



# 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

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Thursday, October 20, 2022

11:00 AM

Government Center

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**Call to Order and Pledge of Allegiance**

**Roll Call of Legislators**

**Presentations**

**Communications**

**Public Comment**

**Resolutions**

1. TO ENTER INTO PROVIDER AGREEMENTS WITH VARIOUS INSURANCE COMPANIES/PROVIDERS. [ID-4941](#)
2. TO AUTHORIZE THE COUNTY MANAGER TO APPROVE NEW PRE K CONTRACT FOR ALL RELATED SERVICES FROM ALWAYS FOR KIDS, INC. DBA KSENIYA TARAN TO ACCOMMODATE PROGRAM NEEDS..end [ID-4947](#)  
  
**Attachments:** [2021-2022 Authorized NYS Education Department Service Providers - UPDATED - 012022](#)
3. RESOLUTION INTRODUCED BY HEALTH AND HUMAN SERVICES COMMITTEE TO MODIFY RESOLUTION #333-20 TO INCREASE CYSHCN GRANT FUNDING TO \$59,157 ANNUALLY FOR THE REMAINING TERMS OF THE GRANT [ID-4948](#)

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4. Resolution introduced by the Planning Committee to support the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 [ID-4957](#)  
**Attachments:** [NYSAC Whitepaper - Clean Air, Clean Water, and Green Jobs Bond Act](#)
5. Resolution to authorize the application for the FY23 Brownfields Revolving Loan Fund Grant Program [ID-4963](#)
6. TO CORRECT THE 2020 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #26.-1-18.1 [ID-4965](#)
7. TO CORRECT THE 2021 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #26.-1-18.1 [ID-4966](#)
8. TO CORRECT THE 2022 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #26.-1-18.1 [ID-4967](#)
9. TO UPDATE THE HEALTH INSURANCE WAITING PERIOD. [ID-4970](#)
10. TO ACCEPT RENTAL SUPPLEMENT PROGRAM GRANT AND APPROPRIATION FROM CONTINGENT FUND. [ID-4971](#)
11. TO AMEND RESOLUTION 441-21 TO ACCEPT A GRANT AWARD FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND TO ACCEPT MULTIYEAR FUNDING IN THE AMOUNT OF \$184,083.00 COVERING THE PERFORMANCE PERIOD OF APRIL 1, 2022 THROUGH MARCH 31, 2025. [ID-4972](#)  
**Sponsors:** Office for the Aging and Deoul
12. TO AUTHORIZE A STIPEND FOR THE COUNSEL AT FIRST APPEARANCE PROGRAM [ID-4973](#)
13. Resolution to authorize the award and the execution of a contract with Delta Engineers, Architects, Land Surveyors & Landscape Architects, D.P.C for Pre-Renovation / Pre-Demolition Survey and Testing for Hazardous Materials at Various County Buildings [ID-4975](#)  
**Attachments:** [Sullivan County Delta Engineers HAZMAT Testing\\_TM Rates](#)
14. Resolution to authorize the award to that execution of a contract with H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C for Engineering Design of Redundant Potable Water Storage Tank. [ID-4976](#)
15. Resolution to authorize the filing of a pre-application for submission of a full application for a State Grant in-aid for Municipal Waste Reduction and Recycling Coordinator/Education project and signing of the associated state contract under the appropriate laws of New York State. [ID-4977](#)
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16. Resolution to authorize the modification of Terminal Apron Construction Services contract with Passero Associates dated August 31, 2022 pursuant to Resolution No. 209-22. [ID-4978](#)
17. Resolution to adopt amendments and revisions to the Sullivan County Investment Policy [ID-4981](#)  
**Attachments:** [Investment Policy.pdf](#)
18. TO AUTHORIZE AN AGREEMENT WITH ABILITY FOR THREE DEPARTMENTS IN THE DIVISION OF HEALTH AND HUMAN SERVICES [ID-4982](#)
19. Set Public Hearing for November 17, 2022 at 10:50AM for proposed Local Law entitled "Authorizing Background Checks for Non Competitive Jobs" [ID-4984](#)
20. Authorize backfill of positions without resolutions [ID-4983](#)
21. To authorize the execution and submission of a Federal Section 5311 Formula Grant for Rural Area Program application with the New York State Department of Transportation (DOT) [ID-4990](#)
22. To Modify the 2022 Budget [ID-4991](#)  
**Attachments:** [FINALSeptember 30 2022 Resolution Needed](#)
23. TO AUTHORIZE THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SULLIVAN AND CORNELL COOPERATIVE EXTENSION SULLIVAN COUNTY FOR THE PURPOSES OF WORKSITE WELLNESS STRATEGIES. [ID-4992](#)
24. Authorize agreement to accept NYSDOT Grant Funding for Terminal Revitalization. [ID-4994](#)
25. Authorize MOA with Teamsters Supervisory Unit. [ID-4995](#)  
**Attachments:** [newattachmenttsup](#)
26. Accept the gift of a piano for the Government Center Lobby [ID-4996](#)
27. RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A MASTER AGREEMENT AMENDMENT WITH NETSMART TECHNOLOGIES, INC. FOR ADDITIONAL APPLICATION LICENSES [ID-4997](#)
28. TO AMEND THE WHISTLEBLOWER POLICY FOR SULLIVAN COUNTY. [ID-4998](#)  
**Attachments:** [WHISTLE BLOWER POLICY 2022\\_CMOdraft.docx](#)
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|---|--------------------------------|
| 29. Authorize agreement with Legacy Staffing to Insure consistent and adequate staffing at the Care Center at Sunset Lake | <a href="#"><u>ID-4999</u></a> |
| 30. Declare Certain Property “Surplus Property” at the old County Road Patrol Building                                    | <a href="#"><u>ID-5001</u></a> |
| 31. Declare certain property at the old County Jail “Surplus Property”  | <a href="#"><u>ID-5002</u></a> |
| 32. Authorize the sale of Real Property at Emerald Corporate Park, Rock Hill, New York                                    | <b>ID-5003</b>                 |

**Recognition of Legislators****Announcements from Chair****Adjournment or Close**

# Sullivan County

## Legislative Memorandum

**File #:** ID-4941

**Agenda Date:** 10/20/2022

**Agenda #:** 1.

**Narrative of Resolution:**

There are various insurance companies who serve as third party payors for current patients and for whom the Department of Health and the Certified Home Health Agency are considered “out of network” and therefore subject to delays in claiming and payments from the insurance companies. The third party payors require written agreements with service providers such as the Department of Public Health to establish claiming and payment procedures which allow payments to be forwarded directly to the provider.

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

**Amount to be authorized by Resolution:** 0

**Are funds already budgeted?** No

**Specify Compliance with Procurement Procedures:** N/A

**WHEREAS,** Sullivan County Department of Public Health is a provider of services to patients who are reimbursed by third party payors; and

**WHEREAS,** Sullivan County Department of Public Health desires to enhance third party payor revenue collection; and

**WHEREAS,** there are various insurance companies who serve as third party payors for current patients and for whom the Department of Health and the Certified Home Health Agency are considered “out of network” and therefore subject to delays in claiming and payments from the insurance companies; and

**WHEREAS,** these third party payors require written agreements with service providers such as the Department of Public Health to establish claiming and payment procedures which allow payments to be forwarded directly to the provider.

**NOW, THEREFORE, BE IT RESOLVED,** that the County Manager be authorized to enter into provider agreements with various insurance companies/providers during the period of January 1, 2023 through December 31, 2023. Such agreements may be extended, upon mutual agreement, for four (4) additional years on a yearly basis; and

**BE IT FURTHER RESOLVED** that said agreements be in such form as approved by the Sullivan County Department Law.

# Sullivan County

## Legislative Memorandum

**File #:** ID-4947

**Agenda Date:** 10/20/2022

**Agenda #:** 2.

### Narrative of Resolution:

RESOLUTION INTRODUCED BY HEALTH AND HUMAN SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO APPROVE NEW PRE K CONTRACT FOR ALL RELATED SERVICES FROM ALWAYS FOR KIDS, INC. DBA KSENIYA TARAN TO ACCOMMODATE PROGRAM NEEDS

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

**Does Resolution require expenditure of funds? Y/N:** Yes

**Amount to be authorized by Resolution:** \$23,680 annual est. for 10/1/22-6/30/25

**Are funds already budgeted? Y/N:** Yes (the portion for 2022)

**Specify Compliance with Procurement Procedures:** Once the contract is signed, PHS will comply with the county procurement policy and procedures regarding the purposes & needs of this contract.

### Specify Compliance with Procurement Procedures:

**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 at State-approved rates, and

**WHEREAS**, Sullivan County needs to authorize contracts with authorized New York State Education Department Pre-School Service Providers for the period beginning November 1, 2022 to June 30, 2025 at State-approved rates, and

**WHEREAS**, the names and addresses of the authorized New York State Education Department Service Providers are on the attached list,

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and is hereby authorized to execute contracts with the authorized New York State Education Department Service Providers on the attached list for the period beginning November 1, 2022 to June 30, 2025 at NYS approved rates, and

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



## **Authorized NYS Education Department service providers:**

**\*\*Includes Pre-School Program Contracts**

Always For Kids, Inc.

Kseniya Taran

446 High Road

Glen Spey, NY 12737

Phone: (347) 628-1665

[ksenyataran@gmail.com](mailto:ksenyataran@gmail.com)



# Sullivan County

## Legislative Memorandum

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**File #:** ID-4948

**Agenda Date:** 10/20/2022

**Agenda #:** 3.

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**Narrative of Resolution:**

RESOLUTION INTRODUCED BY HEALTH AND HUMAN SERVICES COMMITTEE TO MODIFY RESOLUTION #333-20 TO INCREASE CYSHCN GRANT FUNDING TO \$59,157 ANNUALLY FOR THE REMAINING TERMS OF THE GRANT

**Does Resolution require expenditure of funds? Y/N: Yes**

**Amount to be authorized by Resolution:** \$total of \$59,157 annually

**Are funds already budgeted? Y/N: yes**

**Specify Compliance with Procurement Procedures:** Once the resolution is passed, budget modifications will be made.

**Specify Compliance with Procurement Procedures:**

**WHEREAS**, the County of Sullivan ("County") entered into a contract dated October 1, 2020 with NYSDOH for the Children and Youth with Special Health Care Needs Grant for a five-year term, from October 1, 2020 through September 30, 2025 as per Resolution No. 333-20 adopted by the Sullivan County Legislature on September 17, 2022; and

**WHEREAS**, Resolution No. 333-20 needs to be amended to reflect an increase of funding to begin on October 1, 2022 through September 30, 2025, which will bring the annual amount of the current contract to \$59,157, and

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and is hereby authorized to modify the contract with the New York State Department of Health to accept the additional grant funding for the period of October 1, 2022 to September 30, 2025 for a total of \$59,157 annually, and

**BE IT FURTHER RESOLVED**, that future contract(s) are approved/will continue on an on-going basis dependent upon continued funding from the New York State Department of Health, and

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

# Sullivan County

## Legislative Memorandum

**File #:** ID-4957

**Agenda Date:** 10/20/2022

**Agenda #:** 4.

### **Narrative of Resolution:**

This November, New Yorkers will have the opportunity to decide whether to approve the state's first environmental bond act in nearly three decades. If approved by voters, the \$4.2 billion Clean Air, Clean Water, and Green Jobs Bond Act would allow for multi-year investments in climate and environmental projects like flood risk reduction, open space land conservation, water quality improvement, building resilient infrastructure, and climate change mitigation. The NYSAC Board recently passed a similar resolution at their 2022 Fall Conference. NYSAC supports the Bond Act to increase funding for existing environmental programs and fund new projects, and encourages members to spread the word that voting "yes" on this ballot measure will support healthy communities, a strong economy, and recreation in all corners of the state."

### **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:**

**WHEREAS**, providing clean drinking water and protecting our rivers, bays, lakes, streams, and waterfronts from pollution is paramount to quality of life in New York State; and

**WHEREAS**, modernizing water infrastructure will safeguard clean water, reduce flooding, lessen lead exposure and other public health threats, and create jobs; and

**WHEREAS**, New Yorkers are vulnerable to extreme weather, including deadly heat from rising temperatures and flooding from severe storms that put people, properties, and public assets at risk; and

**WHEREAS**, upgrading transportation and stormwater infrastructure, restoring natural resources, growing urban forests, building green roofs, and upgrading cooling centers will reduce the impact of extreme weather, saving lives and money; and

**WHEREAS**, the COVID-19 pandemic demonstrated the importance of outdoor recreation and access to fresh, local food as people flocked to local parks and sought out healthy foods for their families; and

**WHEREAS**, upgrades to facilities at state and local parks and preserves and the creation of new outdoor recreational areas will benefit our state by protecting wildlife habitats, providing more people access to nature, and creating jobs in the outdoor recreation economy; and

**WHEREAS**, the Clean Water, Clean Air, and Clean Jobs Bond Act ("Bond Act") would authorize New York State to issue \$4.2 billion in general obligation bonds to finance critical environmental restoration, clean water, and infrastructure projects across the state; and

**WHEREAS**, the Bond Act was passed by the New York State Legislature as part of the FY 2023 State Budget and will appear on the general election ballot on November 8, 2022 for voter approval; and

**WHEREAS**, the Bond Act would invest at least \$1.1 billion in restoring habitats and reducing flood risk, at

least \$650 million in improving water quality and the resiliency of infrastructure, up to \$650 million in protecting open space and recreational infrastructure, and up to \$1.5 billion in mitigating climate change; and

**WHEREAS**, the Bond Act includes strong labor provisions and will support more than 84,000 family-sustaining jobs for New Yorkers and \$8.7 billion in project spending; and

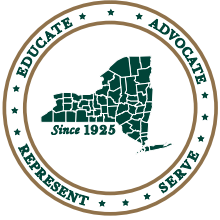
**WHEREAS**, the Bond Act would enable New York State to address pollution and public health threats in disadvantaged communities by directing at least 35 percent of the total funding to these neighborhoods, with a goal of reaching 40 percent; and

**WHEREAS**, Sullivan County has already made great efforts to combat climate change through its participation in the NYS Climate Smart Communities program, including initiatives that reduce greenhouse gas emissions, advance the transition to renewable energy, and build more resiliency into our natural and built infrastructures; and

**WHEREAS**, the Bond Act will allow local governments to apply for grants to carry out projects that will serve the unique needs of their communities and support New York State in achieving the Climate Act's goals of reducing economy-wide greenhouse gas emissions by 40 percent by 2030 and 85 percent by 2050.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature supports passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 to enable historic investments in protecting the environment, mitigating climate change, and advancing environmental justice; and

**BE IT FURTHER RESOLVED**, Sullivan County shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature, and all others deemed necessary and proper.



**NYSAC**  
— NEW YORK STATE —  
ASSOCIATION OF COUNTIES

# New Yorkers' Vote for Clean Water & Jobs

## The Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022

FALL 2022



**HON. MICHAEL ZURLO**  
NYSAC President

**STEPHEN J. ACQUARIO**  
Executive Director

### Counties Working For You



515 Broadway, Suite 402  
Albany, NY 12207



[www.nysac.org](http://www.nysac.org)



518-465-1473



# Introduction

Since the early 20th century, New York State has used bond acts to invest billions of dollars in environmental projects and programs, such as establishing state parks, protecting waterbodies, and improving the quality of our air.

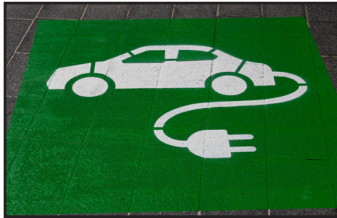
This November, New Yorkers will have the opportunity to decide whether to approve the state’s first environmental bond act in nearly three decades. If approved by voters, the \$4.2 billion Clean Air, Clean Water, and Green Jobs Bond Act would allow for multi-year investments in climate and environmental projects like climate change mitigation, flood risk reduction, open space land conservation, water quality improvement, and building resilient infrastructure.

This report explains how the Bond Act would support healthy communities, a strong economy, and local recreation so counties can encourage their residents to vote “yes” on this ballot measure in November.

# Background

Originally proposed by Governor Andrew Cuomo in 2020 as the \$3 billion “Restore Mother Nature Bond Act,” the Bond Act was first passed as part of the Fiscal Year (FY) 2021 State Budget and slated to be on the ballot in November 2020. However, it was pulled from the ballot by the Division of Budget due to concerns about the state’s finances during the COVID-19 pandemic.

In the FY 2023 State Budget, Governor Kathy Hochul and the Legislature agreed to increase funding for the Bond Act to \$4.2 billion and change the name to the “Clean Water, Clean Air, and Green Jobs Environmental Bond Act.” If approved by voters in November 2022, the Bond Act will provide at least \$1.1 billion to restore habitats and reduce flood risk, at least \$650 million to improve water quality and the resiliency of infrastructure, up to \$650 million to protect open space and invest in recreational infrastructure, and up to \$1.5 billion to mitigate climate change. Funding can also be used to complete other projects that preserve, enhance, and restore the quality of the state’s environment.



# Funding Allocations

Monies from the Bond Act are divided into four accounts: (1) climate change mitigation; (2) restoration and flood risk reduction; (3) water quality improvement and resilient infrastructure; and (4) open space land conservation and recreation. Local governments, including counties, will be able to apply for and receive funding to complete projects in each of these categories.

The following tables provide a breakdown of how funding within each account is allocated. Full spending details are available in Part NN of the Transportation, Economic Development and Environmental Conservation budget bill (S.8008-C/A.9008-C).

# Clean Water, Clean Air, Green Jobs Bond Act

## Funding Allocations<sup>i</sup>

### Total Funding (\$4.2 billion)\*

Climate change mitigation	\$1.5 billion
Restoration and flood risk reduction	\$1.1 billion
Open space land conservation and recreation	\$650 million
Water quality improvement and resilient infrastructure	\$650 million
Unallocated	\$300 million

\*At least 35% of the total funding must be spent in disadvantaged communities, with a goal of reaching 40%.

### Climate Change Mitigation (\$1.5 billion)

Green building projects, projects to increase energy efficiency or renewable energy on state-owned properties, SUNY/CUNY facilities, community colleges and public schools	Not less than \$400 million
Climate adaptation and mitigation projects	Not less than \$100 million
Zero emission school buses and supporting infrastructure	Not less than \$500 million
Air and water pollution elimination in environmental justice (EJ) communities	Not less than \$200 million
Other eligible projects: <ul style="list-style-type: none"> <li>Urban heat reduction through green roofs, open space, community gardens, cool pavement, community cooling centers, and reflective roofs.</li> <li>Urban forestry projects, such as forest and habitat restoration, purchase and planting of street trees.</li> <li>Using natural and working lands to store or reduce carbon or methane pollution from agricultural lands.</li> <li>Reducing or eliminating air or water pollution in EJ communities.</li> </ul>	Up to \$300 million

### Restoration and Flood Risk Reduction (\$1.1 billion)

Coastal rehabilitation and shoreline restoration projects	Not less than \$100 million
Projects to reduce inland flooding and revitalize waterfronts	Not less than \$100 million
Voluntary buyout and restoration projects	Not more than \$250 million
Other eligible projects: <ul style="list-style-type: none"> <li>Wetland, stream, forest, and wildlife habitat restoration</li> <li>Protecting people, roads and buildings from flooding by acquiring, moving, lifting, or raising flood prone properties, structures and infrastructure.</li> <li>Relocating, repairing, or raising flood-prone roadways; updating dams, bridges, and culverts.</li> </ul>	Up to \$650 million

## Water Quality Improvement and Resilient Infrastructure (\$650 million)

Wastewater infrastructure repairs and upgrades	Not less than \$200 million
Municipal stormwater projects	Not less than \$250 million
Other eligible projects: <ul style="list-style-type: none"> <li>Reducing runoff from farms, improving soil health, and restoring buffers between farms and streams.</li> <li>Reducing harmful algal blooms and nutrient pollution in water.</li> <li>Extending or establishing sewer lines to replace failing septic systems.</li> <li>Reducing water pollution by eliminating point or nonpoint source discharges.</li> <li>Reducing lead exposure by replacing lead service lines.</li> </ul>	Up to \$200 million

## Open Space Land Conservation and Recreation (\$650 million)

Open space land conservation	Not less than \$300 million
Farmland preservation	Not less than \$150 million
Fish hatchery creation and upgrades	Not more than \$75 million
Other eligible projects: <ul style="list-style-type: none"> <li>Land and farmland conservation with willing landowners/sellers (including in programs listed above).</li> <li>Fee or easement purchases by the state, a municipality, or a not-for-profit organization.</li> <li>Planning, design, and construction of projects to develop and improve parks, campgrounds, nature centers, fish</li> </ul>	Up to \$125 million

<sup>i</sup> The Nature Conservancy, April 2022

## Other Provisions

### Disadvantaged Communities

Low-income families and communities of color suffer disproportionately from air pollution, exposure to toxins, and a lack of green space. To address these inequalities, the Bond Act requires at least 35 percent of the total funding to be spent in disadvantaged communities, with a goal of reaching 40 percent.

Pursuant to Environmental Conservation Law § 75-0111, a nine-member Climate Justice Working Group (CJWG), in consultation with state agencies, is charged with establishing criteria to identify disadvantaged communities (DACs) based on geographic, public health, environmental hazard, and socioeconomic criteria. These criteria will also be used for the Climate Leadership and Community Protection Act of 2019 (“Climate Act”), as the Climate Act requires that DACs receive 40 percent of the overall benefits of state spending on clean energy and energy efficiency programs and at least 35 percent of the benefits of these investments.

In December 2021, the CJWG voted to release its draft disadvantaged communities criteria for public comment. The CJWG used 45 indicators to identify 35 percent of census tracts as DACs. The indicators include climate-related risks, such as flooding or extreme heat; health vulnerabilities like asthma and COPD and emergency department visits; and socio-economic factors, including race, ethnicity, and income. As of the writing of this report, the public comment period has ended, but the criteria have not been finalized. A list of the proposed DACs, interactive map, and fact sheets are available at <https://climate.ny.gov/Our-Climate-Act/Disadvantaged-Communities-Criteria>.



## Labor Standards

Labor groups support the Bond Act because of its strong labor standards, which will help to create and maintain middle-class jobs. A 2022 report from the infrastructure consulting firm AECOM and Rebuild by Design estimates that the Bond Act will support over 84,000 jobs and \$8.7 billion in project spending.

Projects that receive funding from the Bond Act must comply with prevailing wage requirements. State entities and municipalities that receive at least \$25 million for a project are also subject to other provisions of Labor Law § 220 regarding hours, wages, and supplements.

Any state entity or municipality that receives at least \$25 million for a project costing more than \$50 million must require the use of apprenticeship agreements. Municipalities and state entities can also require contractors to execute labor peace agreements.

Finally, the Bond Act requires municipalities, state entities, or third parties acting on their behalf to “Buy American” for structural iron and steel. However, this requirement can be waived if the head of the department, agency, or municipal entity constructing the public work, in their sole discretion, determines it would not be in the public interest, result in unreasonable costs, or that the steel or iron would be unavailable in sufficient quantities or satisfactory quality.

## What’s Next

When New Yorkers go to the polls for the 2022 General Election, Proposition 1 will ask them to answer the following question:

To address and combat the impact of climate change and damage to the environment, the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022 authorizes the sale of state bonds up to four billion two hundred million dollars to fund environmental protection, natural restoration, resiliency, and clean energy projects. Shall the Environmental Bond Act of 2022 be approved?

NYSAC supports the Bond Act to increase funding for existing environmental programs and fund new projects that will strengthen our economy, protect clean air and water, advance environmental justice, expand green space, restore habitats, and reduce climate risks. We encourage our members to spread the word that voting “yes” on this ballot measure will support healthy communities, a strong economy, and recreation in all corners of the state. County leaders that are interested in supporting the Bond Act can find a model resolution in Appendix A of this report. Additional information and toolkits can also be found at [www.cleanwaterandjobs.org](http://www.cleanwaterandjobs.org).



# APPENDIX A:

## Resolution to Support the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022

**WHEREAS**, providing clean drinking water and protecting our rivers, bays, lakes, streams, and water-fronts from pollution is paramount to quality of life in New York State; and

**WHEREAS**, modernizing water infrastructure will safeguard clean water, reduce flooding, lessen lead exposure and other public health threats, and create jobs; and

**WHEREAS**, New Yorkers are vulnerable to extreme weather, including deadly heat from rising temperatures and flooding from severe storms that put people, properties, and public assets at risk; and

**WHEREAS**, upgrading transportation and stormwater infrastructure, restoring natural resources, growing urban forests, building green roofs, and upgrading cooling centers will reduce the impact of extreme weather, saving lives and money; and

**WHEREAS**, the COVID-19 pandemic demonstrated the importance of outdoor recreation and access to fresh, local food as people flocked to local parks and sought out healthy foods for their families; and

**WHEREAS**, upgrades to facilities at state and local parks and preserves and the creation of new outdoor recreational areas will benefit our state by protecting wildlife habitats, providing more people access to nature, and creating jobs in the outdoor recreation economy; and

**WHEREAS**, the Clean Water, Clean Air, and Clean Jobs Bond Act (“Bond Act”) would authorize New York State to issue \$4.2 billion in general obligation bonds to finance critical environmental restoration, clean water, and infrastructure projects across the state; and

**WHEREAS**, the Bond Act was passed by the New York State Legislature as part of the FY 2023 State Budget and will appear on the general election ballot on November 8, 2022 for voter approval; and

**WHEREAS**, the Bond Act would invest at least \$1.1 billion in restoring habitats and reducing flood risk, at least \$650 million in improving water quality and the resiliency of infrastructure, up to \$650 million in protecting open space and recreational infrastructure, and up to \$1.5 billion in mitigating climate change; and

**WHEREAS**, the Bond Act includes strong labor provisions and will support more than 84,000 family-sustaining jobs for New Yorkers and \$8.7 billion in project spending; and

**WHEREAS**, the Bond Act would enable New York State to address pollution and public health threats in disadvantaged communities by directing at least 35 percent of the total funding to these neighborhoods, with a goal of reaching 40 percent; and

**WHEREAS**, counties are already leading efforts to combat climate change through initiatives that reduce greenhouse gas emissions, advance the state’s transition to renewable energy, and build more resiliency into our natural and built infrastructures; and

**WHEREAS**, the Bond Act will allow local governments to apply for grants to carry out projects that will serve the unique needs of their communities and support New York State in achieving the Climate Act's goals of reducing economy-wide greenhouse gas emissions by 40 percent by 2030 and 85 percent by 2050.

**NOW, THEREFORE, BE IT RESOLVED**, that [COUNTY] supports passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 to enable historic investments in protecting the environment, mitigating climate change, and advancing environmental justice; and

**BE IT FURTHER RESOLVED**, [COUNTY] shall forward copies of this resolution to the Governor of the State of New York, the New York State Legislature, and all others deemed necessary and proper.



## The United Voice of New York's Counties

### New York State Association of Counties



515 Broadway, Suite 402  
Albany, NY 12207



[www.nysac.org](http://www.nysac.org)



518-465-1473

# Sullivan County

## Legislative Memorandum

**File #:** ID-4963

**Agenda Date:** 10/20/2022

**Agenda #:** 5.

**Narrative of Resolution:**

Resolution to authorize the application for the FY23 Brownfields Revolving Loan Fund Grant Program

**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:**

**WHEREAS**, the United States Environmental Protection Agency (EPA) has announced availability of funding for 2023 Brownfields Revolving Loan Fund Grants; and

**WHEREAS**, the Brownfields Revolving Loan Fund Grants provides funds to capitalize a revolving loan fund to provide loans and subgrants to eligible entities to carry out cleanup activities at Brownfields sites as required by the program guidelines; and

**WHEREAS**, the Division of Planning has identified a need and proposed project for such funds; and

**WHEREAS**, if funded, the grant will be used to provide loans and subgrants to eligible entities to carry out cleanup activities at Brownfields sites as required by the program guidelines; and

**WHEREAS**, the above will assist in enhancing Sullivan County's public welfare, environmental health and economic development potential; and

**WHEREAS**, the scope of the project will be developed to include the entire County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the Division of Planning to apply for up to \$1 Million and, if awarded, to administer funds for a Revolving Loan Fund program under the EPA Brownfields Revolving Loan Fund Grants program; and

**BE IT FURTHER 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 EPA Brownfields Revolving Loan Fund Grants applications 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 execute any and all documents and contracts to accept the award and to execute any and all necessary documents in order to administer the grant and disburse funds to the recipients, in such forms as the County Attorney shall approve; and

**BE IT FURTHER RESOLVED**, that should the funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

# Sullivan County

## Legislative Memorandum

**File #:** ID-4965

**Agenda Date:** 10/20/2022

**Agenda #:** 6.

**Narrative of Resolution:**

**WHEREAS**, an application dated September 2, 2022 having been filed by Meyerhoff Farm, Inc. pursuant to Section 556 of the Real Property Tax Law with respect to property assessed to said applicant on the 2020 tax roll of the Town of Fallsburg bearing Tax Map #26.-1-18.1, to correct an error in essential fact, due an incorrect entry on the taxable portion of the assessment roll, or the tax roll, or both, of the assessed valuation of an improvement to real property which was not in existence or which was present on a different parcel; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated September 16, 2022 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 an error in essential fact

**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:** \$149.62

**Are funds already budgeted?** No

**Specify Compliance with Procurement Procedures:**

# Sullivan County

## Legislative Memorandum

**File #:** ID-4966

**Agenda Date:** 10/20/2022

**Agenda #:** 7.

### Narrative of Resolution:

**WHEREAS**, an application dated September 2, 2022 having been filed by Meyerhoff Farm, Inc. pursuant to Section 556 of the Real Property Tax Law with respect to property assessed to said applicant on the 2021 tax roll of the Town of Fallsburg bearing Tax Map #26.-1-18.1, to correct an error in essential fact, due an incorrect entry on the taxable portion of the assessment roll, or the tax roll, or both, of the assessed valuation of an improvement to real property which was not in existence or which was present on a different parcel; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated September 16, 2022 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 an error in essential fact

**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:** \$121.07

**Are funds already budgeted?** No

**Specify Compliance with Procurement Procedures:**

# Sullivan County

## Legislative Memorandum

**File #:** ID-4967

**Agenda Date:** 10/20/2022

**Agenda #:** 8.

### Narrative of Resolution:

**WHEREAS**, an application dated September 2, 2022 having been filed by Meyerhoff Farm, Inc. pursuant to Section 556 of the Real Property Tax Law with respect to property assessed to said applicant on the 2022 tax roll of the Town of Fallsburg bearing Tax Map #26.-1-18.1, to correct an error in essential fact, due an incorrect entry on the taxable portion of the assessment roll, or the tax roll, or both, of the assessed valuation of an improvement to real property which was not in existence or which was present on a different parcel; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed his report dated September 16, 2022 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 an error in essential fact

**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:** \$121.29

**Are funds already budgeted?** No

**Specify Compliance with Procurement Procedures:**



# Sullivan County

## Legislative Memorandum

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**File #:** ID-4970

**Agenda Date:** 10/20/2022

**Agenda #:** 9.

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**Narrative of Resolution:**

**RESOLUTION INTRODUCED BY HUMAN RESOURCES COMMITTEE TO UPDATE THE HEALTH INSURANCE WAITING PERIOD.**

**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:**

**WHEREAS**, it is the current policy and practice of the County of Sullivan to offer full time employees health insurance coverage after a prescribed waiting period based on their date of hire;

**WHEREAS**, the current practice is that a full time employee hired prior to the 25<sup>th</sup> of the month is eligible for health insurance on the 1<sup>st</sup> day of the second month of service, and employees hired on or after the 25<sup>th</sup> of the month are eligible for health insurance on the 1<sup>st</sup> day of the third month of service;

**WHEREAS**, in order to bring consistency to the process, remain competitive with other employers and ease of administration, the County Manager, in conjunction with the Commissioner of Human Resources, recommends that the waiting period for eligibility be updated to reflect a waiting period of the first of the month following thirty (30) days of employment;

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby approves the change of waiting period for the health, dental and vision insurance to the first of the month following thirty (30) days of employment, effective the beginning of January 1, 2023.

# Sullivan County

## Legislative Memorandum

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**File #:** ID-4971

**Agenda Date:** 10/20/2022

**Agenda #:** 10.

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**Narrative of Resolution:**

**INTRODUCED BY HEALTH AND HUMAN SERVICES COMMITTEE TO ACCEPT RENTAL SUPPLEMENT PROGRAM GRANT AND APPROPRIATION FROM CONTINGENT FUND**

**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:**

N/A

**WHEREAS**, the New York State Office of Temporary and Disability Assistance (OTDA) recently awarded the Department of Social Services a "Rental Supplement Program" grant, renewable annually for start-up costs and administrative and program related costs; and

**WHEREAS**, eligibility for assistance through this \$240,957 grant for period from April 1, 2022, through March 31, 2023, is limited to households that earn up to 50% of area median income and are either currently in temporary emergency housing, recipients of social security benefits, chronically homeless, and/or victims of domestic violence; and

**WHEREAS**, grant funds will be used to pay for up to 85% of the Fair Market Rent for said housing for an estimated 25 recipient households for up to 12 months, if eligible; and

**WHEREAS**, this rental supplement will continue until a household's income increases to a level where their monthly rent is at or below 30 % of their total income, and therefore considered affordable; and

**WHEREAS**, the Department of Social Services will draw down funds from the Rental Supplement Program in lieu of using County funds for the purpose of supporting this program.

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Sullivan accepts this funding pursuant to the OTDA Local Commissioner's Memo 21-LCM-24 to utilize said funds for transitioning households from temporary emergency housing into permanent housing; and

**BE IT FURTHER RESOLVED**, that the above-mentioned allocations will be contingent upon the County's receiving continued State aid at anticipated funding levels.

# Sullivan County

## Legislative Memorandum

**File #:** ID-4972

**Agenda Date:** 10/20/2022

**Agenda #:** 11.

**Narrative of Resolution:**

TO AMEND RESOLUTION 441-21 TO ACCEPT A GRANT AWARD FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND TO ACCEPT MULTIYEAR FUNDING IN THE AMOUNT OF \$184,083.00 COVERING THE PERFORMANCE PERIOD OF APRIL 1, 2022 THROUGH MARCH 31, 2025.

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

**Amount to be authorized by Resolution:** 184,083.00

**Are funds already budgeted?** Yes

**Specify Compliance with Procurement Procedures:**

Is this a renewal of a prior contract? Yes

Date of prior contract? 4/1/2019 - 3/31/2022

**WHEREAS**, the Sullivan County Office for the Aging (*SC OFA*) presently operates a Retired Senior Volunteer Program (*RSVP*) federally funded through the AmeriCorps Seniors and through the Corporation for National and Community Service; and

**WHEREAS**, the Retired and Senior Volunteer Program received a grant award from the National Corporation for National and Community Service on March 8, 2022 covering the performance period of 04/01/2022 - 03/31/2025; and

**WHEREAS**, the Retired and Senior Volunteer Program received a grant award for year one covering the period of 4/1/2022 - 3/31/2023 in the amount of \$61,361.00; and

**WHEREAS**, for each year of the three (3) year grant and upon successful renewal and continuation of the grant, funding in the amount of \$61,361.00 would be received for each year of the three (3) year grant performance period for a combined total of \$184,083.00; and

**WHEREAS**, the Retired and Senior Volunteer Program was offered the option to participate in the Northeast AmeriCorps Seniors RSVP Multiyear Funding Pilot program in order to reduce the administrative burden of the current 3-year AmeriCorps Seniors grant awards; and

**WHEREAS**, the Retired and Senior Volunteer Program accepted the opportunity to participate in the RSVP Multiyear Funding Pilot program and agreed to accept the multiyear funding through a multiyear funding amendment providing 2 years of additional funding for a total grant award of \$184,083.00; and

**WHEREAS**, all the documentation requested for the multiyear funding amendment has been submitted to AmeriCorps and the Corporation for National and Community Service; and

**WHEREAS**, the County's share for budget year 2022 is \$93,330.00, and it is anticipated that not all of the funds budgeted will be utilized during the 2022 year due to decreased staffing expenses, said reduced amount is still yet to be determined, with the balance of the unused funds coming back into the County; and

**WHEREAS**, the County's share through participation in the Pilot program is anticipated to be less for the 2023, 2024 and 2025 County budget years due to decreased staffing expenses; and

**WHEREAS**, the proposed County's share for the 2023 budget is \$81,351.00, \$11,979.00 less than the current year's budget of \$93,330.00; and

**WHEREAS**, on January 21, 2022, the Retired and Senior Volunteer Program received notification of an award of grant from the New York State Office for the Aging in the amount of \$6,983.00 covering the period of July 1, 2021 through June 30, 2022; and

**WHEREAS**, it is anticipated that the New York State Office for the Aging will award subsequent grants for the 2022/2023, 2023/2024, and 2024/2025 years in the amount of \$6,983.00 for each year; and

**WHEREAS**, the Retired and Senior Volunteer Program wishes to amend said resolution to reflect 3 years of funding in line with the RSVP Multiyear Funding Pilot from \$61,361 to \$184,083 for the performance period 4/1/2022 - 3/31/2025; 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 Multiyear Funding Pilot award in the amount of \$184,083, 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 2022-2025 funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

# Sullivan County

## Legislative Memorandum

**File #:** ID-4973

**Agenda Date:** 10/20/2022

**Agenda #:** 12.

**Narrative of Resolution:**

To authorize a stipend for the Administrator of Assigned Counsel to participate on the Counsel for First Appearance Attorney Panel.

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

**Amount to be authorized by Resolution:** \$2500.00 each participation

**Are funds already budgeted?** Yes

**Specify Compliance with Procurement Procedures:**

I do not believe that this is applicable. This is a grant funded stipend. There is an established CAFA Panel of attorneys. As a result of resignations; illness and other attorney unavailability, there are times when coverage is necessary to ensure constitutional rights of individuals accused of crimes. Administrator is a licensed attorney admitted to practice in the Courts of the State of New York and is willing to cover although considered a part of the Administrators job duties.

**WHEREAS**, Resolution No. 160-19 adopted by the Sullivan County Legislature on April 18, 2019 authorized the County to enter into a five year agreement with the State of New York Office of Indigent Legal Services (hereinafter "NYSOILS") to develop a plan to improve mandated indigent legal defense services in accordance with the statewide expansion of the Hurrell-Harring Settlement and Section 832(4) of the Executive Law of the State of New York; Contract Number CSTWIDEHH45 (hereinafter "Agreement") for the contract term from April 1, 2018 through March 31, 2023; and

**WHEREAS**, one area of reform required the County to develop a program to ensure that that all persons arrested for a crime would be provided with an attorney at first appearance/arraignment effective January 1, 2020; and

**WHEREAS**, the Agreement with NYSOILS provides funding for the Counsel at First Appearance (hereinafter "CAFA") program which is anticipated to continue through the duration of the agreement; and

**WHEREAS**, Resolution No. 471-19 adopted by the Sullivan County Legislature on December 19, 2019 created the CAFA program and authorized the County Manager to enter into agreements with qualified attorneys to be "primary on call" for one week and "back up" for a second week at a cost of \$2,500.00 (Two Thousand Five Hundred Dollars) for that two week period; and

**WHEREAS**, while this program has been very successful, several attorneys have left the CAFA Panel and the County has had difficulty attracting new attorneys; and

**WHEREAS**, the reduction of Panel members has led to challenges to cover the schedule in the event of illness or other attorney unavailability when other coverage cannot be found or when there are holes in the

schedule; and

**WHEREAS**, the Administrator of Assigned Counsel has agreed to cover in the event of emergency or holes in the schedule; and

**WHEREAS**, the State has agreed that the Administrator of Assigned Counsel is eligible to receive the stipend in the same amount and under the same terms and conditions as the aforementioned panel attorneys through the term of the agreement.

**NOW, THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the Administrator of Assigned Counsel to receive a stipend in the amount of \$2,500.00 (Two Thousand Five Hundred Dollars) for covering as “primary on call” attorney for the CAFA Panel in the event of an emergency or to cover holes in the schedule in accordance with the workplan contained in Contract No. CSTWIDEHH45;

**BE IT FURTHERED RESOLVED**, that the effective date for this resolution shall be retroactive to October 1, 2022 and shall run through the termination of Contract No. CSTWIDEHH45.

# Sullivan County

## Legislative Memorandum

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**File #:** ID-4975

**Agenda Date:** 10/20/2022

**Agenda #:** 13.

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**Narrative of Resolution:**

Resolution to authorize the award and the execution of a contract with Delta Engineers, Architects, Land Surveyors & Landscape Architects, D.P.C for Pre-Renovation / Pre-Demolition Survey and Testing for Hazardous Materials at Various County Buildings

**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:**

RFQ-22-23

**RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE AWARD AND EXECUTION OF A CONTRACT WITH DELTA ENGINEERS, ARCHITECTS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, DPC FOR PRE-RENOVATION / PRE-DEMOLITION SURVEY AND TESTING FOR HAZARDOUS MATERIALS FOR VARIOUS COUNTY BUILDINGS**

**WHEREAS**, the County of Sullivan has several upcoming building projects which require pre-renovation / pre-demolition survey and testing for hazardous materials; and

**WHEREAS**, professional services are required for this specialized materials survey and testing; and

**WHEREAS**, the County has completed a qualifications-based selection process (R-22-23) for a qualified firm to provide Pre-Renovation / Pre-Demolition Survey and Testing for Hazardous Materials for Various County Buildings; and

**WHEREAS**, Delta Engineers, Architects, Land Surveyors, and Landscape Architects, DPC, 860 Hooper Road, Endwell, NY 13760 has been determined the most qualified firm for such work.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature authorizes the County Manager to sign the necessary agreements, contracts, and documentation, in such form as the County Attorney shall approve, to retain the services of Delta Engineers, Architects, Land Surveyors, and Landscape Architects, DPC in accordance with the attached Fee Schedule as submitted in response to RFQ-22-23.

October 3, 2022

Mrs. Kristin Janowski, Building Engineer  
Division of Public Works  
County of Sullivan  
100 North Street  
Monticello, NY 12701

**Re: RFQ#: R-22-23 DELTA ENGINEERS, ARCHITECTS, LAND SURVEYORS, & LANDSCAPE ARCHITECTS, DPC**  
Request for 2022-2023 T&M Rates: County of Sullivan Hazardous Materials Testing Term Contract  
**Delta Project No.: TBD**

Dear Mrs. Janowski,

Thank you for the opportunity to present our proposed rates for 2022-2023 calendar years per County of Sullivan RFQ No. R-22-23: Survey & Testing Materials. Please review the attached Labor and Analytical rates for 2022-2023, effective from October 3<sup>rd</sup>, 2022 to December 31<sup>st</sup>, 2023.

Should you have any questions or require additional information, please do not hesitate to contact me directly at (607) 231-6676. Thank you for the opportunity to work with Sullivan County.

Respectfully,

**DELTA ENGINEERS, ARCHITECTS, LAND SURVEYORS, & LANDSCAPE ARCHITECTS, DPC**



Robert M. Cherevko  
Project Manager

**Attachments:** *Back-up Fee Schedule/Unit Pricing*  
**CC:** *Caleb Mall, County of Sullivan Engineer*



**Sullivan County Purchasing and Central Services  
Environmental Testing Services Term Contract 2022  
Proposed Contract Labor Rate Schedule**

<b>Client:</b> <u>County of Sullivan</u>	<b>County Department/Agency:</b> <u>Department of Public Works</u>	
<b>Project Contact:</b> <u>Kristin Janowski</u>	<b>Building/Site:</b> <u>County of Sullivan</u>	<b>Proposal Date:</b> <u>10/3/2022</u>
<b>Project:</b> <u>Sullivan County</u>	<b>Services:</b> <u>Suspect Material Bulk Sampling; Reference Project &amp; Air Monitoring</u> <b>Contract Number:</b> <u>RFQ #: R-22-23</u>	

Labor Discipline		Proposed Rate	Comments
Certified NYS/EPA Asbestos Inspector, Standard Rate		\$55	
Certified NYS/EPA Asbestos Inspector, Premium Rate		\$60	Off hours/weekends
Certified NYS/EPA Project Monitor/Air Sampling Tech. - Standard Rate		\$50	
Certified NYS Project Monitor/Air Sampling Tech. - Overtime Rate		\$60	
Certified NYS Asbestos Project Designer		\$100	
Industrial Hygienist		\$65	
Industrial Hygienist Technician		\$50	
Certified NYS Mold Assessor, Standard Rate		\$65	
EPA/NYS Certified Lead Paint Inspector, Utilizing XRF		\$65	
EPA/NYS Certified Lead Risk Assessor		\$95	
Senior Industrial Hygienist		\$100	
Project Manager		\$140	

**Sullivan County Purchasing and Central Services  
Environmental Testing Services Term Contract 2022  
Proposed Contract Labor Rate Schedule**

<b>Client:</b> <u>County of Sullivan</u>	<b>County Department/Agency:</b> <u>Department of Public Works</u>		
<b>Projct Contact:</b> <u>Kristin Janowski</u>	<b>Building/Site:</b> <u>County of Sullivan</u>		<b>Proposal Date:</b> <u>10/3/2022</u>
<b>Project:</b> <u>Sullivan County</u>	<b>Services:</b> <u>Suspect Material Bulk Sampling; Reference Project &amp; Air Monitoring</u> <b>Contract Number:</b> <u>RFQ #: R-22-23</u>		
Labor Discipline		Proposed	Comments
Principal		\$195	
CAD Technician		\$65	

**Sullivan County Purchasing and Central Services  
Environmental Testing Services Term Contract 2022  
Proposed Contract Analytical Rate Schedule**

<b>Client:</b> <u>County of Sullivan</u>	<b>County Department/Agency:</b> <u>Department of Public Works</u>	
<b>Project Contact:</b> <u>Kristin Janowski</u>	<b>Building/Site:</b> <u>County of Sullivan</u>	<b>Proposal Date:</b> <u>10/3/2022</u>
<b>Project:</b> <u>Sullivan County</u>	<b>Services:</b> <u>Suspect Material Bulk Sampling; Reference Project &amp; Air Monitoring</u> <b>Contract Number:</b> <u>RFQ #: R-22-23</u>	

Analytical Item		Proposed Rate	Comments
<b>Lab Analysis and Reimbursables</b>			
PCM Air Sample, Immediate		\$18	Turnaround based on time sample(s) is received at Lab
PCM Air Sample, 12 Hour TAT		\$15	
PCM Air Sample, Standard (24 Hour) TAT		\$10	
TEM AHERA 6-hour TA		\$85	Turnaround based on time sample(s) is received at Lab
TEM AHERA 12-hour TA		\$75	
TEM AHERA 24-hour TA		\$65	
TEM AHERA > 24-hour TA		\$60	
TEM Air Sample Analysis - NIOSH 7402 Methodology 12-hour TA		\$190	Turnaround based on time sample(s) is received at Lab
TEM Air Sample Analysis - NIOSH 7402 Methodology, 24-hour TA		\$165	
TEM Air Sample Analysis - NIOSH 7402 Methodology, > 24-hour TA		\$145	

**Sullivan County Purchasing and Central Services  
Environmental Testing Services Term Contract 2022  
Proposed Contract Analytical Rate Schedule**

<b>Client:</b> <u>County of Sullivan</u>	<b>County Department/Agency:</b> <u>Department of Public Works</u>	
<b>Project Contact:</b> <u>Kristin Janowski</u>	<b>Building/Site:</b> <u>County of Sullivan</u>	<b>Proposal Date:</b> <u>10/3/2022</u>
<b>Project:</b> <u>Sullivan County</u>	<b>Services:</b> <u>Suspect Material Bulk Sampling; Reference Project &amp; Air Monitoring</u> <b>Contract Number:</b> <u>RFQ #: R-22-23</u>	

Analytical Item		Proposed Rate	Comments
PLM Friable Bulk Sample, RUSH 6 HR		\$20	Turnaround based on time sample(s) is received at Lab
PLM Friable Bulk Sample, 12 HR TAT		\$16	
PLM Friable Bulk Sample, 24 hour TAT		\$13	
PLM Friable Bulk Sample, > 24 hour TAT		\$11	
NOB Bulk Sample Preparation, 6 Hr TAT		\$10	Turnaround based on time sample(s) is received at Lab
NOB Bulk Sample Preparation, 12 hour TAT		\$10	
NOB Bulk Sample Preparation, 24 hour TAT		\$10	
NOB Bulk Sample Preparation, > 24 day TAT		\$9	
PLM NOB Bulk Sample, RUSH 6 Hr TAT		\$20	Turnaround based on time sample(s) is received at Lab
PLM NOB Bulk Sample, RUSH 12 HR TAT		\$16	
PLM NOB Bulk Sample, 24 hour TAT		\$13	
PLM NOB Bulk Sample, > 24 hour TAT		\$11	

**Sullivan County Purchasing and Central Services  
Environmental Testing Services Term Contract 2022  
Proposed Contract Analytical Rate Schedule**

<b>Client:</b> <u>County of Sullivan</u>	<b>County Department/Agency:</b> <u>Department of Public Works</u>	
<b>Project Contact:</b> <u>Kristin Janowski</u>	<b>Building/Site:</b> <u>County of Sullivan</u>	<b>Proposal Date:</b> <u>10/3/2022</u>
<b>Project:</b> <u>Sullivan County</u>	<b>Services:</b> <u>Suspect Material Bulk Sampling; Reference Project &amp; Air Monitoring</u> <b>Contract Number:</b> <u>RFQ #: R-22-23</u>	

Analytical Item		Proposed Rate	Comments
NOB TEM Bulk Sample Analysis, RUSH 6 HR TAT		\$52	Turnaround based on time sample(s) is received at Lab
NOB TEM Bulk Sample Analysis, RUSH 12 HR TAT		\$46	
NOB TEM Bulk Sample Analysis, 24 hour TAT		\$42	
NOB TEM Bulk Sample Analysis, >24 hour TAT		\$37.50	
Lead Paint Chip/Air/Wipe/Soil 12-hour TAT		\$26	Turnaround based on time sample(s) is received at Lab
Lead Paint Chip/Air/Wipe/Soil 24-hour TAT		\$21	
Lead Paint Chip/Air/Wipe/Soil > 24-hour TAT		\$16	
Non-Viable Mold "Spore Trap" Air Samples, 24 hr TA		\$45	Turnaround based on time sample(s) is received at Lab
Viable Mold Air samples, 5-10 day TAT		\$50	
Non-Viable Mold Bulk/Tape samples, 24 hr TAT		\$40	
Viable Mold Bulk Culture samples, 5-10 day TAT		\$55	

**Sullivan County Purchasing and Central Services  
Environmental Testing Services Term Contract 2022  
Proposed Contract Analytical Rate Schedule**

<b>Client:</b> <u>County of Sullivan</u>	<b>County Department/Agency:</b> <u>Department of Public Works</u>	
<b>Project Contact:</b> <u>Kristin Janowski</u>	<b>Building/Site:</b> <u>County of Sullivan</u>	<b>Proposal Date:</b> <u>10/3/2022</u>
<b>Project:</b> <u>Sullivan County</u>	<b>Services:</b> <u>Suspect Material Bulk Sampling; Reference Project &amp; Air Monitoring</u> <b>Contract Number:</b> <u>RFQ #: R-22-23</u>	

Analytical Item		Proposed Rate	Comments
PCB Samples Standard TAT (5-7 Business Days)		\$75	Turnaround based on time sample(s) is received at Lab
PCB Samples 48-hours TAT		\$115	
TCLP LEAD Standard 5-7 Business Day TA		\$60	Turnaround based on time sample(s) is received at Lab
TCLP LEAD 48-hour TA		\$80	
TCLP LEAD 24-hour TA		\$105	
Mercury Vapor/Air Real-Time Monitoring - Hg Vapor Analyzer		\$550	
Mercury Surface Wipe Sampling, 48-hour TA		\$50	
Real Time Monitoring Equip for Mold Assessments, per day		\$75	COST PER DAY
Express Mailing		\$25	AT COST
Mileage		\$0.625	2022 IRS Rates
OTHER/Subcontracted Services		see comment	Subcontracted Services; Cost + 10%

**Sullivan County Purchasing and Central Services  
Environmental Testing Services Term Contract 2022  
Proposed Contract Analytical Rate Schedule**

<b>Client:</b> <u>County of Sullivan</u>	<b>County Department/Agency:</b> <u>Department of Public Works</u>		
<b>Project Contact:</b> <u>Kristin Janowski</u>	<b>Building/Site:</b> <u>County of Sullivan</u>	<b>Proposal Date:</b> <u>10/3/2022</u>	
<b>Project:</b> <u>Sullivan County</u>	<b>Services:</b> <u>Suspect Material Bulk Sampling; Reference Project &amp; Air Monitoring</u>		<b>Contract Number:</b> <u>RFQ #: R-22-23</u>
Analytical Item		Proposed Rate	Comments

**Proposed Laboratories for Analytical Services**

**PCM Air Sample Analysis:** United Ideas, Inc., AmeriScientific New York Corp.

**TEM Air Sample Analysis:** AmeriScientific New York Corp.

**Lead Air/Wipe/Soil/Chip Confirmation, PCB, TCLP, Hg Sample Analysis:** York Analytical Laboratories, Schneider Labs

**Microbiological Air/Bulk/BIO-Tape Sample Analysis:** Hayes Microbial Consulting

**Industrial Hygiene Personal/Area Sample Analysis:** Can be provided upon request

**NYSDEC SPDES Permit / Waste Water Discharge Sample Analysis:** Can be provided upon request

**Silica: Total or Respirable Crystalline Silica, Single and ALL Species Air-Alpha Quartz, Cristobalite, Tridymite; NIOSH Method 7500 mod - EMSL Laboratories and Subs; Cinnaminson, NJ; Rates can be provided upon request**

# Sullivan County

## Legislative Memorandum

**File #:** ID-4976

**Agenda Date:** 10/20/2022

**Agenda #:** 14.

**Narrative of Resolution:**

Resolution to authorize the award to that execution of a contract with H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C for Engineering Design of Redundant Potable Water Storage Tank.

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

**Amount to be authorized by Resolution:** \$140,000.00 Old Bond funds

**Are funds already budgeted?** Yes

**Specify Compliance with Procurement Procedures:**

RFQ-22-29

**RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE AWARD AND EXECUTION OF A CONTRACT WITH H2M ARCHITECTS, ENGINEERS, LAND SURVEYING AND LANDSCAPE ARCHITECTURE, D.P.C. FOR ENGINEERING DESIGN SERVICES FOR REDUNDANT POTABLE WATER STORAGE TANK AT SULLIVAN COUNTY HUMAN SERVICE COMPLEX IN LIBERTY, NY**

**WHEREAS**, the Sullivan County Human Service Complex in Liberty, NY is comprised of several County office and storage buildings and the Care Center at Sunset Lake; and

**WHEREAS**, the County of Sullivan (the County), operates a New York State Department of Health designated Public Water Supply to serve these facilities; and

**WHEREAS**, the existing potable water storage tank is aging and in need of cleaning and maintenance; and

**WHEREAS**, due to the tank age and to complete said cleaning and maintenance there is a demonstrated need for a redundant potable water storage tank; and

**WHEREAS**, professional engineering services are required for the design of such tank; and

**WHEREAS**, the County has completed a qualifications-based selection process (R-22-29) for a qualified firm to provide Engineering Design Services for a Redundant Potable Water Storage Tank; and



**WHEREAS**, H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C., 538 Broad Hollow Road, 4<sup>th</sup> Floor East, Melville, NY 11747 has been determined the most qualified firm for such work.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature authorizes the County Manager to sign the necessary agreements, contracts, and documentation, in such form as the County Attorney shall approve, to retain the services of H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. in an amount not to exceed \$140,000.00 in accordance with the attached Fee Schedule as submitted in response to RFQ-22-29.

# Sullivan County

## Legislative Memorandum

**File #:** ID-4977

**Agenda Date:** 10/20/2022

**Agenda #:** 15.

**Narrative of Resolution:**

Resolution to authorize the filing of a pre-application for submission of a full application for a State Grant in-aid for Municipal Waste Reduction and Recycling Coordinator/Education project and signing of the associated state contract under the appropriate laws of New York State.

**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:**

Click or tap here to enter text.

**RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE AUTHORIZING THE FILING OF AN APPLICATION, FOR A STATE GRANT IN-AID FOR A MUNICIPAL WASTE REDUCTION AND RECYCLING COORDINATION / EDUCATION PROJECT AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE.**

**WHEREAS**, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

**WHEREAS**, the NYS Department of Environmental Conservation's Municipal Waste Reduction and Recycling Coordination / Education Program, under the Recycling Coordinator project category, provides for a fifty (50%) percent reimbursement on eligible project costs for salary, planning, educational and promotional activities to increase public awareness of and participation in recycling and waste reduction, wherein a municipality may request reimbursement of eligible expenses; and

**WHEREAS**, the County of Sullivan herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York, and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

**WHEREAS**, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; and

**WHEREAS**, the Sullivan County Legislature hereby authorizes the County Manager and / or the Chairman of the County Legislature to execute any and all necessary documents to accept the award, should one be granted, and enter into an award agreement or contract in order to administer the funding secured, in such form as the County Attorney shall approve.

**NOW, THEREFORE, BE IT RESOLVED,** by the County of Sullivan

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That County Manager is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE.
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.
4. That this resolution shall take effect immediately.

**BE IT FURTHER RESOLVED,** that should the NYS Department of Environmental Conservations' Municipal Waste Reduction and Recycling Coordination / Education Program 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

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**File #:** ID-4978

**Agenda Date:** 10/20/2022

**Agenda #:** 16.

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**Narrative of Resolution:**

Resolution to authorize the modification of Terminal Apron Construction Services contract with Passero Associates dated August 31, 2022 pursuant to Resolution No. 209-22.

**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:**

Click or tap here to enter text.

**WHEREAS**, Resolution No. 209-22 adopted by the Sullivan County Legislature on May 20, 2022 authorized an Engineering Agreement with Passero Associates; and

**WHEREAS**, the County desires to compensate the consultant for work performed at direction of the County, which was done in order to progress the project in a timely manner prior to the contract date as of August 31, 2022; and

**WHEREAS**, the commencement date of the agreement shall be modified from August 31, 2022 to a commencement date made as of June 21 2022; and

**WHEREAS**, this modification agreement will permit the monetary allocations to be used in a flexible manner, so that payments of fees for services are not limited to the various allocated amounts. In no case shall the total allocation for the total services provided exceed the original agreement amount of \$99,747.00; and

**WHEREAS**, all other terms and conditions of the Original Agreement shall remain in full force and effect.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature authorizes the County Manager to sign any and all of the necessary agreements and documentation, in such form as the County Attorney shall approve, to modify the existing agreement as described above; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be attached to any necessary agreements in connection with this project; and

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

# Sullivan County

## Legislative Memorandum

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**File #:** ID-4981

**Agenda Date:** 10/20/2022

**Agenda #:** 17.

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**Narrative of Resolution:**

**WHEREAS**, that pursuant to Resolution #180-2013, the County of Sullivan adopted its Investment Policy dated February 1, 2013; and

**WHEREAS**, amendments were made to the Investment Policy pursuant to Resolution #344-2017; and

**WHEREAS**, the County Treasurer has determined that several amendments and revisions should be made to the County's Investment Policy including:

1. Increasing the maximum dollar limit which may be kept on deposit at any one time in each depository.
2. Adding NY Class to the list of designated depositories; and
3. Adding paragraph 3 Under "VI - Permitted Investments" to permit the County of Sullivan to participate in cooperative investment agreements.

A red-line version of the revised Investment Policy in its entirety is attached to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the proposed amendments and revisions to the County's Investment Policy be and the same hereby are adopted.

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

**Amount to be authorized by Resolution:** N/A

**Are funds already budgeted?** No

**Specify Compliance with Procurement Procedures:**

N/A

# SULLIVAN COUNTY INVESTMENT POLICY

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## I - PURPOSE

The purpose of establishing an investment policy is to develop operating principles [which govern investment activity] within the guidelines of current legislation. The investment policy will enable the County to work within these guidelines to formulate investment objectives. The County Treasurer will be guided by the investment policy in managing the short and long term investments of the County's available cash.

## OBJECTIVES

The County's three primary objectives are the primary objectives are the preservation of principal (**safety**), the timely maturity of investments [and earnings] (**liquidity**) and competitive interest rates on investments (**yield**). In order of priority, the investment objectives as previously mentioned are as follows:

**SAFETY:** Investing in money market instruments is generally considered to be extremely safe, whether it is short term or long term in nature. Nonetheless, there are differences in safety associated with various securities. Therefore, consideration must be given to safeguard the investment of available funds. Such considerations would include:

1. FDIC coverage
2. Written third party collateral agreements with local Banking Depositories and Primary Dealers
3. Statutory guidelines which govern the types of investments allowed by local municipalities

**LIQUIDITY:** A major concern to the County Treasure is the ability to convert securities into cash to meet all operating requirements that may be reasonably anticipated. Cash flow projections developed for both capital and operational commitments is a basic tool used in the planning and timing of maturing investments to meet anticipated demands.

**YIELD:** Selecting investments that will return to the County the highest possible yield (interest rate) while conforming to the requirements of safety and yield.

# SULLIVAN COUNTY INVESTMENT POLICY

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## II – SCOPE

The Investment Policy encompasses all moneys that become available for investment and or deposit by the County. The sources of available funds include proceeds from local tax receipts, revenues from State and Federal agencies, sales tax receipts, proceeds from certain bond and note issues, revenues from fiduciary accounts (trust and agency), and other miscellaneous revenues.

## DELEGATION OF AUTHORITY

The authority to manage the investment program is granted to the County Treasurer who is the Chief Fiscal Officer of the County; as provided in the Sullivan County Charter. The County Treasurer shall carry out the established written procedures and controls for the operation of the investment program consistent with the County Investment Policy. No person shall engage in an investment transaction except as provided under the terms and conditions of this policy and the procedures established by the Chief Fiscal Officer. The Chief Fiscal Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

## III STANDARDS OF CARE - PRUDENCE & ETHICS

**Prudence:** in the investment process the Chief Fiscal Officer shall act as a responsible custodian of the public trust and shall avoid any transaction that might impair public confidence to govern effectively. The Chief Fiscal Officer shall act in accordance with written procedures as outlined in the County Investment Policy and exercise due diligence as an investment official. Investments shall be made with judgment and care, under prevailing circumstances, considering the probable safety of County revenues as well as the anticipated income to be derived from investments.



# SULLIVAN COUNTY INVESTMENT POLICY

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**Ethics:** The Chief Fiscal Officer shall refrain from any personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions.

## INTERNAL CONTROLS

The County Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with appropriate discretion and recorded properly, and are managed in compliance with applicable laws and regulations governing public funds.

## IV – DESIGNATION OF DEPOSITORIES

**Authorized Financial Dealer and Institution:** Section 10 of New York State General Municipal Law requires the Sullivan County Legislature to designate one or more banks to secure the deposits of County funds and investments.

# SULLIVAN COUNTY INVESTMENT POLICY

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## Exhibit A

Section 212 (3) of the County Law provides that the County Legislature shall designate one or more depositories within the County or in another county within the State, for the deposit of all monies received by the County Treasurer, and specify the maximum dollar limit which may be kept on deposit at any one time in each depository.

DEPOSITORY NAME	MAXIMUM
Provident Bank	\$25,000,000.
First National Bank of Jeffersonville	<del>25,000,000.</del> 50,000,000
Key Bank	<del>50,000,000.</del> 100,000,000
Wayne Bank	<del>25,000,000.</del> 50,000,000
Catskill Hudson Bank	<del>25,000,000.</del> 50,000,000
M&T Bank	<del>50,000,000.</del> 100,000,000
TD Bank	<del>25,000,000.</del> 100,000,000
Chase Bank	<del>50,000,000.</del> 75,000,000
Citizens Bank	25,000,000.
NY CLASS	30,000,000.

# SULLIVAN COUNTY INVESTMENT POLICY

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## V- COLLATERALIZING DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of Sullivan County including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by the following alternatives:

1. By a pledge of “eligible securities” with an aggregate “market value”, equal to the aggregate amount of deposits from the categories designated to the policy.
2. An irrevocable **letter of credit** issued in favor of the County for a term not to exceed ninety days by a bank (other than the bank with which the money is being deposited or invested) whose commercial paper and other unsecured short-term debt obligations ( or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories (based on the credit of such bank or holding company) by at least one nationally recognized statistical rating organization or by a bank (other than the bank with which the money is being deposited or invested) that is in compliance with applicable federal minimum risk-based capital requirements. A letter of credit must be 102% of deposit plus interest.
3. A **Surety Bond** payable to the County for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest category by at least two nationally recognized statistical rating organizations.

# SULLIVAN COUNTY INVESTMENT POLICY

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## VI – PERMITTED INVESTMENTS

Section 11 of General Municipal Law expressly authorizes the Chief Fiscal Officer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow requirements in the following types of investments:

1. Special time deposit accounts in an authorized banking depository or trust company secured in the same manner prescribed by General Municipal Law, Section 10.
2. Obligations of the United States of America
3. Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America.
4. Obligations of the State of New York
5. Obligations issued pursuant to Local Finance Law Section 24 or 25 (RANS & TANS) of other municipalities, school districts or district corporation other than the County of Sullivan (with approval of the State Comptroller's Office).
6. Obligations of public benefit corporations; public housing authorities, urban renewal agencies and industrial development agencies.
7. Certificates of Deposit.

Two other types of investments are also permitted:

1. **Repurchase Agreements** are authorized subject to the following restrictions:
  - A. Repurchase Agreements must be entered into subject to a master repurchase agreement. (aka – PSA agreement)
  - B. No substitution of securities will be allowed
  - C. Securities owned by the County must be held by a third party bank or trust company, acting as a custodian for the securities.
  - D. The custodian shall be a party other than the trading partner.
  - E. Obligations shall be limited to obligations of the USA and obligations guaranteed by agencies of the United States of America.
2. **Cooperative investments (CLASS and Public Financial Management/NYLAF)**, subject to a written agreement

All investment obligations shall be redeemable on respective maturity dates as determined by the County Treasurer to meet expenditures for purposes for which the moneys were provided.

## **SULLIVAN COUNTY INVESTMENT POLICY**

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3. New York General Municipal Law Article 3-A authorizes Cooperative investment agreements by and between local governments; and New York Municipal Law Article 5-G authorizes cooperative investment agreements through the enactment of municipal cooperation agreements by and between local governments; and New York General Municipal Law Article 2 authorizes the county/municipal chief fiscal officer having custody of municipal funds to temporarily invest moneys not required for immediate expenditure in investment funds, including cooperative investment agreements.

### **VII – SAFEKEEPING AND COLLATERALIZATION**

General Municipal Law, Section 10, requires that all securities pledged to secure deposits be held by a Third Party Bank or Trust Company and be held pursuant to a written Custodial Agreement. The custodial agreement must acknowledge all the necessary provisions in order to provide the County with a perfected security interest, which includes the following:

1. The custodial agreement shall contain a security provision, which would provide that the collateral is being pledged by the bank or trust company as security for the public deposits. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events that will enable the local government to exercise its rights against the pledged securities.
2. The securities held by the authorized bank or trust company as agent of and custodian for the County, will be placed separate and apart from the general assets of the custodial bank or trust company, and will not, in any circumstances, be commingled with or become part of the security for any other deposits or obligations.
3. The custodian shall confirm the receipt, substitution or release of the securities held on behalf of the County.
4. The types of collateral used to secure County deposits must be in accordance with the most current legislation authorizing various types of collateral, and approved by the County
5. The County requires a margin of maintenance of 102% of the uninsured portion of deposits collateralized.
6. The County prefers written consent on part of the County Treasurer for release and substitution of securities affecting the County's custodial account.
7. The County requires a monthly update on third party collateral security.
8. The County requires that there be no sub-custodian.
9. The Custodian Bank must be a member of the Federal Reserve Bank.

# Sullivan County

## Legislative Memorandum

**File #:** ID-4982

**Agenda Date:** 10/20/2022

**Agenda #:** 18.

**Narrative of Resolution:**

**RESOLUTION INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO  
AUTHORIZE AN AGREEMENT WITH ABILITY FOR THREE DEPARTMENTS IN THE DIVISION  
OF HEALTH AND HUMAN SERVICES**

**WHEREAS**, a single umbrella acquisition of Ability services, previously procured by purchase order (PO), existed for automating Medicare billing management, audit and Level 1 and 2 appeal processes, secure electronic delivery of additional document requests, Recovery Audit Contractor audits, appeals and medical documentation, and tracks status of all appeals with a single online dashboard.; and

**WHEREAS**, Ability, instead of continued procurement via PO only, now requires agreements be in place; and

**WHEREAS**, splitting the former single instance into (3) separate agreements specific to each department's individual needs and claim volume will provide more accurate software reimbursement submissions to Federal and State sources, offsetting overall service cost; and

**WHEREAS**, the County is satisfied with the Ability web-based product for Medicare claims processing and wishes to continue to utilize the product.

**NOW THEREFORE BE IT RESOLVED**, the County Manager is hereby authorized to enter into (3) agreements with Ability for a period of 1-year for amounts not to exceed \$7,101.00 for DCS; \$4,917.00 for CC@L; and \$12,690 for PHS; and

**BE IT FURTHER RESOLVED**, that said agreement 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:** \$24,708.00 for 1-year in 3 separate agreements for each of the (3) departments utilizing Ability products and services for Medicare claims processing. \$7,101.00 for Community Services; \$4,917.00 for CC@SL; and \$12,690.00 for Public Health

**Are funds already budgeted?** Yes

**Specify Compliance with Procurement Procedures:**

Existing solution in use - previously procured by PO, vendor now requires an agreement quotes received.



# Sullivan County

## Legislative Memorandum

100 North Street  
Monticello, NY 12701

**File #:** ID-4984

**Agenda Date:** 10/20/2022

**Agenda #:** 19.

**Narrative of Resolution:**

Set Public Hearing for November 17, 2022 at 10:50AM for proposed Local Law entitled "Authorizing Background Checks for Non Competitive Jobs"

**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

### COUNTY OF SULLIVAN NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on October 20, 2022, a proposed Local Law entitled "AUTHORIZING BACKGROUND CHECKS FOR NONCOMPETITIVE JOBS."

**NOTICE IS FURTHER GIVEN** that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on November 17, 2022 at 10:50 AM, at which time all persons interested will be heard.

DATED: Monticello, New York  
October 20, 2022

ANNMARIE MARTIN  
Clerk of the Legislature  
County of Sullivan, New York

**WHEREAS**, there has been introduced at a meeting of the Legislature of the County of Sullivan, New York, held on October 20, 2022, a proposed Local Law entitled "AUTHORIZING BACKGROUND CHECKS FOR NONCOMPETITIVE JOBS."

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held on the said proposed Local Law by the Sullivan County Legislature on November 17, 2022 at 10:50 A.M. in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days' notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.





# Sullivan County

## Legislative Memorandum

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**File #:** ID-4983

**Agenda Date:** 10/20/2022

**Agenda #:** 20.

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**Narrative of Resolution:**

Authorize backfill of positions without resolutions

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

**Amount to be authorized by Resolution:** Will vary by position; to be covered by budget mod or vacancies

**Are funds already budgeted?** No

**Specify Compliance with Procurement Procedures:**

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO BACKFILL RETIREE AND IMPENDING DEPARTURE POSITIONS WITHOUT THE NEED FOR RESOLUTION AND ABOLISH POSITION AFTER NINETY (90) DAYS.**

WHEREAS, there is a longstanding policy of approving backfill positions for retirements or impending staff departures for succession planning purposes, and

WHEREAS, the County Manager, in conjunction with the Commissioner of Human Resources, recommended filling these positions for adequate training of successors approved by Resolution, and

WHEREAS, the Sullivan County Legislature (hereinafter referred to as "Legislature") has approved numerous backfill positions in the recent past, and

NOW, THEREFORE, BE IT RESOLVED, that the Legislature hereby authorizes the County Manager, in conjunction with the Commissioner of Human Resources, to create full-time backfill positions without authorizing Resolution, allowing for successful transition of the new employees, and

BE IT FURTHER RESOLVED, that upon completion of ninety (90) days of training, the retiree or vacated position will be abolished, and

BE IT FURTHER RESOLVED, this procedure shall be effective immediately and the utilization of this back-fill procedure will be reported annually to the Legislature.

# Sullivan County

## Legislative Memorandum

**File #:** ID-4990

**Agenda Date:** 10/20/2022

**Agenda #:** 21.

**Narrative of Resolution:**

**To authorize the execution and submission of a Federal Section 5311 Formula Grant for Rural Area Program application with the New York State Department of Transportation (DOT)**

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

**Amount to be authorized by Resolution:** 2023 is anticipated \$593,500

**Are funds already budgeted?** No

**Specify Compliance with Procurement Procedures:** In 2019 a RFP was issued and a contract was entered into with Rolling V Bus Corp. This contract is renewable through 2024. A new RFP will be issued in second half of 2023.

**WHEREAS**, the County of Sullivan-Department of Transportation is submitting a request for a grant of funds offered through the NYSDOT, pursuant to Section 5311, Title 49 United States Code, for a project(s) to provide public mass transportation services for the County of Sullivan via the Sullivan County Department of Transportation for the 2021,2022 & 2023 fiscal years and has committed the local share; and

**WHEREAS**, the County of Sullivan -Department of Transportation and the State of New York have entered into a continuing agreement which authorizes the undertaking of the project(s) and reimbursement of the Federal and applicable State Shares; and

**WHEREAS**, the County of Sullivan -Department of Transportation is eligible for funding through such grant; and

**WHEREAS**, the County desires to pursue funding for the Department of Transportation through such grants.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager, Chairman of the County Legislature, and / or their authorized representative (as required by the funding source) is authorized to act on behalf of the County of Sullivan to sign the application and progress and complete the above-named project(s);

**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 Section 5311 Formula Grant for Rural Area Program 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

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**File #:** ID-4991

**Agenda Date:** 10/20/2022

**Agenda #:** 22.

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**Narrative of Resolution:**  
**To Modify the 2022 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 2022 be authorized.**

**September 30, 2022 Resolution**  
**Sullivan County Budget Modifications 2022**

<b>G/L Account</b>	<b>Revenue Increase</b>	<b>Revenue Decrease</b>	<b>Appropriation Increase</b>	<b>Appropriation Decrease</b>
A-1420-46-4609 - MISC SERV/EXP SPECIAL SERV/OTHER			3,600	
A-1430-40-4013 - CONTRACT CONTRACT OTHER				10,000
A-1430-42-4201 - OFFICE ADVERTISING			15,000	
A-1430-R1260-R130 - PERSONNEL FEE CHARGBCK - ADVERTSNG	5,000			
A-1620-23-46-4604 - MISC SERV/EXP REAL ESTATE TAXES				378
A-1620-23-47-4717 - DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				332
A-1920-47-4703 - DEPT DUES			22,803	
A-1989-99-47-4736 - DEPT CONTINGENT				22,803
A-1989-99-47-4736 - DEPT CONTINGENT				35,180
A-1989-99-47-4736 - DEPT CONTINGENT				3,600
A-3010-40-4049 - CONTRACT CONSULTING			28,499	
A-3010-45-4506 - SPEC DEPT SUPPLY PUBLIC SAFETY			10,000	
A-3010-45-4541 - SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				10,000
A-3010-45-4541 - SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			693	
A-3010-R4389-R338 - FED AID PUBLIC SAFETY OTHER	693			
A-3010-R4389-R338 - FED AID PUBLIC SAFETY OTHER	28,499			
A-3110-29-45-4541 - SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			35,180	
A-3140-16-45-4506 - SPEC DEPT SUPPLY PUBLIC SAFETY			1,900	
A-3140-16-45-4541 - SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT				1,900
A-4010-33-45-4507 - SPEC DEPT SUPPLY MEDICAL/CLINICAL			10,000	
A-4050-45-4507 - SPEC DEPT SUPPLY MEDICAL/CLINICAL				10,000
A-4059-40-4016 - CONTRACT PRESCHOOL				17,274
A-4059-42-4203 - OFFICE OFFICE SUPPLIES			13,274	
A-4059-42-4207 - OFFICE FURNITURE			4,000	
A-5610-44-4409 - UTILITY JET A KEROSENE			88,093	
A-5610-46-4604 - MISC SERV/EXP REAL ESTATE TAXES			378	
A-5610-R2655-R428 - SALES FUEL SALES	88,093			
A-6610-47-4712 - DEPT EQUIP CALIBRATION			332	
<b>A Fund Total</b>	<b>122,285</b>	<b>-</b>	<b>233,752</b>	<b>111,467</b>

D-3310-47-4717 - DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE				590
D-5110-46-40-4015 - CONTRACT PROPERTY MAINTENANCE			590	
D-5110-47-40-4037 - CONTRACT PAVING			988,363	
D-5110-47-47-4720 - DEPT LABORATORY/XRAY EXPENSE			180	
D-9998-R3501-R120 - ST AID CONSOLIDTD HGHWY CAPITAL	988,543			
<b>D Fund Total</b>	<b>988,543</b>	<b>-</b>	<b>989,133</b>	<b>590</b>
EI-6020-81-43-4308 - COMPUTER MIS CHARGEBACKS				920
EI-6020-81-47-4701 - DEPT RENTALS			920	
<b>EI Fund Total</b>	<b>-</b>	<b>-</b>	<b>920</b>	<b>920</b>

# Sullivan County

## Legislative Memorandum

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**File #:** ID-4992

**Agenda Date:** 10/20/2022

**Agenda #:** 23.

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**Narrative of Resolution:**

The below resolution was originally adopted in 2017 and the County and Cornell Cooperative Extension would like to continue this relationship through the County's Employee Wellness Program.

**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 County Manager has initiated a County Employee Wellness Program to analyze current wellness offerings and other potential opportunities to enhance employee wellness through the Employee Wellness Committee; and

**WHEREAS**, the County Employee Wellness Committee ("Committee") has met with Cornell Cooperative Extension Sullivan County ("CCESC") and would like to continue the relationship between the Committee and CCESC regarding the County of Sullivan's ("County") worksite wellness strategies; and

**WHEREAS**, the Sullivan County Manager and the Committee recommend that the County enter into a Memorandum of Understanding with CCESC to continue to support and develop a project plan to increase access to healthy foods and/or opportunities for physical activity at the worksite(s) identified by the Committee as well training, technical assistance, and implementation services; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the County Manager to enter into a Memorandum of Understanding between the County of Sullivan and Cornell Cooperative Extension Sullivan County for the purposes of worksite wellness strategies.

**BE IT FURTHER RESOLVED**, that the Memorandum of Understanding be in such form approved by the Department of Law.



# Sullivan County

## Legislative Memorandum

**File #:** ID-4994

**Agenda Date:** 10/20/2022

**Agenda #:** 24.

**Narrative of Resolution:**

Authorize agreement to accept NYSDOT Grant Funding for Terminal Revitalization

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

**Amount to be authorized by Resolution:** \$18,500,000 Grant Money

**Are funds already budgeted?** Yes

**Specify Compliance with Procurement Procedures:**

**RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE AUTHORIZING SULLIVAN COUNTY TO ENTER INTO AN AGREEMENT TO ACCEPT NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FUNDING FOR TERMINAL REVITALIZATION AT THE SULLIVAN COUNTY AIRPORT**

**WHEREAS,** The County of Sullivan has been awarded Eighteen Million, Five Hundred Thousand (\$18,500,000.00) dollars for the purpose of revitalizing the terminal at the Sullivan County Airport; and

**WHEREAS,** The County of Sullivan has identified development of the Sullivan County Airport as an important ingredient for economic development of the County of Sullivan; and

**WHEREAS,** the current terminal is aging and lacks many of the modern amenities essential to development of the Sullivan County Airport; and

**WHEREAS,** the County of Sullivan wishes to advance the Project by committing funds for this project which funds shall be reimbursed to the County of Sullivan by the State of New York up to the project limit of Eighteen Million Five Hundred Thousand dollars; and

**WHEREAS,** the subject grant from the New York State Department of Transportation requires no local match.

**NOW THEREFORE BE IT RESOLVED,** that the Sullivan County Legislature ("Legislature") hereby authorizes County Manager Joshua Potosek to execute all necessary agreements on behalf of the County of Sullivan with the New York State Department of Transportation in connection with the project; 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 IF FURTHER RESOLVED**, that this Resolution shall take effect immediately; and

**BE IF FURTHER RESOLVED**, that and such agreements between the County of Sullivan and the New York State Department of Transportation shall be in a form acceptable to the Sullivan County Attorney.



# Sullivan County

## Legislative Memorandum

100 North Street  
Monticello, NY 12701

**File #:** ID-4995

**Agenda Date:** 10/20/2022

**Agenda #:** 25.

**Narrative of Resolution:**

Authorize MOA with Teamsters Supervisory Unit

**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 RATIFYING A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF SULLIVAN AND THE TEAMSTERS LOCAL 445, INTERNATIONAL BROTHERHOOD OF TEAMSTERS SUPERVISORY UNIT AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE SAID AGREEMENT**

**WHEREAS**, the collective bargaining agreement between the County of Sullivan and the Teamsters Local 445, International brotherhood of Teamsters Supervisory Unit (hereinafter “Teamsters Supervisory Unit”) expired on December 31, 2021;

**WHEREAS**, negotiations conducted pursuant to the provisions of Article 14 of the New York State Civil Service Law (Public Employees Fair Employment Act) have resulted in a Memorandum of Agreement for calendar year 2022 through 2025, attached hereto and made a part hereof; and

**WHEREAS**, the employees represented by Teamsters Supervisory Unit have voted and ratified the terms and conditions of employment, as set forth in the aforementioned Memorandum of Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the terms and conditions of employment of employees represented by Teamsters Supervisory Unit, as set forth in the Memorandum of Agreement attached hereto and made a part hereof be and hereby are ratified, in recognition of the ratification by Teamsters Supervisory Unit; and

**BE IT FUTHER RESOLVED**, that the County Manager is hereby authorized to execute the aforementioned Memorandum of Agreement; and

**BE IT FUTHER RESOLVED**, the County Manager is hereby authorized to execute an Agreement incorporating the terms and conditions of employment in accordance with the Memorandum of Agreement, said Collective Bargaining Agreement to be in such form as the County Attorney shall approve.

10.5.2022

***MEMORANDUM OF AGREEMENT***

***By and Between the***

***County of Sullivan  
(hereinafter referred to as "County")***

***And the***

***DIVISION OF PUBLIC WORKS SUPERVISORY UNIT  
TEAMSTERS LOCAL 445, INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
(hereinafter referred to as "Union")***

**WHEREAS**, the County and the Union are parties to a Collective Bargaining Agreement for a term which expired on December 31, 2021; and

**WHEREAS**, the County and the Union have been engaged in collective bargaining, which has led to a mutual understanding between the County and the Union for the terms and conditions of employment for a Successor Agreement; and

**WHEREAS**, the County and the Union are desirous of reducing that mutual understanding to a written document.

**NOW, THEREFORE**, the County and the Union agree as follows:

1. All terms and conditions of the existing Collective Bargaining Agreement shall continue in full force and effect unless specifically modified by this Memorandum of Agreement and/or the terms of the expired Agreement.
2. This Memorandum of Agreement is subject to ratification by the membership of the Union and by Legislature of the County of Sullivan.
3. **Term of Agreement:** January 1, 2022 through December 31, 2025.
4. **Housekeeping:**

10.5.2022

- a. Delete dates no longer applicable, and make grammatical and spelling corrections mutually agreed upon.

5. **Section 302**, shall be amended as follows:

Remove items with dates that are no longer applicable and add:

- a. Effective January 1, 2022, a two percent (2.00%) increase in base salary\*;
- b. Effective January 1, 2023, a two percent (2.00%) increase in base salary;
- c. Effective January 1, 2024, a two percent (2.00%) increase in base salary;
- d. Effective January 1, 2025, a two percent (2.00%) increase in base salary.

\*Note that all increases are fully retroactive to all members of the bargaining unit on the payroll at the time that the membership ratifies the agreement. Members who were on the payroll on January 1, 2022 but retired prior to ratification by the Membership shall be entitled to retroactive payment.

6. **Article III, Section 306(a)**, shall be amended to read as follows:

An employee who is required to possess or acquires a professional engineer or a registered architect or surveyor license is paid an additional \$2.50 per hour. Which shall be added to base salary. This provision shall sunset on [date of ratification]. Effective [date of ratification], all employees who are within Grade III of the current salary schedule as of [date of ratification] shall be paid the same base rate of pay of \$44.8138, subject to the salary increases referenced in Section 302.

7. **Article IV**, shall be amended as follows:

Add the following to Section 401 after the second complete sentence:

During the period of December 1 through March 31 of each year, the regular workday for select Supervisors, in the discretion of the Commissioner of Public Works, assigned to organizational codes D-5110-45 (Road), and D-3310 (Traffic Control) will be 6:00 a.m. through 2:30 p.m.

Add the following sentence to Section 401:

These starting and ending times can be varied in a working group (defined as working under the direction of a supervisor at a particular reporting location) to a start time between 5:00 a.m. and 8:00 a.m. upon the agreement of the Union and the Commissioner or their designee. Under this provision, each work day shall consist of eight (8) hours excluding lunch. These working groups may also agree to work a four (4) day workweek, ten (10) hours per day, excluding lunch.

8. **Article VII, Section 705**, shall be amended by adding Subsection A, which shall read as follows:

10.5.2022

Effective January 1, 2022, employees who have one-hundred and sixty (160) hours of earned and unused accrued vacation leave time (at the time of the request discussed herein) may request during the period of November 1st to November 15th of each year, to sell back up to forty (40) hours of their accrued and unused vacation leave time. Payment shall be made as soon as administratively practicable, but before or on December 31st of that year. Payment will be made at the employee's rate of pay at the time of the request.

9. **Article VIII, Section 800**, shall be amended to read as follows:

Effective January 1, 2022 through and including December 31, 2025, the County agrees to maintain at least the number of positions in the bargaining unit as of [DATE OF RATIFICATION] during the term ending on December 31, 2025.

10. **Article XI, Section 1103**, shall be amended to add the following:

Effective September 1, 2022, any current County employee who promoted into the bargaining unit after [Date of Ratification] shall continue in the same plan coverage (currently enrolled in, subject to NYSHIP rules and regulations) and pay the premium contribution (percentage or flat dollar amount) the employee would be responsible for under Section 1103 of this Teamster Supervisor collective bargaining agreement based on the employee's date of hire with the County. These contribution rates are as follows:

Individual		Family	
EMPIRE PLAN			
Hired before 1/1/2000	\$500/year (\$41.67/month)	Hired before 6/2/1985	\$500 /year (\$41.67/month)
		Hired 6/3/1985 – 12/31/1999	\$1250/year(\$104.17/ month)
Hired 1/1/2000- 12/31/2015	\$850/year (\$70.83/month)	Hired 1/1/2000- 12/31/2015	\$1450.00/ year (\$120.83/month)
Hired 1/1/2016 - 6/30/2019	(15%) of monthly premium	Hired 1/1/2016 - 6/30/2019	(15%) of monthly premium
EXCELSIOR PLAN			
Hired 7/1/2019	(20%) of monthly premium	Hired 7/1/2019	(20%) of monthly premium

Part Time employees are responsible for 50% of individual monthly premium, plus family portion where elected.

The employees shall make these contributions by payroll deduction, which deductions shall be taken in equal amount throughout the year.

11. **Salary Schedule**, shall be amended to reflect the new wages.

10.5.2022

12. **Retroactivity:** Retroactivity of wages and all economic benefits (compensation) shall be paid to all employees on the payroll at the date of ratification. Any employee who retired between January 1, 2022 and date of ratification will have retroactivity pro-rated. Retroactivity payments will be made within thirty days of the final ratification of the successor collective bargaining agreement, or as soon thereafter as administratively feasible.
13. This MOA is the full understanding of the parties as to the terms of this agreement.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement on the

13 day of September, 2022

**COUNTY OF SULLIVAN**

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

**UNION**

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

# Sullivan County

## Legislative Memorandum

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**File #:** ID-4996

**Agenda Date:** 10/20/2022

**Agenda #:** 26.

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**Narrative of Resolution:**

Accept the gift of a piano for the Government Center Lobby

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

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

**Are funds already budgeted?** Choose an item.

**Specify Compliance with Procurement Procedures:**

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ACCEPT THE GIFT OF A  
PIANO**

**WHEREAS,** Forestburgh resident Rachel Gordon wishes to donate an upright piano to the County of Sullivan;  
and

**WHEREAS,** the County of Sullivan has a need for such an instrument to replace an aging, unusable piano  
currently in the lobby of the Government Center; and

**WHEREAS,** the Division of Public Works will make arrangements to move the piano from its current location;  
and

**WHEREAS,** the Piano will enhance the environment of the Government Center lobby during certain times of  
the year when live music performances are conducted in that space;

**NOW, THEREFORE, BE IT RESOLVED,** that the County of Sullivan accepts this generous gift from Ms.  
Gordon; and

**IT IS FURTHER RESOLVED,** that the Sullivan County Legislature wishes to formally thank Ms. Gordon on  
behalf of the many visitors to the Government Center who will enjoy music from her piano for many years to  
come; and

**IT IS FURTHER RESOLVED,** that the Office of the County Manager and the Division of Public Works shall  
work collaboratively to insure the safe transport of the piano from its present location to the Government  
Center; and



**IT IS FURTHER RESOLVED**, that use of the piano, including tuning and maintenance, be under the auspices of the Office of Communications.

# Sullivan County

## Legislative Memorandum

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**File #:** ID-4997

**Agenda Date:** 10/20/2022

**Agenda #:** 27.

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**Narrative of Resolution:**

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A MASTER AGREEMENT AMMENDMENT WITH NETSMART TECHNOLOGIES, INC. FOR ADDITIONAL APPLICATION LICENSES**

**WHEREAS**, Resolution #263-22, adopted by the Sullivan County Legislature on June 16, 2022, authorized an agreement with Netsmart Technologies, Inc., of 11100 Nall Avenue, Overland Park, KS 66211 (“Netsmart”) for professional Services through Advisor (Configuration between Netsmart, EVV and Advisor); and Mobile Caregiver +EVV SaaS will transmit EVV data to state payers and Managed Care organizations; and

**WHEREAS**, Sullivan County Public Health Services’ Certified Home Health Care Agency needs additional licenses for this mobile application; and

**WHEREAS**, Netsmart has offered an additional 8 licenses at no initial cost but makes them part of the Master Agreement dated 09-20-2022 (“Agreement”) subject to annual increases set forth in the Agreement.

**NOW THEREFORE IT BE RESOLVED**, that the County Manger be authorized to sign the quote for additional licenses at no initial charge making them part of and incorporating them into the aforementioned Master Agreement.

**BE IT FURTHER RESOLVED**, that said document 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:** \$0

**Are funds already budgeted?** Yes

**Specify Compliance with Procurement Procedures:**

Quote received.



# Sullivan County

## Legislative Memorandum

100 North Street  
Monticello, NY 12701

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**File #:** ID-4998

**Agenda Date:**

**Agenda #:** 28.

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**Narrative of Resolution:**

There is a need to update the language in the Whistleblower policy to be consistent with the County's Corporate Compliance program as recommended by the Bonadio Group during the last assessment.

**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 Legislature adopted a Whistleblower Policy on November 19, 2009 via Resolution No. 447-09; and

**WHEREAS,** it has been recommended that the policy be amended to reflect updated language consistent with the Corporate Compliance program; and

**NOW THEREFOR BE IT RESOLVED,** that the Sullivan County Legislature hereby adopts the attached amended Whistleblower Policy; and

**BE IT FURTHER RESOLVED,** that the Human Resources Department is hereby authorized to update the Employee Handbook to include the amended Whistleblower Policy; and

**BE IT FURTHER RESOLVED,** that the County Manager's Office is hereby directed to disseminate a copy of the amended Whistleblower policy to all County employees.

## ***WHISTLE BLOWER POLICY***

### **Statement of Policy:**

The Sullivan County Legislature (hereinafter "Legislature") believes that County employees and persons doing business with the County of Sullivan may be in a position to know whether there are instances of unlawful or fraudulent conduct occurring within County government.

**A Whistleblower** as defined by this policy is an employee, volunteer, contractor or vendor of the County of Sullivan, who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this policy. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

The Legislature believes that some County employees and persons doing business with the County may be reluctant to report instances of unlawful or fraudulent conduct due to a fear of retaliation.

All County employees and persons doing business with the County should be advised that the County is committed to pursuing and investigating allegations of unlawful or fraudulent conduct occurring within County government.

The Legislature believes that all County employees and persons doing business with the County should be advised that there are a number of federal and state statutes which protect the rights of so-called whistleblowers and that the County, in accordance with those statutes and with its own policy, does not permit retaliation against persons who in good faith, report unlawful or fraudulent conduct within County government to appropriate officials.

### **SCOPE:**

This policy applies to all County employees, contractors, medical staff, volunteers and vendors.

### **PROCEDURE:**

#### **I. WRITTEN POLICIES, PROCEDURES AND STANDARDS OF CONDUCT:**

The County Manager is hereby directed to advise all existing County employees, all new County employees and all persons contracting to do business with the County, by such means as the County Manager shall deem appropriate and effective, of the following:

- A. The Legislature encourages all County employees and persons doing business with the County to report, to appropriate officials, any unlawful or fraudulent conduct occurring within County government.

#### **II. EFFECTIVE LINES OF COMMUNICATION:**

Any County employee or person doing business with the County who, in good faith, believes that particular conduct is unlawful or fraudulent is encouraged to report such fact, to the Confidential Compliance Hotline or, in writing, to the Commissioner of Human Resources or the Corporate Compliance Officer.

Any such written report should include a brief statement outlining their concerns and any additional information that will enable the officer to contact the source for additional information.

The County will thoroughly and thoughtfully investigate in a timely and appropriate manner whistleblower matters issues that are brought to their attention, with a commitment to contact so-called whistleblowers within two business days of the initial report.

### **III. REPORTING PROCEDURES:**

Reports of suspected unlawful or fraudulent behavior can be reported by using either of the following methods:

- A. Calling the toll-free Confidential Compliance Hotline at 1-833-955-1559, which is available 24/7/365.
- B. Written report to the Corporate Compliance Officer or the Commissioner of Human Resources.

The County will not employ methods to identify anonymous reporters and will protect the identity of the reporter to the extent allowed by law.

Written reports should include information to enable the appropriate County official to contact the source of the report for additional information and provide a brief statement outlining their concerns, which may be of assistance in investigating any incident reported.

### **IV. BI-ANNUAL REPORT:**

January 1, and July 1 of each year, the Corporate Compliance Officer shall advise the County Legislature, without disclosing the identity of reporting individuals, of the number and nature of all reports made pursuant to this Resolution and what has been done with respect to each such report.

### **V. NO RETALIATION:**

The County Manager and the Commissioner of Human Resources shall take reasonable steps see to it that there shall be no retaliation against any County employee or person doing business with the County on account of any good faith written report, filed in accordance with the procedure set forth above, disclosing unlawful or fraudulent conduct occurring within County government. Federal and state laws protect persons from retaliation when in, good faith, they report unlawful or fraudulent to appropriate officials, against retaliation. The County is committed to anti-retaliation and recognizes the various applicable state and federal laws.

## ***WHISTLEBLOWER PROTECTION***

### **1) Federal False Claims Act (31U.S.C. §3730(h))**

The Federal False Claims Act provides protection to qui tam relators (individuals who commence a False Claims action) who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the FCA. 31 U.S.C. 3730 (h).

Remedies include reinstatement with comparable seniority as the qui tam relator would have had but for the discrimination, two times the amount of any back pay, interest on any back pay and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees.

### **2) New York State False Claim Act (State Finance Law §191)**

The New York State False Claim Act also provides protection to qui tam relators (individuals who commence a False Claims action) who are discharged demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the Act. Remedies include reinstatement with comparable seniority as the qui tam relator would have had but for the discrimination, two times the amount of any back pay, interest on any back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees.

### **3) New York State Labor Law, Section 740**

An employer may not take any retaliatory action against an employee if the employee discloses information about the employer's policies, practices or activities to a regulatory, law enforcement or other similar agency or public official. Protected disclosures are those that assert that the employer is in violation of a law that creates a substantial and specific danger to the public health and safety or which constitutes health care frauds under Penal Law § 177 (knowingly filing with intent to defraud, a claim for payment that intentionally has false information or omissions). The employee's disclosure is protected only if the employee first brought up the matter with a supervisor and gave the employer a reasonable opportunity to correct the alleged violation. If an employer takes a retaliatory action against the employee, the employee may sue in state court for reinstatement to the same, or an equivalent position, any lost back wages and benefits and attorney's fees. If the employer is a health provider and the court finds that the employer's retaliatory action was in bad faith, it may impose a civil penalty of \$10,000 on the employer.

### **4) New York State Labor Law, Section 741**

A health care employer may not take any retaliatory action against an employee if the employee discloses certain information about the employer's policies, practices or activities to a regulatory, law enforcement or other similar agency or public official. Protected disclosures are those that assert that, in good faith, the employee believes constitute improper quality of patient care. The employee's disclosure is protected only if the employee first brought up the matter with a supervisor and gave the employer a reasonable opportunity to correct the alleged violation, unless the danger is imminent to the public or patient and the employee believes in good faith that reporting to a supervisor would not result in corrective action. If an employer takes a retaliatory action against the employee, the employee may sue in state court for reinstatement to the same, or an equivalent position, any lost back wages and benefits and attorney's fees. If the employer is a health provider and the court finds that the employer's retaliatory action was in bad faith, it may impose a civil penalty of \$10,000 on the employer.

# Sullivan County

## Legislative Memorandum

**File #:** ID-4999

**Agenda Date:** 10/20/2022

**Agenda #:** 29.

**Narrative of Resolution:**

Authorize agreement with Legacy Staffing to Insure consistent and adequate staffing at the Care Center at Sunset Lake

**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:**

**INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH LEGACY STAFFING TO INSURE CONSISTENT AND ADEQUATE STAFFING AT THE CARE CENTER AT SUNSET LAKE**

Legislators Doherty, and Brooks offer the following:

**WHEREAS:** The current census as the Care Center at Sunset Lake has again surpassed 100 residents and

**WHEREAS:** Quality resident care is the primary focus of the County with respect to the Care Center at Sunset Lake; and

**WHEREAS:** Since the 2020 COVID pandemic, the Care Center at Sunset Lake like many other employers has experienced difficulty in recruiting and retaining quality professional staff; and

**WHEREAS:** The Sullivan County Legislature recognizes the absolute need for providing adequate staffing levels to provide care to the residents of the Care Center at Sunset Lake; and

**WHEREAS:** Filling vacancies is often and typically a longer process than can be undertaken when staffing levels fall below optimal levels; Now Therefore it is Hereby

**RESOLVED,** that the County Manager is hereby authorized enter into an Agreement with Legacy Staffing to fill vacancies on a temporary basis, as needed in order to adequately meet the needs and demands of the residents of the Care Center at Sunset Lake retroactive to July 1, 2022. and it is further



This resolution shall take effect July 1, 2022.

and move its adoption.

# Sullivan County

## Legislative Memorandum

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**File #:** ID-5001

**Agenda Date:** 10/20/2022

**Agenda #:** 30.

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**Narrative of Resolution:**

Declare Certain Property “Surplus Property”

**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 DECLARE CERTAIN PROPERTY AT THE OLD COUNTY ROAD PATROL BUILDING “SURPLUS PROPERTY” AND AUTHORIZE THE COUNTY TO DONATE CERTAIN EQUIPMENT TO THE LIBERTY, NY POLICE DEPARTMENT.**

**WHEREAS**, the County of Sullivan has constructed and operated a new County Road Patrol Facility Jail for several years; and

**WHEREAS**, the County of Sullivan continues to own the old Road Patrol facility it previously operated; and

**WHEREAS**, the certain contents of the Road Patrol Facility are no longer of use to the County and is surplus equipment; and

**WHEREAS**, given the condition and age of the equipment, it is of indeterminate value; and

**WHEREAS**, the Liberty, NY Police Department desires to acquire surplus equipment from the County.

**NOW THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature hereby approves the transfer of one set of two lockers, and one set of three lockers to the Liberty, NY Police Department.

# Sullivan County

## Legislative Memorandum

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**File #:** ID-5002

**Agenda Date:** 10/20/2022

**Agenda #:** 31.

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**Narrative of Resolution:**

Declare certain property at the old County Jail “Surplus Property”

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

**Amount to be authorized by Resolution:** \$0

**Are funds already budgeted?** Choose an item.

**Specify Compliance with Procurement Procedures:**

**RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO DECLARE CERTAIN PROPERTY AT THE OLD COUNTY JAIL “SURPLUS PROPERTY” AND THE AUTHORIZE THE COUNTY TO DONATE CERTAIN EQUIPMENT TO THE NEW YORK STATE SHERIFFS’ INSTITUTE, INC.**

**WHEREAS**, the County of Sullivan has constructed and operated a new County Jail for several years; and

**WHEREAS**, the County of Sullivan continues to own the old Jail it previously operated; and

**WHEREAS**, the certain contents of the Jail and are no longer of use to the County and is surplus equipment; and

**WHEREAS**, given the condition and age of the equipment, it is of indeterminate value; and

**WHEREAS**, the New York State Sheriffs’ Institute, Inc. desires to acquire surplus equipment from the County.

**NOW THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature hereby approves the transfer of an ice machine, five (5) food prep tables, a dishwasher and sprayer, storage racks, a freezer, two (2) refrigerators, a walk-in refrigerator and freezer and clothes washers and dryers to the New York State Sheriffs’ Institute, Inc.

# Sullivan County

## Legislative Memorandum

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**File #:** ID-5003

**Agenda Date:**

**Agenda #:** 32.

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**Narrative of Resolution:**

Authorize the sale of Real Property at Emerald Corporate Park, Rock Hill, New York

**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:**

**AUTHORIZING THE SALE OF REAL PROPERTY AT EMERALD CORPORATE PARK, ROCK HILL, NEW YORK.**

Legislators Doherty, and Conklin offer the following:

**WHEREAS,** Sullivan County, by Resolution 276-20, adopted July 23, 2020, voted to transfer property from the Emerald Corporate Park, LDC to the County of Sullivan., and

**WHEREAS:** The County of Sullivan has erected a communications tower on part of that land providing the County with enhanced Emergency Services coverage as well as leasing space on the tower for cellular communications apparatus; and

**WHEREAS,** The County of Sullivan has reassessed its needs for the remaining portions of said parcel and determined that the property is no longer necessary to achieve the County's objectives; and

**WHEREAS :** The county of Sullivan recognizes that it is in the best interest of both the Town of Thompson and the County of Sullivan to promote and encourage economic development throughout the County in General and in the Rock Hill area specifically; and

**WHEREAS,** with the development of a new medical facility as well as other projects which have obtained approval from the Planning Board of the Town of Thompson there currently exists specific opportunities to maximize the value of the Real Property toward enhancing economic opportunities in the County, and

**WHEREAS**, the Sullivan County Funding Corporation is the agency best situated to consider viable offers that coordinate well with economic development models in the Rock Hill Area; **NOW, THEREFORE IT IS:**

**RESOLVED:** That the County Manager or the Chairman of the Sullivan County Legislature is hereby authorized to enter into a contract to transfer the 23.94 acre parcel of Real Property situated and located in the Hamlet of Rock Hill, Town of Thompson, County of Sullivan and referred to as SBL 35-1-9.1 comprised of 23.94 acres on the tax map of the Town of Thompson to the Sullivan County Funding Corp for the purchase of identifying the best available candidate to purchase the subject parcel and develop same consistent with current or future economic development models for that area; and it is further

**RESOLVED:** That the Sullivan County Funding Corporation shall receive a fee equal to 10% of the gross proceeds obtained in conjunction with said sale.