

**Sullivan County Legislature
Special Meeting
June 11, 2009 at 10:00AM**

The Special Meeting of the County Legislature was called to order at 10:03AM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following Meeting Notice:

A Special Meeting of the County Legislature has been called for
Thursday, June 11, 2009 at 10:00AM in the Legislative Chambers of the
County Government Center, Monticello, N.Y. The purpose of the meeting
is to approve the sales tax sunset date and RFP response for the solid
waste user fees.

Business in Order:

RESOLUTION NO. 211 OF 2009 INTRODUCED BY THE EXECUTIVE COMMITTEE REQUESTING THE ADOPTION OF NEW YORK STATE ASSEMBLY BILL A8347 AND NEW YORK STATE SENATE BILL S5712 AUTHORIZING THE EXTENSION OF NEW YORK STATE TAX LAW §1210(i)(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, the Sullivan County Legislature has requested that the New York State Legislature adopt Home Rule Legislation that would authorize the extension of the current sales tax rate in the County of Sullivan which is presently 8%, 4% of which is revenue for Sullivan County; and

WHEREAS, pursuant to State Tax Law §1210(i)(33) the New York State Legislature previously authorized Home Rule Legislation that approved two increases in sales tax in the County of Sullivan; the first, by one half percent (½ %) from seven percent (7%) to seven and one half percent (7 ½%) and the second, an additional one half percent (½ %) from seven and one half percent (7 ½ %) to eight percent (8%). Four percent (4%) of the eight percent (8%) is currently 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 sun-setting or expiration of both of the one-half of one percent increases in the sales tax are set to sunset or expire on November 30, 2009 would require a property tax increase of 19.5% for the 2010 fiscal year, and

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

WHEREAS, the Sullivan County Legislature, by adopting Resolution No. 146-09 on April 23, 2009, requested that the New York State Legislature adopt Home Rule Legislation extending the sunset date of New York State Tax Law §1210(i)(33); and

WHEREAS, Bill No. A08347 is to be presented in the New York State Assembly; and Bill No. S5712 is to be presented in the New York State Senate, both bills being identical, would permit the extension of the current sales tax rate in the County of Sullivan which is presently 8%, 4% of which is revenue for Sullivan County, until November 30, 2011.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby requests that the New York State Assembly adopt Bill No. A08347, and the New York State

Senate adopt Bill No. S5712, which shall authorize the extension of the current sales tax rate in the County of Sullivan, to be maintained at 8% of which 4% is revenue to the County, as expeditiously as possible; 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 42nd Senatorial District, the Honorable Aileen M. Gunther, Assemblywoman representing the 98th Assembly District, Hon. Malcolm A. Smith, Majority Leader of the Senate, 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. Sager, put to a roll call vote, unanimously carried and declared duly adopted on motion June 11, 2009.

RESOLUTION NO. 212-09 INTRODUCED BY JONATHAN F. ROUIS, CHAIRMAN OF THE LEGISLATURE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A CONTRACT WITH MID ATLANTIC SOLID WASTE CONSULTANTS, LLC FOR THE CLASSIFICATION AND CATEGORIZATION OF ALL REAL PROPERTY PARCELS FOR USER FEES FOR SOLID WASTE SYSTEM.

WHEREAS, the County Legislature has authorized the development of a Request For Proposal (RFP) for the Classification and Categorization of All Real Property Parcels for User Fees For Solid Waste System, and

WHEREAS, the Purchasing Department issued RFP-09-17 on May 8, 2009, with a return date of May 22, 2009, and

WHEREAS, three responses were received to RFP-09-17, and a committee of five management staff members reviewed the three responses to determine the most responsive and responsible response; and

WHEREAS, the County Manager and the management staff committee have recommended that the County Legislature award a contract to Mid Atlantic Solid Waste Consultants, LLC, in an amount not to exceed \$74,100, and

WHEREAS, Mid Atlantic Solid Waste Consultants, LLC shall deliver a report to the county not later than August 28, 2009 with a final report to be delivered within one week of receipt of comments from the County on the draft report, and that John Culbertson, a principal of Mid Atlantic Solid Waste Consultants, LLC, shall serve as project manager on this project.

NOW, THEREFORE, BE IT RESOLVED that the County Manager is hereby authorized to execute a contract, in a form acceptable to the County Attorney, with Mid Atlantic Solid Waste Consultants, LLC for the Classification and Categorization of All Real Property Parcels for User Fees For Solid Waste System in an amount not to exceed \$74,100, and

BE IT FURTHER RESOLVED that Mid Atlantic Solid Waste Consultants, LLC shall deliver a report to the county not later than August 28, 2009 with a final report to be delivered within one week of receipt of comments from the County on the draft report, and that John Culbertson, a principal of Mid Atlantic Solid Waste Consultants, LLC, shall serve as project manager on this project.

Moved by Mr. Sager, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion June 11, 2009.

There being no further comments, Mrs. Binder moved to adjourn, seconded by Mr. Sorensen, put to a vote and carried. The Special Meeting was declared closed at 10:05PM subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk of the Legislature