

**Sullivan County Legislature  
Regular Meeting  
April 23, 2009 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:23PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Proclamation from County Manager David Fanslau issuing a total ban on all open burning from March 27, 2009-March 30, 2009.
2. Chairman Rouis's designation of the following:
  - March 2009 as Red Cross Month
  - April 6-12, 2009 as National Public Health Week
  - April 2009 as Child Abuse Awareness Month
  - May 8, 2009 as Foster Grandparent Day
  - May 2009 as Foster Parents Month

**Presentation (Hurleyville)**

Mrs. Goodman stated when she became a legislator almost ten years ago, she was warned and laughed out about a problem in Hurleyville which is her district. The issue has to do with three properties. The first property was the White Church and to the right of that a Museum, and then a private home. When she first became a legislator, people didn't know what to do with that home. There was talk to knock it down and make additional parking for the museum. She decided to take it to her residents and they held a public hearing and it was agreed that a family should live in that house and keep the lights on. The next issue was what do we do with all the groups that are currently in the Museum and there was a lack of harmony going on. There were a lot of rumors floating around Hurleyville for instance what is going to happen to the white building that the county owns. So she created a committee in 2006 called the Hurleyville Complex Committee which was embracing those three properties. She would like to call up two individuals who worked very hard with her. Mrs. Goodman then called up Helen Budrock and Denise Frangipane. They sat down all the players in the Museum and they got along beautifully. Hurleyville Sullivan First had a vision that the sidewalks continue but they should also try and do something with this church. Mrs. Budrock is a great grant writer and she found some money and they did some soft touch renovations and as they did the soft touch renovations, they were able to soft touch the museum as well. As you ride by, you will see murals on the windows, some plantings that have been done, She then asked Kristin Porter to come up as she was part of the committee as well, but she is proud to say today that it is official that we are deeding over the white building and we refer to the white building as St. Mary's Church.

Mrs. Budrock stated that Hurleyville Sullivan First is pleased to be taking over St. Mary's Church and they really have to thank the legislature, specifically Mrs. Goodman, for her work on the Complex Committee and also the Department of Public Works, Bob Meyer and all the collaboration amongst those groups. They are thrilled to be turning St. Mary's Church into a Museum Annex, a community center and we need to gain more input from their residents. In token of their appreciation, they would like to present Mrs. Goodman and the Legislature a token plaque which is a photograph from an old postcard of the original St. Mary's Church and they really hope to restore it to its original beauty. The Sullivan County Historical Society would not have been able to do this project without them and they are obviously responsible for preserving history in Sullivan County and she really appreciates all the help and support that was provided and they will continue to work hard. Mr. Phil Birns stated it is a pleasure being here today to accept this award.

**Presentation (Smoke Free Coalition)**

Bob Karabik Coordinator of the Sullivan County Tobacco Free Coalition thanked the legislature for allowing him to speak today. He has been a resident of Sullivan County for 33 years. For the first 18 of those years he was employed as a respiratory therapist department manager at Harris Hospital. When he was first hired for his current position, he reviewed county wide data. In 2000, there was a study conducted by the Marist College for the Community that Cares Coalition which made random telephone calls to 500 adult residents and asked them if they used tobacco products on a regular or sometimes basis. Forty Seven percent of those responded stated that they did. Last May our coalition hired a professional polling company to poll local residents. Twenty one percent of adults used tobacco daily or sometimes. So what have we been able to learn about

reducing tobacco usage in Sullivan County, what have they done and what has been effective. The first effective strategy is to increase the cost of the product. New York State has the second highest tax rate. The second effective strategy is the Clean Indoor Air Law. In July 2003, every worker in New York State was protected of second hand smoke. Following enactment of this state law, smoking rates significantly decreased and became a model for many other states. The Third effective strategy is the decrease in advertising. Thank you.

Mr. Hiatt stated that all the legislators should be up here because all the legislators supported the Dream Team. He then asked Judge Finn to come up to the podium. The art that you see in the lobby was created by the students. She stated we have a couple of our dreamers in the audience today. She then asked the two students to stand up. The program is about a year and five months now. The projects are becoming increasingly sophisticated. The students were asked to create a sculpture of their personality and they did that sculpture with the packing tape which is down in the lobby. She hopes everyone will stop and look at it in the lobby.

Chairman Rouis recognized the following speakers:

1. Ira Cohen, County Treasurer stated in today's Executive Committee, they voted not to amend Local Law 2 of 2009. He was asked after that meeting to give the legislature an update on the total figures since April 20<sup>th</sup> that has come and gone. We had about 50 properties repurchased, the amount of taxes we collected and to be included in the 09 taxes. The amount of taxes collected is \$555,209.90. The five percent that was an issue was \$423,712.40. The total amount collected by his office including the 10 percent for the auctioneer and recording fees is \$1,046, 839.38. He thinks the dialogue is fine. He knows the thought process that went behind the proposition and he applauds that. He applauds the process and he has asked Mrs. Goodman for her permission at the next committee meeting to talk about this and other real property tax collection issues in more detail. He will have some suggestions for other alternatives for next year. The legislature also discussed the resolution to approve a mitigation agreement with the Seneca Nation. These mitigation agreements are extremely important. He supports this mitigation agreement.
2. Rosa Lee stated in May or June 2007 an article was published entitled "Plastic is Forever". After reading the article about plastic, and you can see the plastics, she realized that this has upset her so much that she wants to collect every bit of plastic. She researched it and found a company that will recycle anything. So she got in touch with them and they said if we could bring them a truckload of this material, they would take it. She suggested that the Legislature mandate all residents of Sullivan County to separate all plastic, packaging materials, and put it in a separate container. That would take a great deal out of landfill. Thank you. She will give the legislature the information about the company in Hudson, New York.

**Business in Order:**

**RESOLUTION NO. 117-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2009 COUNTY BUDGET**

**WHEREAS**, the County of Sullivan 2009 Budget requires modification,

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

**Moved by Mr. Armstrong, seconded by Mrs. Binder put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 118-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT A MEMBER TO THE LONG TERM CARE COUNCIL FOR SULLIVAN NYCONNECTS (FORMERLY CALLED THE POINT OF ENTRY SYSTEM).**

**WHEREAS**, the County Legislature has authorized the creation of a Long Term Care Council to assist in the development of SULLIVAN NYCONNECTS (formerly called the Point of Entry system), and

**WHEREAS**, there is a need to appoint a member to the Long Term Care Council, and

**WHEREAS**, the appointment of a member shall be for either a term to end 12/31/09 or a term to end 12/31/10, and

**WHEREAS**, the appointment is to commence on the date this resolution is adopted.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby appoint the following member to the SULLIVAN NYCONNECTS (formerly called the Point of Entry) Long Term Care Council, for the term to expire on the date opposite of the name.

Representative:

Rev. Carlotta D. Wilson                      12/31/10

**Moved by Mr. Hiatt, seconded by Mrs. Goodman put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 119-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT A MEMBER TO THE LONG TERM CARE COUNCIL FOR SULLIVAN NYCONNECTS (FORMERLY CALLED THE POINT OF ENTRY SYSTEM).**

**WHEREAS**, the County Legislature has authorized the creation of a Long Term Care Council to assist in the development of SULLIVAN NYCONNECTS (formerly called the Point of Entry system), and

**WHEREAS**, there is a need to appoint a member to the Long Term Care Council, and

**WHEREAS**, the appointments of members shall be for either a term to end 12/31/09 or a term to end 12/31/10, and

**WHEREAS**, the appointment is to commence on the date this resolution is adopted

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby appoint the following member to the SULLIVAN NYCONNECTS (formerly called Point of Entry) Long Term Care Council, for the term to expire on the date opposite of the name.

Representative:

Donna Davies                                      12/31/09  
(to replace Alicia Terrana)

**Moved by Mr. Hiatt, seconded by Mrs. Goodman put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 120-09 INTRODUCED BY PERSONNEL COMMITTEE REALLOCATING CERTAIN POSITIONS AT THE ADULT CARE CENTER REPRESENTED BY THE TEAMSTERS LOCAL 445 COUNTY UNIT**

**WHEREAS**, the County Manager, in conjunction with representatives of Teamsters Local 445 County Unit, had developed a reallocation schedule that was adopted by the legislature as part of resolution 503-08, and

**WHEREAS**, there are two additional positions that are recommended to be reallocated, and

**WHEREAS**, the Physical/Occupational Therapy Aide position numbers 965 and 2391 are presently allocated at Grade II on the Teamsters Union Salary Schedule, and

**WHEREAS**, the County Manager has recommended that the Physical/Occupational Therapy Aide position numbers 965 and 2391 be reallocated from Grade II to Grade III on the Teamsters Union Salary Schedule.

**NOW, THEREFORE, BE IT RESOLVED** that the Sullivan County Legislature hereby reallocates the Physical/Occupational Therapy Aide position numbers 965 and 2391 from Grade II to Grade III on the Teamsters Union Salary Schedule, effective retroactively to January 1, 2009.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder** put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 121-09 INTRODUCED BY THE PERSONNEL COMMITTEE TO CREATE 3 SENIOR CREW LEADER POSITIONS AND 17 CREW LEADER POSITIONS FOR THE CENTER FOR WORKFORCE DEVELOPMENT**

**WHEREAS**, the Center for Workforce Development is in receipt of \$291,888 in funding from the American Recovery and Reinvestment Act to expand and operate the Summer Youth Employment Program (SYEP) from May 1, 2009 through September 30, 2009, and

**WHEREAS**, three (3) Senior Crew Leaders and seventeen (17) Crew Leaders will provide daily supervision of 130 eligible youth, and

**WHEREAS**, the Senior Crew Leaders will be paid \$17/hour and the Crew Leaders will be paid \$15/hour.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of three (3) Senior Crew Leader positions and seventeen (17) Crew Leader positions for the Center for Workforce Development.

**BE IT FURTHER RESOLVED**, that all positions will be eliminated at the end of the program.

**Moved by Mrs. Binder, seconded by Mr. Armstrong** put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 122-09 INTRODUCED BY THE PERSONNEL COMMITTEE TO CREATE 140 SUMMER YOUTH POSITIONS FOR THE CENTER FOR WORKFORCE DEVELOPMENT**

**WHEREAS**, the Center for Workforce Development is in receipt of \$291,888 in funding from the American Recovery and Reinvestment Act to expand and operate the Summer Youth Employment Program (SYEP) from May 1, 2009 through September 30, 2009, and

**WHEREAS**, the SYEP will provide paid work experience for 140 eligible Sullivan County youth, and

**WHEREAS**, new participants will be paid \$7.25/hour, returning youth will be paid \$7.50/hour and older youth aged 20 -24 will be paid \$10.hour.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of 130 summer youth positions to be paid as stated for the Center for Workforce Development.

**BE IT FURTHER RESOLVED**, that all positions will be eliminated at the end of the program.

**Moved by Mrs. Binder, seconded by Mr. Armstrong**, put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 123-09 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE SUBMISSION OF A GRANT REQUEST TO THE NEW YORK STATE DEPARTMENT OF CONSERVATION FOR REIMBURSEMENT OF COSTS FOR THE SULLIVAN COUNTY LANDFILL GAS MANAGEMENT PROGRAM**

**WHEREAS**, the New York State Department of Environmental Conservation (DEC) provides financial assistance for Municipal Landfill Gas Management projects that promote improved air quality at solid waste landfills and encourage energy recovery from landfill gas; and

**WHEREAS**, funding for this program is provided from the Environmental Quality Bond Act of 1986, the Clean Water/Clean Air Bond Act of 1996, and the Environmental Protection Fund; and

**WHEREAS**, the facility must be a non-hazardous solid waste landfill and it must be municipally owned or operated. The landfill may be active or inactive and only landfill gas management costs incurred after April 1, 1993 are eligible for grant reimbursement. The active landfill gas system must meet current landfill gas management requirements; and

**WHEREAS**, the maximum total of State assistance payments can be 50 percent of the eligible project cost or \$2,000,000, whichever is less.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Division of Public Works is authorized to submit an application seeking reimbursement funds under the New York State DEC Municipal Landfill Gas Management Program; and

**BE IT FURTHER RESOLVED**, that the County Manager shall be authorized to sign said grant application on behalf of the County; and

**BE IT FURTHER RESOLVED**, that the County Manager is hereby authorized to execute any and all necessary documents to accept the grant award, as such form as the County Attorney shall approve.

**Moved by Mrs. LaBuda, seconded by Mr. Hiatt, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 124-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO MODIFY CONTRACT WITH INFO QUICK SOLUTIONS, INC.**

**WHEREAS**, the County received a New York State Grant under the Local Records Management Improvement Funds in the amount of \$47,186.00 for the purpose of electronically archiving records made and maintained by the Office of the Sullivan County Clerk, and

**WHEREAS**, pursuant to Resolution No. 68-09, adopted by the Sullivan County Legislature on February 28, 2009, the County entered into a contract with Info Quick Solutions, Inc. at a total cost of \$26,016.00 ("original agreement"), and

**WHEREAS**, the County Clerk wishes to modify the original contract and increase the total cost to \$47,186.00 and add additional services, and

**WHEREAS**, in order to provide for the changes, it will be necessary to enter into a modification agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute a modification agreement with Info Quick Solutions, Inc. to increase the total contract price to \$47,186.00, said contract to be in such form as the County Attorney shall approve.

**BE IT FURTHER RESOLVED**, that the original agreement and the modification agreement shall be in conformity with RFP# R-08-35.

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 125-09 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO MODIFY RESOLUTION #33-09 WITH IP LOGIC, INC. FOR MONTICELLO NETWORK CABLING SERVICES AND AUTHORIZE THE COUNTY MANAGER TO EXECUTE A MODIFICATION AGREEMENT**

**WHEREAS**, resolution 33-09 authorized a contract with IP Logic, Inc. for network cabling services required in support of the County's new VoIP telephone system; and

**WHEREAS**, additional work was required in the secure areas of the Sullivan County Jail to conceal and protect the cabling from vandalism and damage by placing new cabling into approved metal conduit.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to enter into a modification agreement with IP Logic, Inc. to increase the contract amount by \$7,118.50 for time and materials necessary to complete this protection work in such form as the County Attorney shall approve.

**Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 126-09 INTRODUCED BY PERSONNEL COMMITTEE AMENDING RESOLUTION 503-08 TO CORRECT A TITLE REPRESENTED BY TEAMSTERS LOCAL 445 THAT WAS REALLOCATED**

**WHEREAS**, the County Legislature adopted resolution 503-08 on December 18, 2008 that certain positions represented by Teamsters Local 445, and

**WHEREAS**, resolution 503-08 incorrectly identified the Grants Administration Supervisor as the Community Development and Grants Supervisor.

**NOW, THEREFORE, BE IT RESOLVED** that the Sullivan County Legislature hereby amends resolution 503-08 to reflect the correct title of to be reallocated from grade XIII to XIV, effective January 1, 2009.

**Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 127-09 INTRODUCED BY PERSONNEL COMMITTEE AMENDING RESOLUTION 528-08 TO CLARIFY THE POSITION NUMBER OF THE ASSISTANT COUNTY ATTORNEY POSITION FOR WHICH SAID RESOLUTION SET A SALARY**

**WHEREAS**, the County Legislature adopted resolution 528-08 on December 30, 2008 that set management/confidential salaries for certain management and confidential positions, and

**WHEREAS**, resolution 528-08 set the salary for Assistant County Attorney I at \$70,000 for 2009, but did not specify the position number, and

**WHEREAS**, the correct position number is 1929, and

**WHEREAS**, the salary for the other Assistant County Attorney I position is not effected.

**NOW, THEREFORE, BE IT RESOLVED** that the Sullivan County Legislature hereby amends resolution 528-08 to reflect that the salary for Assistant County Attorney I, position number 1929, is set at \$70,000, effective January 1, 2009, and that Assistant County Attorney I, position number 2166 is not hereby impacted.

**Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 128-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AMEND RESOLUTION NUMBER 77-08 FOR THE PROVISION OF LEGAL SERVICES TO SENIOR CITIZENS.**

**WHEREAS**, Resolution No. 77-08 adopted by the Sullivan County Legislature on February 21, 2008 authorized the County Manager to enter into a contract with Frances S. Clemente, Attorney at Law, for the provision of mandated legal services for senior citizens not to exceed \$7600.00 per year for the period 01/01/08 – 12/31/09, and

**WHEREAS**, there is a need to amend Resolution No. 77-08 to increase the amount of the contract from \$7600.00 to \$7785.00 for the contract year 01/01/09-12/31/09.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature, hereby amends Resolution No. 77-08 as outlined above, and

**BE IT FURTHER RESOLVED**, that the County Manager is authorized to execute an agreement to increase the contract with Frances S. Clemente, Attorney at Law, to \$7,785.00 for the term of 01/01/09-12/31/09, and

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

**Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 129-09 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE AMENDMENT OF THE 2008-2013 TIME WARNER FACILITIES AGREEMENT TO PROVIDE NETWORK CONNECTIVITY TO THE COUNTY TRANSPORTATION BUILDING IN BETHEL.**

**WHEREAS**, Resolution 72-08 authorized the County Manager to execute a 5-year Facilities Agreement with Time Warner; and

**WHEREAS**, the County wishes to provide additional connectivity and related computer network services to the County Transportation Building in Bethel; and

**WHEREAS**, Time Warner has agreed to modify our existing Facilities Agreement to include this Service Order Agreement with a co-termination date to match our original facilities agreement of December 31, 2013, with no installation fee and a monthly service fee of \$750.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and he hereby is authorized to execute the Service Order Agreement, said agreement to be in such form as the County Attorney shall approve.

**Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 130-09 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT (“IMA”) WITH THE TOWN OF LIBERTY**

**WHEREAS**, the Cablevision Center located in the Town of Liberty (“Town”) and designated on the tax map as Section 36 Block 1 Lot 127.2 is subject to the requirements of the New York State Uniform Fire Prevention and Building Code (“Uniform Code”) for the construction of a certain improvement consisting of a maintenance and storage building, and

**WHEREAS**, the County of Sullivan Industrial Development Agency acquired title to the premises prior to the commencement of construction of the storage building, thereby vesting in the County of Sullivan (“County”) the responsibility for administration and enforcement of the Uniform Code with respect to the improvements, and

**WHEREAS**, the Town has the personnel and facilities to administer and enforce the Uniform Code with respect to the improvements to be erected upon the premises, and

**WHEREAS**, the Town and the County have determined it is in their mutual best interest to enter into an IMA pursuant to General Municipal Law Article 5-G so as to enable the Town to

administer and enforce the Uniform Code with respect to the construction of a maintenance and storage building through the completion thereof, and

**WHEREAS**, pursuant to the IMA all usual and customary fees charged and collected by the Town in connection with the enforcement and administration of the Uniform Code shall be charged and collected by the Town.

**NOW THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute an IMA with the Town as detailed above, said IMA to be in a form approved by the County Attorney's Office.

**Moved by Mrs. Binder, seconded by Mr. Wood**, put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 131-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE AUTHORIZING THE SULLIVAN COUNTY LEGISLATURE AS LEAD AGENCY FOR THE SEQRA PROCESS FOR THE SULLIVAN COUNTY GREATER CATSKILLS FLOOD REMEDIATION PROGRAM**

**WHEREAS**, the Sullivan County Legislature applied for and will receive a grant award of \$1,898,875 for the Greater Catskills Flood Remediation Program; and

**WHEREAS**, in order to implement the program a SEQR review must be completed; and

**WHEREAS**, after a preliminary review it has been determined that the program would constitute an unlisted action as defined by Section 6 NYCRR 617.2(ak); and

**WHEREAS**, the Division of Planning and Environmental Management has sent a 30 day notice to all involved and interested agencies establishing the Sullivan County Legislature as lead agency; and

**WHEREAS**, the Sullivan County Legislature is the appropriate entity to complete this SEQR review.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby designate itself to be Lead Agency for the SEQR review of the Greater Catskills Flood Remediation Program.

**Moved by Mrs. Binder, seconded by Mr. Wood**, put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 132-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT**

**WHEREAS**, bids were received for Replacement of County Bridge No. 309, Town Highway 42, Town of Rockland, and

**WHEREAS**, R. DeVincentis Construction, Inc. One Brick Avenue, Binghamton, NY 13901, is the lowest responsible bidder for such work, and

**WHEREAS**, the Division of Public Works approves said bid and that a contract be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute a contract with R. DeVincentis Construction, Inc., at a contract price not to exceed \$731,000.00, and in accordance with Bid #B-09-13, dated March 6, 2009, said contract to be in such form as the County Attorney shall approve.

**Moved by Mrs. Binder, seconded by Mr. Wood**, put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO 133-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN AGREEMENT FOR CONSULTANT INSPECTION SERVICES FOR THE COUNTY BRIDGE 309 REPLACEMENT PROJECT**

**WHEREAS**, County Bridge No. 309 on T.H. 42, Parkston Road, over the Willowemoc Creek, located in the Town of Rockland will be replaced under contract; and

**WHEREAS**, consultant inspection services are required to make certain the project is constructed by the contractor in accordance with the County's plans and specifications; and

**WHEREAS**, the Division of Public Works recommends the award of an agreement for consultant engineering services to the firm of Delta Engineers on the basis of qualifications.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to execute an Agreement for consulting engineering services with Delta Engineers, at a cost not to exceed \$ 100,000.00, said contract to be in such form as the County Attorney shall approve.

**Moved by Mrs. Binder, seconded by Mr. Wood put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 134-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO EXECUTE AGREEMENTS FOR PERSONS IN NEED OF SUPERVISION (PINS) RELATED PREVENTIVE SERVICES**

**WHEREAS**, the County of Sullivan is required to have available services relevant to Persons In Need of Supervision (PINS) diversion including residential respite for families of youth at risk of PINS as well as immediate 24-hours-a-day, 7-days-a-week crisis intervention related response services to families in crisis in accordance with PINS Reform Legislation; and

**WHEREAS**, said residential respite services and crisis intervention services help reduce the use of more costly non-secure detention and foster care services; and

**WHEREAS**, the Department of Family Services will again enter into agreements for residential respite services and for crisis intervention services for families of and for youth at risk of PINS; and

**WHEREAS**, A Friend's House is a New York State Office of Children and Family Services approved agency able to provide residential respite services and Dispute Resolution Center is a New York State Office of Court Administration approved agency able to provide crisis intervention services both at locally negotiated rates through agreements with the Department of Family Services.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to enter into agreements for the provision of PINS Related residential respite services and for PINS Related crisis intervention services, with the above referenced providers, for the period from July 1, 2009 through June 30, 2010; and

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

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 135-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE AGREEMENTS WITH RURAL HEALTH NETWORK SUBCONTRACTORS**

**WHEREAS**, Resolution # 497-06 of December 21, 2006 accepted the Rural Health Network Grant from Catskill Regional Medical Center (CRMC) to Sullivan County Public Health Services (PHS), in the amount of \$210,000 for the grant year 2007 – 2008, and this was repeated for February 1, 2008-January 31, 2009, and

**WHEREAS**, Sullivan County Public Health Services has recently been advised by the NYS Department of Health that grant funding in the amount of \$226,731 has been awarded to continue the Rural Health Network for the grant year February 1, 2009 – January 31, 2010, and

**WHEREAS**, to perform the responsibilities of the grant, it is necessary to contract with various vendors, as follows:

- **Recovery Center (also known as the Council on Alcohol and Drug Abuse)** for full time staff facilitation for the Community That Cares Coalition (CARECORPS) which reduces the use of substance abuse by young people for an amount not to exceed \$ 47,250.
- **Maternal Infant Services Network (MISN)** to provide county-wide preconception and prenatal classes to reduce poor maternal and child health outcomes for an amount not to exceed \$16,323.
- **PRASAD Children’s Dental Health Program** to provide dental health education and treatment to Sullivan County children in need and their parents for an amount not to exceed \$22,268.
- **Hudson River HealthCare, Inc.** to recruit a prenatal care partner for outreach and support for patients of a new prenatal clinic for an amount not to exceed \$ 12,750.
- **Catskill Regional Medical Center (CRMC)** for a portion of the cost to recruit a medical practitioner to serve western Sullivan County for an amount not to exceed \$ 23,000.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be authorized to sign contracts with the above providers not to exceed the amounts shown above for the contract year Feb. 1, 2009 – January 31, 2010, and ongoing contracts, if funded by the NYS Department of Health, and

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

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 136-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND ONCALL MEDICAL STAFFING CORP**

**WHEREAS**, the Adult Care Center is required to provide nursing staffing services to the residents; and

**WHEREAS**, Oncall Medical Staffing has qualified, available and willing staff to provide these services to the residents; and,

**WHEREAS**, this contract will began 01/01/2009 and will expire 12/31/2011 and may be terminated by either party with 30 days written notice; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to enter into a contract with Oncall Medical Staffing Corp to provide nurse services to the residents. The total cost of all nursing staff contracts will not exceed \$75,000 per year; and,

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

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 137-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO EXECUTE AGREEMENTS WITH NEW YORK STATE APPROVED FOSTER CARE SERVICE PROVIDERS**

**WHEREAS**, the County of Sullivan, through the Department of Family Services, is mandated to make available Foster Care services as needed for children/youth; and

**WHEREAS**, various New York State approved providers are capable and willing to enter into agreements to provide Foster Care services for Sullivan County children/youth at State approved rates.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements with New York State approved Foster Care related service providers for Sullivan County children/youth during the period from July 1, 2009 through June 30, 2010; and

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

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 138-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AN AGREEMENT TO PROVIDE FOR THE COORDINATION OF THE HEALTH INSURANCE INFORMATION COUNSELING AND ASSISTANCE PROGRAM (HIICAP)**

**WHEREAS**, the Sullivan County Office for the Aging is funded by the New York State Office for the Aging to provide Health Insurance Information, Counseling and Assistance to all Medicare and dual eligible (Medicare-Medicaid) enrollees in the County, and

**WHEREAS**, the enactment of the Medicare Prescription Drug Improvement and Modernization Act of 2003 has resulted in a dramatic increase in the demand for health insurance counseling and assistance provided by staff and volunteers in the Office for the Aging, and

**WHEREAS**, the Health Insurance Information Counseling and Assistance Program (HIICAP) requires that an individual be designated to coordinate and oversee the program, and

**WHEREAS**, Tula Brown is willing to serve as the Coordinator of Health Insurance Information Counseling and Assistance Program, for the period April 1, 2009 through March 31, 2010, at a cost not to exceed \$12,600.00 plus reimbursement of additional expenditures made in the performance of the duties of coordinator of the program for travel, mileage, training conferences, postage, printing, partial telephone and internet connection charges.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to enter into agreement with Tula Brown to coordinate the HIICAP program, and

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

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 139-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENTS FOR THE PROVISION OF CASE MANAGEMENT SERVICES FOR PERIOD FROM MAY 1, 2009 THROUGH APRIL 30, 2010**

**WHEREAS**, the County of Sullivan, through the Department of Family Services (DFS), desires to contract for case management services for Temporary Assistance recipients placed in emergency housing by DFS, and

**WHEREAS**, Rehabilitation Support Services, Inc., (RSS), is experienced in providing residential, vocational, and case management services and is willing to furnish such services to Sullivan County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with RSS for the period from May 1, 2009 through April 30, 2010 to provide case management services; and

**BE IT FURTHER RESOLVED**, that the maximum amount of this case management services contract shall not exceed \$85,160.00; and

**BE IT FURTHER RESOLVED**, that the form of said contract will be approved by the Sullivan County Department of Law.

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 140-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO RENEW CONTRACTS WITH AUTHORIZED NEW YORK STATE EDUCATION DEPARTMENT PROVIDERS FOR SERVICES RENDERED**

**WHEREAS**, Sullivan County provides *mandated* Early Intervention and Developmental Educational Services to eligible children from Sullivan County and is *mandated* to pay for such services at State-set rates, and

**WHEREAS**, Sullivan County has existing Pre-School contracts with the authorized New York State Education Department service providers on the attached list, which will expire June 30, 2009.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be authorized to execute contract renewals with the authorized New York State Education Department service providers on the attached list for the period beginning July 1, 2009 through June 30, 2012, and

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

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**Authorized NYS Education Department service providers:**

\*\*Includes Pre-School Program

**Acker, Rebecca**

122 Fish Cabin Road  
Glen Spey, NY 12737  
Services: Occupational Therapy

**Austin Physical Therapy**

9 Rockland Road  
Roscoe, NY 12776  
Services: Physical Therapy

**Brodie, Penny**

126 Bushville Road  
Monticello, NY 12701  
Services: Speech Therapy

**Center for Discovery**

PO Box 840  
Harris, NY 12742

**Children's Annex\*\***

PO Box 657  
Lake Katrine, NY 12449

**Children's Unit for Special Programs**

PO Box 6000  
Binghamton, NY 13902

**Doyle, Tami**

301 Lt. Brender Highway  
Ferndale, NY 12734  
Services: Physical Therapy

**Easter Seals NY, Inc.\*\***

**(Project Discovery)**  
555 Auburn Street  
Manchester, NH 03103

**Karp, Sherry**

523 Route 17M  
Middletown, NY 10940  
Services: Occupational Therapy

**Katskill Kids, PT & SLP, LLC**

101 Klothe Drive  
Grahamsville, NY 12740  
Services: Occupational Therapy

**Liff, Vivan**

**Vivian Liff Speech Therapy, PC**  
Drawer L  
Kauneonga Lake, NY 12749  
Services: Speech Therapy

**McDonald, Nancy \*\***

**Best Friends Services, Inc.**  
504 Southwoods Drive Monticello, NY 12701  
Services: Speech Therapy

**McMillan-Humphrey, Aundria**

PO Box 273  
Grahamsville, NY 12740  
Services: Speech Therapy

**Miller, Eileen**  
20 Bowers Drive  
Hurleyville, NY 12747  
Services: Physical Therapy

**Mulhare, Laura**  
145 Front Street  
Port Jervis, NY 12771  
Services: Physical Therapy)

**Novogrodsky, Dorothy**  
PO Box 153  
Woodridge, NY 12789  
Services: Special Education

**O'Malley, Edward**  
333 Chestnut Street  
Liberty, NY 12754  
Services: Occupational Therapy  
& Special Education

**Orange County Association for the Help of Retarded Children \*\***  
379 Mount Hope Road  
Middletown, NY 10940

**Orange County Cerebral Palsy (INSPIRE) \*\***  
2 Fletcher Street  
Goshen, NY 10924

**R. Lee Speech-Language Interventions**  
382 Hysana Road  
Liberty, NY 12754  
Services: Speech Therapy

**Sullivan County Head Start**  
PO Box 215  
Woodbourne, NY 12788

**Tri-Valley Central School \*\***  
34 Moore Hill Road  
Grahamsville, NY 12740

**RESOLUTION NO. 141-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO ENTER INTO AND/OR RENEW CONTRACT FOR 2009 WITH KRISTT COMPANY.**

**WHEREAS**, per 3-year agreement dated January 1, 2009, multi-function printers/scanner/copiers are being leased through Catskill Hudson Bank and Kristt Company; and

**WHEREAS**, copy usage for both black/white and color for various machines was not included in the lease payments; and

**WHEREAS**, Kristt charges for print-copy usage is \$.0079/print-copy for monochrome and .06/print-copy for color.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorize the County Manager to execute an agreement with Kristt

Company to allow for the payment of copy usage fees per month through the Management Information Systems Department.

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 142-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2009 TAX ROLL OF THE TOWN OF FALLSBURG TAX MAP #20A-1-1./2301**

**WHEREAS**, an application dated March 5, 2009 having been filed by Chalet Village, INC. c/o Reueven Loewi with respect to property assessed to said applicant on the 2009 tax roll of the Town of Fallsburg Tax Map #20A-1-1./2301 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from there being a mathematical error in the calculation of the gross living area.

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated March 27, 2009 recommending this Board approve said application; and

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

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

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

**BE IT FURTHER RESOLVED**, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute and 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.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 143-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2009 TAX ROLL OF THE TOWN OF FALLSBURG TAX MAP #7.-1.19**

**WHEREAS**, an application dated March 4, 2009 having been filed by Harry Sr. & Donna Grimm with respect to property assessed to said applicant on the 2009 tax roll of the Town of Fallsburg Tax Map #7.-1-19 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from there being a duplicate demolition charge which was originally paid on a past bill; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated March 19, 2009 recommending this Board approve said application; and

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

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

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

**BE IT FURTHER RESOLVED**, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute and 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.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION 144-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO AMEND RESOLUTION NO. 54-09 CORRECTING THE 2009 TAX ROLL OF THE TOWN OF HIGHLAND TAX MAP #7.-1-84.4**

**WHEREAS**, an application dated January 2, 2009 was filed by Robert J. Hallock Sr. and Angela M. Hallock with respect to property assessed to said applicants of the 2009 tax roll of the Town of Highland Tax Map #7.-1-84.4 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error resulting in the failure to apply a veterans exemption; and

**WHEREAS**, the Director of Real Property Tax Services had investigated the application and filed a report on January 15, 2009 recommending that the Legislature approve same; and

**WHEREAS**, Resolution 54-09 adopted by the Sullivan County Legislature on February 19, 2009 approved said application and authorized the correction and the issuance of a new bill; and

**WHEREAS**, on or about January 23, 2009, said applicants paid the uncorrected tax bill for Town of Highland Tax Map #7.-1-84.4 to the Town of Highland Tax Collector and has now filed a new application dated March 16, 2009 with respect to property assessed to said applicants of the 2009 tax roll pursuant to Section 556 of the Real Property Tax Law to correct the clerical error resulting from the failure to apply the veterans exemption and seeking a refund; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated this new application and filed her report dated March 23, 2009 recommending this Board approve same; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that Resolution No. 54-09 is amended to the extent that the previous application, dated January 2, 2009 be deemed moot, and that the new application, pursuant to Real Property Tax Law Section 556, dated March 16, 2009, be approved upon the grounds herein set forth; and

**BE IT FURTHER RESOLVED**, that all other provisions contained in Resolution No. 54-09 that are not inconsistent herewith remain unchanged.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

Chairman Rouis stated again to reiterate a position that the legislature has taken in the past with the Correctional Facilities. This came up a couple of years ago. These Correction Officers live and work in our community.

**RESOLUTION NO. 145-09 INTRODUCED BY SULLIVAN COUNTY DISTRICT 9 LEGISLATOR ALAN SORENSEN TO AVOID LAYOFFS AT ALL NEW YORK STATE CORRECTIONAL FACILITIES WITHIN SULLIVAN COUNTY**

**WHEREAS**, employment at the New York State-operated correctional facilities in Woodbourne provide a vital employment base for resident of Sullivan County; and

**WHEREAS**, the correctional facilities also create employment through the purchase of ancillary services from local vendors in the County; and

**WHEREAS**, the County of Sullivan's *Unemployment Rate* is now 10.5% - the highest in the Mid-Hudson Region; and

**WHEREAS**, any loss of jobs at these correctional facilities would adversely affect our local economy.

**NOW, THEREFORE BE IT RESOLVED**, the Sullivan County Legislature does hereby seek the support of the Governor of the State of New York and the State Legislature to avoid any layoffs at all New York State Correctional Facilities within Sullivan County."

**Moved by Mrs. Binder, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

Mr. Sager moved to approve, seconded by Mr. Sorensen for discussion. Mr. Sorensen apologized for not having more time to explain this. The purposes of the public hearing would be to re establish the October 1<sup>st</sup> deadline for the Tentative County Budget to be submitted to the County Legislature. He felt that the November 15<sup>th</sup> deadline has not given sufficient time for the legislators to review the budget. While it does give a certainty of revenues, he thinks we need more time focused on the expenditures of the budget. Moving the deadline to October 1<sup>st</sup> gives them more time to review it. He would like department heads to come in for departmental hearings and that is the reason he put this resolution forward.

Mr. Hiatt stated with all due respect, he feels that we should bring this up in committee and have a lot more participation. There are strong opinions about this in both directions. It would be nice to have the stuff sooner. Mr. Sorensen added another reason is that it is after Election Day. When the tentative budget comes out November 15<sup>th</sup>, you are dealing with hunting season, Thanksgiving and then you have the holidays and in between that it is supposed to be a thorough assessment and review of the budget. He thinks having it October 1<sup>st</sup> which is the traditional time period, would be beneficial.

Chairman Rouis stated he appreciates that but as Mr. Sorensen evolves and goes through the process here, the budget is a living and working document. It just doesn't mysteriously appear on November 15<sup>th</sup>. It is an evolution of something that is the year's worth of activity and as much participation as people want to have in the development and working through that process, there sure is ample time for that. The deadline was extended and if you look at the filings of different budgets around the region, some are before us and some are after us. It certainly isn't a political decision. It is no secret, whether it be October 1<sup>st</sup> or November 15<sup>th</sup>, where the budget is generally going to come in prior to that, but we were faced with the inability to get good quality information so that when the Budget Officer, whose ever job it is to develop the tentative budget, it could not give us a document that was complete and ended up needing to be amended significantly at times.

Mr. Sorensen stated he just wanted to add one thing. He thinks the reason for the budget process is that the tentative budget shouldn't be rubber stamped. By having it due October 1<sup>st</sup>, he thinks that it gives the public greater opportunity, because for the public, that is the first time that they are really seeing the document.

Chairman Rouis then called the question on the resolution, the resolution failed with Mrs. LaBuda, Mr. Wood, Mr. Rouis, Mr. Armstrong, Mrs. Goodman, Mrs. Binder and Mr. Hiatt opposed.

RESOLUTION INTRODUCED BY SULLIVAN COUNTY DISTRICT 9 LEGISLATOR ALAN SORENSON TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED "TO AMEND CHAPTER 8 SECTION 8-1 OF THE SULLIVAN COUNTY CODE SETTING AN EARLIER DATE FOR THE FILING OF THE TENTATIVE BUDGET"

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on April 23, 2009 a proposed Local Law entitled "A Local Law to Amend Chapter 8 Section 8-1 of the Sullivan County Code Setting an Earlier Date for the Filing of the Tentative Budget".

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on said proposed local law by the Sullivan County Legislature on May 21, 2009 at 1:50 PM, in the Legislative Chambers, County Government Center, Monticello, New York, at least six (6) days notice of 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 newspaper of said County.

Chairman Rouis stated he would like to move to the resolutions on the addendum to this agenda. These resolutions came out of Executive Committee this morning.

**RESOLUTION NO. 146-09 INTRODUCED BY EXECUTIVE COMMITTEE, REQUESTING AN EXTENSION OF NEW YORK STATE TAX LAW §1210(33) WHICH AUTHORIZED AN INCREASE TO THE THREE PERCENT RATE AUTHORIZED BY STATE TAX LAW FOR THE PERIOD BEGINNING DECEMBER 1, 2009 AND ENDING NOVEMBER 30, 2011, FOR A TOTAL SALES TAX RATE OF 8%, 4% OF WHICH WOULD BE REVENUE FOR SULLIVAN COUNTY**

WHEREAS, pursuant to State Tax Law §1210(33) the New York State Legislature authorized Home Rule Legislation that approved an increase in sales tax in the County of Sullivan by a one half percent (½ %) from seven percent (7%) to seven and one half percent (7 ½%) and an additional one half percent (½ %) from seven and one half percent (7 ½ %) to eight percent (8%), four percent (4%) of which would be revenue for Sullivan County, and

WHEREAS, both of the one-half of one percent increases in the sales tax are set to sunset or expire on November 30, 2009, and

WHEREAS, the Sullivan County Legislature desires to extend the current sales tax rate until November 30, 2011; and

WHEREAS, the County of Sullivan is dealing with significant losses of revenue due to the current economic downturn and the requested increase is both necessary and in the best interest of the County and its citizens.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby requests that the New York State Legislature adopt Home Rule Legislation extending the expiration of New York State Tax Law §1210(33) which raised the sales tax in the County of Sullivan by a one half percent (½%) from seven percent (7%) to seven and one half percent (7 ½%) and an additional one half percent (1/2%) from seven and one half percent (7 ½ %) to eight percent (8%), four percent (4%) of which would be revenue for Sullivan County, and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature hereby requests that the Sullivan County Sales Tax rate that is scheduled to sunset on November 30, 2009, be extended to sunset or expire on November 30, 2011, and

**BE IT FURTHER RESOLVED**, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a certified copy of this resolution to the Honorable John J. Bonacic, State Senator representing the 42<sup>nd</sup> Senatorial District, the Honorable Aileen M. Gunther, Assemblywoman representing the 98<sup>th</sup> Assembly District, the New York State Ways and Means Committee; the Honorable Malcolm Smith, Majority Leader of the Senate; the Honorable Sheldon Silver, Speaker of the General Assembly; and the Honorable David A. Paterson, Governor of the Great State of New York.

**Moved by Mrs. Binder, seconded by Mr. Armstrong**, put to a roll call vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 147-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY TO PROVIDE SHOPPING BUS SERVICE TO THE GENERAL PUBLIC AND SEEK STATE TRANSPORTATION OPERATING ASSISTANCE (STOA).**

**WHEREAS**, the Division of Public Works currently oversees the Transportation Department; and

**WHEREAS**, the Transportation Department, in conjunction with the Office for the Aging (OFA), currently provides shopping bus service to senior citizens throughout the County; and

**WHEREAS**, there is excess capacity on several of these bus routes such that additional ridership could be accommodated; and

**WHEREAS**, the State Transportation Operating Assistance (STOA) program administered by the NYSDOT provides funding for municipalities providing bus routes which are open to the general public; and

**NOW, THEREFORE, BE IT RESOLVED**, that the DPW shall establish routes and set fares for such routes to be open and available to the general public

**BE IT FURTHER RESOLVED**, that the County Manager is authorized to submit a letter to the NYSDOT requesting financial assistance through the STOA program

**Moved by Mrs. LaBuda, seconded by Mrs. Binder**, put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 148-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE LEGISLATURE TO OFFER A COUNTY PARCEL FOR PRIVATE SALE**

**WHEREAS**, as a result of a tax foreclosure proceeding the County is in possession of property located in the Town of Neversink identified on the County's Real Property Tax Maps as, 37.-4-1 (which parcel consists of 1.67 acres), and

**WHEREAS**, Mrs. Turner a resident whose property is landlocked by the Subject Parcel has requested permission to purchase the Subject Parcel by means of a private sale, and

**WHEREAS**, pursuant to Section 4(C)(1) of Local Law 2 Of 2009 a private sale may be authorized on a case-by-case basis by Resolution of the Legislature and

**WHEREAS**, pursuant to Section 4(C)(2), (3) & (4) of Local Law 2 of 2009 the Legislature hereby determines that a private sale of the Subject Parcel to Mrs. Turner would be in the best interest of the County and hereby designates the Subject Parcel for such a private sale, which sale: (1) shall be at fair market value, and (2) shall be subject to final approval of the County Legislature,

**NOW THEREFOR BE IT RESOLVED:**

1. The Subject Parcel, identified on the County's Real Property Tax Maps as, 37.-4-11 (which parcel consists of 1.67 acres) and are hereby designated for private sale to the Mrs. Turner.
2. The County Manager and the County Attorney are hereby authorized to negotiate the terms of a private sale of the Subject Parcel to Mrs. Turner.
3. The final agreement with Mrs. Turner must be submitted to the County Legislature for its approval.
4. In the event no agreement is reached with Mrs. Turner no later than three weeks prior to the scheduled June auction of foreclosed properties the authorization for a private sale shall be deemed revoked and the Subject Property shall be sold in such auction.

**Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 149-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A REQUEST FOR FEDERAL HIGHWAY FUNDING TO IMPROVE A PORTION OF COUNTY ROAD 14.**

**WHEREAS**, applications for High Priority Projects (HPP) as part of the legislation to replace the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU; P.L. 109-59), which expires on September 30, 2009 are now being accepted; and

**WHEREAS**, the objective is to obtain federal HPP funding to improve a portion of County Road 14 in the Town of Bethel; and

**WHEREAS**, the federal grant offers a maximum reimbursement of up to 80% of the total costs of the improvements; and

**WHEREAS**, the total project cost is estimated to be \$4,000,000; and

**WHEREAS**, the County of Sullivan must provide a local match of 20%, which is estimated to be \$800,000.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Division of Public Works with assistance from the Department of Grants Administration is hereby authorized to prepare and submit an application seeking federal HPP funding; and

**BE IT FURTHER RESOLVED**, that the Legislative Chairman, Jonathan Rouis is authorized to execute a support letter for said project.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 150-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A REQUEST FOR FEDERAL HIGHWAY FUNDING TO REPLACE COUNTY BRIDGE 301/BIN 3355870.**

**WHEREAS**, applications for High Priority Projects (HPP) as part of the legislation to replace the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU; P.L. 109-59), which expires on September 30, 2009 are now being accepted; and

**WHEREAS**, the objective is to obtain federal HPP funding to replace County Bridge 301/BIN 3355870; and

**WHEREAS**, the federal grant offers a maximum reimbursement of up to 80% of the total costs of the improvements; and

**WHEREAS**, the total project cost is estimated to be \$3,589,000; and

**WHEREAS**, the County of Sullivan must provide a local match of 20%, which is estimated to be \$717,800.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Division of Public Works with assistance from the Department of Grants Administration is hereby authorized to prepare and submit an application seeking federal HPP funding; and

**BE IT FURTHER RESOLVED**, that the Legislative Chairman, Jonathan Rouis is authorized to execute a support letter for said project.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 151-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY**

**WHEREAS**, as a result of a tax foreclosure proceeding the County is in possession of a parcel of property located in the Village of Wurtsboro identified on the County's Real Property Tax Maps as, Mamakating 106.-1-23 (hereinafter "Subject Property"), and

**WHEREAS**, the Subject Property has been classified on the latest assessment roll as a road, street or highway and consists of .16 acres, and

**WHEREAS**, Robert and Carol Hornby have requested permission to purchase the Subject Property by means of a private sale, and

**WHEREAS**, pursuant to Section 4(C)(1) of Local Law 2 of 2009 "a private sale may be authorized on a case-by-case basis by Resolution of the Legislature after considering the recommendation of the Real Property Advisory Board", and

**WHEREAS**, the Real Property Advisory Board met on April 7, 2009 and concluded that a private sale of the Subject Parcel meets the criteria contained in Section 4(C)(3) of Local Law 2 of 2009 and has voted unanimously to recommend that the County Legislature offer this property to Robert and Carol Hornby for private sale,

**NOW, THEREFORE, BE IT RESOLVED**, that the Subject Property, identified on County's Real Property Tax Maps as, Mamakating 106.-1-23 (which parcel consists of .16 acres and is classified as a road, street or highway) is hereby designated for private sale to Robert and Carol Hornby, and

**BE IT FURTHER RESOLVED**, that the County Manager and County Attorney are hereby authorized to negotiate the terms of a private sale of the Subject Property to Robert and Carol Hornby, and

**BE IT FURTHER RESOLVED**, that said final agreement shall be submitted to the County Legislature for its approval.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 152-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY**

**WHEREAS**, as a result of a tax foreclosure proceeding the County is in possession of a parcel of property located in the Town of Liberty identified on the County's Real Property Tax Maps as, Liberty 46.-1-33 (hereinafter "Subject Property"), and

**WHEREAS**, the Subject Property has been classified on the latest assessment roll as vacant land and consists of 1.40 acres, and

**WHEREAS**, Izzy Yanay has requested permission to purchase the Subject Property by means of a private sale on behalf of his company Hudson Valley Foie Gras, LLC, and

**WHEREAS**, pursuant to Section 4(C)(1) of Local Law 2 of 2009 "a private sale may be authorized on a case-by-case basis by Resolution of the Legislature after considering the recommendation of the Real Property Advisory Board", and

**WHEREAS**, the Real Property Advisory Board met on April 7, 2009 and concluded that a private sale of the Subject Parcel meets the criteria contained in Section 4(C)(3) of Local Law 2 of 2009 and has voted unanimously to recommend that the County Legislature offer this property to Hudson Valley Foie Gras, LLC, for private sale,

**NOW, THEREFORE, BE IT RESOLVED**, that the Subject Property, identified on County's Real Property Tax Maps as, Liberty 46.-1-33 (which parcel consists of 1.40 acres of vacant land) is hereby designated for private sale to Hudson Valley Foie Gras, LLC, and

**BE IT FURTHER RESOLVED**, that the County Manager is hereby authorized to retain a qualified appraiser to provide the County with a current appraisal of the fair market value of the Subject Property and that the cost of such appraisal shall be paid by the purchasers, Hudson Valley Foie Gras, LLC, and

**BE IT FURTHER RESOLVED**, that the County Manager and County Attorney are hereby authorized to negotiate the terms of a private sale of the Subject Property to Hudson Valley Foie Gras, LLC, and

**BE IT FURTHER RESOLVED**, that said final agreement shall be submitted to the County Legislature for its approval.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 153-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY**

**WHEREAS**, as a result of a tax foreclosure proceeding the County is in possession of two parcels of property located in the Town of Tusten identified on the County's Real Property Tax Maps as, Tusten 14.-1-54.17 & 54.18 (hereinafter "Subject Property"), and

**WHEREAS**, the Subject Property has been classified on the latest assessment roll as vacant residential land of .38 and .30 acres respectively, and

**WHEREAS**, Kathy Michelle has requested permission to purchase the Subject Property by means of a private sale, and

**WHEREAS**, pursuant to Section 4(C)(1) of Local Law 2 of 2009 "a private sale may be authorized on a case-by-case basis by Resolution of the Legislature after considering the recommendation of the Real Property Advisory Board", and

**WHEREAS**, the Real Property Advisory Board met on April 7, 2009 and concluded that a private sale of the Subject Parcel meets the criteria contained in Section 4(C)(3) of Local Law 2 of 2009 and has voted unanimously to recommend that the County Legislature offer this property to Kathy Michelle for private sale,

**NOW, THEREFORE, BE IT RESOLVED**, that the Subject Property, identified on County's Real Property Tax Maps as, Tusten 14.-1-54.17 & 54.18 (which parcel consists of .38 and .30 acres respectively and is classified as vacant residential) is hereby designated for private sale to Kathy Michelle, and

**BE IT FURTHER RESOLVED**, that the County Manager and County Attorney are hereby authorized to negotiate the terms of a private sale of the Subject Property to Kathy Michelle, and

**BE IT FURTHER RESOLVED**, that said final agreement shall be submitted to the County Legislature for its approval.

**Moved by Mrs. Goodman, seconded by Mrs. Binder**, put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 154-09 INTRODUCED BY THE EXECUTIVE COMMITTEE AUTHORIZING PAYMENT ON THE CAPITAL CALL ISSUED BY COMMUNITIES AGAINST REGIONAL INTERCONNECT (CARI)**

**WHEREAS**, pursuant to Resolution No's. 275-06, 262-06, and 171-07 adopted by the Sullivan County Legislature, respectively, the County authorized \$150,000 in funding for the efforts led by CARI to challenge NYRI in United States Federal Court and through the New York State Public Service Commission; and

**WHEREAS**, the funds contributed to CARI led to a favorable ruling by the 4<sup>th</sup> Circuit Court of Appeals regarding the rights of states to pursue their orderly review of electrical transmission line projects without interference by the Federal Government through the Federal Energy Regulatory Commission via the Energy Policy Act of 2005; and

**WHEREAS**, CARI has been engaged in challenging NYRI through the New York State Public Service Commission's Article VII proceedings, under which NYRI sought a Certificate of Environmental Compatibility and Public Need for the project; and

**WHEREAS**, CARI has also prevailed in the New York State Public Service Commission's Article VII proceedings forcing NYRI to withdrawal their application; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature authorizes a final distribution of \$55,000 to CARI in fulfillment of a capital call to cover outstanding legal and expert witness costs in its successful effort opposing NYRI through the PSC Article VII proceedings.

**BE IT FURTHER RESOLVED**, that the funds be made available from the Planning Department Expense Line

**Moved by Mr. Sager, seconded by Mr. Armstrong** put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 155-09 INTRODUCED EXECUTIVE COMMITTEE TO AUTHORIZE AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PROVIDING FOR THE OPERATION OF THE BEAVERKILL CAMPGROUND FOR THE 2009 CAMPING SEASON**

**WHEREAS**, the State of New York, Department of Environmental Conservation owns the Beaverkill Campground in the Town of Rockland, County of Sullivan, and

**WHEREAS**, the State sought to close the Campground in order to reduce State expenditures, and

**WHEREAS**, at the urgent request of the County to keep the Campground open the NYSDEC met with the County devise a mutually satisfactory agreement which would enable the Campground to remain open for the 2009 season, and

**WHEREAS**, pursuant to that agreement the NYSDEC with operate and maintain the Campground for the 2009 camping season utilizing some State employees, equipment and facilities with the County also providing some of the specified labor force required to maintain and operate the Campground, to wit: three full time seasonal employees and one part time seasonal employee, who will perform specified duties at the Campground, and

**WHEREAS**, the County and the NYSDEC propose to enter into an agreement further spelling out the terms and conditions of the arrangement,

**NOW, THEREFORE, BE IT RESOLVED**, the County Manager is authorized to enter into an agreement, as set forth above, with the NYSDEC providing for the operation of the Beaverkill Campground for the 2009 camping season in a form to be approved by the County Attorney.

**Moved by Mr. Wood, seconded by Mr. Sorensen put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

**RESOLUTION NO. 156-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A REQUEST FOR FEDERAL HIGHWAY FUNDING TO IMPROVE A PORTION OF COUNTY ROAD 173.**

**WHEREAS**, applications for High Priority Projects (HPP) as part of the legislation to replace the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU; P.L. 109-59), which expires on September 30, 2009 are now being accepted; and

**WHEREAS**, the objective is to obtain federal HPP funding to improve a portion of County Road 173 in the Town of Thompson and a portion of Broadway in the Village of Monticello; and

**WHEREAS**, the federal grant offers a maximum reimbursement of up to 80% of the total costs of the improvements; and

**WHEREAS**, the total project cost is estimated to be \$4,696,042; and

**WHEREAS**, the County of Sullivan must provide a local match of 20% for the portion of the project on CR 173, which is estimated to be \$467,000.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Division of Public Works with assistance from the Department of Grants Administration is hereby authorized to prepare and submit an application seeking federal HPP funding; and

**BE IT FURTHER RESOLVED**, that the Legislative Chairman, Jonathan Rouis is authorized to execute a support letter for said project.

**Moved by Mrs. Goodman, seconded by Mrs. Binder**, put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

Mr. Sorensen stated he asked in Executive Committee if he could have more time to review the agreement and meet with counsel which he had the opportunity to do and to have some of his questions answered. He then thanked County Attorney Yasgur for taking the time with him. One thing he will say for this particular site, the Seneca's proposal to transform a former sand and gravel mine into a premiere tourist destination and he hopes that this project will be the first step in creating a Neversink Linear Park. He thinks it is unique for that specific reason. His discussion earlier with the County Attorney really focused what the distinction was between this compact and previous compacts. He is comfortable with this being in Sullivan County.

**RESOLUTION NO. 157-09 INTRODUCED EXECUTIVE COMMITTEE TO AUTHORIZE A MITIGATION AGREEMENT BETWEEN THE SENECA NATION OF INDIANS AND THE COUNTY OF SULLIVAN**

**WHEREAS**, the County of Sullivan previously entered into mitigation agreements with the St. Regis Mohawk Tribe and with the Stockbridge Munsee Band of Mohican Indians regarding the possible construction and operation by each of a Class Three Gaming Facility in Sullivan County, and

**WHEREAS**, it was the intention of the County that the provisions of any and all mitigation agreements entered into with any Indian tribe or nation for such purpose would be substantially the same, and, in that regard the County has an understanding with the Stockbridge Munsee Band of Mohican Indians that in the event they desire to move forward with their proposed project they will agree to amend their original mitigation agreement with the County so that, as amended, its provisions will be substantially the same as with the provisions of the County's revised and current agreement with the St. Regis Mohawks, and

**WHEREAS**, the Seneca Nation of Indians desires to enter into a mitigation agreement with the County with respect to a prospective Class Three Gaming Facility to be located within the Town of Thompson on a parcel of land designated on the Town of Thompson Tax Map as Section 32, Block 2, Lot 8.1, and

**WHEREAS**, the Seneca Nation of Indians is prepared to enter into a mitigation agreement with the County on substantially similar terms as the County's agreement with the St. Regis Mohawk Tribe, providing, however, that certain provisions be amended somewhat to reflect the structure and authority of the Nation, and

**WHEREAS**, the County is satisfied that the amendments required by the Seneca Nation do not represent substantial substantive differences from the referenced agreement the County has with the St. Regis Mohawk Tribe,

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the County Legislature and the County Manager are hereby authorized to enter into the aforesaid mitigation agreement with the Seneca Nation of Indians for the construction and operation of a Class Three Gaming Facility, as set forth above and the County Attorney shall be required to approve such agreement as to form.

**Moved by Mrs. Binder, seconded by Mrs. Goodman**, put to a vote, unanimously carried and **declared duly adopted on motion** April 23, 2009.

**RESOLUTION NO. 158-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A CONTRACT WITH CORNERSTONE ENGINEERING, PLLC.**

**WHEREAS**, the County has received a proposal from Cornerstone Engineering, PLLC, 90 Crystal Run Road, Suite 201, Middletown, NY 10941 for Professional Engineering Services for the planning, permitting and design of an expansion to the County's Materials Recovery Facility (MRF) and a solid waste transfer station at the County landfill; and

**WHEREAS**, Cornerstone Engineering, PLLC possesses the necessary expertise in materials recovery facility and transfer station design and has established a long standing rapport with the regulatory agencies.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and is hereby authorized to execute a contract modification with Cornerstone Engineering, PLLC, 90 Crystal Run Road , Suite 201, Middletown, NY 10941 at a cost not to exceed \$1,052,433.20, said contract shall be in such form as the County Attorney shall approve.

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote, unanimously carried and declared duly adopted on motion April 23, 2009.**

Mr. Sorensen stated we made a decision after a really healthy debate on the landfill with not moving forward with Phase II. We are looking at exportation to give us time to really think through what our next option would be. He is happy about this and it also provides a unique opportunity. We now have 78 acres in the Village of Monticello that could be put to a different use. If we put our heads together we could find a unique opportunity for this acreage in the best interest of county residents. He then thanked his colleagues for continuing the debate on the landfill issue and for putting up with him.

Mr. Hiatt stated that he and County Treasurer Ira Cohen disagree from time to time and they do it good naturedly. He stands by his remarks when he said in the paper he didn't want the Treasurer to become the Sheriff of Nottingham. He understands that Mr. Cohen brought handcuffs with him today. He does agree with this five percent penalty on the repurchase for people for tax foreclosures. He does for a number of reasons. Mr. Cohen mentioned court cases about how it is important for municipalities to get the highest price for whatever the municipality owns and that is what the cases say. But none of those cases really deal with a homeowner buying back his own property. So while they apply, he doesn't know they are exactly on point and the business about Ulster County following Sullivan County's lead, that has to do with the county helping the villages with the foreclosure and not the five percent penalty. His program, he has to admit, is innovative. When he sends a letter out to property owner for property that has been taken, he calls it unique and innovative and affords them a final opportunity to retain ownership. If he could respectfully disagree with the Treasurer, he thinks it is the other way. It puts an impediment to repurchase by adding the five percent. Other counties allow people to buy back right up to the last minute. They have to pay the taxes and have to pay the interest but that is all they have to pay. When we ask these people to pay an additional five percent, he thinks that presents an impediment rather than an opportunity. As far as businesses, everyone likes to pick on the developers; they have got the money and they should pay it. This is not a good kind of environment for any kind of business. These are tough times and businessmen have to juggle their money. We spent a lot of time, money and effort on trying to attract businesses through the IDA, the Partnership, tax incentives and he thinks that this five percent on businesses who actually come in here and bring their money, time and effort is a tax disincentive. It is not very business friendly. As far as the individuals who are getting ready to lose their homes, these are hard times. If they could get the money for the taxes and interest, that extra five percent of the assessed value, he thinks is a big problem. In Ulster County, they let them get by the last minute and the Commissioner of Finance says we give them every chance they can give. Asking for another 5 percent is not giving them every chance. The situation has worsened. In 2007, the County Manager tells us the uncollected taxes in rough numbers, were about \$7 million. In 2009, the uncollected taxes were about \$12 million. That tells you something about the economy and where these tax sales are going and he would like the legislature to consider next year and change

all this and do it like the other counties. We should be benign with our citizenry and not the other way around.

Mrs. LaBuda stated she respectfully disagrees with Mr. Hiatt. She indicated that eighty percent of the residents pay their taxes on time and some of them came to the Town of Mamakating with credit cards to pay their property taxes. If she doesn't pay her mortgage she is penalized. What should the punishment be. It is almost three years since they didn't pay their back taxes. There is no punishment or penalty for that. She totally disagrees with Mr. Hiatt.

Chairman Rouis stated that this will be a fruitful discussion for many real property meetings to come.

Mr. Sager stated he will keep his short and sweet and that everyone will be shocked, but he agrees with Mrs. LaBuda on this.

There being no further comments, Mrs. Binder moved to adjourn, seconded by Mrs. Goodman, put to a vote and carried. The Regular Meeting was declared closed at 3:09PM subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk of the Legislature