



Sullivan County

Executive Committee

Meeting Agenda - Final

100 North Street
Monticello, NY 12701

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

Thursday, October 20, 2022

9:00 AM

Government Center

Call To Order and Pledge of Allegiance

Roll Call

Comments:

Discussion:

1. Emergency Medical Services
2. Bed Tax Committee

Resolutions:

1. Authorize backfill of positions without resolutions [ID-4983](#)
2. 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](#)
3. To Modify the 2022 Budget [ID-4991](#)

Attachments: [FINALSeptember 30 2022 Resolution Needed](#)

4. 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](#)

5. Authorize agreement to accept NYSDOT Grant Funding for Terminal Revitalization. [ID-4994](#)
6. Authorize MOA with Teamsters Supervisory Unit. [ID-4995](#)
Attachments: [newattachmenttsup](#)
7. Accept the gift of a piano for the Government Center Lobby [ID-4996](#)
8. RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A MASTER AGREEMENT AMENDMENT WITH NETSMART TECHNOLOGIES, INC. FOR ADDITIONAL APPLICATION LICENSES [ID-4997](#)
9. TO AMEND THE WHISTLEBLOWER POLICY FOR SULLIVAN COUNTY. [ID-4998](#)
Attachments: [WHISTLE BLOWER POLICY 2022_CMOdraft.docx](#)
10. Authorize agreement with Legacy Staffing to Insure consistent and adequate staffing at the Care Center at Sunset Lake [ID-4999](#)
11. Authorize Lease Agreement with Hughes Energy for Recycling Project [ID-5000](#)
12. Declare Certain Property “Surplus Property” at the old County Road Patrol Building [ID-5001](#)
13. Declare certain property at the old County Jail “Surplus Property” [ID-5002](#)

Adjourn



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-4983

Agenda Date: 10/20/2022

Agenda #: 1.

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 #: 2.

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

File #: ID-4991

Agenda Date: 10/20/2022

Agenda #: 3.

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

G/L Account	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
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	
A Fund Total	122,285	-	233,752	111,467

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			
D Fund Total	988,543	-	989,133	590
EI-6020-81-43-4308 - COMPUTER MIS CHARGEBACKS				920
EI-6020-81-47-4701 - DEPT RENTALS			920	
EI Fund Total	-	-	920	920

Sullivan County

Legislative Memorandum

File #: ID-4992

Agenda Date: 10/20/2022

Agenda #: 4.

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 #: 5.

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 #: 6.

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

File #: ID-4996

Agenda Date: 10/20/2022

Agenda #: 7.

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

100 North Street
Monticello, NY 12701

File #: ID-4997

Agenda Date: 10/20/2022

Agenda #: 8.

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

File #: ID-4998

Agenda Date:

Agenda #: 9.

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 #: 10.

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; and it is further



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5000

Agenda Date: 10/20/2022

Agenda #: 11.

Narrative of Resolution:

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 AUTHORIZING SULLIVAN COUNTY TO ENTER INTO A LEASE AGREEMENT FOR RECYCLING TECHNOLOGY PROJECT

WHEREAS, The County of Sullivan has capped landfill and has for several years had its solid waste taken to an alternate landfill, Seneca Meadows, in New York State; and

WHEREAS, The County of Sullivan expends in excess of thirteen million dollars annually managing its solid waste; and

WHEREAS, within the next five (5) years the County of Sullivan will need to identify alternate site for disposal of solid waste as it is anticipated that Seneca Meadows Landfill will be capped and unavailable to Sullivan County; and

WHEREAS, the County of Sullivan wishes to explore potential options for the disposal of our solid waste; and

WHEREAS, Hughes Energy has approached the County of Sullivan with interest for creating a research and development operation at the Sullivan County Landfill location to explore various potential solutions to the County's Solid Waste Management issues.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature ("Legislature") hereby authorizes county Manager Joshua Potosek to enter into a Lease Agreement with Hughes Energy, LLC for the use of a 10,000 - 12,000 square foot building at the Sullivan County Landfill for the purpose of developing a Research and Development project to assist the County of Sullivan with current and future needs for management of solid waste; and

BE IT FURTHER RESOLVED, that the County of Sullivan will provide up to 20 tons of municipal solid waste to Hughes energy per day for use in their research and development operation; and

BE IT FURTHER RESOLVED: That this project must be endorsed and approved by the New York

State Department of Environmental Conservation; and

BE IF FURTHER RESOLVED, that this Resolution shall take effect immediately; and

BE IF FURTHER RESOLVED, that and such agreements shall be in a form acceptable to the Sullivan County Attorney.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-5001

Agenda Date: 10/20/2022

Agenda #: 12.

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

File #: ID-5002

Agenda Date: 10/20/2022

Agenda #: 13.

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.