

**Sullivan County Legislature  
Regular Meeting  
January 21, 2010 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:01PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

Letter received December 29, 2009 from Maria Flynn of Monticello, NY regarding her concerns about the location of the potential shelter to be opened in Monticello

Chairman Rouis's reappointments to the Workforce Development Board of Sullivan County

Chairman Rouis's appointments to the 2010 Fire Advisory Board

Legislative Standing Committee Assignments by Chairman Rouis dated January 19, 2010.

Regular monthly committee meetings dates and times for 2010

**9:15AM** Planning, Environmental Management and Real Property

**10:15AM** Personnel Committee,

**10:45AM** Health and Family Services Committee

**1:00PM** Public Safety Committee

**1:30PM** Sustainability Policy Committee

**2:30PM** Veterans (every other month)

**Second Thursdays**

**9:15AM** Community and Economic Development Committee

**10:15AM** Public Works Committee

**11:00AM** Management and Budget Committee

**1:00PM** Capital Planning and Budget (March, June August & September)

**1:30PM** Government Services

**2:00PM** Executive Committee

Records Destruction Notification filed by the Office for the Aging dated January 21, 2010

2009 Motor Vehicle Account filed by Daniel Briggs, Sullivan County Clerk dated January 14, 2010

Majority Leader (Democrats):

The majority of the Sullivan County Legislature has designated Kathleen LaBuda as Majority Leader.

Minority Leader (Republicans):

The minority of the Sullivan County Legislature has designated Leni Binder as Minority Leader.

Designation of *Sullivan County Democrat* as the official newspaper by Democrat members of the Legislature:

Designation of the River Reporter as the official newspaper by Republican members of the Legislature

Numerous letter of protest to the Solid Waste User Fee

**Public Comment**

Chairman Rouis recognized the following speakers:

1. Tom Manza stated he wanted to make a couple of comments about the jail. We have an important meeting coming up on Wednesday night with the NYS Commissioner of Corrections. He feels members of the public should be able to speak and he should be requested of that ahead of time by maybe all of you. He knows that there is going to be a couple of department heads that are going to speak and obviously they have expressed that they are for the jail. Maybe if someone from the legislature is not for the jail at this time for whatever reason should be able to speak. We feel very grateful for this meeting but it may be just one sided as department heads will speak for the jail, the Commission Chairman will speak and he feels some members of the public who are against the jail not to argue with the Commission Chairman but to make statements.

Chairman Rouis stated the presentation by department heads will be factually based not advocating for or against the new facility. He will carry Mr. Manza's request to Commissioner Belign.

Mr. Manza stated that legislators should also be able to speak and he doesn't know how anyone else feels but a few members of the public should be able to speak and both sides should be represented.

Mrs. LaBuda stated she agrees with Mr. Manza that everyone should be heart at the meeting and she thinks at some point, we should take questions from the public and legislators.

Chairman Rouis stated again, we are trying to deal with requests made by the Commissioner and to find out what his ground rules are. We certainly want to advocate for as much public interaction as we can. However, we are going to have to deal with the rules that they send down as far as what they are willing to entertain.

Mr. Sager suggested that both sides should reach out to the Commissioner and ask if it would be possible—now remember a public hearing is not a debate. You could make public comment like you are doing now and it doesn't mean it has to be responded to and is not a high school debate club.

Mr. Manza stated that would be very acceptable.

Mr. Hiatt stated Mr. Manza referred to as everyone here is mostly for the jail. He wanted to clarify that everyone here is not for the jail. Mr. Manza stated he didn't mean that he meant the department heads have expressed that they were for the new facility. He feels that there is a contention between the Legislature on whether to build this jail and he is not saying that at all. He just wants the viewpoint from legislators and members of the public to speak who are against building the jail.

Mr. Sager stated we should just reach out to the Commissioner. We also want to embrace the conversation with the Commissioner and not chase him away. Let's see what we can accomplish and go from there.

2. Barbara Burton stated she has a 2:30 bus. A letter went out to Mr. Steven Lynch of Boston Massachusetts yesterday.

**RESOLUTION 20-10 INTRODUCED BY JONATHAN ROUIS, CHAIRMAN OF THE SULLIVAN COUNTY LEGISLATURE, TO ISSUE A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE PERMITTING OF THE SULLIVAN COUNTY MAMAKATING TRANSFER STATION**

**WHEREAS**, the County Legislature has previously determined that it is necessary to permit the Sullivan County Mamakating Transfer Station (the Project) to facilitate the collection and transfer of County generated municipal solid waste on a temporary interim basis until the Materials Recovery/Transfer Station is permitted and constructed, and

**WHEREAS,** pursuant to Resolution 488-09 the Sullivan County Legislature declared itself lead agency with respect to the environmental review of the proposed Project, and

**WHEREAS,** a short form Environmental Assessment has been prepared, which concludes that the proposed Project will not have a significant adverse impact on the environment and recommends that the County Legislature issue a Negative Declaration.

**NOW, THEREFORE, BE IT RESOLVED,** that the Sullivan County Legislature hereby accepts the Environmental Assessment described in the SEQRA Negative Declaration Notice of Determination of Non-Significance, and

**BE IT FURTHER RESOLVED,** that the Sullivan County Legislature hereby determines based on the above referenced Environmental Assessment that the permitting of the Sullivan County Mamakating Transfer Station will not have a significant adverse impact on the environment, and

**BE IT FURTHER RESOLVED,** that the Sullivan County Legislature hereby issues a Negative Declaration pursuant to the provisions of the Environmental Quality Review Act, with respect to the proposed Project to permit the Sullivan County Mamakating Transfer Station.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 21-10 INTRODUCED BY PUBLIC WORKS COMMITTEE TO ISSUE A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE PERMITTING OF THE SULLIVAN COUNTY FERNDALE TRANSFER STATION**

**WHEREAS,** the County Legislature has previously determined that it is necessary to permit the Sullivan County Ferndale Transfer Station (the Project) to facilitate the collection and transfer of County generated municipal solid waste on a temporary interim basis until the Materials Recovery/Transfer Station is permitted and constructed; and

**WHEREAS,** pursuant to Resolution 488-09 the Sullivan County Legislature declared itself lead agency with respect to the environmental review of the proposed Project; and

**WHEREAS,** a short form Environmental Assessment has been prepared which concludes that the proposed Project will not have a significant adverse impact on the environment and recommends that the County Legislature issue a Negative Declaration.

**NOW, THEREFORE, BE IT RESOLVED,** that the Sullivan County Legislature hereby accepts the Environmental Assessment described in the SEQRA Negative Declaration Notice of Determination of Non-Significance; and

**BE IT FURTHER RESOLVED,** that the Sullivan County Legislature hereby determines based on the above referenced Environmental Assessment that the permitting of the Sullivan County Ferndale Transfer Station will not have a significant adverse impact on the environment; and

**BE IT FURTHER RESOLVED,** the Sullivan County Legislature hereby issues a Negative Declaration pursuant to the provisions of the Environmental Quality Review Act, with respect to the proposed Project to permit the Sullivan County Ferndale Transfer Station.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 22-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT TAX ROLL FOR THE TOWN OF THOMPSON TAX MAP #30.-3-13**

**WHEREAS**, an application dated November 12, 2009 having been filed by Bansuk Presbyterian Church with respect to property assessed to said applicant on the 2008 tax roll of the Town of Thompson Tax Map #30.-3-13 pursuant to Section 556 of the Real Property Tax Law, to correct an unlawful entry on said tax roll resulting from a Court Order making the parcel wholly exempt, which was ordered too late to be applied to the 2007 assessment roll; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 4, 2010 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 an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

**BE IT FURTHER RESOLVED**, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

**Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION 23-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT TAX ROLL FOR THE TOWN OF LIBERTY TAX MAP #31.-1-14.41**

**WHEREAS**, an application dated October 14, 2009 having been filed by Constantine Iliev with respect to property assessed to said applicant on the 2009 tax roll of the Town of Liberty Tax Map #31.-1-14.41 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the 2008 final assessment roll reflecting a structural value and improved land value, when the land is neither improved, nor did it have any structure on it as of March 1, 2008; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated December 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 an error in essential fact.

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

**BE IT FURTHER RESOLVED**, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute 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. Hiatt, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 24-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CANCEL UNENFORCEABLE TAXES, PENALTIES AND INTEREST AND CHARGE BACK THE APPROPRIATE TAXING DISTRICTS ON A CEMETERY PARCEL LOCATED IN THE TOWN OF LIBERTY KNOWN AS LIBERTY 109.-1-12.3 WHICH WAS ERRONEOUSLY PLACED ON THE TAXABLE PORTION OF THE FINAL 2007, 2008 AND 2009 ASSESSMENT ROLLS**

**WHEREAS**, on or about November 19, 2009 the Sullivan County Real Property Tax Services office was advised by the Assessor for the Town of Liberty that tax map parcel 109.-1-12.3, owned by the Weyrauch Family Cemetery was erroneously placed on taxable portion of the 2007, 2008 and 2009 final assessment rolls for the Town of Liberty; and

**WHEREAS**, tax bills for lien years 2008, 2009 and 2010 were generated for this parcel; and

**WHEREAS**, these said tax liens are unenforceable due to the fact this parcel is wholly exempt from taxation pursuant to Section 446 of the Real Property Tax Law; and

**WHEREAS**, said tax liens against Liberty 109.-1-12.3 should be eliminated, cancelled and charged back to the appropriate taxing districts pursuant to Sections 550(7)(a) and 558(1) of the Real Property Tax Law of the State of New York.

**NOW, THEREFORE, BE IT RESOLVED**, that County Treasurer is authorized to cancel the delinquent and/or open tax liens, penalties and interest assessed to Town of Liberty 109.-1-12.3 and charge back the appropriate taxing districts pursuant to Sections 550(7)(a) and 558(1) of the Real Property Tax Law of the State of New York.

**Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 25 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE MODIFICATION AGREEMENTS WITH THE ENGINEER FOR ADDITIONAL PRELIMINARY ENGINEERING AND RIGHT-OF-WAY INCIDENTALS**

**WORK FOR THE RECONSTRUCTION OF EXIT 106 ON NYS ROUTE 17 LOCATED IN THE TOWN OF THOMPSON**

**WHEREAS**, Sullivan County Legislature by Resolution 358-03, approved the project for the Exit 106 reconstruction and had entered into a Master Municipal Multi-Modal Project Agreement with NYSDOT that provides 100% state funding of the project costs; and

**WHEREAS**, Supplemental Agreement (SA) No. 4 with New York State Department of Transportation for funding of the 100% state share of project costs for Preliminary Engineering and ROW incidentals was authorized by resolution 16-08 and has been executed: and

**WHEREAS**, the NYSDOT has indicated that they will execute a SA No. 5 with the County allowing for the expenditure of Construction Support (C/S) funds as additional work to complete Preliminary Engineering (PE) as well as Construction Support (C/S) as required; and

**WHEREAS**, an agreement was executed by the County of Sullivan and Stantec Consulting Group Inc. (“Stantec”) in December of 2003 (“Original Agreement”), pursuant to Resolution No. 504-03, for Preliminary Engineering and Right-of-Way Incidental (PE/ROW) services pertaining to the reconstruction of EXIT 106; and

**WHEREAS**, the Division of Public Works recommends the execution of a Modification Agreement to the Original Agreement, for additional PE/ROW services and a second Modification Agreement to the Original Agreement, to perform the C/S services for this project after the execution of SA No. 5 with the NYSDOT which shall authorize the expenditure of such C/S funds.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be, and hereby is, authorized to execute a Modification Agreement for PE/ROW services with Stantec at a cost not to exceed \$50,500.00, said agreement to be in such form as the County Attorney shall approve, and

**BE IT FURTHER RESOLVED**, that upon execution of SA No. 5 with the NYSDOT the County Manager be, and hereby is, authorized to execute an additional Modification Agreement for C/S services with Stantec at a cost not to exceed \$13,500.00, said agreement to be in such form as the County Attorney shall approve.

**Moved by Mrs. Goodman, seconded by Mrs. Binder**, put to a vote with Mr. Sorensen opposed, resolution carried and **declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 26-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO AMEND THE CONTRACTS BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND VARIOUS LICENSED STAFFING AGENCIES**

**WHEREAS**, the Adult Care Center has a need to amend contracts for nursing services; and,

**WHEREAS**, various licensed staffing agencies desire to amend contracts and provide nursing services to the Adult Care Center; and,

**WHEREAS**, the contracts were approved for \$100,000/year and there is a need to amend the contracts to increase the total amount from \$100,000/year to \$115,000/year for 2009, 2010, and 2011 for all staffing contracts.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to amend contracts with various licensed agencies to provide nursing staffing services not to exceed \$115,000/ year in total costs; and,

**BE IT FURTHER RESOLVED**, that the form of said contracts and amendments to be approved by the Sullivan county Department of Law.

**Moved by Mrs. Goodman, seconded by Mrs. Binder**, put to a vote, unanimously carried and **declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 27-10 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE LEASE AGREEMENTS WITH LANDOWNERS WHO DISPLAY FORT DELAWARE ADVERTISING SIGNS ON THEIR PROPERTY**

**WHEREAS**, Fort Delaware is owned and operated by Sullivan County and maintained by the Division of Public Works; and

**WHEREAS**, an advertising program is necessary to promote and direct visitors to Fort Delaware; and

**WHEREAS**, the County of Sullivan has leased property to display signs from:

Mrs. Edward Schultz, Route 97, Cochecton, NY 12726 (\$35.00 per annum)

**WHEREAS**, the Commissioner of Public Works recommends that this agreement be in writing; and

**WHEREAS**, the lease agreement has been prepared by the County Attorney's office.

**NOW, THEREFORE, BE IT RESOLVED**, that the term of this lease shall be for a period of three years, with the option to renew lease(s) for an additional three year term; and

**BE IT FURTHER RESOLVED**; that the County Manager is hereby authorized to execute this lease on behalf of the County of Sullivan with the landowners who display Fort Delaware signs on their property within the total budget appropriation of \$105.00.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 28-10 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A PURCHASE AND INSTALLMENT AGREEMENT WITH NTS DATA SERVICES, LLC TO SUPPORT SULLIVAN COUNTY BOARD OF ELECTIONS ASSET TRACKING AND MANAGEMENT.**

**WHEREAS**, as a result of the Federally mandated migration to electronic voting machines, the County of Sullivan is required to meet state and federal mandates for tracking voting equipment and other HAVA related assets; and

**WHEREAS**, the Sullivan County Board of Elections currently utilizes the services of NTS Data Services, LLC for ongoing support and maintenance for the interface to NYS Voter II; and

**WHEREAS**, the Sullivan County Board of Elections in evaluating prospective suppliers of systems and services wishes to utilize the additional services of NTS Data Systems, LLC to meet their asset tracking requirements.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to enter into a purchase and installment agreement for the NTS Asset Tracking and Management System at a cost not to exceed \$35,000.00 through December 31, 2014 and payable annually as follows:

2010	\$7,000.00
2011	\$7,000.00
2012	\$7,000.00
2013	\$7,000.00

**BE IT FURTHER RESOLVED**, that said agreements to be in such form as the County Attorney shall approve.

**Moved by Mrs. Goodman, seconded by Mrs. Binder**, put to a vote, unanimously carried and **declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 29-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO AUTHORIZE AN AGREEMENT WITH THE DELAWARE HIGHLANDS CONSERVANCY**

**WHEREAS**, the Delaware Highlands Conservancy (“DHC”), a not for profit entity, is dedicated to the preservation of the natural and cultural heritage of the Upper Delaware River Region; and

**WHEREAS**, the DHC has been actively cooperating with and aiding the County of Sullivan (“County”) with its Open Space Plan as well as other conservation efforts; and

**WHEREAS**, pursuant to Resolution No. 582-07, the County has had an agreement with DHC to allow the utilization of empty office space in the Planning and Environmental Management Division; and

**WHEREAS**, the DHC wishes to continue a higher level of conservation efforts in Sullivan County; and

**WHEREAS**, in order to be more active in the County, the DHC wants to continue to hold a local office in Monticello; and

**WHEREAS**, there is office space available for the DHC in the Planning and Environmental Management Division’s office in the Government Center.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute an agreement with the DHC to permit them to utilize a portion of the Planning and Environmental Management Division’s office space to establish a local office, said agreement to be in a form approved by the County Attorney’s Office.

**Moved by Mrs. Goodman, seconded by Mrs. Binder**, put to a vote, unanimously carried and **declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 30-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND VOHRA WOUND PHYSICIANS**

**WHEREAS**, the Adult Care Center has a desire to enter into a contract for wound care physician services; and,

**WHEREAS**, Vohra Wound Physicians desire to enter into a contract and provide wound care physician services to the Adult Care Center; and,

**WHEREAS**, there is no charge to the facility for services. Physicians will bill third party payors; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to enter into a contract with Vohra Wound Physicians; and,

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

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 31-10 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO ENTER INTO AN AGREEMENT WITH HOME-TEK INSPECTION SERVICES TO PERFORM CONSTRUCTION INSPECTION FOR THE COUNTY'S ACCESS TO HOME PROGRAM**

**WHEREAS,** the County of Sullivan ("County") had applied for and successfully obtained a \$200,000.00 ("Funds") grant under the New York State Housing Trust Fund Corp / New York State Division of Housing and Community Renewals' Access to Home Program; and

**WHEREAS,** the County intends to administer this grant for the purposes of helping disabled persons, residing in Sullivan County, remain in their residence and maintain their activities of daily living; and

**WHEREAS,** the County proposes to implement the Access to Home Program on a county-wide basis, wherein qualified applicants are able to have their residence modified to become more user-friendly and manageable to meet their needs; and

**WHEREAS,** a portion of the Funds may be used to pay for Construction Inspection and Specification / Scope of Construction Renovation or Repair Work Services ("Services"); and

**WHEREAS,** Home-Tek Inspection Services has the experience and expertise to perform the  
Services and the Department of Grants Administration recommends entering into a  
contract with  
Home-Tek Inspection Services.

**NOW, THEREFORE, BE IT RESOLVED,** that the County Manager be and is hereby authorized to execute any and all necessary documents to enter into an agreement with Home-Tek Inspection Services in an amount not to exceed \$4,800.00., in such form as the County Attorney shall approve.

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

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 32-10 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEETO ENTER INTO AN AGREEMENT WITH ACTION TOWARD INDEPENDENCE, INC. TO PERFORM THE DESIGN PORTION AS DIRECTLY RELATED TO ACCESSIBILITY MODIFICATIONS UNDER THE COUNTY'S ACCESS TO HOME PROGRAM.**

**WHEREAS,** the County of Sullivan ("County") had applied for and successfully obtained a \$200,000.00 ("Funds") grant under the New York State Housing Trust Fund Corp / New York State Division of Housing and Community Renewals' Access to Home Program; and

**WHEREAS,** the County intends to administer this grant for the purposes of helping disabled persons, residing in Sullivan County, remain in their residence and maintain their activities of daily living; and

**WHEREAS,** the County proposes to implement the Access to Home Program on a county-wide basis, wherein qualified applicants are able to have their residence modified to become more user-friendly and manageable to meet their disability needs; and

**WHEREAS,** a portion of the Funds may be used to pay for the design portion of home modification projects as directly related to disability, which consists of an on-site evaluation, construction document instructions, and ongoing consultation (“Services”); and

**WHEREAS,** Action Toward Independence, Inc. has the experience and expertise to perform the Services and the Department of Grants Administration recommends entering into a contract with Action Toward Independence, Inc.

**NOW, THEREFORE, BE IT RESOLVED,** that the County Manager be and is hereby authorized to execute any and all necessary documents to enter into an agreement with Action Toward Independence, Inc. in an amount not to exceed \$9,200.00., in such form as the County Attorney shall approve.

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

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 33-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH THE NEW YORK STATE BOARD OF ELECTIONS TO ACCEPT A GRANT FROM HHS POLLING PLACE ACCESS IMPROVEMENT**

**WHEREAS,** the Sullivan County Board of Elections has been awarded a grant from the New York State Board of Election, and

**WHEREAS,** the grant is in the amount of \$3,979 for HHS Polling Place Access Improvement, and

**WHEREAS,** the grant funds can only be accessed to reimburse the County for funds expended by the County in furtherance of the grant purpose, and

**WHEREAS,** in order to be eligible to access the grant funds the County must enter into a contract with the New York State Board of Elections.

**NOW, THEREFORE, BE IT RESOLVED,** that the County Manager is hereby authorized to enter into this contract with the New York State Board of Elections to accept the award of the grant detailed above.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 34-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE  
RESOLUTION TO AWARD AND AUTHORIZE CONTRACT WITH NYSARC, INC.**

**WHEREAS,** the County remains committed to maintaining the quality of operation of the former Sullivan County Sanitary Landfill by maintaining continuous litter control and maximizing recycling efforts (“Services”), and

**WHEREAS**, NYSARC, Inc., has provided such Services for the County and is prepared to do so in the future, and

**WHEREAS**, NYSARC, Inc., is prepared to perform the Services for the term of 1/1/2010 through 12/31/2010 at the following hourly rates; a) \$17.35/Job Coach, and b) \$4.61/Consumer (Recycling Staff)

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with NYSARC, Inc., for the Services for the term (1/1/2010-12/31/2010) at the hourly rates detailed above. The agreement shall be in such form as the County Attorney shall approve.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 35-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT**

**WHEREAS**, proposals were received for an Integrated Record Management System for County Clerk's Office, and

**WHEREAS**, Info Quick Solutions, Inc., 7460 Morgan Road, Liverpool, N.Y. 13090 is the lowest responsible proposer for such work, and

**WHEREAS**, the County Clerk approves said proposal and recommends that a contract be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute contract with Info Quick Solutions, Inc., at a contract price not to exceed \$5,541.00/Month for five (5) year term, and in accordance with the RFP #R-09-29, dated October 30, 2009, said contract to be in such form as the County Attorney shall approve.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 36-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT**

**WHEREAS**, proposal was received for the assessment, preparation and printing of the tax rolls and tax bills for the County of Sullivan, and

**WHEREAS**, NexxLinx of New York, 112 Bricken Road, Montgomery, N.Y. 12546 is the lowest responsible bidder for such work, and

**WHEREAS**, the Department of Real Property Tax Service approves said proposal and recommends that a contract be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute contract with NexxLinx of New York, at a contract price not to exceed the price list attached hereto as "Schedule A", for five (5) year term, and in accordance with the RFP #R-09-40, dated December 4, 2009, said contract to be in such form as the County Attorney shall approve.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 37-10 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXTEND THE CONTRACT BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND SEAGATE ALLIANCE, LLC**

**WHEREAS**, the Adult Care Center is required to provide supplies for resident care; and,

**WHEREAS**, Seagate Alliance, LLC, desires to be the purchasing consortium for the Adult Care Center; and

**WHEREAS**, the maximum amount of the contract will be \$1,008,950/year; and,

**WHEREAS**, this contract will began 1/1/10 and will continue until terminated by either party with 30 days written notice; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to extend the contract with Seagate Alliance, LLC to be the purchasing consortium for the Adult Care Center in an amount not to exceed \$1,008,950/year, commencing 1/1/10 and continuing until terminated.

**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, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 38-10 INTRODUCED BY THE EXECUTIVE COMMITTEE, CALLING FOR MEDICAID RELIEF**

**WHEREAS**, Medicaid is a federal, state, and local health care program whose costs and administration represents the largest component of the state and local fiscal relationship in New York, currently totaling over \$46 billion annually; and

**WHEREAS**, since the program's inception, counties across the state have struggled to fund the growth of the Medicaid local share and even with local budget austerity measures, the programs cost has resulted in higher property taxes, higher sales taxes, and a decline in county services; and

**WHEREAS**, in response to the coordinated efforts of this Association and county officials from across the state, the Governor and State Legislature included in the enacted 2005-06 State Budget a local Medicaid "cap" designed to limit annual Medicaid growth to 3.5 percent in 2006, 3.25 percent in 2007, and 3 percent in 2008 and years thereafter; and

**WHEREAS**, this Medicaid "cap" represents a significant reform in the way New York finances its Medicaid program and provides counties with a new level of stability and predictably that will benefit local taxpayers for years to come; and

**WHEREAS**, while the Medicaid "cap" will help shield local taxpayers from the impact of excessive Medicaid growth at the federal and state level, counties remain concerned with the future sustainability of the Medicaid program, the effect on other state and local budget priorities, and the overall outlook for New York's economic competitiveness; and

**WHEREAS**, as New York's Medicaid program has evolved, it has become overly expensive, inefficient and unable to adapt to today's ever changing health care delivery environment; and

**WHEREAS**, New York's Medicaid program must be reformed into a modern, patient driven system that ensures public integrity, improves patient outcomes and reduces overall program costs:

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature calls for the continued implementation of the Local Medicaid Cap enacted in the 2005-06 state budget to stabilize county budgets and the impact the program has on local real property taxes; and

**BE IT FURTHER RESOVLED** that the Sullivan County Legislature calls for an extension of the enhanced FMAP currently set in the American Recovery and Reimbursement Act (ARRA) as passed by the United States House of Representatives in H.R. 3962.

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature calls upon the Governor and State Legislature to continue to focus on the Medicaid program and expand statewide reform efforts designed to ensure public integrity, improve patient outcomes, and reduce overall program costs; and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature shall forward copies of this Resolution to the Governor, the New York State Legislature, New York State's Congressional Delegation, and all others deemed necessary and proper.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 39-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO MODIFY RESOLUTION NO. 159-08 WITH RESIDUALS MANAGEMENT SERVICES, INC.**

**WHEREAS**, pursuant to Resolution No. 159-08, adopted by the Sullivan County Legislature on April 17, 2008, the County Manager executed a contract dated May 14, 2008 with Residuals Management Services, Inc. ("Original Contract") for the cleaning of the leachate collection lines at the Sullivan County Landfill, and

**WHEREAS**, the Original Contract authorized a two year term with an option for an additional one year extension, at an annual contract price not to exceed \$64,092.16, and

**WHEREAS**, Resolution No. 159-08 should be amended to reflect the intention of the parties that Residuals Management Services, Inc. was to be paid \$64,092.16 annually and not \$64,092.16 for the entire length of the original contract.

**NOW, THEREFORE, BE IT RESOLVED**, Resolution No. 159-08 should be amended as detailed above.

**Moved by Mrs. Binder, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 40-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AMEND PROCUREMENT POLICY**

**WHEREAS**, the New York State Legislature has amended the General Municipal Law Section 103(1) and General Municipal Law 104-b(2)(f), and

**WHEREAS**, those above referenced amendments to the General Municipal Law require the County to amend its Procurement Policy that was adopted August 20, 2009, pursuant to Resolution No. 333-09, and

**WHEREAS**, the amendment to the General Municipal Law 103(1) increased the bidding threshold from \$20,000 to \$35,000 for Public Works projects and all references in the Procurement Policy inconsistent with the increased amount must be changed, and **WHEREAS**, the amendment to General Municipal Law 104-b(2)(f) requires the County to include a list of all individuals and their titles, who are authorized to make purchasing decisions for the County, and

**WHEREAS**, amend hereto as "Attachment A", is a list of all names and titles of individuals authorized to make purchasing decisions for the County and said list should be inserted into the Procurement Policy as a new Section 140-1.6, and

**WHEREAS**, the above referenced amendments are recommended by the Director of Purchasing and Central Services and are in compliance with the above amendments to the General Municipal Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the above referenced amendments to the Procurement Policy, said changes to be in such form as the County Attorney shall approved and should take effect immediately.

**Moved by Mr. Hiatt, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**”ATTACHMENT A”**

**Section 140-1.6 Individuals Authorized to Make Purchasing Decisions:**

- 1. David Fanslau, County Manager**
- 2. Joshua Potosek, Deputy County Manager**
- 3. Kathleen M. Jones, Director, Purchasing & Central Services**
- 4. Allyson Lewis, Assistant Director, Purchasing & Central Services**

**RESOLUTION NO. 41-10 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO ACQUIRE AN ELECTION MANAGEMENT SYSTEM FOR THE BOARD OF ELECTIONS FROM SEQUOIA VOTING SYSTEMS**

**WHEREAS**, the Sullivan County Board of Elections needs to comply with HAVA and purchase an Election Management System (“EMS”), including software and implementation, and

**WHEREAS**, the Sullivan County Board of Elections would like to purchase the EMS from Sequoia Voting Systems (“SVS”), the same vendor who provided the 19 Plan A machines and the 51 Plan B machines previously purchased by the County, and

**WHEREAS**, in order to lock in the present price the Sullivan County Board of Elections requests that the Sullivan County Office of Government Services has a purchase order issued for the EMS through the New York State Office of General Services.

**NOW THEREFORE, BE IT RESOLVED**, that the Director of Government Services shall cooperate with the New York State Office of General Services to issue a purchase order for the EMS from SVS for a total cost not to exceed \$78,335.00, and

**BE IT FURTHER RESOLVED**, that the County Manager is authorized to sign any documents that are necessary to acquire the EMS, said documents to be in a form approved by the County Attorney’s Office.

**Moved by Mrs. LaBuda, seconded by Mr. Sager, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION 42-10 INTRODUCED BY THE PERSONNEL COMMITTEE TO CREATE A TEMPORARY POSITION IN THE SULLIVAN COUNTY SHERIFF’S OFFICE**

**WHEREAS**, the Sheriff has requested a 90-day temporary confidential clerical position to assist his Confidential Secretary, and

**WHEREAS**, in order to provide for a seamless transition of duties between the retired Confidential Secretary and the newly appointed Confidential Secretary to the Sheriff, it is the wish of the Sullivan County Sheriff to create a temporary confidential clerical position in the Sullivan County Sheriff’s Office, and

**WHEREAS**, this temporary confidential clerical position will be authorized for a time period not to exceed ninety (90) days.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of a 90-day temporary confidential clerical position in the Sheriff's Office for the temporary transition needs of the Sheriff, and

**BE IT FURTHER RESOLVED** that this temporary confidential clerical position is authorized for a time period not to exceed ninety (90) days in accordance with New York State Civil Service Rules and Regulations.

**Moved by Mrs. LaBuda, seconded by Mr. Sager, put to a vote, unanimously carried and declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 43-10 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO REQUEST THAT THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION EXPEDITE THE IMPROVEMENTS TO EXIT 106 OF STATE ROUTE 17 AND TO COMMENCE CONSTRUCTION OF EXIT 106 IMPROVEMENTS IN 2010**

**WHEREAS**, the New York State Department of Transportation (NYSDOT) was requested to include improvements to Exit 106 of State Route 17 in the NYSDOT Federal Fiscal Year 2009 programming, as detailed in resolutions number 183 and 398 of 2009, and

**WHEREAS**, the Commissioner of the Division of Public Works and the County Manager continue to recommend that the County reiterate its request to the NYSDOT to include construction of the improvements to Exit 106 of State Route 17 in the NYSDOT 2010 priorities, and

**WHEREAS**, the improvements to Exit 106 of State Route 17 are prudent, necessary, and integral to Sullivan County's Economic Development Public Policy and Transportation Circulation Planning, and

**WHEREAS**, county officials have expressed the desire for NYSDOT to move the improvements to Exit 106 forward, without delay, to Jack Williams, Regional Administrator of NYSDOT Region 9 at a meeting in July in Monticello, and

**WHEREAS**, it is in the best interests of Sullivan County for the NYSDOT to commence construction of the improvements to Exit 106 of Route 17 in their 2010 construction programming.

**NOW, THEREFORE, BE IT RESOLVED** that the Sullivan County Legislature hereby reiterates its request that the New York State Department of Transportation commence construction of the improvements to Exit 106 of State Route 17 in the NYSDOT 2010 construction programming, **without delay**, as expressed to NYSDOT Region 9 Administrator Jack Williams in July 2009, and

**BE IT FURTHER RESOLVED** that the Clerk of the Legislature is hereby directed to transmit a copy of this resolution to the Commissioner of the New York State Department of Transportation, the Director of Region nine of the New York State Department of Transportation, Governor David A. Paterson, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand; Congressman Maurice Hinchey, Senator John Bonacic, Assemblywoman Aileen Gunther, the Town of Thompson, the Village of Monticello, and the Sullivan County Partnership for Economic Development.

**Moved by Mr. Sorensen, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 44-10 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO URGE THE STATE OF NEW YORK AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO ISSUE BONDS FOR CAPITAL IMPROVEMENTS WITH RESPECT TO THE MAINTENANCE AND SAFETY OF PUBLICLY AND PRIVATELY OWNED DAMS**

**WHEREAS**, the New York State Department of Environmental Conservation (DEC) has adopted revisions to its rules and regulations relating to the maintenance and safety of publicly and privately owned dams, and

**WHEREAS**, there are many dams impounding water in Sullivan County and the Sullivan County Legislature is acutely aware of the importance of dam safety and the consequences of dam failure, but

**WHEREAS**, the Sullivan County Legislature is also aware that the projected cost of some of the proposed requirements presently being considered by the DEC may well be beyond the financial means of the owners of the dams, both public and private, and

**WHEREAS**, in the event the cost of compliance with the proposed new dam safety rules and regulations becomes excessive it is possible that dam owners may either remove the dams or cause them to be artificially breached and rendered useless thus substantially changing the nature and character of the area both upstream and downstream of such dams, and

**WHEREAS**, such a potential consequence and such a potential change in the nature and character of an area are also factors to be addressed in consideration by the State of New York in consideration of issuing bonds for the capital improvement of publicly and privately owned dams.

**NOW THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature hereby requests that the State of New York and the New York State Department of Environmental Conservation issue bonds for the capital improvements with respect to the maintenance and safety of publicly and privately owned dams, due to the financial impacts of the recently adopted rules and regulations relating to the maintenance and safety of publicly and privately owned dams, and due to the impacts on the nature and character of areas in which dams cannot be maintained to the standards set forth in the recently adopted rules and regulations; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Sullivan County Legislature shall transmit a copy of this resolution to Governor David A. Paterson, the Commissioner of the New York State Department of Environmental Conservation, New York State Senator John Bonacic, New York State Assemblywoman Aileen Gunther, the New York State Association of Counties, and all Towns and Villages within the County of Sullivan.

**Moved by Mr. Sorensen, seconded by Mr. Sager, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

#### **RESOLUTION NO. 45-10 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AMEND SULLIVAN COUNTY MANAGEMENT FACILITIES SCHEDULE**

**WHEREAS**, the Sullivan County Solid Waste Management Facility schedules have been established with the concurrence of the Sullivan County Legislature; and

**WHEREAS**, it has, from time to time, been necessary to modify the facility(s) schedules, and

**WHEREAS**, it is in the best interest of the County and its citizens to amend the schedules at this time, until the central transfer station is constructed and open in Monticello.

**NOW, THEREFORE, BE IT RESOLVED**, that the following Solid Waste Management Facility(s) schedules be modified by eliminating or adding hours as follows:

**Ferndale Transfer Station operations:** Monday through Friday shall be limited to municipal and commercial haulers. Saturday and Sunday will be open for residential customers as a convenience station, and Commercial Haulers access shall be limited to the hours of 7:45 a.m. to 10:00 a.m. on Sundays, and the hours of 7:45 a.m. to 2:45 p.m. for residential customers on both Saturdays and Sundays;

**BE IT FURTHER RESOLVED**, that facility(s) schedule changes shall take effect February 1, 2010; and

**BE IT FURTHER RESOLVED**, in the event that, in the future, the County Manager and Commissioner of the Division of Public Works concur that the schedule of any of the County's Solid Waste Facilities should be immediately changed in response to significant operational or other issue they shall have the authority to put such a change in schedule into effect providing that they shall contemporaneously notify the County Legislature, and provided further that the County Legislature, at its sole discretion may then at a later public meeting either ratify, further revise, or reject such schedule changes.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 46-10 INTRODUCED BY THE OFFICE OF MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT AN AWARD FROM THE NEW YORK STATE DEPARTMENT OF STATE LEGISLATIVE MEMBER INITIATIVE PROGRAM FUNDED FROM THE STATE FISCAL YEAR 2009 - 2010 ENACTED BUDGET**

**WHEREAS**, the New York State Department of State has awarded Sullivan County \$5,000.00 as a Legislative Member Initiative through Assemblywoman Gunther; and

**WHEREAS**, the funding is being made available by Community Projects Appropriation Contract Number #TM09229; and

**WHEREAS**, the funding is to be used for costs related to the purchase of portable Automatic Electronic Defibrillators (*AEDs*) for youth programs throughout Sullivan County.

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

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

**Moved by Mr. Sorensen, seconded by Mr. Sager**, put to a vote, unanimously carried and **declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 47-10 INTRODUCED BY JONATHAN ROUIS, CHAIRMAN OF THE SULLIVAN COUNTY LEGISLATURE, TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED "LOCAL LAW TO AMEND LOCAL LAW NO. 7 OF 2009"**

**WHEREAS**, there has been introduced and presented at a meeting of the Sullivan County Legislature held on January 21, 2010, a proposed Local Law entitled "A Local Law to Amend Local Law No. 7 of 2009" (amending the established user fee).

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held on said proposed local law by the Sullivan County Legislature on February 18, 2010 at 1:50 PM, in the Legislative Chambers, County Government Center, Monticello, New York, at least six (6) days notice of public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspaper of said County.

**Moved by Mr. Sorensen, seconded by Mrs. Binder**, put to a vote, unanimously carried and **declared duly adopted on motion** January 21, 2010.

**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 January 21, 2010, a proposed Local Law entitled "A Local Law to Amend Local Law No. 7 of 2009" (amending the established user fee).

**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 February 18, 2010 at 1:50 p.m. at which time all persons interested will be heard.

DATED: January 21, 2010  
Monticello, New York

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

**RESOLUTION NO. 48-10 INTRODUCED BY JONATHAN F. ROUIS, CHAIRMAN OF THE LEGISLATURE DESIGNATING THE DIVISION OF PLANNING AND ENVIRONMENTAL MANAGEMENT AS POINT OF CONTACT FOR THE SULLIVAN COUNTY EMPIRE ZONE AND APPOINTING ETHAN COHEN AS EMPIRE ZONE COORDINATOR**

**WHEREAS**, the County of Sullivan has since 2001 participated in the New York State Empire Zone Program; and

**WHEREAS**, the County of Sullivan is no longer contracted with Sullivan County Partnership for Economic Development for the administration of the Empire Zone program and for providing a staff member in the position of EZ Coordinator; and

**WHEREAS**, it is in the best interests of the County to appoint a Chief Planner within the Division of Planning and Environmental Management as the Empire Zone Coordinator.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Division of Planning and Environmental Management is designated as point of contact for the Empire Zone program; and

**BE IT FURTHER RESOLVED**, that Ethan Cohen, as Chief Planner in the Division of Planning and Environmental Management is hereby appointed as Empire Zone Coordinator.

**Moved by Mrs. Binder, seconded by Mr. Sorensen**, put to a vote, unanimously carried and **declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 49-10 INTRODUCED BY THE CHAIRMAN JONATHAN F. ROUIS AUTHORIZES REQUEST OF FEDERAL APPROPRIATIONS FOR DEVELOPMENT OF A COUNTY AGRI-TOURISM GATEWAY CENTER**

**WHEREAS**, the County of Sullivan's Congressional Delegation seeks proposals for funding under the FY2011 Federal Appropriations that will foster economic growth and vitality in the County; and

**WHEREAS**, a stated goal of the County's economic development planning process is to expand and diversify two of the strongest sectors of the County's economy – agriculture and tourism; and

**WHEREAS**, at the December 2010 Countywide Community and Economic Development Charrette, these ideas garnered widespread support from stakeholders throughout the County; and

**WHEREAS**, the Division of Planning seeks to conduct feasibility analysis and lead an implementation team for the development of an agri-tourism “gateway” center, which would include a creamery for processing of locally produced dairy products, a year-round indoor farmers’ market and a one-stop Visitors’ Gateway” at a single location;

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Division of Planning and Environmental Management (Division of Planning) is authorized to prepare an application or applications for funding under the FY 2011 for federal budget appropriations for submission to members of our Congressional delegation; and

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

**BE IT FURTHER RESOLVED**, that, if awarded, the County Manager is hereby authorized to execute any and all necessary documents to accept the federal funding award, in such form as the County Attorney shall approve; and

**BE IT FURTHER RESOLVED**, that if funding is made available, the Division of Planning shall administer the funds and the grant program with technical support from the Department of Grants Administration; and

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

**Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion January 21, 2010.**

**RESOLUTION NO. 50-10 INTRODUCED BY THE CHAIRMAN JONATHAN F. ROUIS AUTHORIZES PREPARATION OF A RURAL BUSINESS OPPORTUNITY GRANT (RBOG) APPLICATION TO FUND AN INVENTORY AND PLAN FOR EXPANDING BROADBAND AND MOBILE TELEPHONY SERVICE IN SULLIVAN COUNTY**

**WHEREAS**, the United States Department of Agriculture Rural Development (USDA) and Rural Development of New York administer the Rural Business Opportunity Grant (RBOG) program to promote sustainable economic development in rural communities with exceptional needs by making grants to organizations for economic development planning, technical assistance, or training; and

**WHEREAS**, a stated goal of the County’s economic development planning process is increasing broadband and mobile telephone service coverage throughout the County, for the purpose of increasing opportunities for business attraction and retention, as well as for public safety and for the education and training of our workforce and our youth; and

**WHEREAS**, USDA/Rural Development is seeking funding proposals for FY2010; and

**WHEREAS**, the Division of Planning seeks to engage a technical consultant to conduct mapping and engineering analysis of existing broadband and mobile telephony coverage and to make recommendations for expanding services to near complete coverage over the next three to five years;

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Division of Planning and Environmental Management (Division of Planning) is authorized to prepare an application for funding under the USDA/Rural Development RBOG Program; and

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

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

**BE IT FURTHER RESOLVED**, that if funding is made available, the Division of Planning shall administer the funds and the grant program with technical support from the Department of Grants Administration; and

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

**Moved by** Mrs. Goodman, **seconded by** Mr. Sorensen, put to a vote, unanimously carried and **declared duly adopted on motion** January 21, 2010.

**RESOLUTION NO. 51-10 INTRODUCED BY DAVID A. SAGER, CHAIRMAN OF THE PUBLIC WORKS COMMITTEE TO AMEND RESOLUTION NUMBER 16 OF 2010 THAT AMENDED RESOLUTION NUMBER 474 OF 2009 WITH RESPECT TO THE USER FEE SCHEDULE FOR GOVERNMENTAL PROPERTY OWNED BY TOWNS AND VILLAGES**

**WHEREAS**, on November 13, 2009 the Sullivan County Legislature adopted Local Law 7/2009 which created Article VII of Chapter 171 of Part II of the Sullivan County Code entitled “Sullivan County Solid Waste User Fee Article” and

**WHEREAS**, on December 17, 2009, the Sullivan County Legislature, pursuant to the Sullivan County Solid Waste User Fee Article, adopted Resolution number 474 of 2009 establishing a schedule of user fees to be direct billed, in addition to the tipping fee, for the year 2010 to the owners of parcels of improved property in Sullivan County, and

**WHEREAS**, following the distribution of the County’s tax bills in January, 2010, which contained a separate line item for the direct billed portion of the Solid Waste User Fee with respect to parcels of improved property certain issues were brought to the attention of the members of the County Board of Legislators, and

**WHEREAS**, after consideration of those issues the Sullivan County Legislature determined it would be more rational and in the best interests of the County and its Towns and Villages to provide a single user fee category for property directly owned by Town and Village governments.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. Paragraph “D” of Resolution number 474 of 2009 is hereby amended by adding a new category of user fees as follows: “The fifteen (15) Towns and six (6) Villages shall each pay a single direct billed user fee, based upon the adopted Commercial rate, of up to eight hundred fifty (\$850.00) dollars in the aggregate with respect to all of the governmental property owned by each such Town or Village.
2. Upon adoption of this Resolution 51-2010 the County shall forthwith cause amended bills to be sent out to the aforesaid Towns and Villages.
3. This Resolution shall be deemed to be effective on the same date as Resolution number 474 of 2009.

**Moved by** Mrs. Binder, **seconded by** Mr. Sager, put to a vote, unanimously carried and **declared duly adopted on motion** January 21, 2010.

There being no further business, Mrs. Goodman moved to adjourn, seconded by Mrs. Binder, put to a vote and carried. The Regular Meeting was declared closed at 2:14PM subject to the call of the Chairman.

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ANNMARIE MARTIN, Clerk of the Legislature