

**Sullivan County Legislature
Regular Meeting
October 15, 2009 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:22PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated Mr. Wood absent.

The Clerk Read the following communications:

1. Draft copy of the 2010 Annual Budget-Revenues from the County of Sullivan Industrial Development Agency
2. Copy of Resolution No. 162-09 adopted by the Allegany County Board of Legislators on September 14, 2009 Requesting Governor Paterson and NYS Legislature to advance funding and expedite the Timetables to Complete Parts of the Appalachian Development Highway System
3. Copy of Resolution No. 167-09 adopted by the Allegany County Board of Legislators on September 28, 2009 Opposing Various Proposed Anti-Gun Owner Legislation in New York State
4. Letter received September 17, 2009 from Kaitlyn Isaksen entitled Vacant Buildings turned into Useful Facilities
5. Copy of Resolution No. 476 adopted by the Town Cheektowaga on September 8, 2009 Requesting NYS to Eliminate Asbestos Fee from Demolitions Performed through the town.

Public Comment

Chairman Rouis recognized the following speakers:

1. Tom Manza indicated he is here today because he lives along the strip of the proposed Sullivan County Jail site. He is pleading his case to change the jail site. Many of their neighbors joined in the petition which you received this spring. He feels it is an injustice that our government can decide to build a jail without rights being considered. In fact, Sullivan County has many secluded spots for a jail that would less likely impact people. Most people were never notified by the county of the site and most people have no idea that the proposed jail is going to be built right next to them and he finds this disturbing because he doesn't think the residents of Wolf Lake or Chapin Estates would be treated the same way. A few weeks ago, he requested a copy of any state mandate on the jail. It took two weeks to get and he was notified by the Foil Officer that there was none. She told me that she contacted the Department of Public Works, the County Attorney, the State Commission on Corrections and even the Jail Administrator Hal Smith and all of them said that it apparently never existed. He was shocked because all he is hearing is that the state is mandating the county to build a new jail and it wasn't a matter of choice. The people of Sullivan County deserve some answers. He imagines that the COC verbally made some suggestions and may have pressured the county to make upgrades to the jail which is a big difference from a state mandate. This makes a case for a group of volunteers to oversee inconsistencies and misinformation as so much money is at stake and to fill the cracks between government officials and the legislature. I know that Chairman Rouis recently vowed to the public to be part of the budget process. He calls on him to include the jail and its financial implication of a tax increase in this open process. The average citizen has no clue that there will be a double digit tax increase. The public deserved to be informed upfront before the money is committed. The people should decide whether they want the jail to be built at all. He feels it should be voted on in a public referendum which he doesn't think will ever occur. He read recently that one of the legislators stated that building a new jail will cost less than upgrading the old jail. The study done for the county clearly states that the new jail will cost millions more per year than the old one. This was done in January 2008. Upgrading the old jail would cost roughly \$4 to \$6 million to bring it up to par according to an estimate done by Commissioner Meyer. He is not saying that this should be done by the public deserves to know the options that are available. At a time where many people are losing their jobs and their homes, it is a very viable option. He knows that all the legislators are extremely concerned with the cost of this jail. This has been evident in many of your statements. He knows that the Sheriff Correction Officers deserve to have a better building in the near future and no one can dispute that. He is merely saying that options should be

explained to people allowing them a voice in the process. He feels people of all races should be encouraged to partake in this form of government, more prominently advertised meetings and having meetings at night so people do not have to miss work to should be done to bring more people to the process. A press conference format with refreshments afterwards would encourage more intermingling with you in government. He is new to politics and is much more comfortable in his tree and shrub nursery. In closing, he hopes the legislature will hear their pleas to locate the new jail elsewhere and to remember to always put people first no matter the cost. It is not just about who is right or wrong, it is about democracy.

2. Maddy Itzkoff stated she is not against the jail, she is against the jail site. She lives on Old Route 17 and she has to reaffirm what Tom Manza said that she went around to get signatures on the petitions last month. Whether people signed or not, they knew nothing about a proposed jail being a mile away from where they live. There was no one in Green Tree that knew anything about the new jail site until an article was published in the record on September 11, 2009. When we found out more about this site, was in the Democrat on September 15, 2009. Prior to that it was referred to as a new jail site. She just sat in on a meeting that the legislature had prior to this where there was a discussion regarding garbage collection and hauling and you spoke about fees for different districts, and this was never given to any of us. There is something that she wanted to read in what she wrote as well as a letter from the board at Green Tree Vacation Homes. Why is the site that is being purchased and paid for even being considered when a possible site is already owned by Sullivan County. All her property values will go down and additionally she is going to pay two bigger tax hikes in order to pay for this jail. As a resident of Old 17, she will take the hit twice. First her property value and she will then have to pay taxes for the next twenty years to support an \$80 million jail. Where is the Environmental Impact Statement. There are so many environmental issues that need to be addressed such as the additional traffic on our single lane highway; what is the cost analysis, etc. These are just a few examples before we can even go forward. Your actions will have most consequences on our little community along Old 17. This is a diverse community of farms, residences, along with having a residential home facility which is the Sullivan Diagnostic Treatment Center. These residents with autism, cerebral palsy etc., are going to be a mile and a half from the jail site. Is this what the doctor really ordered. Our homes are our biggest single investment and we have raised our families there. By one single vote, you have threatened everything that they have and Mr. Hiatt, you sold us out! In regard to Greentree Vacation Homes, the Board of Directors wrote a letter and she is reading that into the record as well. We the Directors of the Greentree Vacation Homes are writing on behalf of the residents of our community who oppose the building of a new jail in their own backyard. After reading an article in the Sullivan County Democrat on September 15, 2009, we were unaware that the eight members of the Sullivan County Legislature unanimously approved to go ahead with an \$80 million jail on a 15 acre parcel just off Route 17. These eight members of the legislature were appointed by and are paid for by our tax dollars from residents of the community. It is each of their judiciary duties to stand for and defend the people. However, each of them has fallen short not only in their morals but also their obligations to our community. Notification was not given to a single person in our community that a meeting was being scheduled to make a decision on an \$80 million jail. The voices of the people have not been heard nor even given a chance to be heard. There was no mailing, there was no knock at the door nor a telephone call. There was not even a notification in the newspaper. That is not the democratic way to do this behind closed doors. The proposed jail is literally in our backyard. Sullivan County is filled with miles upon miles of unused land. The legislature has not done their best in choices for picking a proposed site. On behalf of our community, we refuse to sit along the sidelines. Building a jail so close to home will truly the cause the value of our home to decrease tremendously while real estate continues to go up. In protest, we have gathered a petition of signatures from residents of our community as well as neighboring developments. We hope that the signatures of our residents and neighbors will ensure that the life of our community does not become a reality and will convince you that the current plan of construction is not a good one. Thank you for listening.
3. Joe Manning stated he has worked for the County of Sullivan as a Correction Officer for 17 years. He has worked there up on the hill, not far from here, for awhile. They have been getting hit hard with mandates. You work your first eight hour shift and you don't go home. You are forced to work another eight hour shift which happens a couple times a pay period. We have brought this to the legislator's attention and have also been without a contract for almost two years. At a meeting that was held on the first of this month, the legislators heard their play and they had some comments to say about it. He then read an article from the democrat. It stated that *these people are vastly under paid remarked Legislator David Sager. Mr. Ron Hiatt stated that this is the last basket of non parity and I don't know of anyone who is opposed to the parity. I think those who are*

incarcerated have more rights than our employees remarked Leni Binder and it is a very said state of affairs. So despite the 2010 looming budget with a potential \$5 million deficit, the legislators may agree to significantly bump up the jail deputies salaries. We realize we have to take care of what is right stated Mrs. Goodman. It is a health and safety issue stated Frank Armstrong. We do not balance a budget on the backs of our employees. Mr. Manning stated he didn't bring any fancy bottles of water to the meeting but he did bring some of his co workers who are in the audience. Hopefully while looking at the projects that the legislature plans on doing, he would like to see the Sullivan County Jail Correction Officers get their fair share. Thank you for your time.

RESOLUTION NO. 399-09 INTRODUCED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO ENACT A LOCAL LAW TO AMEND SECTION 32-2 OF THE SULLIVAN COUNTY CODE TO DESIGNATE THE EMPIRE ZONE BOUNDARIES OF A REGIONALLY SIGNIFICANT MANUFACTURING PROJECT IN KIAMESHA LAKE, WITHIN THE TOWN OF THOMPSON, SULLIVAN COUNTY.

WHEREAS, proposed Local Law entitled "A Local Law to Amend Section 32-2 of the Sullivan County Code to Designate the Empire Zone Boundaries of a Regionally Significant Manufacturing Project in Kiamesha Lake, within the Town of Thompson, Sullivan County," was presented to the Sullivan County Legislature at a meeting held on October 15, 2009, at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled "A Local Law to Amend Section 32-2 of the Sullivan County Code to Designate the Empire Zone Boundaries of a Regionally Significant Manufacturing Project in Kiamesha Lake, within the Town of Thompson, Sullivan County", County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mr. Sorensen, **Seconded by** Mrs. Binder, put to a roll call vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

A Local Law to Amend Section 32-2 of the Sullivan County Code to Designate the Empire Zone Boundaries of a Regionally Significant Manufacturing Project in Kiamesha Lake, Within the Town of Thompson, Sullivan County.

Section 1: Purpose: To amend County Code Section 32-2 to allow for the inclusion of an eligible application for empire zone certification for a project that is located outside of the distinct and separate contiguous areas as identified and approved by the Empire Zone Designation Board, as a Regionally Significant Project pursuant to General Municipal Law Section 957(d)(ii).

Section 2: Section 32-2 shall be amended by adding sub-paragraph "C" to read as follows: "C. The Sullivan County Legislature on behalf of Sullivan County hereby authorizes the submissions of applications for the following Regionally Significant Projects;

- i. Ideal Snacks, Corp.
Town of Liberty Section 113. Block 1 Lot 10, Section 113. Block 2 Lot 2, Section 113. Block 2 Lot 3 and Section 113. Block 3 Lot 1.1.
- ii. Boreal Water Collection, Inc.
Town of Thompson Section 9. Block 1 Lot 40.2 and Section 9 Block 1 Lot 41.

The above parcels of real property being more specifically described in Schedule B annexed herein and made a part hereof."

Section 3: Section 32-2 shall be further amended by removing the Schedule B currently annexed thereto and replacing it with the new Schedule B attached hereto.

Section 4: Effective Date

This local law shall become effective as of the date of filing with the Secretary of State.

RESOLUTION NO. 400-09 INTRODUCED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO ENACT A LOCAL LAW TO AMEND SECTION 32-2 OF THE SULLIVAN COUNTY CODE TO DESIGNATE THE EMPIRE ZONE BOUNDARIES OF A REGIONALLY SIGNIFICANT MANUFACTURING PROJECT IN BRIDGEVILLE, WITHIN THE TOWN OF THOMPSON, SULLIVAN COUNTY.

WHEREAS, proposed Local Law entitled "A Local Law to Amend Section 32-2 of the Sullivan County Code to Designate the Empire Zone Boundaries of a Regionally Significant Manufacturing Project in Bridgeville, within the Town of Thompson, Sullivan County," was presented to the Sullivan County Legislature at a meeting held on October 15, 2009, at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled "A Local Law to Amend Section 32-2 of the Sullivan County Code to Designate the Empire Zone Boundaries of a Regionally Significant Manufacturing Project in Bridgeville, within the Town of Thompson, Sullivan County", County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mr. Sorensen, Seconded by Mr. Sager, put to a roll call vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

A Local Law to Amend Section 32-2 of the Sullivan County Code to Designate the Empire Zone Boundaries of a Regionally Significant Manufacturing Project in Bridgeville, Within the Town of Thompson, Sullivan County.

Section 1: Purpose: To amend County Code Section 32-2 to allow for the inclusion of an eligible application for empire zone certification for a project that is located outside of the distinct and separate contiguous areas as identified and approved by the Empire Zone Designation Board, as a Regionally Significant Project pursuant to General Municipal Law Section 957(d)(ii).

Section 2: Section 32-2 shall be amended by inserting after the current subparagraph "C ii" a new sub-paragraph "C iii" to read as follows:

"iii. Plastic Technologies of Vermont, Inc.
Town of Thompson Section 31 Block 1 Lot 83."

Section 3: Section 32-2 shall be further amended by removing the Schedule B currently annexed thereto and replacing it with the new Schedule B attached hereto.

Section 4: Effective Date

This local law shall become effective as of the date of filing with the Secretary of State.

RESOLUTION NO. 401-09 INTRODUCED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AUTHORIZING THE COUNTY MANAGER, SERVING AS THE CHAIRMAN OF THE EMPIRE ZONE ADMINISTRATIVE BOARD, TO SUBMIT A REGIONALLY SIGNIFICANT PROJECT APPLICATION PACKAGE TO THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT ON PLASTIC TECHNOLOGIES OF VERMONT, INC. D/B/A SHELBURNE PLASTICS.

WHEREAS, by Local Law No. 6 of 2000 Sullivan County authorized the County Manager to prepare and submit an application for designation of the Empire Zone, pursuant to

Section 961 of the General Municipal Law, and the creation of such Zone was approved by the New York State Commissioner of Economic Development and such Zone was formally designated by the Empire Zone Designation Board on July 30, 2001, and

WHEREAS, pursuant to Sections 961 and 957(d) of the General Municipal Law, as amended, Sullivan County submitted an application for re-designation of the existing Empire Zone into 4 “distinct and contiguous areas”, including a description of the areas identified for such re-designation, to the New York State Commissioner of Economic Development for ultimate approval by the Empire Zone Designation Board, and

WHEREAS, by Local Law No. 5 of 2008 Sullivan County amended Section 32-2 of the Sullivan County Code to designate the Empire Zone Boundaries of a Regionally Significant Project within Sullivan County, and

WHEREAS, by Local Law to be adopted by the Sullivan County Legislature on October 15, 2009, Sullivan County seeks to designate the Empire Zone Boundaries of a Regionally Significant Project in Bridgeville within the Town of Thompson, Sullivan County, and

WHEREAS, the designation of a Regionally Significant Project is for a project on real property owned by Plastic Technologies of Vermont, Inc., d/b/a Shelburne Plastics, and

WHEREAS, such designation could greatly benefit the economic development in that new businesses would be encouraged to locate in the zone area, existing businesses would be encouraged to expand in the zone area, and new and expanded businesses would generate new jobs for Zone residents, and

WHEREAS, the Zone Administration Board has considered areas to be included in the re-designation as per guidance provided by Empire State Development and according to local economic development priorities.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager serving as the Chairman of the Empire Zone Administrative Board, to submit a Regionally Significant Project Application Package to the New York State Department of Economic Development on behalf of Plastic Technologies of Vermont, Inc., d/b/a Shelburne Plastics.

Moved by Mrs. LaBuda, Seconded by Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 402-09 INTRODUCED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AUTHORIZING THE COUNTY MANAGER, SERVING AS THE CHAIRMAN OF THE EMPIRE ZONE ADMINISTRATIVE BOARD, TO SUBMIT A REGIONALLY SIGNIFICANT PROJECT APPLICATION PACKAGE TO THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT ON BEHALF OF BOREAL WATER COLLECTION, INC.

WHEREAS, by Local Law No. 6 of 2000 Sullivan County authorized the County Manager to prepare and submit an application for designation of the Empire Zone, pursuant to Section 961 of the General Municipal Law, and the creation of such Zone was approved by the New York State Commissioner of Economic Development and such Zone was formally designated by the Empire Zone Designation Board on July 30, 2001, and

WHEREAS, pursuant to Sections 961 and 957(d) of the General Municipal Law, as amended, Sullivan County submitted an application for re-designation of the existing Empire Zone into 4 “distinct and contiguous areas”, including a description of the areas identified for such re-designation, to the New York State Commissioner of Economic Development for ultimate approval by the Empire Zone Designation Board, and

WHEREAS, by Local Law No. 5 of 2008 Sullivan County amended Section 32-2 of the Sullivan County Code to designate the Empire Zone Boundaries of a Regionally Significant Project within Sullivan County, and

WHEREAS, by Local Law to be adopted by the Sullivan County Legislature on October 15, 2009, Sullivan County seeks to designate the Empire Zone Boundaries of a Regionally Significant Project in Kiamesha Lake within the Town of Thompson, Sullivan County, and

WHEREAS, the designation of the Regionally Significant Project is for a project on real property owned by Boreal Water Collection, Inc., and

WHEREAS, such designation could greatly benefit the economic development in that new businesses would be encouraged to locate in the zone area, existing businesses would be encouraged to expand in the zone area, and new and expanded businesses would generate new jobs for Zone residents, and

WHEREAS, the Zone Administration Board has considered areas to be included in the re-designation as per guidance provided by Empire State Development and according to local economic development priorities.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager, serving as the Chairman of the Empire Zone Administrative Board, to submit a Regionally Significant Project Application Package to the New York State Department of Economic Development on behalf of Boreal Water Collection, Inc.

Moved by Mrs. LaBuda, Seconded by Mrs. Goodman, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 403-09 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AUTHORIZING THE SULLIVAN COUNTY VISITORS ASSOCIATION, INC. TO APPLY FOR I LOVE NEW YORK MATCHING FUNDS

WHEREAS, the I Love New York State Matching Funds Grant Program provides assistance to counties for advertising and promoting tourism; and

WHEREAS, the County of Sullivan has benefited from participating in the Matching Funds Program for more than 25 years; and

WHEREAS, participation in the Matching Funds Program is a vital component to the continuing growth of tourism in Sullivan County; and

WHEREAS, the Sullivan County Visitors Association, Inc. has been charged with promoting tourism in Sullivan County; and

WHEREAS, the Sullivan County Visitors Association, Inc. has the expertise and staff to apply for and administer the I Love New York Matching Funds Program.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby designates the Sullivan County Visitors Association, Inc. as the official tourism promotion agency of Sullivan County to apply for and receive matching funds for the fiscal year 2009-2010.

BE IT FURTHER RESOLVED, that the County of Sullivan pledges to match up to 5% of the total New York State Matching Funds Budget, subject to County Legislature appropriation, which is the maximum application amount allocated per county for 2009-2010.

Moved by Mrs. Goodman, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 404-09 INTRODUCED BY THE PERSONNEL COMMITTEE TO SET SALARY FOR WEATHER OBSERVER PART TIME (PT) AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)

WHEREAS, there is a need to establish a salary for the position of Weather Observer PT at the Sullivan County Airport (SCIA), and

WHEREAS, the salary is covered under the SCIA budget, and

NOW, THEREFORE, BE IT RESOLVED, that the salary of Weather Observer PT be coincident with that of the full time weather observer, as set by the collective bargaining agreement.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the salary be set retroactive from January 1, 2009.

Moved by Mr. Hiatt, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 405-09 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 with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

See Attached Modification

RESOLUTION NO. 406-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO CLOSE VARIOUS CAPITAL PROJECT ACCOUNTS AND RESCIND VARIOUS BOND AUTHORIZATIONS

WHEREAS, the County Manager, Commissioner of Management and Budget, and the Commissioner of Public Works have advised that the following projects previously funded through Bond Issue have been completed, and

WHEREAS, fund balances remain in each of these projects, and a subset of them have debt authorized but unissued.

NOW, THEREFORE, BE IT RESOLVED, that the following projects be closed and the remaining balance transferred to the appropriate fund for payment of debt service:

H09-1997	General Building Repairs 99
H14-1997	Facilities Renovation 2002
H24-5997	Road Machinery 2004
H28-5197	Road Reconstruction 2007
H35-8797	Landfill Cell 6 Construction
H36-8797	Landfill Closure Cell 1&2
H39-8797	Landfill Gas Collection

BE IT FURTHER RESOLVED, that the debt authorized but unissued for capital projects H38-8797 Landfill Phase II Expansion and H39-8797 Landfill Gas Collection is hereby rescinded.

Moved by Mr. Armstrong, **Seconded by** Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 407-09 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE OPPOSING A NEW YORK STATE FEE FOR ISSUING LICENSE PLATES

WHEREAS, there have been numerous tax and fee increases included in the 2009-2010 state budget approved by the state lawmakers and the Governor, noting that these increases occur during a downturn in the economy; and

WHEREAS, another new state fee will add to the costs being borne by state residents, with motorists required to exchange license plates and exchange those license plates with new state-issued plates at a cost of \$25.00 each; and

WHEREAS, there is an additional expense of \$20.00 for motorists who wish to keep the same license plate number; and

WHEREAS, the County Clerk has expressed reservations regarding the effectiveness of the program, noting the last license plate exchange occurred a relatively short time ago in 2001 at a much reduced cost of \$5.50; and

WHEREAS, the Sullivan County Legislature is concerned about the high number of taxes and fees being imposed by New York State during an economic downturn, and on motor vehicles which are a necessity for those of us in rural New York, and urges the Governor to delay or cancel implementation of the license plate exchange fee scheduled to go into effect in April, 2010.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature does hereby declare opposition to the license plate exchange fee, noting concerns about the effectiveness and need of the program and the costs for New Yorker's already coping with the downturn in the economy, and urges the implementation of the exchange program be cancelled or delayed; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature is hereby directed to send copies of this resolution to Governor David A. Patterson, State Senator John Bonacic, and Assemblywoman Aileen Gunther.

Moved by Mrs. LaBuda, Seconded by Mr. Sager , put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 408-09 INTRODUCED BY JONATHAN F. ROUIS, CHAIRMAN OF THE LEGISLATURE, RON HIATT, VICE CHAIRMAN OF THE LEGISLATURE, DAVID A. SAGER, DISTRICT 1 LEGISLATOR, KATHLEEN M. LABUDA, DISTRICT 2 LEGISLATOR, ELWIN WOOD, DISTRICT 3 LEGISLATOR, FRANK ARMSTRONG, DISTRICT 5 LEGISLATOR, JODI I. GOODMAN, DISTRICT 6 LEGISLATOR, LENI BINDER, DISTRICT 7 LEGISLATOR AND ALAN SORENSEN, DISTRICT 9 LEGISLATOR TO AUTHORIZE THE SUBMISSION OF A GRANT REQUEST TO THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY FOR FUNDING FOR LIGHTING UPGRADES OF THE SULLIVAN COUNTY GOVERNMENT CENTER

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) is responsible for the administration of the New York State Energy Program; and

WHEREAS, the U.S Department of Energy (DOE) provided a significant amount of funding to this program under the American Recovery and Reinvestment Act of 2009; and

WHEREAS, NYSERDA has issued PON 1613 to solicit applications for up to 100% funding for the installation of energy conservation measures; and

WHEREAS, the County is interested in procuring and installing energy efficient lighting fixtures and lamps in the Sullivan County Government Center to reduce electricity consumption; and

WHEREAS, facility integrated measures such as lighting are an eligible project under PON 1613, and the County is an eligible applicant.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Office of Sustainable Energy is authorized to submit an application seeking funding through NYSERDA under the New York State Energy 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. Binder, Seconded by Mr. Sorensen, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 409-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO SIGN OFFICE FOR THE AGING ANNUAL IMPLEMENTATION PLAN.

WHEREAS, the Sullivan County Office for the Aging, Older Americans Act, Supplemental Nutrition Assistance Program, New York State Community Services for the Elderly Program, Expanded In-Home Services for the Elderly Program, Congregate Services Initiative, State Transportation Program, Caregiver Resource Center, Health Insurance Information Counseling and Assistance Program, Weatherization Referral and Packaging Program and Long Term Care Insurance Educations and Outreach program authorize the expenditure of Federal and State funds for services for older people in Sullivan County; and

WHEREAS, State and Federal regulations require that the County prepare an Annual Plan outlining services to be provided through the above-mentioned programs; and

WHEREAS, the above-mentioned regulations require the County Manager to sign the Annual Plan; and

WHEREAS, the Sullivan County Office for the Aging will complete the required Annual Plan.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to sign any and all applications and agreements required to implement the Sullivan County Office for the Aging Annual Plan; and

BE IT FURTHER RESOLVED, that these applications and agreements be in such form as approved by the Sullivan County Department of Law; and

BE IT FURTHER RESOLVED, that all commitments and agreements are contingent upon receiving the necessary State and Federal allocations.

Moved by Mr. Hiatt, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 410-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE NOTICE OF GRANT AWARD WITH THE CORPORATION FOR NATIONAL SERVICE

WHEREAS, the Sullivan County Office for the Aging operates a Retired Senior Volunteer Program (RSVP); and

WHEREAS, the Corporation for National Service has notified the Retired Senior Volunteer Program that they will be receiving \$65,365.00 in Federal funds for the period January 1, 2010 through December 31, 2010, with a County share of \$142,688.00 totaling \$208,053.00.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager to execute Notice of Grant Award with The Corporation for National Service.

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. Sager, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 411-09 INTRODUCED BY PUBLIC WORKS COMMITTEE TO ACQUIRE PROPERTY FOR HIGHWAY PURPOSES

WHEREAS, the Division of Public Works has determined that it would be in the public interest for the County of Sullivan (“County”) to acquire from Lane Meadow Farm, LLC, a parcel situated in the Town of Mamakating designated on the Town of Mamakating tax map as Section 68, Block 1, Lot 81.10 (“Property”) along County Road 62, for highway purposes; and

WHEREAS, Lane Meadow Farm, LLC has agreed to convey the Property, which is approximately 0.70 acres to the County at no charge.

NOW, THEREFORE, BE IT RESOLVED, that the County wishes to acquire title to the Property, and that the Chairman of the Legislature be authorized to execute any documents necessary for the conveyance, such documents to be in a form approved by the County Attorney, and

BE IT FURTHER RESOLVED, that the Property shall be held by the County for highway purposes.

Moved by Mrs. LaBuda, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

**RESOLUTION NO. 412-09 INTRODUCED BY PUBLIC WORKS COMMITTEE
AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 6 FOR THE
IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE, 100% OF THE
FEDERAL-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID-
PROJECT TO FULLY FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIBLE
AND INELIGIBLE PROJECT COSTS AND APPROPRIATING FUNDS THEREFORE**

WHEREAS, a Project for County Road 157 over the West Branch of the Neversink River (BIN3356150/CB187) in the Town of Neversink, Sullivan County, P.I.N. 9752.41 (the Project) is eligible for funding under Title 23 U.S. Code as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 80% Federal funds and 20% non-Federal Funds; and

WHEREAS, the County of Sullivan desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the Locally Administered costs of the Right-of-Way Incidentals and Construction and Construction Supervision and Inspection work.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature, duly convened does hereby approve of the Project and authorizes the County Treasurer to pay in the first instance 100% of the Federal and non-Federal share of the Locally Administered costs of the Right-of-Way Incidentals, Construction and Construction Supervision and Inspection work for the project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of \$104,127 is hereby appropriated in the following budget items D 5110 40-4038 (Construction \$72,434.48), D 5020 40-4006 (Inspection \$30,661.83) and (Right of Way) for payment and made available to cover the cost increase of participation in the above phase of the Project; and

BE IT FURTHER RESOLVED, that in the event the full Federal and non-Federal share of the cost of the project exceeds the amount appropriated above, the Sullivan County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and

BE IT FURTHER RESOLVED, that the County Manager be hereby authorized to execute all necessary Agreements, Supplemental Agreements, certifications or reimbursement requests for Federal-Aid and/or Marchiselli Aid on behalf of the County with the New York State Department of Transportation, in such forms as approved by the County Attorney, to advance, approve, and administer 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 IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Moved by Mrs. LaBuda, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

**RESOLUTION NO. 413-09 INTRODUCED BY PUBLIC WORKS COMMITTEE
TO AUTHORIZE THE GRANTING OF AN EASEMENT TO THE VILLAGE OF
WURTSBORO TO DISCHARGE STORMWATER ONTO COUNTY OWNED
PROPERTY**

WHEREAS, the Village of Wurtsboro has requested an easement over properties owned by the County of Sullivan along the former D&H Canal for the purpose of piping and discharging stormwater into the canal; and

WHEREAS, the County submitted plans to SHPO for review and received no adverse comments to the project; and

WHEREAS, the County may wish to flood the canal at a future date and the Village will be solely responsible for any necessary modifications to the outlet at that time; and

WHEREAS, the Village of Wurtsboro is responsible to comply with SEQRA and to obtain any and all permits and approvals from other agencies or authorities which may be necessary for this project; and

WHEREAS, the Village of Wurtsboro is further responsible to ensure that the drainage system discharges only uncontaminated stormwater into the canal.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Board of Legislators is hereby authorized to grant the requested drainage easement to the Village of Wurtsboro, such easement to be prepared by the Division of Public Works and approved by the County Attorney.

Moved by Mrs. LaBuda, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 414-09 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO DENY AN APPLICATION FILED BY EDWARD AND SUSAN PIERCE WITH RESPECT TO TOWN OF COCHECTON TAX MAP 14-1-22

WHEREAS, an application dated June 12, 2009 having been filed by Edward & Susan Pierce with respect to property assessed to said applicant on the 2009 tax roll of the Town of Cochecton Tax Map #14-1-22 pursuant to Section 556 of the Real Property Tax Law, to correct an Error in Essential Fact on said tax roll resulting from the applicants being assessed for having a finished second floor, when the area was unfinished.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 21, 2009 recommending this Board deny said application; and

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

(a) That the application be denied because the reason for the COE does not meet the criteria contained in RPTL 550 or 556, and should have been resolved thru the grievance process

NOW, THEREFORE, BE IT RESOLVED, that the application be denied 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 denial to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature.

Moved by Mrs. Binder, Seconded by Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 415-09 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT TAX ROLL

WHEREAS, an application dated July 29, 2009 having been filed by John Schmittberger & Jill Cooley with respect to property assessed to said applicant on the 2009 tax roll of the Town of Highland Tax Map #15A-2-37 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the correction of assessed value; stipulation during B.A.R. meeting of January 2009.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 15, 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. Binder, Seconded by Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 416-09 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2006 TAX ROLL FOR TOWN OF TUSTEN TAX MAP #6A-1-4

WHEREAS, an application dated April 17, 2009 having been filed by Negro Aviators International with respect to property assessed to said applicant on the 2006 tax roll of the Town of Tusten Tax Map #6A-1-4 pursuant to Section 556 of the Real Property Tax Law, to correct an Unlawful Entry on said tax roll resulting from the applicants providing enough information to receive a nonprofit organization exemption, that they were denied prior years.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 21, 2009 recommending this Board deny said application; and

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

(a) That the application be denied for failure to apply within the time period allowed by RPTL 556.

NOW, THEREFORE, BE IT RESOLVED, that the application be denied 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 denial to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature.

Moved by Mrs. Binder, Seconded by Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO 417-09 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT 2007 TAX ROLL FOR THE TOWN OF TUSTEN TAX MAP #6A-1-4

WHEREAS, an application dated April 17, 2009 having been filed by Negro Aviators Internationals with respect to property assessed to said applicant on the 2007 tax roll of the Town of Tusten Tax Map #6A-1-4 pursuant to Section 556 of the Real Property Tax Law, to correct a unlawful entry on said tax roll resulting from the applicants providing enough information to receive a nonprofit organization exemption, that they were denied prior years.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 8, 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 unlawful entry

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. Binder, Seconded by Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

**RESOLUTION NO. 418-09 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT 2008 TAX ROLL FOR THE TOWN
OF TUSTEN TAX MAP #6A-1-4**

WHEREAS, an application dated April 17, 2009 having been filed by Negro Aviators International with respect to property assessed to said applicant on the 2008 tax roll of the Town of Tusten Tax Map #6A-1-4 pursuant to Section 556 of the Real Property Tax Law, to correct a unlawful entry on said tax roll resulting from the owners submitting enough information to qualify them for a nonprofit organization exemption, that they were denied prior years.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 08, 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 an unlawful entry

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. Binder, Seconded by Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and declared duly adopted on motion October 15, 2009.

**RESOLUTION NO. 419-09 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT TAX ROLL**

WHEREAS, an application dated April 17, 2009 having been filed by Negro Aviators International respect to property assessed to said applicant on the 2009 tax roll of the Town of Tusten Tax Map #6A-1-4 pursuant to Section 556 of the Real Property Tax Law, to correct a Unlawful Entry on said tax roll resulting from the applicants providing enough information to receive a nonprofit organization exemption, that they were denied prior years.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 08, 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 an Unlawful Entry

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. Binder, Seconded by Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and declared duly adopted on motion October 15, 2009.

**RESOLUTION NO. 420-09 INTRODUCED BY HEALTH & FAMILY SERVICES
COMMITTEE
TO APPROVE ALLOCATION OF STATE AID TO YOUTH DEVELOPMENT AND
SPECIAL DELINQUENCY PREVENTION PROGRAMS**

WHEREAS, Sullivan County and its municipalities are eligible to receive local assistance funds for the year 2010 for YDDP Youth Development (Youth Recreation, Youth Services, Youth Initiatives), and SDPP (Special Delinquency Prevention) projects; and

WHEREAS, the Sullivan County Youth Board recommends the allocation of Office of Children and Family Services State aid to the following projects, in amounts not to exceed those listed:

*YDDP Youth Bureau Administration	\$36,559	*YDDP Youth Service	\$30,900
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*YDDP Youth Recreation	\$23,040	*Liberty Police Juvenile Aid Bureau	\$ 7,500
*Delaware Youth Center	\$ 5,500	*Monticello Police Youth Officer Unit	\$ 7,500
*Roscoe CSD Summer Youth Recreation	\$ 1,370	*Monticello Housing Youth Services	\$ 5,000
		*DRC Youth Achievement, Recognition	\$ 4,000
*Town of Bethel Youth Recreation	\$ 1,800	*Eldred Sunshine Hall Library Story Hour	\$ 1,000
*Town of Cochection Youth Recreation	\$ 1,300	*PRASAD CDHP Smiles for Teens	\$ 2,500
*Town of Fallsburg Youth Recreation	\$ 3,400	*WJFF Youth Radio Project	\$ 3,400
*Town of Forestburgh Youth Recreation	\$ 1,100		
*Town of Highland Youth Recreation	\$ 1,370	*YDDP Youth Initiative	\$12,243
*Town of Lumberland Youth Recreation	\$ 1,300	*Boys & Girls Club	\$ 7,143
*Town of Mamakating Youth Recreation	\$ 3,400	*SC Cares Coalition Youth Program	\$ 5,100
*Town of Rockland Youth Recreation	\$ 1,300		
*Town of Tusten Youth Recreation	\$ 1,200		
		SDPP Special Delinquency Prevention	\$33,403
		Council on Alcohol Safe Summer Camp	\$ 8,085
		iBAM Summer Junior Academy	\$ 3,000
		Recovery Center Camp for Teens	\$ 8,080
		SC BOCES Even Start Summer Kids Camp	\$ 5,000
		SC CASA Court-Appointed Special Advocates	\$ 5,000
		SC Youth Bureau Program Monitoring	\$ 4,238
[* indicates programs must match funds]			
		Total:	\$136,145

[Youth Bureau administration/monitoring set by State]

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature, for the County of Sullivan, approve the allocation of Office of Children and Family Services State aid to the aforementioned list of Recreation, Youth Service, Youth Initiative, and Special Delinquency Prevention projects; and

BE IT FURTHER RESOLVED, that the County Manager be and hereby is authorized to execute any and all necessary documentation and papers in connection herewith, in such form as approved by the Sullivan County Department of Law; and

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

Moved by Mrs. Goodman, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

Proposals for Youth Bureau/OCFS-funded programs, 2010

Municipal programs: youth service and recreation

[* indicates programs must match funds]

- **Village of Liberty Police Youth Officer***: Crime prevention to divert youth from juvenile court; community outreach through bike or Halloween safety, career-day presentations, fingerprinting through local schools.
- **Monticello Police Youth Officers' Unit***: Preventive outreach includes Halloween safety, fingerprinting, school mediation, familiarizing youth with K-9 and community policing.
- **Monticello Housing Authority Youth Services***: Tutoring, computer learning, sports, field trips, adolescent living skills, community service.
- **Town of Bethel Youth Recreation***: Summer swim program, in summer camp context with arts, crafts, sports, field trips.
- **Town of Cochection Youth Recreation***: Year-round trips to sporting events, museums, canoeing, cultural events; hands-on creative and practical workshops.
- **Town of Fallsburg Youth Recreation***: Summer recreation with arts and crafts,

swimming, sports, reading, presentations and workshops; winter swim program and field trips.

- **Town of Forestburgh Youth Recreation***: Summer swim, arts and crafts, trips, community-resource presentations, Forestburgh Playhouse; winter skiing.
- **Town of Highland Youth Recreation***: Summer sports, creative crafts, science and nature exploration, cooking, reading, community service and beautification, workshops, trips.
- **Town of Lumberland Youth Recreation***: Summer arts and crafts, science and nature exploration, games and fitness, trips, evening stargazing, and other activities for families, children, and teens.
- **Town of Mamakating Youth Recreation***: Year-round trips and events: fishing derby, nature activities, roller-skating, holiday parties, cultural field trips, craft workshops, teen activities.
- **Town of Rockland Youth Recreation***: Livingston Manor Rotary Ice Carnival, instruction in figure skating and hockey, free skating all winter and an end-of-season treat party or trip.
- **Town of Tusten Youth Recreation***: Series of year-round cultural or holiday events, parties, workshops, and field trips.

Proposals for Youth Bureau/OCFS-funded programs, 2010

Nonmunicipal programs: recreation, service, youth initiatives, special delinquency

[* indicates programs must match funds]

- **Boys & Girls Club***: Through partnership with local school systems, after-school Boys & Girls Club builds youth skills and leadership, preventing at-risk and gang-related behaviors.
- **Delaware Youth Center Summer Youth Recreation***: A rich summer program with dance, theater, photojournalism, crafts, fine art, cooking, sports, canoeing, preschool play groups, teen dances and musical events, workshops with area artists, and educational presentations.
- **DRC (Dispute Resolution Center) Youth Achievement, Recognition, and Development***: Violence-prevention initiative recruits and trains youth in dispute resolution / communication to act as peer mediators, and assists schools in building peer-mediation programs.
- **Eldred Sunshine Hall Library Story Hour***: Saturday-morning activities include reading, thematic arts and crafts, computer-based learning, encouragement of parent-child bonding.
- **iBAM Summer Junior Academy**: With experienced teens / young adults as peer teachers in the context of a boxing academy, young adolescents ages 10–14 receive training in fitness, self-respect, discipline, and appropriate prosocial skills.
- **PRASAD CDHP Smiles for Teens***: The Children’s Dental Health Program targets teenagers through school- and community-based outreach and treatment for teens unable to afford care.
- **Recovery Center Camp for Teens**: Teens at extreme risk participate in a camp and follow-up workshops that strengthen coping skills, preventive factors, bonding with adults and community, personal decision making, and effective peer relationships.
- **Roscoe Central School Youth Recreation***: Summer golf, tennis, arts and crafts, group games, fitness, swimming.
- **SC BOCES Even Start Summer Kids Camp**: Outdoor exploration and class activities build preliteracy and motor skills, reading and art, cognitive and social readiness for preschoolers' success in school.
- **SC CARES Coalition***: “Growing” engages parents, teens, and preteens in effective listening, alternatives to fighting, self- and mutual understanding; “Choices” trains youth as peer educators; mentoring program pairs teens with local business people for jobs and personal role models / mentoring.
- **SC CASA, Court-Appointed Special Advocates**: Advocacy for children in family court, to ensure delivery of services and promote safe, permanent homes.
- **SC Council on Alcoholism Safe Summer Camp**: A sleep-away camp for extremely at-risk children that fosters self-esteem, trust, respect, bonding, and coping skills. Fall follow-up activities and winter tie-in with Strengthening Families program.
- **WJFF Youth Radio Project***: Youth learn technical skills and creative program development; conduct outreach to other youth, school districts, and the community; and produce a youth radio show.

Note: Most of these programs are currently funded for 2009 and are in good standing as to the activities and services they are providing for county youth.

RESOLUTION NO. 421-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN AGREEMENT FOR CONSTRUCTION INSPECTION SERVICES FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT FUNDED, SULLIVAN COUNTY SIGN REPLACEMENT PROJECT, VARIOUS ROUTES (THE “PROJECT”).

WHEREAS, Bond Resolution No. 41 dated February 19, 2009 has authorized funding for the Project; and

WHEREAS, Resolution 283-09 adopted by the Legislature July 16, 2009 provided authorization to advance the Project; and

WHEREAS, in accord with the New York State Locally Administered Federal Aid Projects requirements for the selection of consultants, which are mandated for the Project, the firm of McFarland Johnson, Inc. is pre-qualified for providing construction inspection services; 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 Construction Inspection Services to the firm of McFarland Johnson, Inc. on the basis of the qualifications and experience of their staff.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an agreement for consulting engineering services for the Project with McFarland Johnson, Inc., at a cost not to exceed \$25,000, said agreement to be in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that the execution of the Agreement is contingent upon the receipt of an executed agreement from NYSDOT, which authorizes Federal funding for the Project.

Moved by Mrs. Binder, **Seconded by** Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 422-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN AGREEMENT FOR CONSTRUCTION INSPECTION SERVICES FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT FUNDED, SULLIVAN COUNTY TRAFFIC SIGNAL UPGRADE PROJECT, VARIOUS LOCATIONS (THE "PROJECT").

WHEREAS, Bond Resolution No. 41 dated February 19, 2009 has authorized funding for the Project; and

WHEREAS, Resolution 282-09 adopted by the Legislature July 16, 2009 provided authorization to advance the Project; and

WHEREAS, in accord with the New York State Locally Administered Federal Aid Projects requirements for the selection of consultants, which are mandated for the Project, the firm of McFarland Johnson, Inc. is pre-qualified for providing construction inspection services; 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 Construction Inspection Services to the firm of McFarland Johnson, Inc. on the basis of the qualifications and experience of their staff.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an agreement for consulting engineering services for the Project

with McFarland Johnson, Inc., at a cost not to exceed \$35,000, said agreement to be in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that the execution of the Agreement is contingent upon the receipt of an executed agreement from NYSDOT, which authorizes Federal funding for the Project.

Moved by Mrs. Binder, Seconded by Mr. Armstrong, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

Mr. Sorensen stated he knows that we authorized services with them earlier in the year for the closing of Phase I of the landfill for \$183,000. This appears to be an expansion of the scope of services. He would like to know what the expansion of the scope of services is.

Manager Fanslau stated that the original design was leaving open the ability to connect Phase II to Phase I. This contract actually allows them to design the closure of Phase I without the ability to add Phase II. Mrs. Binder added it is closing a door that Mr. Sorensen wants closed.

Mr. Sorensen stated that is the answer he was hoping for and he appreciates that clarification.

RESOLUTION NO. 423-09 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH CORNERSTONE ENGINEERING PLLC

WHEREAS, the County entered into a contract with Cornerstone Engineering PLLC for the closure of the Sullivan County Phase I Landfill (Resolution 65-09); and

WHEREAS, it is now necessary to undertake the engineering design to complete the final cover of Cells 1 & 2.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract modification with Cornerstone Engineering PLLC at a cost not to exceed \$73,900, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Binder, Seconded by Mrs. Goodman, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 424-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE CONTRACT FOR PHYSICIAN SERVICES FOR SULLIVAN COUNTY PUBLIC HEALTH SERVICES' SEXUALLY TRANSMITTED DISEASE PROGRAM

WHEREAS, the Sullivan County Public Health Service Diagnostic & Treatment Center is certified and mandated to provide screening and physician services for treatment of sexually transmitted diseases (STDs), and

WHEREAS, the physician contracted to provide such services, Alan Greenbaum, MD, recently retired, and

WHEREAS, Gary Good, MD, has responded to the Request for Proposal (RFP) for physician services for the Sexually Transmitted Disease Program and is an appropriately credentialed professional to provide such services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be hereby authorized to execute a contract with **Gary Good, MD, 427 Broadway, Suite 1, Monticello, NY 12701**, to provide physician services for the Sexually Transmitted Diseases (STDs) program, at

the rate of \$40/visit, for the period 10/1/09-12/31/12, which will include/authorize the option of two annual contract extensions thereafter at the same conditions/rates, if both parties agree, per the RFP, and

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

Moved by Mrs. Goodman, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 425-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO ENTER INTO CONTRACT AGREEMENT WITH LINCARE, INC.

WHEREAS, Sullivan County Public Health Services is a provider of services to clients which are reimbursable by third party payors, and

WHEREAS, there is an existing agreement in place with Lincare, Inc., which authorizes Sullivan County Public Health Services to provide skilled nursing services in order to assist Lincare in providing infusion therapy, patient education and patient training, and

WHEREAS, Lincare has expressed a desire to continue contracting with Sullivan County Public Health Services, to provide such services, and has increased the rates which Sullivan County Public Health Services will be reimbursed to \$120/initial patient set-up/education and \$110/follow up assessment.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to enter into a written agreement with Lincare, Inc. for a period of one year, such agreement shall automatically renew for successive one year terms, unless written notice of termination is provided by either party, and

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

Moved by Mrs. Goodman, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 426-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND PRIME REHABILITATION SERVICES, INC.

WHEREAS, the Adult Care Center is required to provide therapy services; and,

WHEREAS, Prime Rehabilitation Services, Inc., desires to provide these services to the residents of the Adult Care Center; and

WHEREAS, the cost of services will be 57% of the rehab allowance for Medicare Part A per RUG group; 64% of the therapy fee screen for Medicare Part B; \$66.15/hr for PT; \$64.20/hr for OT; \$62.12/hr for Speech/Language pathologist for Private pay/private insurance residents and \$10/unit for Medicaid residents; and

WHEREAS, this contract will began 11/1/09 and will expire 11/30/10 with a maximum amount of \$120,000/year for total therapy contracts for physical, occupational and speech therapy and may be terminated by either party with 30 days written notice.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into a contract with Prime Rehabilitation Services to provide therapy services.

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

Moved by Mrs. Goodman, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 427-09 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO AUTHORIZE EXECUTION OF AGREEMENT WITH VERIZON FOR EMERGENCY SUBSCRIBER LIST (ESL) EXPORTS

WHEREAS, all residents of Sullivan County may currently subscribe to NY-ALERT (New York State's All-Hazard Alert and Notification System) to receive emergency notification, such as major road closures and weather events, which service is free and subscription-based; and

WHEREAS, having an agreement with Verizon will provide the Sullivan County 911 Center with weekly exports of the E911 telephone number database, which database will be uploaded to the NY-ALERT System creating true and updated data set for life safety emergency notification purposes; and

WHEREAS, the cost for the initial export is \$1,435.62, with an ongoing monthly charge of approximately \$40.00.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute any and all agreements with Verizon in order to provide for weekly exported ESL data to the NY-ALERT System, in an initial cost not to exceed \$1,500 and the ongoing monthly subscription costs. Such agreement shall be in a form as approved by the County Attorney's Office.

Moved by Mrs. Goodman, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 428-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO INTER-MUNICIPAL AGREEMENTS WITH THE VILLAGE OF WOODRIDGE AND VILLAGE OF JEFFERSONVILLE.

WHEREAS, the Village of Woodridge and Village of Jeffersonville ("Villages") have requested that the County of Sullivan ("County") aid them in the enforcement of their delinquent real property taxes, and

WHEREAS, the County, through the offices of the County Treasurer, Real Property Tax Services and the County Attorney, have the experience and expertise to aid the Villages in the enforcement of their delinquent real property taxes, and

WHEREAS, the County can act as the Villages' agent and commence and complete tax foreclosure proceedings on behalf of the Villages, pursuant to Article 11 of the Real Property Tax Law, and

WHEREAS, the County will charge the Villages a reasonable fee for administrative services and will be reimbursed by the Villages for the County's out-of-pocket expenses, and

WHEREAS, in order for the County to act as the Villages' agent and perform the services outlined above it will be necessary for the County and the Villages to enter into Inter-Municipal Agreements ("IMAs").

NOW, THEREFORE, BE IT RESOLVED, that the County Manager, in conjunction with the County Attorney's Office, are hereby authorized to negotiate the terms of the IMAs, and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute IMAs with the Villages for a term not to exceed five (5) years, said IMAs to be approved as to form by the County Attorney's Office.

Moved by Mrs. Goodman, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 429-09 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO LICENSE FREQUENCIES WITH THE FEDERAL COMMUNICATIONS COMMISSION AS PART OF RADIO COMMUNICATIONS UPGRADE

WHEREAS, the Sullivan County Legislature is committed to the enhancement of radio communications for emergency responders and pursuant to Resolution No. 195-09 adopted on May 21, 2009, the Legislature authorized a contract with Blue Wing Services, Inc. to assess the needs of the system, and

WHEREAS, Blue Wing Services, Inc. has recommended that Sullivan County acquire additional radio frequencies and license those frequencies with the Federal Communications Commission (“FCC”), and

WHEREAS, public safety agencies throughout New York State are competing for available frequencies to begin their own communication systems upgrades and frequencies are in short supply, and

WHEREAS, in order to acquire the recommended frequencies it is necessary for the County to utilize the services of frequency coordinators for which fees are charged, and

WHEREAS, depending upon the manner in which the County will use the acquired frequency the County will have to use a specific frequency coordinator, and

WHEREAS, the Department of General Services has determined that all of the frequency coordinators with jurisdiction over Sullivan County frequencies are sole source vendors, and

WHEREAS, the estimated cost of securing licensing of the frequencies needed to foster emergency services interoperability shall not exceed \$20,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes funding in an amount not to exceed \$20,000.00, in order to license the frequencies with the FCC needed to enhance Sullivan County’s emergency radio communication system, and

BE IT FURTHER RESOLVED, that the County Manager is authorized to execute any documents necessary in order to license the frequencies including agreements with frequency coordinators, and

BE IT FURTHER RESOLVED, in the event that the frequencies can be acquired by utilizing purchase orders, the Department of General Services is authorized to process said purchase order to provide payment to the frequency coordinator.

Moved by Mrs. Goodman, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

Chairman Rouis stated we can no go to the Addendum resolutions.

RESOLUTION NO. 430-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR PROPOSED LOCAL LAW ENTITLED “A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE TO CREATE A SUSTAINABILITY POLICY COMMITTEE”.

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on October 15, 2009, a proposed Local Law entitled “A Local Law to Amend the Administrative Code to Create a Sustainability Policy Committee”.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on November 19, 2009, at 1:50 p.m., in the Legislative Chambers, County Government Center, Monticello, New York, and 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 newspapers of said County.

Moved by Mr. Hiatt, Seconded by Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

**COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on October 15, 2009, a proposed Local Law entitled "A Local Law to Amend the Administrative Code to Create a Sustainability Policy Committee".

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on November 19, 2009, at 1:50 p.m. at which time all persons interested will be heard.

DATED: October 15, 2009

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

The Clerk indicated that this resolution needs to be amended. The Chairman's salary is incorrect and should reflect \$30,254 not \$30,954.

**RESOLUTION NO. 431-09 INTRODUCED BY EXECUTIVE COMMITTEE TO
SCHEDULE DATES FOR PUBLIC HEARINGS ON THE COUNTY TENTATIVE
BUDGET FOR FISCAL YEAR 2010**

WHEREAS, the Tentative Budget for the County of Sullivan for the fiscal year beginning January 1, 2010 will be reviewed by the Sullivan County Legislature in accordance with Rule 50(c) of the Rules of the County Legislature; and

WHEREAS, the County Legislature will hold public hearings on said Tentative Budget on Thursday, December 10, 2009 at 12:00PM and Tuesday, December 15, 2009 at 7:00PM, in the Legislative Chambers of the Sullivan County Government Center, 100 North Street, Monticello, New York;

NOW, THEREFORE, BE IT RESOLVED, that the Clerk to the County Legislature is hereby authorized and directed to publish a notice of hearing in the official newspapers of the County; and

BE IT FURTHER RESOLVED, that at least five days shall lapse between the first publication of such notice and date specified for the hearing pursuant to Section 359 of the County Law.

Moved by Mrs. Binder, Seconded by Mrs. LaBuda, put to a vote with Mr. Wood absent, unanimously carried as amended and **declared duly adopted on motion** October 15, 2009.

NOTICE OF PUBLIC HEARINGS ON TENTATIVE BUDGET

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Sullivan, New York, will meet in the Legislative Chambers of the Sullivan County Government Center, Monticello, New York on Thursday, December 10, 2009 at 12:00PM and Tuesday, December 15, 2009 at 7:00PM for the purpose of holding public hearings on the Tentative Budget of said County for the fiscal year beginning January 1, 2010.

Further notice is hereby given that copies of said Tentative Budget are available at the Office of the County Manager, Sullivan County Government Center, Monticello, New York where they may be inspected and procured by an interested person during business hours.

Pursuant to Section 359 of the County Law, the maximum salaries that may be fixed and payable during the fiscal year to the members of the County Legislature and to the Chairman thereof, respectively, are hereby specified as follows:

(1) County Legislator	\$ 20,366
(5) County Legislators	\$21,606
(2) County Legislators	\$22,254
Chair of the County Legislature	\$31,254

BY ORDER OF THE SULLIVAN COUNTY LEGISLATURE

AnnMarie Martin, Clerk to the Legislature

Dated: October 15, 2009

Mr. Hiatt stated he is saddened and disappointed when some of his constituents stated he sold him up the river. He respectfully disagrees. He realizes that we like to process slow and he doesn't think it was due diligence done. Let me disagree with you in that regard as well. This has been a long and arduous process. For months and months legislators have been visiting jails all over the place and it is kind of agonizing when we are talking about a tax increase, a huge tax increase that is imposed from outside. It is not a question of a referendum of whether people want a new jail or not. We really don't have a choice. We can pay more for the new jail or we can pay a lot more without the new jail. Some of you may not know but the officers here sitting up front understand what the structure is like at that jail. Some of the piping leading out of the building is paper thin and there is no way to fix that. There is no inexpensive way to fix that. It is a hard thing and if you know about the SEQRA Process, don't be concerned. You can come to those meetings and you are entitled to look at anything you want that the Commission of Corrections sent us. He basically dictated to the county: where, how it is going to be built, when.....it is frustrating it is as though we have little choice. We can choose bad or we can choose worse. As far as the notification process, the state statute calls for whatever it calls for. It is different for the local planning and zoning boards when you get the notice from them but that is not what this calls for. To tell you the truth, if I had to do over again, he would have sent the letters to the residents himself. He didn't see it coming and he apologizes for that. Believe him, he will do it differently next time. I represent you and yes I do but I also represent a lot of other people and I have to try and balance all that. If you disagree with him, he is sorry but he believes that we need to do this, we need to do it there, and we need to do it now.

Mrs. Binder stated she and Mrs. LaBuda have spent over five years touring jails, doing much very due diligence and she doesn't know what you foiled, but understand that FOIL does not give you access to every correspondence that we have received. Some of this information is confidential. You can foil public hearings and public meetings. You can't necessarily foil private correspondence. Last week she met with the Commissioner of Corrections did sit down and meet with us again recently and she can assure that we did not choose to do the jail, we were sort of ordered to do it. There are a lot of issues here. The county gave him a lot of sites and she doesn't know why some of the records weren't out but she knows that there were other articles in the paper. The Commissioner of Corrections has limited us to Monticello. Yes, there is a big county out there and yes some of it was county owned property. Those choices were taken from us. We also had other properties that we looked at. There were criteria of water and sewer closest to the jail. No matter where you are in a small community, you will be within a mile of somebody. Her district has three prisons and all of the homes in Woodbourne are within a mile of the prison. To use mileage as an issue, is not a valid one. If you are in the city, you are within a mile of almost anything. Some comments were probably unfair. She understands everyone's frustration but this was not an arbitrary decision and she agrees with Mr. Hiatt. She believed that notification did go out. This was never a secret process as it was always talked about here. She is sorry, but no matter where the jail goes, somebody will not be happy. That is just the reality of life. She thinks it is unfair to say that there was no notice given and that there was no public knowledge.

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42391-2-23

BOND RESOLUTION

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at the County Government Center, in Monticello, New York, on the 15th day of October, 2009, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Chairman Rouis, and upon roll being called, the following were:

PRESENT: Sager, LaBuda, Rouis, Armstrong, Goodman, Binder, Hiatt, Sorensen

ABSENT: Wood

The following resolution was offered by Mrs. Binder, who moved its adoption, seconded by Mrs. LaBuda, to-wit:

BOND RESOLUTION NO. 432 OF 2009 DATED OCTOBER 15, 2009.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,175,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY COST OF THE ACQUISITION OF LAND AS SITE FOR A NEW COUNTY JAIL, IN AND FOR SAID COUNTY.

WHEREAS, the capital project hereinafter described has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Sullivan, New York, as follows:

Section 1. For the specific object or purpose of paying cost of the acquisition of land as the site for a new County jail, located at Old Route 17, in Monticello, New York, otherwise known as The Mapes Family Farm, in and for the County of Sullivan, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,175,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$1,175,000, and that the plan of financing thereof is by the issuance of the \$1,175,000 bonds of said County authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty (30) years, pursuant to subdivision 21(a) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein

authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Sullivan, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full in the *Sullivan County Democrat* and the *River Reporter*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing resolution was duly put to a vote which resulted as follows:

AYES: LaBuda, Rouis, Armstrong, Goodman, Binder, Hiatt, Sorensen

NOES: Sager

ABSENT: Wood

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF SULLIVAN)

I, the undersigned Clerk of the County Legislature of the County of Sullivan, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 15TH day of October 2009.
2. That such meeting was a **regular** meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

Sullivan County Democrat January 27, 2009 and February 3, 2009

River Reporter January 29, 2009 and February 5, 2009

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

Government Center Lobby

January 22, 2009

Legislative Bulletin Board

January 22, 2009

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 15th day of October, 2009.

AnnMarie Martin Clerk, County Legislature

(CORPORATE SEAL)

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on October 15, 2009, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Sullivan, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Monticello, New York,
October 15, 2009.

AnnMarie Martin Clerk, County Legislature

BOND RESOLUTION NO. 432 OF 2009 DATED October 15, 2009.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,175,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY COST OF THE ACQUISITION OF LAND FOR A NEW COUNTY JAIL, IN AND FOR SAID COUNTY.

Specific object or purpose:	Acquisition of land, at Old Route 17 (Mapes Family Farm, as site for new County jail
Period of probable usefulness:	30 years
Maximum estimated cost:	\$1,175,000
Amount of obligations to be issued:	\$1,175,000 bonds
SEQRA status:	Type I Action. Negative declaration. SEQRA compliance materials, including Full Environmental Impact Statement, may be inspected at the office of the Clerk of the County Legislature during normal office hours.

RESOLUTION NO. 433-09 INTRODUCED BY PERSONNEL COMMITTEE TO CREATE THREE TEMPORARY PER DIEM REGISTERED NURSE POSITIONS IN THE PUBLIC HEALTH SERVICES DEPARTMENT

WHEREAS, the Public Health Services department has the responsibility to quickly vaccinate large numbers of Sullivan County residents with H1N vaccine in addition to seasonal influenza and pneumococcal vaccine, and

WHEREAS, Public Health Services will be fully funded to fill positions by the New York State Department of Health with Phase III Federal H1N1 implementation dollars,

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates three temporary Per Diem Registered Nurses in A4050 Diagnostic and Treatment to be used while 2009 – 2010 H1N1 funding is available and paid in accordance with the NYSNA collective bargaining agreement.

Moved by Mr. Armstrong, Seconded by Mrs. LaBuda, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 434-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE REIMBURSEMENT OF EXPENSES FOR SHERIFF EMPLOYEES WHOSE STANDARD UNIFORM/CLOTHING IS DESTROYED “IN THE LINE OF DUTY”.

WHEREAS, the Sullivan County Sheriff has requested replacement uniforms when standard uniforms/clothing are destroyed or needed to be taken into evidence in the line of duty, and

WHEREAS, the Sullivan County Sheriff’s Department has the need for a mechanism to replace these clothing items under such circumstances; and

WHEREAS, “ordinary wear and tear” expenses are covered under the employees’ annual uniform allowance; and

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Sheriff is hereby authorized to replace such clothing items or request reimbursement for the employees for items that are destroyed or taken into evidence in the line of duty.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Office of Audit and Control shall have the authority to pay said expenses upon submission of the appropriate voucher with sufficient supporting documentation.

Moved by Mrs. LaBuda, Seconded by Mrs. Goodman, put to a vote with Mr. Wood absent, unanimously carried and declared duly adopted on motion October 15, 2009.

RESOLUTION NO. 435-09 INTRODUCED BY THE EXECUTIVE COMMITTEE DESIGNATING SULLIVAN COUNTY A RECOVERY ZONE PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 AND DESIGNATING THE COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY THE EXCLUSIVE ISSUER OF RECOVERY ZONE FACILITY BONDS

WHEREAS, the American Recovery and Reinvestment Tax Act of 2009 (the “ARRA”) created a new type of tax-exempt facility bond entitled Recovery Zone Facility Bonds (“RZFBs”), which, among other things, must be issued in 2009 or 2010; and

WHEREAS, the ARRA also created a new type of taxable direct payment bond entitled Recovery Zone Economic Development Bonds (“RZEBs”) in which Sullivan County (the “County”) will receive a subsidy of forty-five percent (45%) of the interest payable on such RZEBs; and

WHEREAS, the County does not intend for this resolution to include RZEBs and rather is considering transferring its ability to issue RZEBs to the State of New York Municipal Bond Bank Agency at the request of the New York State Association of Counties to be used as a pooled financing for eligible projects within the County; and

WHEREAS, RZFBs are designed to assist counties and large municipalities with local job creation and economic development activities by providing access to tax-exempt financing for certain kinds of business development activities which historically would not qualify for such low-cost financing (e.g. large manufacturing plants, distribution centers, hotels, research parks, etc.); and

WHEREAS, pursuant to the ARRA, the County received authority to issue up to \$1,216,000 of RZFBs (the “Allocation”); and

WHEREAS, the County lacks the authority under the Laws of New York State to issue RZFBs for the benefit of private entities, and the failure by the County to designate the County of Sullivan Industrial Development Agency (the “Agency”) as the exclusive issuer of RZFBs will likely cause the County to lose the Allocation and its ability to avail itself of this significant benefit of the ARRA; and

WHEREAS, in furtherance of its public purposes, the County has supported the provision of taxable and tax exempt financing by the Agency and of certain other financial incentives to for-profit entities and not-for-profit corporations to promote the creation and preservation of employment opportunities for residents of the County and development of economically sound commerce consistent with the County’s burdens and responsibilities; and

WHEREAS, since the current economic crisis started, the County has experienced increases to its unemployment rate and the home foreclosure rate, and is experiencing general distress; and

WHEREAS, the County desires to designate the entire County of Sullivan as a Recovery Zone to maximize potential qualifying projects; and

NOW, THEREFORE, BE IT RESOLVED, the County determines that all areas of Sullivan County have significant unemployment, rate of home foreclosures or general distress and therefore the County hereby designates the entire County of Sullivan as a Recovery Zone pursuant to the ARRA; and be it

FURTHER RESOLVED, that the County hereby designates the Agency as the exclusive issuer of the County for the purposes of issuing RZFBs and to exercise on the County's behalf all lawful powers as may be deemed necessary to accomplish the issuance of the RZFBs, provided however that any obligations issued by the Agency shall never be a debt of the State of New York, the County or any political subdivision thereof (other than the Agency) and neither the State of New York, the County or any political subdivision thereof (other than the Agency) shall be liable thereon; and be it

FURTHER RESOLVED, that the County is hereby authorized to covenant and agree with the Agency in one or more transactions contemplated by this resolution for the benefit of the Agency and the holders from time to time of any bonds, notes or other obligations or other securities (hereinafter collectively, the "Securities") issued by the Agency, that the County will not limit or alter the rights of the Agency to fulfill the terms of its agreements with the holders of the Securities or in any way impair the rights and remedies of such holders of the security for the Securities until the Securities, together with the interest due thereon or payable in respect thereof and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. Authorized representatives of the County are hereby granted the power to make such a covenant to and agreement with the Agency and to take any and all actions necessary or desirable to cause such covenant and agreement to be made or enforced. The Agency is hereby authorized to assign to or for the benefit of the holders of its Securities any covenant or agreement made by the County pursuant to the foregoing provisions; and be it

FURTHER RESOLVED, that the County Manager is hereby authorized and directed for and in the name and on behalf of the County to do all acts and things required of the County or provided for by the provisions of the ARRA with respect to the County in connection with the issuance of RZFBs, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the County Manager, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the County with all of the terms, covenants and provisions of the ARRA with respect to the County in connection with the issuance of RZFBs.

Moved by Mrs. Goodman, Seconded by Mrs. LaBuda, put to a vote with Mr. Wood absent, unanimously carried and declared duly adopted on motion October 15, 2009.

RESOLUTION NO. 436-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO DESIGNATE A RECOVERY ZONE AS REQUIRED FOR BONDING OPPORTUNITIES AVAILABLE AS PART OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("ARRA") authorizes the County to issue recovery zone economic development bonds in an amount up to \$811,000 pursuant to a suballocation of the national volume cap for Recovery Zone Bonds provided by the federal Treasury Department; and

WHEREAS, recovery zone economic development bonds are entitled to a direct federal subsidy of 45% of the interest thereon; and

WHEREAS, the County is required to designate a recovery zone prior to issuing such bonds; and

WHEREAS, any such bonds must be for expenditures for property located within the recovery zone or otherwise promote economic activity therein; and

WHEREAS, the term recovery zone is defined to mean (1) any area designated by the County as having significant poverty, unemployment, rate of home foreclosures, or general distress; (2) any area designated by the County as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; and (3) any area for which a designation as an empowerment zone or renewal community is in effect as of February 17, 2009; and

WHEREAS, it is now desired to designate the County of Sullivan as a recovery zone under ARRA;

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan is hereby designated as a recovery zone for purposes of ARRA as a result of significant unemployment, home foreclosure rates and general distress as the current recession has had and continues to have a significant adverse impact on the County as a whole.

Moved by Mrs. Goodman, Seconded by Mrs. LaBuda, put to a vote with Mr. Wood absent, unanimously carried and declared duly adopted on motion October 15, 2009.

RESOLUTION NO. 437-09 INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT ONE MEMBER AND REAPPOINT TWO MEMBERS TO THE SULLIVAN COUNTY COMMISSION ON HUMAN RIGHTS

WHEREAS, pursuant to Resolution No. 490-04 adopted on December 6, 2004, the Sullivan County Legislature created a Sullivan County Commission on Human Rights (“Commission”); and

WHEREAS, Resolution No. 109-05 adopted on March 17, 2005, the Sullivan County Legislature appointed the members to the Commission for designated terms; and

WHEREAS, there is a vacancy on the Commission due to the resignation of Marco Bocanumenth who replaced Robert McLeod; and

WHEREAS, the Commission sent a letter to the Sullivan County Legislature, received on October 7, 2009, requesting the Legislature appoint an individual to fill this vacancy for the remainder of the three year term which expires on December 31, 2009 as well as reappointing three members; and

WHEREAS, Resolution No. 113-06 adopted on March 16, 2006 indicates terms are to commence on January 1 and terminate on December 31 in the year in which they are scheduled to terminate.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint/reappoint the following members to the Commission for the following terms:

Appoint:

Member
Ana Rodriguez

Term Expires
October 15, 2009 thru December 31, 2009
(Robert McLeod's unexpired term)

Reappoint:

Member
Matthew Migliaccio
Eileen Haworth Weil

Term Expires
January 1, 2010-December 31, 2013
January 1, 2010-December 31, 2013

Moved by Mr. Armstrong, **Seconded by** Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

RESOLUTION NO. 438-09 INTRODUCED BY EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR PROPOSED LOCAL LAW TO AMEND LOCAL LAW 1 OF 1992 TO PROVIDE FOR A DIRECT BILLED USER FEE SYSTEM FOR SOLID WASTE DISPOSAL

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on October 15, 2009, a proposed Local Law entitled "A Local Law to Amend Local Law 1 of 1992 Providing for a Direct Billed User Fee System for a Solid Waste Disposal."

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on November 5, 2009, at 12:00 p.m., in the Legislative Chambers, County Government Center, Monticello, New York, and 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 newspapers of said County.

Moved by Mrs. Binder, **Seconded by** Mr. Hiatt, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on October 15, 2009, a proposed Local Law entitled " Amendment to Local Law 1 of 1992 known as the Sullivan County Solid Waste Management Law of 1992, so as to provide for a direct billed user fee system for solid waste disposal"

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on November 5, 2009 at 12:00PM at which time all persons interested will be heard.

DATED: October 15, 2009

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

RESOLUTION NO. 439-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE PAYMENT OF EXPENSES FOR PRISONERS BOARDED AT COUNTY JAILS OUTSIDE OF SULLIVAN COUNTY.

WHEREAS, the Sullivan County Sheriff is required to house all defendants and prisoners remanded to the jail by our local Courts; and

WHEREAS, the Sullivan County Sheriff's Department has the need to house prisoners out of the County due to medical or Court related issues as well as at times where our local jail is over capacity; and

WHEREAS, neighboring County Sheriffs operate secure facilities that can meet the needs to house said prisoners; and

WHEREAS the Sheriff's office needs to be able to negotiate and transport prisoners in an expeditious manner in these situations;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Sheriff is hereby authorized to negotiate per diem housing arrangements with neighboring Counties to house Sullivan County defendants and prisoners, at the best available rates taking into account transportation costs and inmate requirements, strictly on an as needed basis, at rates to be negotiated prior to transfer, and reported upon transfer to the Office of Audit and Control.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Office of Audit and Control shall have the authority to pay expenses when presented, for said housing costs through December 31, 2010

Moved by Mr. Armstrong, **Seconded by** Mrs. Binder, put to a vote with Mr. Wood absent, unanimously carried and **declared duly adopted on motion** October 15, 2009.

Chairman Rouis indicated that we received more disturbing news regarding our economic front with our sales tax payments that were received yesterday. The County Manager didn't have enough time to get into that at today's Executive Committee. There may be a need to hold a meeting before the November committee meetings to speak about how we are going to address that issue not only as it relates to 2010 but impacts to the 2009 budget as well.

There being no further business, Mrs. Binder moved to adjourn, seconded by Mrs. LaBuda, put to a vote and carried. The Regular Meeting was declared closed at 2:55PM subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk of the Legislature