Sullivan County Real Property Tax Service recommends that a contract be awarded and executed;

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a contract with TelAscent, LLC, at a contract price not to exceed the price list attached hereto as "Schedule A", for a one-year term beginning on January 1, 2024 with optional four (4) year extensions on a yearly basis upon mutual agreement and in accordance with RFP R-23-28, said contract to be in such form as the County Attorney shall approve.

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

Amount to be authorized by Resolution: See pricing Schedule attached as Schedule A

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

RFP R-23-28

Schedule A

TelAscent

5 Jeanne Drive Suite 6
Newburgh, New York 12550

Sullivan County Price List As of August 10, 2023

	2024	2025*	2026*	2027*
Real Property System (RPS) Per Parcel Charge	\$0.90	\$0.92	\$0.94	\$0.96
Data Entry RPS Per Record	\$0.24	\$0.25	\$0.25	\$0.26
Mandatory Data Entry Verification Per RPS Record	\$0.24	\$0.25	\$0.25	\$0.26
Processing (Per Hour CPU time)	\$266.20	\$272.11	\$278.01	\$283.93
Clerical Time	\$34.86	\$35.63	\$36.41	\$37.18
Consultation Services (Per Hour)	\$101.41	\$103.66	\$105.91	\$108.16

*2025 through 2027 rates are estimates based on anticipated supply cost increases.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5772

Agenda Date: 9/21/2023

Agenda #: 14.

Narrative of Resolution:

RESOLUTION INTRODUCED BY THE PLANNING, REAL PROPERTY AND ECONOMIC DEVELOPMENT COMMITTEE TO CORRECT THE 2023 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #37.-2-6

WHEREAS, an application dated August 11, 2023 having been filed by Patricia White with respect to property assessed to said applicant on the 2023 tax roll of the Town of Thompson Tax Map #37.-2-6 pursuant to Section 556 of the Real Property Tax Law, to correct an entry on an assessment or tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed his report dated August 24, 2023 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error.

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

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

Amount to be authorized by Resolution: \$1,530.65

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

RPTL §556



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5773

Agenda Date: 9/21/2023

Agenda #: 15.

Narrative of Resolution:

RESOLUTION INTRODUCED BY HEALTH & HUMAN SERVICES COMMITTEE TO ACCEPT FUNDING FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR THE IMMUNIZATION ACTION PLAN (IAP) GRANT

WHEREAS, Sullivan County Department of Public Health has the responsibility of conducting assessment, outreach and education activities to increase childhood, adolescent and adult immunization rates to reduce the occurrence of vaccine preventable diseases. The NYS Department of Health has developed a new five-year Immunization Action Plan (IAP) contract between Sullivan County Department of Public Health and NYSDOH to assist with funding.

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 contract 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 federal and state funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

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

Amount to be authorized by Resolution: \$39,903.00 annually for 5 years

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

Note: the source of the funding is federal and state monies.

Purpose of Resolution: Sullivan County Public Health Services has the responsibility of conducting assessment, outreach and education activities to increase childhood, adolescent and adult immunization rates to reduce the occurrence of vaccine preventable diseases.

We request that the County Manager be authorized to enter into a contract and accept funding for the Department of Public Health Services from NYS Department of Health for five years from April 1, 2023 to March 31, 2028 with an annual funding amount of \$39,903.00 in order to meet state regulatory requirements.

Is subject of Resolution mandated? Yes Explain: Local health departments are required by Public Health Law (PHL) to provide these services.

Does Resolution require expenditure of funds? Yes

If “Yes”, provide the following information

Amount to be authorized by Resolution: \$ 39,903.00 annually for 5 years

Are funds already budgeted? Yes (included in 2023 & 2024 budgets)

If “Yes” specify appropriation code(s): Various

If “No”, specify proposed source of funds:

Estimated Cost Breakdown by Source (done for the annual amount):

County:

State: \$19,552

Federal Government: \$20,351

Grant(s):

Other:

(Specify): Note: the source of the funding is federal and state monies.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5776

Agenda Date: 9/21/2023

Agenda #: 16.

Narrative of Resolution:

To Amend Resolution No. 461-19 by increasing the removal rate within Sullivan County from \$225.00 to \$275.00

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

Amount to be authorized by Resolution: \$5,500

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO AMEND RESOLUTION NO. 461-19

WHEREAS, Legislative Resolution No. 461-19 set the rates of pay for services required by the Coroner’s Office, and

WHEREAS, when the service for removal of a deceased person is performed by a Funeral Director with funeral homes in Sullivan County, the rate for such service, per removal is \$225.00 within Sullivan County, \$250.00 within Kingston, NY, and \$350.00 within Albany, NY; and

WHEREAS, the Coroner’s Office recommends an increase in the fee for removal of deceased persons within Sullivan County from \$225.00 to \$275.00.

NOW, THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby amends Resolution No. 461-19 to reflect the increase for Sullivan County removals to \$275.00 effective January 1, 2024.

BE IT FURTHER RESOLVED that both the removal rates within Kingston and Albany remain the same.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5777

Agenda Date: 9/21/2023

Agenda #: 17.

Narrative of Resolution:

To approve the 2024 STOP DWI Plan and authorize the County Manager to sign any and all agreements necessary for the plan.

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

Amount to be authorized by Resolution: 63,300.00 this amount could vary depending on the revenue the County brings in from fine monies.

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

WHEREAS, the 2024 STOP DWI Plan has been prepared and requires the signature of the County Manager prior to being approved by the New York State Department of Motor Vehicles, Governor’s Traffic Safety Committee, and

WHEREAS, the 2024 STOP DWI Budget is \$188,300, and

WHEREAS, a copy of the 2024 STOP DWI PLAN is on file in the County Manager’s Office.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to sign any and all agreements with the State of New York and all appropriate agencies to effect the 2024 STOP DWI Plan, said agreements to be in such form as the County Attorney shall approve.

Sullivan County STOP DWI



Submitted by:

Name: Michael Schiff
Title: Sheriff
Agency: Sullivan County Sheriff's Office
Phone Number: 845-807-0757
Email: michael.schiff@sullivanny.us

Component Totals

Component	Grand Total
Law Enforcement	\$48,000.00
Court Related/Prosecution	\$51,000.00
Probation	\$41,000.00
Rehabilitation	\$18,000.00
Public Information/Education	\$5,000.00
Administration	\$25,300.00

Total STOP-DWI Budget: \$188,300.00

Estimated fine revenue for 2024: \$125,000.00

Other source(s) of revenue: \$63,300.00

Total Estimated Revenues: \$188,300.00

Rollover/Funds balance: \$0.00

(Planning to use rollover)

Other source(s) of revenue:

Victim Impact Panel \$12,000

County Share \$51,300

Additional Comments:

You have reported no additional comments.

Law Enforcement Component Summary

Personal Services

Funded Positions

Title	Agency	Funding Type	Total
-------	--------	--------------	-------

Total Funded Positions: \$0.00

Law Enforcement Component Activity (Overtime/Equipment) Budget

Jurisdiction	Agency	DWI Patrol/Overtime	OTPS/Equipment
County	Sheriff's Office	\$10,000.00	\$600.00
Village	Monticello PD	\$10,000.00	\$600.00
Village	Woodridge PD	\$5,000.00	\$600.00
Town	Liberty PD	\$10,000.00	\$600.00
Town	Fallsburg PD	\$10,000.00	\$600.00

Overtime: \$45,000.00

Equipment: \$3,000.00

Overtime funding: \$45,000.00

Fringes: \$0.00

Total Personal Services: \$45,000.00

Other Than Personal Services

Vehicle Description	Agency	Vehicle Funding
---------------------	--------	-----------------

Vehicle Total: \$0.00

Vehicle Maintenance Description	Agency	Maintenance Funding
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Vehicle Maintenance Total: \$0.00

Equipment Description	Agency	Equipment Funding
PBT	Sheriff's Office	\$600.00
PBT	Woodridge PD	\$600.00
PBT	Fallsburg PD	\$600.00
PBT	Monticello PD	\$600.00
PBT	Liberty PD	\$600.00

Equipment Total: \$3,000.00

Supply Description	Supply Funding
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Supply Total: \$0.00

Training/Travel Description	Training/Travel Funding
Training/Travel Total: \$0.00	

Contractual Service Description	Contractual Service Funding
Contractual Service Total: \$0.00	

Other Item Description	Other Funding
Other Item Total: \$0.00	

Activities to be funded in this area Funds will be used to purchase Alco Sensor FST breathalyzer units, as needed by departments. Also, to contract with law enforcement agencies in the county to perform STOP DWI Patrols.

Total Other Than Personal Services: \$3,000.00

Law Enforcement Component Grand Total: \$48,000.00

Court Related/Prosecution Component Summary

Personal Services

Funded Positions

Title	Agency	Funding Type	Total
Assistant District Attorney	District Attorney's Office	Partially	\$51,000.00

Total Funded Positions: \$51,000.00

Overtime funding: \$0.00

Fringes: \$0.00

Total Personal Services: \$51,000.00

Other Than Personal Services

Equipment Description	Equipment Funding
	Equipment Total: \$0.00

Supply Description	Supply Funding
	Supply Total: \$0.00

Training/Travel Description	Training/Travel Funding
	Training/Travel Total: \$0.00

Contractual Service Description	Contractual Service Funding
	Contractual Service Total: \$0.00

Other Item Description	Other Funding
	Other Item Total: \$0.00

Court Fee Description	Court Fee Funding
	Court Fee Total: \$0.00

Activities to be funded in this area
Contract with the Sullivan County District Attorney to provide a portion of an Assistant District Attorney's salary to prosecute DWI/DWAI defendants.

Total Other Than Personal Services: \$0.00

Court Related/Prosecution Component Grand Total: \$51,000.00

Probation Component Summary

Personal Services

Funded Positions

Title	Agency	Funding Type	Total
Probation Officer	Sullivan County Probation Department	Partially	\$41,000.00

Total Funded Positions: \$41,000.00

Overtime funding: \$0.00

Fringes: \$0.00

Total Personal Services: \$41,000.00

Other Than Personal Services

Equipment Description	Equipment Funding
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Equipment Total: \$0.00

Supply Description	Supply Funding
--------------------	----------------

Supply Total: \$0.00

Training/Travel Description	Training/Travel Funding
-----------------------------	-------------------------

Training/Travel Total: \$0.00

Contractual Service Description	Contractual Service Funding
---------------------------------	-----------------------------

Contractual Service Total: \$0.00

Other Item Description	Other Funding
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Other Item Total: \$0.00

Victim Impact Panel Description	Victim Impact Panel Funding
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Victim Impact Panel Total: \$0.00

Activities to be funded in this area

Contract with Sullivan County Probation Department to reimburse a portion of a probation officer's salary and benefits for supervision of DWI/DWAI defendants who are sentenced to probation.

Total Other Than Personal Services: \$0.00

Probation Component Grand Total: \$41,000.00

Rehabilitation Component Summary

Personal Services

Funded Positions

Title	Agency	Funding Type	Total
Counselors	Catholic Charities	Partially	\$18,000.00

Total Funded Positions: \$18,000.00

Overtime funding: \$0.00

Fringes: \$0.00

Total Personal Services: \$18,000.00

Other Than Personal Services

Equipment Description	Equipment Funding
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Equipment Total: \$0.00

Supply Description	Supply Funding
--------------------	----------------

Supply Total: \$0.00

Training/Travel Description	Training/Travel Funding
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Training/Travel Total: \$0.00

Contractual Service Description	Contractual Service Funding
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Contractual Service Total: \$0.00

Other Item Description	Other Funding
------------------------	---------------

Other Item Total: \$0.00

Activities to be funded in this area

Contract with Catholic Charities for reimbursement of a portion of salary and benefits for social workers, counselors and alcohol counselors. To assist people in overcoming their dependence on alcohol and drugs. Services will be utilized on a regular basis by DWI, DWAI and Drug defendants.

Total Other Than Personal Services: \$0.00

Rehabilitation Component Grand Total: \$18,000.00

Public Information/Education Component Summary

Personal Services

Funded Positions

Title	Agency	Funding Type	Total
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Total Funded Positions: \$0.00

Overtime funding: \$0.00

Fringes: \$0.00

Total Personal Services: \$0.00

Other Than Personal Services

Equipment Description	Equipment Funding
-----------------------	-------------------

Equipment Total: \$0.00

Supply Description	Supply Funding
--------------------	----------------

Supply Total: \$0.00

Training/Travel Description	Training/Travel Funding
-----------------------------	-------------------------

Training/Travel Total: \$0.00

Contractual Service Description	Contractual Service Funding
---------------------------------	-----------------------------

Contractual Service Total: \$0.00

Other Item Description	Other Funding
------------------------	---------------

Advertising

\$5,000.00

Other Item Total: \$5,000.00

Activities to be funded in this area

Creating and promoting newspaper and radio ads to further the message of the STOP-DWI program in an effort to make people think of the consequences of their actions. To change people's attitudes towards dangerous driving by focusing on the devastating consequences. Advertising in local newspapers and on radio stations.

Total Other Than Personal Services: \$5,000.00

Public Information/Education Component Grand Total: \$5,000.00

Administration Component Summary

Personal Services

Funded Positions

Title	Agency	Funding Type	Total
Coordinator	Sheriff's Office	Partially	\$10,000.00
Assistants	Sheriff's Office	Partially	\$10,000.00

Total Funded Positions: \$20,000.00

Overtime funding: \$0.00

Fringes: \$0.00

Total Personal Services: \$20,000.00

Other Than Personal Services

Equipment Description	Agency	Equipment Funding
		Equipment Total: \$0.00

Supply Description	Supply Funding
VIP Order forms, Receipt Books	\$300.00
Supply Total: \$300.00	

Training/Travel Description	Training/Travel Funding
STOP DWI Conferences	\$3,000.00
Training/Travel Total: \$3,000.00	

Contractual Service Description	Contractual Service Funding
Contractual Service Total: \$0.00	

Other Item Description	Other Funding
Other Item Total: \$0.00	

Recognition Awards/Events Description	Recognition Funding
Top Cop Awards	\$2,000.00
Recognition Total: \$2,000.00	

Activities to be funded in this area

Administration of the STOP DWI Plan, including preparation of quarterly reports, annual plan and processing of contracts and invoices with agencies providing services. Attendance and administration of Victim Impact Panels.

Total Other Than Personal Services: \$5,300.00

Administration Component Grand Total: \$25,300.00



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5779

Agenda Date: 9/21/2023

Agenda #: 18.

Narrative of Resolution:

Authorize one (1) Public Hearing to be held at Sullivan County Government Center in the Legislative Hearing Room 100 North Street, Monticello, NY 12701 on October 25th, 2023. The Sullivan County Office for the Aging is preparing a County Annual Plan for services to the 60+ population of the county, provided through the Older Americans Act and the New York State Community Services for the Elderly Program; and a notice be published in the official newspapers.

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

Amount to be authorized by Resolution: N/A

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that one public hearing is scheduled as follows, and that a notice of said public hearing to be published in the official newspapers of the County: Sullivan County Government Center in the Legislative Hearing Room on October 25th, 2023, 100 North Street Monticello, NY 12701 10am.



Mountains of Opportunities

**Office for the Aging
SULLIVAN COUNTY GOVERNMENT CENTER**

100 North Street
P O Box 5012
Monticello, New York 12701
Tel: 845-807-0241
Fax: 845-807-0260

NOTICE OF PUBLIC HEARING

Each year the Sullivan County Office for the Aging is required to submit to New York State Office for the Aging an Area Plan outlining the actions to be taken in the next year in the Older Americans Act Programs and Community Services for the Elderly Programs administered by our office. We are now preparing the Area Plan for State fiscal year 2024 beginning April 1, 2024 and ending March 31, 2025.

In accordance with Federal guidelines, One Public Hearing will be held so that all interested parties can be heard on October 25th, at the Sullivan County Government Center, Legislative Hearing Room, 2nd Floor, at 10am.

Following the Public Hearing, all comments will be reviewed by the Advisory Committee and staff of the Sullivan County Office for the Aging, thus permitting recommendations pertinent to the Plan to be incorporated into the Final Area Plan.

Lise-Anne Deoul, Director
Sullivan County Office for the Aging



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5780

Agenda Date: 9/21/2023

Agenda #: 19.

Purpose of Resolution: AUTHORIZE THE APPLICATION FOR RENEWAL OF RSVP STATE GRANT APPLICATION FOR 2023-2024

Is subject of Resolution mandated? Explain:

Is this a renewal of a prior contract? Yes

Date of prior contract: 07/1/22-6/30/23

Amount authorized by prior contract: \$ 6,983.00

Does Resolution require expenditure of funds? Y

If “Yes”, provide the following information

Amount to be authorized by Resolution: \$7,465.00

Are funds already budgeted? Y

If “Yes” specify appropriation code(s): 7610-89-R3772-R295

If “No”, specify proposed source of funds:

Estimated Cost Breakdown by Source

County: 0

Grant(s): 0

State: 7,465.00

Other: 0

Federal Government: 0

(Specify):0

WHEREAS, the New York State Office for the Aging has notified Sullivan County that NY State funding for the 2023-2024 RSVP program is available in the amount of \$7,465; and

WHEREAS, the goal the RSVP program is to provide meaningful volunteer opportunities throughout the county especially in rural areas, and to the underserved populations that reside in Sullivan County; and

WHEREAS, the term for the RSVP program is from 7/1/2023-6/30/2024; and

WHEREAS, if the County’s application is approved, the funds will be used to reimburse the County for RSVP

expenditures incurred by the Sullivan County Office for the Aging including operational costs; and

WHEREAS, reimbursement for County expenditures will be available after submission by the County and approval by the New York State Office for the Aging of an application, standard assurances, program narratives and program budget; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager or their designee is hereby authorized to execute the RSVP renewal application with required assurances, and any amendments thereto, with the New York State Office for the Aging for the RSVP program, for the term beginning July 1, 2023 through June 30, 2024, to accept the award should one be granted, 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 all commitments and agreements are contingent upon receiving the necessary State allocations.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5785

Agenda Date: 9/21/2023

Agenda #: 20.

Narrative of Resolution:

Accept award and authorize contract with NYS Office of Indigent Legal Services

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

Amount to be authorized by Resolution: \$485,994.00 over three years

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT THE AWARD AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO ENTER INTO A CONTRACT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES AND MODIFICATION AGREEMENTS WITH THE SULLIVAN LEGAL AID PANEL, INC. AND SULLIVAN COUNTY CONFLICT LEGAL AID, INC (DISTRIBUTION NO. 14)

WHEREAS, New York State Office of Indigent Legal Services (“NYSOILS”) has offered the County of Sullivan (“County”) funding in the amount of \$485,994.00 over a three (3) year period commencing on January 1, 2024 through December 31, 2026, known as Distribution #14 (Contract No. C140048), in order to improve the quality of legal services provided by the County pursuant to Article 18B of the County Law of the State of New York; and

WHEREAS, in order to receive the funding, the County must accept the award and enter into an agreement with NYSOILS to administer the funding; and

WHEREAS, in order to provide the additional funding to the Sullivan Legal Aid Panel, Inc. (“Legal Aid Panel”) and the Sullivan County Conflict Legal Aid, Inc. (“Conflict Legal Aid”) it is necessary to modify their respective contracts.

NOW, THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute any and all documentation necessary to accept the award and enter into a three (3) year agreement with NYSOILS effective January 1, 2024 through December 31, 2026 for a total amount of \$485,994.00, said documents to be in a form approved by the County Attorney; and

BE IT FURTHERED RESOLVED, that the County Manager is hereby authorized to execute modification agreements with the Legal Aid Panel for an amount not to exceed \$99,628.78 per year for a three (3) year period, and Conflict Legal Aid for an amount not to exceed \$62,369.22 per year for a three (3) year period, said modification agreement to be in a form approved by the County Attorney; and

BE IT FURTHER RESOLVED, that should the NYSOILS 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-5790

Agenda Date: 9/21/2023

Agenda #: 21.

Narrative of Resolution:

Resolution to authorize the County Manager to execute an agreement with NYSDOT to provide 95% funding for the Preliminary Engineering/Design work needed to replace County Bridge 301.

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

Amount to be authorized by Resolution: \$625,000.00

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGENY FUNDS.

WHEREAS, a project for the replacement of BIN 3355870; Board of Water Supply Rd./CR 105B over Neversink River, P.I.N. 975558 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL) that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds; and

WHEREAS, the County of Sullivan will design, let and construct the Project: and

WHEREAS, the County of Sullivan desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature, duly convened does hereby approve the above-subject Project; and

BE IT FURTHER RESOLVED that the Sullivan County Legislature hereby authorizes the County of Sullivan to pay 100% of the cost of Preliminary Engineering/Design work for the Project or portions thereof, with the understanding that qualified costs may be eligible for Federal-aid, state-aid, or reimbursement from BridgeNY funds; and

BE IT FURTHER RESOLVED, that the sum of \$625,000 is hereby appropriated from the Division of Public Works Budget pursuant to this Project and made available to cover the cost of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby agrees that the County of Sullivan shall be responsible for all costs of the Project which exceed the amount of Federal-aid, state-aid, or BridgeNY funding awarded to the County of Sullivan; and

BE IT FURTHER RESOLVED, that in the event the Project costs not covered by Federal-aid, State-

aid, or BridgeNY funding exceed the amount appropriated above, the Sullivan County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Manager of the County of Sullivan thereof; and

BE IT FURTHER RESOLVED, that the County of Sullivan hereby agrees that construction of the Project shall begin no later than twenty four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months thereafter; and

BE IT FURTHER RESOLVED, that the County Manager of the County of Sullivan be and is hereby authorized to execute on behalf of the County of Sullivan all necessary agreements, certifications or reimbursement requests in such form as approved by the County Attorney for Federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Sullivan's funding of Project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5792

Agenda Date: 9/21/2023

Agenda #: 22.

Narrative of Resolution:

RESOLUTION - INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE AWARD AND EXECUTION OF AN AGREEMENT WITH NAWROCKI SMITH, LLP, FOR INTERNAL AUDITING AND CONSULTING SERVICES

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

Amount to be authorized by Resolution: Not to exceed \$20,000

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures: RFP # 23-21

WHEREAS, proposals were received by the County of Sullivan Department of Purchasing for Internal Auditing and Consulting Services pursuant to RFP# 23-21 for the Office of Audit & Control; and

WHEREAS, pursuant to said RFP, the County of Sullivan reserves the right to select the proposal that best meets the needs of the County; and

WHEREAS, the County Auditor has determined that Nawrocki Smith, LLP, 100 Motor Parkway, Suite 580, Hauppauge, New York, 11788, has the qualifications and expertise to best meet the needs for this service.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be hereby authorized to execute and Agreement with Nawrocki Smith, LLP to provide Internal Auditing and Consultation Services, on an annual basis. The Agreement may be extended, upon mutual agreement, for an additional three (3) years, on a yearly basis in accordance with RFP 23 -21 and at the hourly rates listed in the RFP response, and 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-5796

Agenda Date: 9/21/2023

Agenda #: 23.

Narrative of Resolution:

TO AMEND THE 2023 - 2028 CAPITAL PLAN; MODIFY THE 2023 COUNTY BUDGET; AND CREATE AND FUND ASSIGNED FUND BALANCES FOR RADIO TOWER CONSTRUCTION AND O&W RAIL TRAILS

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

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

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

Click or tap here to enter text.

TO AMEND THE 2023 - 2028 CAPITAL PLAN; MODIFY THE 2023 COUNTY BUDGET; AND CREATE AND FUND ASSIGNED FUND BALANCES FOR RADIO TOWER CONSTRUCTION AND O&W RAIL TRAILS

WHEREAS, Sullivan County has identified various needs within the county to improve radio communications, promote tourism, purchase equipment for DPW and provide upgrades to information technology infrastructure to address security, employee productive and expanded storage requirements, and

WHEREAS, in order to complete these projects the 2023 - 2028 Capital Plan needs to be amended to include funding for Radio Tower Construction for improved communications within the county; funding for the O&W Rail Trails to promote tourism; funding for capital equipment in DPW; and funding for IT Infrastructure to address security, employee productivity and expanded storage requirements, and

WHEREAS, the 2023 County Budget will require modifications to increase appropriations and provide funding for these increased appropriations.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the 2023 - 2028 Capital Plan be modified to reflect the following:

Table with 2 columns: Description and Amount. Rows include: Provide funding for the O&W Rail Trails to promote tourism (\$500,000), Provide funding for Radio Tower Construction (\$1,500,000), Provide funding for upgrades to IT infrastructure (\$1,641,500), Provide funding for Equipment in DPW (\$1,358,500)

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the following 2023 county budget modification to fund the IT infrastructure upgrades and the DPW equipment referenced above:

Increase A-1680-21-2106 Fixed Electronic/Computer Equipment	\$1,641,500
Increase DM-5130-48-21-2105 Fixed Automotive Equipment	\$1,358,500
Increase A-9999-R1110-R239 Sales and Use Tax	\$3,000,000
Increase DM997-R5031-R209 Interfund transfer General Fund	\$1,358,500
Increase A9901-90-9002 Transfers Road Machinery	\$1,358,500

BE IT FURTHER RESOLVED, that the Sullivan County Legislature creates and funds the following from anticipated Sales Tax Revenue:

Assigned Fund Balance - Radio Tower Construction	\$1,500,000
Assigned Fund Balance - O&W Rail Trails	\$500,000



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5797

Agenda Date: 9/21/2023

Agenda #: 24.

Narrative of Resolution:
To Modify the 2023 Budget

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

Amount to be authorized by Resolution: Please see attached Budget Mods.

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

WHEREAS, the County of Sullivan Budget requires modification,

NOW, THEREFORE, BE IT RESOLVED, that the attached budgetary transfers for 2023 be authorized.

**August 31, 2023 Resolution Needed
Sullivan County Budget Modifications 2023**

G/L Account	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1165-40-4001 - CONTRACT AGENCIES			19,391	
A-1165-R4089-R167 - FED AID OTHR DEPARTMENTAL AID	19,391			
A-1620-213-47-4717 - DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			12,000	
A-1620-22-R2410-R115 - RENTAL OF PROPERTY BUILDINGS	12,000			
A-1989-99-47-4734 - DEPT BOND/NOTE EXPENSE			2,430	
A-1989-99-47-4736 - DEPT CONTINGENT				2,430
A-3010-41-4106 - AUTO/TRAVEL REPAIRS/MAINTENANCE			1,685	
A-3010-42-4203 - OFFICE OFFICE SUPPLIES			633	
A-3010-45-4506 - SPEC DEPT SUPPLY PUBLIC SAFETY			564	
A-3010-R4389-R338 - FED AID PUBLIC SAFETY OTHER	1,685			
A-3010-R4389-R338 - FED AID PUBLIC SAFETY OTHER	564			
A-3010-R4389-R338 - FED AID PUBLIC SAFETY OTHER	633			
A-4320-41-40-4013 - CONTRACT CONTRACT OTHER			63,332	
A-4320-41-42-4201 - OFFICE ADVERTISING			50,000	
A-4320-41-R4489-R167 - FED AID OTHR HEALTH DEPARTMENTAL AID	50,000			
A-4320-41-R4489-R167 - FED AID OTHR HEALTH DEPARTMENTAL AID	63,332			
A-7610-87-40-4001 - CONTRACT AGENCIES			52,550	
A-7610-87-47-4752 - DEPT MISC PROGRAM EXP			300	
A-7610-87-R4772-R245 - FED AID AGING PROGRM MEDICAL INSURNCE COUNSELNG	300			
A-7610-88-R4772-R254 - FED AID AGING PROGRM NUTRITION	52,550			
A Fund Total	200,455	-	202,885	2,430
D-5110-45-45-4528 - SPEC DEPT SUPPLY CATCH BASIN			6,500	
D-5142-45-4533 - SPEC DEPT SUPPLY LIQUID ICE CNTRL MATERIAL				6,500
D Fund Total	-	-	6,500	6,500



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5742

Agenda Date: 9/21/2023

Agenda #: 25.

RESOLUTION TO RE-APPOINT FOUR MEMBERS and APPOINT ONE NEW MEMBER TO THE OFFICE FOR THE AGING ADVISORY COMMITTEE

WHEREAS, it is the desire to re-appoint four members, Karin Pantel, Kenneth Walter, Aldo Troiani, and Liliam Stettner to the Office for the Aging Advisory Committee, and

WHEREAS, it is the desire to appoint one new member, Sabina Toomey to the Office for the Aging Advisory Committee, and

WHEREAS, the above re-appointments & appointment are to commence on the date this resolution is adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint the following members to the Office for the Aging Advisory Committee, for the term to expire on the date opposite of name.

OFA RE-APPOINTMENTS:	TERM:
Karin Pantel, EdD RN CNE Thompsonville NY 12784	9/30/2025
Kenneth Walter Grahamsville NY 12740	9/30/2025
Lilaim Stettner White Sulphur Springs NY 12787	9/30/2025
Aldo Troiani Youngsville, NY 12791	9/30/2025
OFA APPOINTMENT:	TERM:
Sabina Toomey Forestburgh, NY 12777	9/30/2025



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5760

Agenda Date: 9/21/2023

Agenda #: 26.

Narrative of Resolution:

TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH EMPLOYEE SERVICES, LLC dba ESI EMPLOYEE ASSISTANCE GROUP FOR PROVISION OF EAP SERVICES TO EMPLOYEES

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

Amount to be authorized by Resolution: \$19,326.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ENTER INTO AN AGREEMENT WITH EMPLOYEE SERVICES, LLC dba ESI EMPLOYEE ASSISTANCE GROUP FOR PROVISION OF EAP SERVICES TO EMPLOYEES

WHEREAS, a Request for Proposal, #R-23-27 was issued as the County desires to continue to make the Employees Assistance Program available to its employees and their families: and

WHEREAS, a proposal was received from Employee Services, LLC dba ESI Employee Assistance Group, 55 Chamberlain Street, Wellsville, New York 14895 for said service and is the lowest responsible proposer that best meets the needs; and

WHEREAS, the department of Human Resources approved said proposal and recommends that an agreement be executed; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Employee Services, LLC dba ESI Employee Assistance Group for the provision of EAP services to employees and their families at a cost not to exceed \$19,326.00, as outlined in the attached fee schedule, and in accordance with RFP #R-23-27. The term of this agreement shall commence on October 1, 2023 through September 30, 2024, with the option to extend on a yearly basis for four (4) additional years.

BE IT FURTHER RESOLVED, that any and all agreements be approved to form by the Sullivan County Department of Law.



ESI EAP Pricing

Cost Per Employee: BILLED ANNUALLY	PER MONTH: \$1.4075	PER YEAR: \$16.89
Number of Employees Covered Under Plan:	1,085	
Total Cost of EAP Per Year:	\$18,326	

Included in Price (This quote is good for 60 days):

• Employee Benefits and Services Summary

- ✓ **Counseling Benefits**
 - Face-to-Face Sessions per issue per year: Up to 3
 - Unlimited Telephonic Counseling ▫ Family Members Covered ▫ Master's & Ph.D. Level Licensed Counselors
- ✓ **Work-Life Benefits**
 - Legal ▫ Financial ▫ Caregiver Benefits ▫ Adoption Benefits ▫ Children with Disabilities
 - Personal Assistant ▫ Self-Help Resources ▫ Tools for Tough Times ▫ Pet Information
- ✓ **ESI Employee & Learning Development**
 - Personal & Professional Online Trainings ▫ Personal Finance & Education Center
 - GCN Compliance Training (GCN is optional)
- ✓ **Wellness Resource Center & Lifestyle Savings Benefit**

• Peak Performance Coaching Benefits and Services – Topics Include:

- Certified Financial ▫ Balancing Life at Work and Home ▫ Resilience ▫ Effective Communication
- Certified Student Debt ▫ Home Purchase ▫ Relaxation for Beginners ▫ Workplace Conflict
- Practical Aspects of Retirement ▫ Succeeding as a Supervisor

• Administration Services

- EAP Member & Supervisor Orientation ▫ EAP Ongoing Communication
- Automated Digital Communication (ADC) ▫ EAP Mobile App

• Manager, Supervisor and HR Services

- Human Resource Consultations w/SPHR's ▫ Administrative Referral
- Supervisor Resource Center ▫ Drug-Free Workplace ▫ HR Web Café

• Trauma Response: 1 free per year (\$250 per hour thereafter)

• Wellness Coaching Included

• ESI Accountability: Confidentiality, Activity Reports, Quality Assurance Program

On-Site Trainings: ▫ 2 included in contract

DOT/SAP charges: \$850 per case



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5784

Agenda Date: 9/21/2023

Agenda #: 27.

Narrative of Resolution:

Apportion Cost of the 2024 County Self-Insurance Plan

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

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

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPORTION COST OF THE 2024 COUNTY SELF-INSURANCE PLAN, AND TO LEVY TAXES AND/OR BILL DIRECTLY THEREFORE

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 \$3,650,000.00 will be necessary for the calendar year 2024 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 \$3,650,000.00 was calculated as detailed in the 2024 Estimate of Expenses for the Self-Funded Workers’ Compensation Plan for Sullivan County (attached 2024 Allocation report) and made a part hereof; and

WHEREAS, the 2024 Cost Allocation Report shall collectively be considered Risk Management’s 2024 report for the funding estimate and participant apportionment costs for the County’s Workers’ Compensation Self-Insurance Plan, (“Risk Management’s 2024 Plan”)

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby adopts Risk Management's 2024 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.

Summary Report

Sullivan County Workers' Compensation Plan

Plan Year 2024

Contribution Revenue	3,650,000
Retail Total for Group	3,871,932
Difference from Retail	-5.7%

Participating Entity	Prior Year Contribution (1)	Retail Estimate	New Contribution (2)	% Difference (1) and (2)
.Distributed Non-County Fund Balance	250,000	0	0	-100.0%
<i>.Distributed Non-County Fund Balance</i>	250,000	0	0	-100.0%
Bethel Town	118,384	137,405	129,529	9.4%
<i>Bethel Town</i>	75,479	83,068	78,307	3.7%
<i>Bethel Vol Ambulance</i>	4,144	4,879	4,599	11.0%
<i>Jeffersonville Fire District (Bethel portion)</i>	2,074	2,455	2,314	11.6%
<i>Kauneonga Lake Fire District</i>	7,817	10,280	9,691	24.0%
<i>Kenoza Lake Fire District (Bethel portion)</i>	2,827	3,302	3,113	10.1%
<i>Smallwood - Mongaup Fire District (Bethel portion)</i>	10,070	11,915	11,232	11.5%
<i>Swan Lake Fire District (Bethel portion)</i>	5,064	5,992	5,649	11.5%
<i>White Lake Fire District</i>	10,909	15,514	14,625	34.1%
Callicoon Town	78,596	89,062	83,957	6.8%
<i>Callicoon Center Fire District (Callicoon portion)</i>	6,510	6,842	6,450	-0.9%
<i>Callicoon Town</i>	42,545	47,268	44,559	4.7%
<i>Jeffersonville Fire District (Callicoon portion)</i>	7,747	9,170	8,644	11.6%
<i>Jeffersonville First Aid Corps Vol Ambulance</i>	4,144	4,879	4,599	11.0%
<i>North Branch Fire District (Callicoon portion)</i>	3,906	4,549	4,289	9.8%
<i>Shandelee Fire Protection District</i>	4,309	5,004	4,717	9.5%
<i>Youngsville Fire District (Callicoon portion)</i>	9,435	11,349	10,699	13.4%
Cochecton Town	37,369	46,468	43,804	17.2%
<i>Cochecton Town</i>	24,185	30,838	29,071	20.2%
<i>Cochecton Vol Ambulance</i>	2,856	3,414	3,218	12.7%

Summary Report

Sullivan County Workers' Compensation Plan

Plan Year 2024

Participating Entity	Prior Year Contribution (1)	Retail Estimate	New Contribution (2)	% Difference (1) and (2)
<i>Kenoza Lake Fire District (Cochecton portion)</i>	248	290	273	10.1%
<i>Lake Huntington Fire District</i>	10,080	11,926	11,243	11.5%
Delaware Town	70,405	80,182	75,586	7.4%
<i>Callicoon Fire District</i>	7,817	9,129	8,606	10.1%
<i>Delaware Town</i>	42,075	46,059	43,419	3.2%
<i>Hortonville Fire District</i>	7,817	10,056	9,480	21.3%
<i>Jeffersonville Fire District (Delaware portion)</i>	3,811	4,511	4,252	11.6%
<i>Kenoza Lake Fire District (Delaware portion)</i>	4,742	5,538	5,221	10.1%
<i>Upper Delaware Vol Ambulance</i>	4,144	4,889	4,608	11.2%
Fallsburg Town	340,123	474,243	447,060	31.4%
<i>Fallsburg Fire District</i>	17,891	20,693	19,507	9.0%
<i>Fallsburg Line Fire District</i>	4,309	5,004	4,717	9.5%
<i>Fallsburg Town</i>	246,838	357,474	336,984	36.5%
<i>Fallsburg Woodridge Joint Fire District</i>	14,622	17,490	16,488	12.8%
<i>Hurleyville Fire District (Fallsburg portion)</i>	9,887	11,698	11,027	11.5%
<i>Loch Sheldrake Fire District (Fallsburg portion)</i>	15,901	19,979	18,834	18.4%
<i>Mountindale Fire District (Fallsburg portion)</i>	8,660	10,246	9,659	11.5%
<i>Woodbourne Fire District</i>	22,014	31,658	29,844	35.6%
Forestburgh Town	28,542	37,363	35,222	23.4%
<i>Forestburgh Fire District</i>	8,439	11,818	11,140	32.0%
<i>Forestburgh Town</i>	20,103	25,545	24,081	19.8%
Fremont Town	46,263	43,430	40,941	-11.5%
<i>Callicoon Center Fire District (Fremont portion)</i>	449	523	493	9.8%
<i>Fremont Town</i>	26,961	20,841	19,647	-27.1%
<i>Hankins Fremont Center Fire District</i>	7,817	9,241	8,711	11.4%
<i>Long Eddy Fire District</i>	4,309	5,004	4,717	9.5%

Summary Report

Sullivan County Workers' Compensation Plan

Plan Year 2024

Participating Entity	Prior Year Contribution (1)	Retail Estimate	New Contribution (2)	% Difference (1) and (2)
<i>North Branch Fire District (Fremont portion)</i>	2,417	2,816	2,654	9.8%
<i>Tennanah Lake Fire Protection District</i>	4,309	5,004	4,717	9.5%
Highland Town	59,681	66,707	62,883	5.4%
<i>American Legion Vol Ambulance</i>	4,144	4,879	4,599	11.0%
<i>Highland Lake Fire Protection District</i>	6,323	7,840	7,391	16.9%
<i>Highland Town</i>	35,583	37,852	35,683	0.3%
<i>Yulan Fire Protection District</i>	13,632	16,135	15,210	11.6%
Jeffersonville Village	9,477	12,159	11,462	21.0%
<i>Jeffersonville Village</i>	9,477	12,159	11,462	21.0%
Liberty Town	156,147	188,809	177,987	14.0%
<i>Hurleyville Fire District (Liberty portion)</i>	193	228	215	11.5%
<i>Liberty Joint Fire District</i>	34,858	54,200	51,093	46.6%
<i>Liberty Town</i>	105,138	115,149	108,549	3.2%
<i>Loch Sheldrake Fire District (Liberty portion)</i>	115	137	130	12.9%
<i>Swan Lake Fire District (Liberty portion)</i>	5,119	5,934	5,594	9.3%
<i>White Sulpher Springs Fire District</i>	10,080	12,396	11,686	15.9%
<i>Youngsville Fire District (Liberty portion)</i>	645	763	720	11.5%
Liberty Village	105,208	149,090	140,545	33.6%
<i>Liberty Village</i>	105,208	149,090	140,545	33.6%
Lumberland Town	54,757	92,502	87,200	59.2%
<i>Lumberland (Town of) Fire District</i>	13,919	20,893	19,696	41.5%
<i>Lumberland Town</i>	40,828	71,597	67,494	65.3%
<i>Smallwood - Mongaup Fire District (Lumberland portion)</i>	10	11	11	11.5%
Mamakating Town	186,650	212,289	200,121	7.2%
<i>Bloomington Fire District</i>	26,952	33,208	31,304	16.1%
<i>Mamakating First Aid Vol Ambulance</i>	4,144	4,879	4,599	11.0%
<i>Mamakating Town</i>	118,234	123,476	116,399	-1.6%

Summary Report

Sullivan County Workers' Compensation Plan

Plan Year 2024

Participating Entity	Prior Year Contribution (1)	Retail Estimate	New Contribution (2)	% Difference (1) and (2)
<i>Mountaintale Fire District (Mamakating portion)</i>	1,420	1,680	1,584	11.5%
<i>Summitville Fire District</i>	10,080	11,926	11,243	11.5%
<i>Westbrookville Fire District</i>	6,323	7,365	6,943	9.8%
<i>Wurtsboro Joint Fire District</i>	19,497	29,754	28,049	43.9%
Monticello Village	182,084	236,372	222,823	22.4%
<i>Monticello Village</i>	182,084	236,372	222,823	22.4%
Neversink Town	105,320	124,614	117,472	11.5%
<i>Grahamsville Fire District</i>	11,223	15,513	14,624	30.3%
<i>Grahamsville First Aid Squad Vol Ambulance</i>	4,263	5,096	4,804	12.7%
<i>Livingston Manor Fire District (Neversink portion)</i>	879	1,033	974	10.7%
<i>Neversink Fire District</i>	10,080	12,952	12,210	21.1%
<i>Neversink Town</i>	78,876	90,021	84,861	7.6%
Rockland Town	96,846	117,435	110,704	14.3%
<i>Beaverkill Valley Fire District</i>	4,309	5,004	4,717	9.5%
<i>Livingston Manor Fire District (Rockland portion)</i>	13,432	17,705	16,690	24.3%
<i>Livingston Manor Vol Ambulance</i>	4,144	4,879	4,599	11.0%
<i>Rockland Fire Protection District</i>	7,817	9,129	8,606	10.1%
<i>Rockland Town</i>	52,713	61,597	58,066	10.2%
<i>Roscoe/Rockland Fire District</i>	10,287	13,276	12,515	21.7%
<i>Roscoe/Rockland Vol Ambulance</i>	4,144	5,844	5,509	32.9%
Sullivan Community College	34,337	43,496	41,003	19.4%
<i>Sullivan Community College</i>	34,337	43,496	41,003	19.4%
Sullivan County	1,348,501	1,343,628	1,266,614	-6.1%
<i>Sullivan County</i>	1,328,160	1,321,668	1,245,912	-6.2%
<i>Sullivan County Soil and Water</i>	20,341	21,960	20,702	1.8%
Thompson Town	244,961	249,266	234,979	-4.1%

Summary Report

Sullivan County Workers' Compensation Plan

Plan Year 2024

Participating Entity	Prior Year Contribution (1)	Retail Estimate	New Contribution (2)	% Difference (1) and (2)
<i>Monticello Joint Fire District</i>	68,911	79,941	75,359	9.4%
<i>Rock Hill Fire District</i>	18,368	20,868	19,672	7.1%
<i>Rock Hill Vol Ambulance</i>	4,144	4,889	4,608	11.2%
<i>Thompson Town</i>	153,538	143,569	135,340	-11.9%
Tusten Town	47,120	60,142	56,695	20.3%
<i>Narrowsburg Fire District</i>	4,885	6,474	6,103	24.9%
<i>Tusten (Lava) Fire Protection District</i>	7,817	10,126	9,545	22.1%
<i>Tusten Town</i>	30,275	38,663	36,447	20.4%
<i>Tusten Vol Ambulance</i>	4,144	4,879	4,599	11.0%
Woodridge Village	42,006	58,422	55,073	31.1%
<i>Woodridge Village</i>	42,006	58,422	55,073	31.1%
Wurtsboro Village	7,223	8,847	8,340	15.5%
<i>Wurtsboro Village</i>	7,223	8,847	8,340	15.5%
	3,650,000	3,871,932	3,650,000	0.0%



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5787

Agenda Date: 9/21/2023

Agenda #: 28.

Narrative of Resolution:

To authorize and Agreement between Sullivan County BOCES (BOCES) and the County of Sullivan (County) for use of facilities to run a Welding Trade Program.

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

Amount to be authorized by Resolution: \$36,850.00

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

WHEREAS, in cooperation with BOCES, County and Center for Workforce Development (CWD), a Welding Trade Program has been assembled using the BOCES facilities located in Liberty, New York.

WHEREAS, a Welding Trade Program will be offered to individuals seeking to be educated and trained in the welding field. It has been determined that local welding companies are in high demand for employees that have required employability skills. This curriculum-based program will be non-credit bearing, short term, and will begin in October 2023; and

WHEREAS, BOCES has offered the use of their facilities and will provide an instructor, for this hands-on experience, with a minimum of five (5) participants and a maximum of ten (10) participants at a cost of \$3,350 per participant for this Welding Trade Program. If needed, an additional \$3,350 will be allocated to CWD to manage all documentation, participants, oversight and collaboration of this program, for a total amount not to exceed \$36,850; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an Agreement with BOCES in the amount of \$36,850 and said Agreement is to be in the form approved by the County Attorney.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5788

Agenda Date: 9/21/2023

Agenda #: 29.

Amend Resolution 425-22

Narrative of Resolution: **TO AMEND RESOLUTION 425-22 TO REFLECT INCREASE OF THE NEW YORK STATE OFFICE FOR THE AGING RSVP AWARD FOR THE PERIOD COVERING July 1, 2023 to June 30, 2024**

WHEREAS, the Sullivan County Legislature adopted resolution 425-22 on 10/20/22 which accepted Corporation for National and Community Service (CNCS) Grant funding for RSVP; and

WHEREAS, the anticipated amount from the New York State Office for the Aging for July 1, 2023 to June 30, 2024 was to be \$6,983.00; and

WHEREAS, Sullivan County Office for the Aging has received notification the amount of the award from New York State Office for the Aging RSVP for July 1, 2023 to June 30, 2024 has increased to \$7,465.00; and

WHEREAS, there has been no change in the federal award for RSVP; and

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 accept the New York State RSVP award in the amount of \$7,465.00, 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 2023-2024 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-5809

Agenda Date: 9/21/2023

Agenda #: 30.

Narrative of Resolution:

URGING LOCAL FEDERAL AND STATE GOVERNMENT REPRESENTATIVES TO ADVOCATE FOR INCREASED FUNDING LEVELS FOR OLDER ADULTS IN THE FEDERAL AND STATE BUDGETS TO ALLOCATE TO LOCAL GOVERNMENT TO ALLOW AREA AGENCIES ON AGING TO PROVIDE CRITICAL SERVICES TO OLDER ADULTS SO THEY MAY AGE SAFELY IN PLACE

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:

N/A

WHEREAS, over the course of the past 58 years, Area Agencies on Aging have provided valuable services and support such as: home delivered meals, home care services, transportation, legal services, home modifications, evidence-based interventions, case management, information and assistance, social adult day services, respite, health promotion and wellness, health insurance information and assistance, elder abuse prevention and mitigation, senior center programing, volunteer opportunities, ancillary services, and operate the NY Connects No Wrong Door infrastructure, and

WHEREAS, although these services are mandated by Federal and State regulations in order to accept Older Americans Act Funding, the burden of the cost of these services is heavily dependent on local government funding and Federal and State contributions to Older New Yorkers have not kept pace with the growing needs of the population, and

WHEREAS, Older New Yorkers comprise 43% of the national GDP, and the current budget from New York State Office for the Aging is less than 1% over the State Budget and Older New Yorkers provide social, economic, and intellectual capital and provide over 495 million hours of volunteer services at an economic value of 13.8 billion per year and unpaid caregivers provide uncompensated care worth over 32 Billion dollars per year, and

WHEREAS, Sullivan County is home to over 21,000 individuals over the age of 60 and over 15% are living in poverty or just above poverty levels and are struggling to afford food, medications, home heating fuel, rent, mortgages, and utilities due to the high cost of inflation while living on extremely limited incomes.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Legislature urge local Federal and State Government Representatives to advocate for increased funding levels for older adults in the Federal and State budgets to allocate to local government to allow local Area Agencies on Aging to provide critical services to older adults so they may age safely in place.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5811

Agenda Date: 9/21/2023

Agenda #: 31.

Narrative of Resolution:

To authorize a stipend to a County Employee to assume administrative responsibilities due to a leave of absence at the Care Center at Sunset Lake

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

Amount to be authorized by Resolution: 500 a month

Are funds already budgeted? Yes Through Vacancy Variance

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A STIPEND FOR A COUNTY EMPLOYEE TO ASSUME MANAGEMENT RESPONSIBILITIES AT THE CARE CENTER ON BEHALF OF THE COUNTY DUE TO A LEAVE OF ABSENCE

WHEREAS, the Care Center at Sunset Lake has had a recent retirement and most recently a leave of absence for an unknown duration of time of a County management employee that has a vital role with the County’s administrative functions at the Care Center; and

WHEREAS, the County is in need of a County employee to assume those administrative responsibilities until such time as the management employee is able to return back to work; and

WHEREAS, there is a need to create a stipend for a County employee to perform these duties on behalf of the County at the Care Center at Sunset Lake.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes a stipend in the amount of five hundred dollars (\$500) a month to a County employee assigned these duties by the County Manager, effective September 4, 2023.

BE IT FURTHER RESOLVED, that the stipend shall cease upon the release of the additional duties.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5812

Agenda Date: 9/21/2023

Agenda #: 32.

Narrative of Resolution:

To authorize a stipend for a County employee to investigate complaints of non-licensed electricians on behalf of the Electrical Licensing Board.

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

Amount to be authorized by Resolution: \$10,000 annually

Are funds already budgeted? No Will be offset by collection of annual renewals

Specify Compliance with Procurement Procedures:

Click or tap here to enter text.

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A STIPEND FOR A COUNTY EMPLOYEE TO INVESTIGATE COMPLAINTS OF NON-LICENSED ELECTRICIANS ON BEHALF OF THE ELECTRICAL LICENSING BOARD

WHEREAS, the Sullivan County Legislature adopted a Local Law, pursuant to the Sullivan County Code, Chapter 103 “Electrical Licensing”; and

WHEREAS, pursuant to the Sullivan County Code, Chapter § 103-34 the Electrical Licensing Board has the power to properly have complaints investigated by an investigator and recommend further action including a hearing under this chapter and a method of remediation; and

WHEREAS, there is a need to have an investigator that has the ability to investigate non-licensed electrical work on behalf of the Electrical Licensing Board; and

WHEREAS, we have a current County Employee that also serves as a Fire Investigator that is willing and able to take on the investigations on behalf of the Electrical Licensing Board.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes a stipend in the amount of \$10,000 annually to a County employee assigned the investigator role by the County Manager on behalf of the Electrical Licensing Board, effective immediately.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5813

Agenda Date: 9/21/2023

Agenda #: 33.

Narrative of Resolution:

Authorize disbursement of funds to nine current employees in Public Health Services, Community Services and the Care Center at Sunset Lake that did not meet the specific eligibility pursuant to the guidelines of Health Care Workers through HWB.

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

Amount to be authorized by Resolution: \$27,000

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE DISBURSEMENT OF FUNDS TO EMPLOYEES IN PUBLIC HEALTH SERVICES, CARE CENTER AT SUNSET LAKE AND COMMUNITY SERVICES THAT DID NOT MEET THE SPECIFIC ELIGIBILITY PURSUANT TO THE GUIDELINES OF THE HEALTH CARE WORKERS THROUGH HWB

WHEREAS, New York State Budget funded and authorized Health Care and Mental Hygiene Worker Bonus Program (“HWB”); and

WHEREAS, the Sullivan County Legislature approved Resolution 377-22 authorizing the County Manager to apply to New York State for HWB funding; and

WHEREAS, Fiscal Year 2023 New York State Budget funded and authorized a Health Care and Mental Hygiene Worker Bonus Program (“HWB”), and

WHEREAS, the intent of the legislation was to facilitate an incentive program for the purpose of recruiting, retaining, and rewarding health care and mental hygiene workers meeting specified eligibility requirements; and

WHEREAS, the Sullivan County Manager has recognized that there were employees identified within the departments of Public Health Services, Care Center at Sunset Lake and Community Services that did not meet the specific criteria pursuant to the HWB but should be recognized as an integral part of the operations for these three departments; and

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to work with the Director of Budget and Commissioner of Human Resources to ensure that payments are made to the identified staff within the departments of Public Health Services, Care Center at Sunset Lake and Community Services to apply the same criteria set forth in the Health Care and Mental Hygiene Worker Bonus Program in a timely manner.

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County Payroll

Department to disburse funds for payment to the staff identified by the County Manager.

BE IT FURTHER RESOLVED, that this Resolution shall be effective at the beginning eligibility period of the HWB program.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5814

Agenda Date: 9/21/2023

Agenda #: 34.

Narrative of Resolution:

Authorize the purchase of equipment necessary for a Canine Unit

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

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

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE THE PURCHASE OF EQUIPMENT NECESSARY FOR THE CANINE UNIT

WHEREAS, the Sullivan County Sheriff agrees that having a Canine Unit is beneficial and desirable for the County in many respects, including assisting in searches for lost persons, searches for and apprehension of persons who have committed crimes, detection of illicit drugs and a number of other purposes, and

WHEREAS, the Sullivan County Sheriff believes it is in the best interest of the Sullivan County Sheriff's Office and the community to re-implement the K-9 Unit; and

WHEREAS, the Sullivan County Sheriff's Office needs to purchase a canine kennel that is compatible with the vehicle that will be utilized by the Canine Officer; and

NOW THEREFORE BE IT RESOLVED, that the Legislature does hereby approve an expenditure in an amount not to exceed \$4,000.00 to acquire the equipment that is necessary for the safety of the Canine; and

BE IT FURTHER RESOLVED, that grant funding be actively sought for the canine unit.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5815

Agenda Date: 9/21/2023

Agenda #: 35.

Narrative of Resolution:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO ENTER INTO AN AGREEMENT WITH SULLIVAN COUNTY BOCES CAREER & TECH CARPENTRY PROGRAM TO BUILD TRAINING PROPS ON-SITE AT THE EMERGENCY SERVICES TRAINING CENTER

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

Amount to be authorized by Resolution: \$0

Are funds already budgeted? N/A

Specify Compliance with Procurement Procedures: N/A

WHEREAS, the County of Sullivan and Sullivan County Board of Cooperative Education Services (BOCES) currently have an agreement for use of the Emergency Services Training Center (ESTC) classrooms for Fire Science / EMS Career & Tech programs; and

WHEREAS, the County has been approached by Sullivan County BOCES Career & Tech Carpentry program with an offer to build training props for use at the ESTC; and

WHEREAS, Sullivan County BOCES desires to construct all props on-site at the ESTC, at no cost to the County; and

WHEREAS, it is in the best interest of the County to enter into an agreement with Sullivan County BOCES for this project.

NOW THEREFORE BE IT RESOLVED, that the County Manager or Chairman of the Legislature is hereby authorized to execute an agreement for Sullivan County BOCES to build training props on-site at the ESTC, and that such agreement be in a form as approved by the County Attorney's Office.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5816

Agenda Date: 9/21/2023

Agenda #: 36.

Narrative of Resolution:

Enter into agreements to expand Website Chatbot Services

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

Amount to be authorized by Resolution: \$183,143.85 Budget Modification needs to be made

Are funds already budgeted? No

Specify Compliance with Procurement Procedures: Expansion of contract services

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ENTER INTO AGREEMENTS TO EXPAND WEBSITE CHATBOT SERVICE

WHEREAS, the County of Sullivan has been testing a Google-derived automatic customer interaction (“chatbot”) service called DialogFlow CX since September 2022; and

WHEREAS, the County has found that this chatbot service, initially limited to the County Clerk’s and County Treasurer’s offices, has resulted in fewer calls and visits to those offices for simple-to-answer queries (i.e., hours of operation, mailing addresses, filing procedures); and

WHEREAS, there is now an ability to expand the chatbot’s knowledge base to encompass the entirety of the County’s website, without requiring large amounts of time to develop comprehensive Q&As with department heads; and

WHEREAS, Google provides an analytical software program called Looker that is capable not only of interfacing with DialogFlow but of assisting the County Manager’s Office in assessing performance across departments; and

WHEREAS, the County Manager’s Office believes this software solution will reduce call volume and walk-ins to all public-facing offices, freeing staff to handle more complex inquiries and tasks; and

WHEREAS, the County Manager’s Office seeks to issue a Purchase Order to SHI in accordance with Sourcwell Contract #081419-SHI, totaling \$183,143.85;

NOW, THEREFORE, BE IT RESOLVED, that the Legislature authorizes the County Manager’s Office to issue a Purchase Order as follows:

- Enterprise Agreement for Public Sector Subscription - Google # 9a92-40ae-8d00 - \$80,455.68 - 12-month term with an option to renew
- Quantiphi Services Inc - #Quantiphi Services - 12-month term : \$102,688.17



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5820

Agenda Date: 9/21/2023

Agenda #: 37.

Narrative of Resolution:

TO SET MANAGEMENT SALARIES IN THE SHERIFF’S OFFICE AND TO SET PARAMETERS IN WHICH TO ADMINISTER SAID SALARIES IN RELATION TO COLLECTIVE BARGAINING AGREEMENTS WITHIN THE SHERIFF’S OFFICE

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

Amount to be authorized by Resolution: \$24,906

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

WHEREAS, the Sullivan County Sheriff’s Office contains employees in two unions, the Sullivan County Patrolmen’s Benevolent Association (hereinafter “PBA”), the County Civil Service Employees Association, Inc. Local 1000 (hereinafter “CSEA”), and in the Management Confidential class, and

WHEREAS, the “PBA”, and “CSEA” contracts have recently been ratified providing for contracts through 2025, and

WHEREAS, the Sullivan County Sheriff recommends that salaries for management confidential positions within his office be adjusted in order to be able to recruit, promote, and retain management staff and as a result of the new salary schedules contained in the “PBA” and “CSEA” contracts, and

WHEREAS, the Sullivan County Legislature has recently enacted a Management Salary Schedule which provides for rules to administer salaries for those supervising and managing subordinate staff, and

WHEREAS, the Management Salary Schedule requires that a supervisor/manager can make no less than three percent of their highest paid subordinate, and

WHEREAS, the Sullivan County Sheriff recommends that the same rule be authorized allowing for his uniformed Management Confidential Staff to make no less than three percent of their highest paid subordinate.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature effective August 1, 2023, hereby sets the salaries for the following management positions within the Sheriff's Office as follows:

Correction Lieutenant	\$106,075
Correction Captain	\$109,257
Chief Deputy-Patrol Division/Internal Affairs	\$112,534
Jail Administrator	\$112,534
Undersheriff	\$115,910

BE IT FURTHER RESOLVED, this salary structure will be adjusted so that uniformed Management Confidential Staff will make no less than three percent of their highest paid subordinate.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5821

Agenda Date: 9/21/2023

Agenda #: 38.

Narrative of Resolution:

To adopt the 2023-2024 Opioid Settlement Spending Plan.

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

Amount to be authorized by Resolution: up to \$772,000

Are funds already budgeted? Yes Opioid Settlement Funding

Specify Compliance with Procurement Procedures:

RFP

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT THE 2023-2024 OPIOID SETTLEMENT SPENDING PLAN

WHEREAS, the County of Sullivan is a party to litigation seeking to hold opioid supply chain participants accountable for harm done to our community and many others; and

WHEREAS, aside from monies provided to the county via the resolution of litigation, the County was also provided with \$670,076 in supplementary state aid from the New York State Office of Addiction Services and Supports (OASAS) to abate and alleviate the harmful impacts of opioid use in our community; and

WHEREAS, members of the Substance Use Task Force have collaborated across law enforcement, health and human services, medical provider pillars to determine the best use of said funds following the receipt of responses to Request for Proposals (#R-23-17) within the terms established through litigation and subject to audit requirements established by the office of the NYS Comptroller, and

WHEREAS, approved uses of these funds include the treatment of opioid use disorder (OUD), support for people in treatment and recovery, connecting people to care, addressing the needs of criminal justice-involved persons, addressing the needs of pregnant or parenting women and their families, preventing the over-prescribing and dispensing of opioids, preventing the misuse of opioids, preventing overdose deaths, supporting first responders, and providing coordination, training, research and analysis of all of these efforts; and

WHEREAS, settlements with some, but not all, of the litigants prohibit use of said funds for the purpose of funding law enforcement expenditures related to the opioid epidemic; and

WHEREAS, funds previously authorized for expenditure in Resolution 271-22 (modified by Resolution 121-23) are unspent but remain available for use to these ends;

NOW, THEREFORE, BE IT RESOLVED, that the 2023-24 Opioid Settlement Budget Plan is hereby approved with the following funding authorizations effective July 1, 2023 - June 30, 2024:

Name	Description (Funds Requested)
Catholic Charities of Orange, Sullivan and Ulster	Too Good for Drugs School-based Prevention (\$25k)
Catholic Charities of Orange, Sullivan and Ulster	Services - Psychiatrists, Nursing, Residential Services, Nursing Directors for Drug & Jail Discharge Support (\$334k)
Bold Gold Media Group	Marketing - Advertising (\$60k-75k)
Lamar of Scranton	Marketing - Signage (\$33k)
Village of Liberty Police Department	Quick Response Team, Non-Fatal Overdose Follow-up (\$15k)
Village of Liberty Police Department	Officer EAP Program (\$11k)
Sullivan180	Prevention & School Based/Youth Focus Programs (\$89k)
Action Towards Independence, Inc.	Wrap-around services for individuals with Opioid Use Disorder and any co-occurring Mental Health conditions. Wrap-around services include: housing supports, transportation assistance, and case management support services (\$85k)
The Corona Self Help Center Inc.	Empowerment Services and Peer Supports. (\$105k)

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the Sullivan County Manager to make the necessary budgetary amendments to increase revenue and expense accounts based upon this spending plan, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the Sullivan County Manager to procure the items and services in this spending plan including the authority to enter into the necessary contracts upon satisfactory completion of all applicable Sullivan County acquisition policies, with such contracts to be in a form as the County Attorney shall approve.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5823

Agenda Date: 9/21/2023

Agenda #: 39.

Narrative of Resolution:

Authorize entering into a Project Labor Agreement (PLA)

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

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

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE ENTERING INTO A PROJECT LABOR AGREEMENT (PLA) AND EXECUTION OF THE PLA FOR TERMINAL REVITALIZATION AT SULLIVAN COUNTY INTERNATIONAL AIRPORT

WHEREAS, the County of Sullivan (the County), is the recipient of significant funding from the NYS Upstate Airport Economic Development and Revitalization Program; and

WHEREAS, this funding has been designated to revitalize the airport terminal building; and

WHEREAS, the County has received a Report of the Project Labor Agreement from Seeler Engineering, PC recommending that the County proceed with the negotiations for a Project Labor Agreement (PLA) which is estimated to save the County approximately 2.9% in direct labor costs and approximately 3.6% on overall construction costs; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager to sign the necessary Project Labor Agreement in such form as the County Attorney shall approve.