

**Sullivan County Legislature
Regular Meeting
February 18, 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 Mr. Armstrong absent.

The Clerk Read the following communications:

1. Letter dated February 4, 2010 from Legislator LaBuda changing the Planning and Environmental Management and Real Property committee meetings to the second Thursday at 11:30AM starting in March
2. Letter dated February 16, 2010 from Legislator Goodman changing the Capital Planning and Budget committee meetings to the first Thursday four times a year at 9:45AM.

Presentation -- Sandra Schultz

Legislator Sorensen stated we are recognizing Sandra Schultz for her 37 years of service. He has had the pleasure of working with Sandra on many different issues one being Route 97 designated a Scenic Byway. She really gave her heart and soul to the program. He presented her with a Certificate of Recognition that read as follows: The Sullivan County Legislature is proud to award this Certificate of Special Recognition for your 37 years of dedicated federal service to the National Park Service, your assistance on the Roebling Bridge Restoration, your contribution to the Sullivan County Charter Commission and for your continued devotion to the Upper Delaware Scenic Byway Committee. We wish you the best of luck!

Public Comment

There were no speakers for public comment.

RESOLUTION NO. 54-10 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIIFY THE 2010 COUNTY BUDGET

WHEREAS, The County of Sullivan 2010 Budget requires modification,

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

See Attached.

Moved by Mrs. Goodman, seconded by Mrs. Binder , put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 55-10 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO APPORTION MORTGAGE TAX

WHEREAS, Section 261 of the Tax Law of the State of New York requires apportionment of the mortgage tax, and

WHEREAS, the County Clerk and the County Treasurer have submitted a quarterly report, for the period of October 2009 to December 2009, to the Clerk of the Legislature, and

WHEREAS, The County Legislature has apportioned, among the various towns and incorporated villages of the County of Sullivan, the equitable share of the mortgage tax;

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer draw checks for each of the towns and villages the quarterly mortgage tax so apportioned, as follows:

TOWNS	
Bethel	23,003.64
Callicoon	12,753.66
Cochecton	7,577.49
Delaware	14,360.36
Fallsburg	30,644.00
Forestburgh	5,827.75
Fremont	7,478.64
Highland	11,529.89
Liberty	21,199.27
Lumberland	13,261.13
Mamakating	109,497.76
Neversink	11,515.34
Rockland	34,481.35
Thompson	73,484.85
Tusten	5,331.80

VILLAGES	
Bloomington	1,396.35
Jeffersonville	625.25
Liberty	3,709.09
Monticello	7,663.71
Woodridge	1,421.36
Wurtsboro	4,640.33
TOTAL	401,403.02

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 56-10 INTRODUCED BY EXECUTIVE COMMITTEE TO REAPPOINT MEMBER (HAROLD RUSSELL) TO THE SULLIVAN COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

WHEREAS, the term of Harold Russell, Member at large, as a representative member of the Sullivan County Soil & Water conservation District Board of Directors expired on December 31, 2009,

WHEREAS, the Sullivan County Soil and Water Conservation Board of Directors nominated Mr. Harold Russell for a new three-year term to serve as representative to said Board,

WHEREAS, the Sullivan County Soil and Water Conservation District Board of Directors unanimously approved the aforementioned nominee at the regular meeting on January 11, 2010.

NOW, THEREFORE, BE IT RESOLVED, that based on this recommendation, the aforementioned nominee is hereby reappointed to the Sullivan County Soil and Water Conservation Board of Directors for a three-year term to expire on December 31, 2012.

Moved by Mrs. Goodman, seconded by Mr. Wood, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 57-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT TWO MEMBERS AND TO REAPPOINT TWO MEMBERS TO THE OFFICE FOR THE AGING ADVISORY COMMITTEE

WHEREAS, there is a need to appoint two (2) members and reappoint two (2) members to the Office for the Aging Advisory Committee, and

WHEREAS, the appointments for Jadwiga “Judy” Tolkacz and Dorothy Field and reappointments for Anne Brucher and Onofrio “Chuck” Papa shall be for a term to end December 31, 2012.

WHEREAS, all the above appointments and reappointments are to commence on the date this resolution is adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint the following members and reappoint the following members to the Office for the Aging Advisory Committee, for the term to expire on the date opposite of name.

OFA APPOINTMENTS:

Jadwiga “Judy” Tolkacz (Delaware)
Box 250
County Road 164
Callicoon NY 12723

TERM:

12/31/2012

Dorothy Field (Fallsburg)
P O Box 1351
South Fallsburg NY 12779

12/31/2012

OFA REAPPOINTMENTS:

Anne Brucher (Bethel)
451 Dr. Duggan Road
Bethel NY 12720

12/31/2012

Onofrio “Chuck” Papa (Fremont)
P O Box 217
Callicoon Center NY 12724

12/31/2012

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION 58-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT ONE MEMBER TO THE RSVP ADVISORY COMMITTEE

WHEREAS, there is a need to appoint one (1) members to the Retired Senior Volunteer Program Advisory Committee (RSVP), and

WHEREAS, the appointment for Sonya “Sonny” Smith be for a term to end December 31, 2012, and

WHEREAS, all of the above reappointment is to commence on the date this resolution is adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following members to the RSVP Advisory Committee, for the term to expire on the date opposite of name.

RSVP APPOINTMENT:

TERM:

Sonya "Sonny" Smith (Fallsburg)
P O Box 721
9 Clark Street
South Fallsburg NY 12779

12/31/2012

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 59-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT A MEMBER TO THE LONG TERM CARE COUNCIL FOR SULLIVAN NYCONNECTS (FORMERLY CALLED THE POINT OF ENTRY SYSTEM).

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

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

WHEREAS, the appointment of a member shall be for either a term to end 12/31/10 or a term to end 12/31/11, and

WHEREAS, the appointment is to commence January 1, 2010

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

Representative:

Fritz Kayser 12/31/11
(to fill a vacancy to represent the consumer population)

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 60-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO MAKE APPOINTMENTS/REAPPOINTMENTS TO THE SULLIVAN COUNTY AGRICULTURE AND FARMLAND PROTECTION BOARD

WHEREAS, Nelson Hector has resigned from the Sullivan County Agriculture and Protection Board; and

WHEREAS, The Sullivan County Agriculture and Farmland Protection Board has recommended Fred Michel to replace Nelson Hector; and

WHEREAS, reappointments need to be made to the Sullivan County Agriculture and Farmland Protection Board.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby makes the following appointments/reappointments to the Sullivan County Agriculture and Farmland Protection Board:

Daniel Brey, Active Farmer
For term to expire December 31, 2011

John Gorzynski, Active Farmer
For term to expire December 31, 2011

Harold Russell Jr., Active Farmer
For term to expire December 31, 2011

Dennis Nearing, Agri-Business Representative
For term to expire December 31, 2011

Frank Armstrong, County Legislator
For term to expire December 31, 2011

Wilfred Hughson, Required Member
By statute to end of term as Chairman, Board of Directors
Sullivan County Soil & Water Conservation District

Lynda Levine, Required Member
By statute to end of term as Director
Sullivan County Real Property Tax Services

Luiz C. Aragon, Required Member
By statute to end of term as Commissioner
Sullivan County division of Planning
& Environmental Management

Joseph Walsh, Required Member
By statute to end of term as Interim Executive Director
Cornell Cooperative Extension; to be replaced by
Daniel Shockey, Required Member
By statute to end of term as Agriculture &
Natural Resource Team Coordinator,
when Joseph Walsh's term ends.

**RESOLUTION 61-10 INTRODUCED BY THE PERSONNEL COMMITTEE TO
CREATE A TEMPORARY POSITION IN THE SULLIVAN COUNTY
SHERIFF'S OFFICE**

WHEREAS, the Sheriff has requested that a temporary Deputy Sheriff position in the Sheriff's Office, and

WHEREAS, in order to meet the staffing needs of the Sullivan County Sheriff's Office, it is the wish of the Sullivan County Sheriff to create a temporary Deputy Sheriff position, and

WHEREAS, this temporary Deputy Sheriff will be employed for a time period not to exceed ninety (90) days, commencing February 22, 2010 and expiring 90 days thereafter.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of a Temporary Deputy Sheriff position in the Sheriff's Office for the temporary staffing needs of the Sullivan County Sheriff's Office, and

BE IT FURTHER RESOLVED that this Temporary Deputy Sheriff position shall be effective on February 22, 2010, and shall be hereby abolished 90 days thereafter.

Moved by Mrs. Binder, seconded by Mr. Sager, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 62-10 INTRODUCED BY THE PERSONNEL COMMITTEE TO ABOLISH AND CREATE POSITIONS WITHIN THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, Sullivan County Department of Community Services has evaluated its staffing needs and reorganized the Administration Department; and

WHEREAS, there are five (5) positions that would better serve the department by being moved from one area to another; and

WHEREAS, the Department of Community Services has determined the needs of the department to be more appropriately served by moving these positions; and

WHEREAS, the funds appropriated in the 2010 Adopted Budget would need to be transferred as well.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby authorizes the creation and abolishment of the following positions to enable the transfer from one department to another within the Department of Community Services as noted below:

<u>ABOLISH</u>	<u>CREATE</u>	
A4320-42	A4310	Database Clerk
A4320-40	A4310	Database Clerk
A4320-41	A4310	Database Clerk
A4220	A4310	Senior Typist
A4220	A4310	Database Clerk

Moved by Mrs. Binder, seconded by Mr. Sager, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 63-10 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A CONTRACT WITH SULLIVAN COUNTY CONFLICT LEGAL AID, INC.

WHEREAS, the County has adopted a Plan for representation of persons who are financially unable to obtain counsel pursuant to County Law Section 722; and

WHEREAS, in order to provide the required legal counsel to indigents the County shall enter into a contract with Sullivan Legal Aid Panel, Inc. commencing January 1, 2010 through December 31, 2010; and

WHEREAS, the County has received proposals from various companies to provide representation of indigents in the event there is a conflict of interest with the Sullivan Legal Aid Panel, Inc.; and

WHEREAS, it is in the best interest of the County of Sullivan to contract with Sullivan County Conflict Legal Aid, Inc. to perform this service.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with Sullivan County Conflict Legal Aid, Inc. for one (1) year commencing January 1, 2010, in an amount not to exceed Five Hundred Thousand (\$500,000) Dollars, said contract be in such form to be approved by the County Attorney.

BE IT FURTHER RESOLVED, that the Sullivan County Conflict Legal Aid, Inc. deliver a document of financial guarantee to the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 64-10 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A CONTRACT WITH SULLIVAN LEGAL AID PANEL, INC. FOR THE FISCAL YEAR 2010

WHEREAS, pursuant to County Law Section 722, Sullivan County is required to provide counsel to persons charged with a crime or who are entitled to counsel pursuant to Section 262 or Section 1120 of the Family Court Act Article 6-C of the Correction Law or Section 407 of the Surrogate's Court Procedure Act, who are financially unable to obtain counsel; and

WHEREAS, Sullivan Legal Aid Panel, Inc., a not-for-profit corporation, has provided, under an existing contract, such services and legal representation of indigents in all matters in Sullivan County which are mandated by statute or case law; and

WHEREAS, the contract with Sullivan Legal Aid Panel, Inc. expired on December 31, 2010 and both parties are desirous of renewing said contract.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with Sullivan Legal Aid Panel, Inc. for one (1) year commencing January 1, 2010, in an amount not to exceed Eight Hundred Fifteen Thousand (\$815,008) and Eight Dollars, said contract be in such form as the County Attorney shall approve.

BE IT FURTHER RESOLVED, that the Sullivan Legal Aid Panel, Inc. deliver a document of financial guarantee to the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 65-10 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2010 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND BOYS AND GIRLS CLUBS OF AMERICA ®

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2009/2010 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2009/2010 annual contract with the Boys and Girls Clubs of America ® at the following maximum funding level for the period of September 1, 2009 through August 31, 2010:

1. **BOYS AND GIRLS CLUBS OF AMERICA®** – maximum amount \$67,500.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 66-10 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2010 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CREATIVE THINK TANK, INC.

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2010 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2010 annual contract with the Creative Think Tank, Inc. at the following maximum funding level for the period January 1, 2010 through December 31, 2010:

2. **CREATIVE THINK TANK, INC.** – maximum amount \$54,000.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney.

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 67-10 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2010 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND YMCA OF SULLIVAN COUNTY.

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the County of Sullivan has appropriated \$30,000 in the 2010 Sullivan County Budget to provide funding to such agency for its program; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2010 annual contract with the YMCA of Sullivan County at the following maximum funding level for the period January 1, 2010 through December 31, 2010:

3. **YMCA OF SULLIVAN COUNTY** – maximum amount \$30,000.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney.

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 68-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF A YEAR 2010 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY HEAD START, INC.

WHEREAS, the County of Sullivan contracts with Sullivan County Head Start, Inc. for services pertaining to preschool programs for low income families, among other things; and

WHEREAS, the annual contracts with Sullivan County Head Start, Inc. needs to be renewed for the year 2010 to assure the continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2010 annual contract, for the period January 1, 2010 through December 31, 2010, with Sullivan County Head Start, Inc., at a maximum funding level of \$51,300, in such form as approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 69-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2010 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CORNELL COOPERATIVE EXTENSION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2010 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2010 annual contract at the following maximum funding level for the period January 1, 2010 through December 31, 2010:

CORNELL COOPERATIVE EXTENSION – maximum amount \$415,000.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 70-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH THE PARTNERSHIP FOR ECONOMIC DEVELOPMENT IN SULLIVAN COUNTY

WHEREAS, the Partnership for Economic Development in Sullivan County, a not-for-profit corporation, consisting of various public and private agencies and businesses of the County of Sullivan, provides promotional and advertising services, new business acquisition, existing business expansion and other related activities; and

WHEREAS, the most recent agreement between the County and the Partnership for Economic Development expired on December 31, 2009; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with the Partnership for Economic Development in the amount of \$90,000 for the year 2010, in such form as approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 71-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2010 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY SOIL & WATER CONSERVATION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2010 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2010 annual contract at the following maximum funding level for the period January 1, 2010 through December 31, 2010:

4. **SULLIVAN COUNTY SOIL & WATER CONSERVATION** – maximum amount \$198,535.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 72-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2010 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND VISITORS ASSOCIATION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2010 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2010 annual contract at the following maximum funding level for the period January 1, 2010 through December 31, 2010:

- VISITORS ASSOCIATION** – maximum amount of \$625,000

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 128-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, proposals were received for County Land Records Initiative for the County Clerk's Office, and

WHEREAS, Info Quick Solutions, Inc., 7460 Morgan Road, Liverpool, New York 13090, best meets the needs for the County Clerk, for such work, and

WHEREAS, the County Clerk approves said proposal and recommends that a contract be executed, as the funds may exist.

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 \$67,946.00, and in accordance with the RFP #R-09-41, dated December 4, 2009, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Goodman, **seconded by** Mr. Sager, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 73-10 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE A MEMORANDUM OF AGREEMENT WITH THE SULLIVAN COUNTY SOIL AND WATER DISTRICT FOR WATERSHED PLANNING AND THE STREAM MAINTENANCE AND REMEDIATION PROGRAMS

WHEREAS, the County of Sullivan (“County”) has contracted with the Sullivan County Soil & Water District (“District”) for the past several years and would like to continue the efforts of the Stream Maintenance and Remediation Programs to broaden the scope of the Flood Management Plan by investing in specialized proactive and long-term measures to protect the people and property near the many streams throughout the County; and

WHEREAS, the success of the 2009 Stream Maintenance and Remediation Programs (the “Programs”) has caused the Division of Planning & Environmental Management to request an extension of the Programs; and

WHEREAS, the Programs educate municipalities and the public, assess the potential areas of concern and maintain the streams throughout the County; and

WHEREAS, the County, through its Division of Planning and Environmental Management, is currently implementing project components of the Programs; and

WHEREAS, in order to implement the Programs the County wishes to continue working with the District and other affiliated agencies to minimize flood damage; and

WHEREAS, the District has both the expertise and personnel necessary to aid the County in its implementation of the Programs and is integral to the continuation of the Programs; and

WHEREAS, the cost of the District’s services associated with the Programs shall not exceed \$232,500 (\$32,500 to be paid to the Army Corps of Engineers under separate contract) for the term of January 1, 2010 through December 31, 2010.

NOW, THEREFORE BE IT RESOLVED, that the County Manager is hereby authorized to execute a Memorandum of Agreement with the District for the continuation, implementation and completion of the Programs for the term January 1, 2010 through December 31, 2010, at a cost not to exceed \$232,500, in such form to be approved by the County Attorney.

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 74-10 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH JOANNE GEROW TO PROVIDE ACCOMMODATIONS FOR SEIZED ANIMALS, OTHER THAN DOGS

WHEREAS, in the course of their official duties, the Sullivan County Sheriff's Office and the Sullivan County Probation Department are sometimes required to seize animals, and

WHEREAS, when animals are seized by the Sullivan County Sheriff's Office or the Sullivan County Probation Department, the County of Sullivan must make arrangements for accommodations providing appropriate and proper care for the animals, and

WHEREAS, the County has made an agreement with the Town of Liberty to provide for the accommodation of seized dogs, but must make accommodations for animals other than dogs, and

WHEREAS, Joanne Gerow is willing and able to provide accommodations and proper care for seized animals other than dogs at a flat fee of \$75.00 per call, plus \$0.50 cents per mile, adjustable based upon the prevailing IRS rate, and any other terms in the agreement deemed appropriate by the County Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an agreement for the period January 1, 2010 through December 31, 2010, with Joanne Gerow, 897 Briscoe Road, Swan Lake, New York, to provide accommodations for animals other than dogs seized by the County, said agreement to be in a form approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 75-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXTEND CONTRACT BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND DR. S. SHAH

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

WHEREAS, Dr. S. Shah, desires to provide these services to the residents of the Adult Care Center; and

WHEREAS, the cost of services will be billed directly to third party payors; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to extend contract with Dr. S. Shah to provide physician services.

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

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 76-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH ORCHID CELLMARK, INC. FOR THE PROVISION OF GENETIC (DNA) TESTING AND REPORTING SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services, is in need of genetic identity (DNA) testing and reporting to establish parentage in child support enforcement cases; and

WHEREAS, the Department of Family Services has in place an agreement with Orchid Cellmark, Inc for those services that expires on March 31, 2010; and

WHEREAS, Orchid Cellmark, Inc is capable of and willing to provide such services at locally negotiated rates.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into agreement with Orchid Cellmark, Inc for the provision of DNA testing and reporting services at a cost not to exceed \$12,000 during the period from April 1, 2010 through March 31, 2011; and

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

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 77-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH THE SULLIVAN COUNTY CHILD CARE COUNCIL, INC FOR THE PROVISION OF INFORMAL CHILD DAY CARE RELATED SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services has in place an agreement for the provision of informal child day care related services that expires on February 29, 2010; and

WHEREAS, federal funding is available to be reclaimed by the Department of Family Services against the cost for the provision of such services; and

WHEREAS, the Sullivan County Child Care Council, Inc is capable of and willing to provide such services at a cost not to exceed \$49,400 during the period from March 1, 2010 through February 28, 2011 through a purchase of service agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with the Sullivan County Child Care Council, Inc at a cost not to exceed \$49,400 for informal/ child day care related services provided during the period from March 1, 2010 through February 28, 2011; and

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

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 78-10 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF SULLIVAN COUNTY FOR THE PROVISION OF REGISTERED DIETICIAN SERVICES FROM JANUARY 1, 2010 THROUGH DECEMBER 31, 2011.

WHEREAS, the Sullivan County Office for the Aging has a need nutrition related services of a Registered Dietician for aging and other program areas; and

WHEREAS, Cornell Cooperative Extension of Sullivan County has a Registered Dietician on staff who is capable of providing such services; and

WHEREAS, Cornell Cooperative Extension of Sullivan County is willing to provide such services at a cost not to exceed \$ 18,500.00 for the period 01/01/2010-12/31/2010 and not to exceed 18,500.00 for the period 01/01/2011-12/31/2011.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into agreement with Cornell Cooperative Extension of Sullivan County for provision of Registered Dietician services; and

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

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 79-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH THE SULLIVAN COUNTY LIBRARY ALLIANCE

WHEREAS, the Sullivan County Legislature has appropriated \$12,825 in the 2010 Budget for the Sullivan County Library Alliance; and

WHEREAS, the County of Sullivan is desirous of supporting the Library Alliance.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized by the Sullivan County Legislature to execute a contract for the period January 1, 2010 through December 31, 2010 with the Sullivan County Library Alliance in an amount not to exceed \$12,825 and in such form approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 80-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH COMMUNITY ACTION COMMISSION TO HELP THE ECONOMY (CACHE)

WHEREAS, the Community Action Commission to Help the Economy (CACHE) is a private non-profit agency operating in Sullivan County under an approved federal program as defined in Section 99-h of the General Municipal Law; and

WHEREAS, the County of Sullivan has appropriated \$30,000 in the 2010 Sullivan County Budget to provide funding to such agency for its program; and

WHEREAS, CACHE has requested such funding to defray the cost of such program operated by it.

NOW, THEREFORE, BE IT RESOLVED,

The County Manager shall execute an agreement with the Community Action Commission to Help the Economy (CACHE) for the purpose of providing funds for the period from January 1, 2010 to December 31, 2010 in an amount not to exceed \$30,000 per year, to defray costs of the program not paid by federal funding, said sum to be paid upon voucher in quarterly installments, said contract to be in a form approved by the County Attorney.

CACHE shall, at its own cost and expense, provide such books, records and fiscal information as may be required by the Office of Audit and Control.

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 81-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH LITERACY VOLUNTEERS OF SULLIVAN COUNTY FOR THE YEAR 2010 AT A COST NOT TO EXCEED \$4,750

WHEREAS, the Literacy Volunteers of Sullivan County is a not-for-profit organization that provides a variety of free services to help people achieve personal goals through literacy; and

WHEREAS, through a trained corps of volunteer tutors it is the mission of the Literacy Volunteers of Sullivan County to foster and enhance family literacy and assist adults functioning at low levels of literacy and further proficiency in English as a second language; and

WHEREAS, it is the goal of the Literacy Volunteers of Sullivan County to halt the rising tide of illiteracy in Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorize the County Manager to enter into a contract with the Literacy Volunteers of Sullivan County for the year 2010 at a cost not to exceed \$4,750.

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 82-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF A CONTRACT WITH THE FEDERATION OF SPORTSMEN'S CLUBS OF SULLIVAN COUNTY

WHEREAS, the Federation of Sportsmen's Clubs of Sullivan County provides services, activities and programs related to habitat improvement and public access to hunting, fishing and wildlife conservation/improvement; and

WHEREAS, the County of Sullivan has appropriated \$20,000 in the 2010 County Budget for the Federation of Sportsmen's Clubs of Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into a contract at a cost of \$20,000 with the Federation of Sportsmen's Clubs of Sullivan County to enable payment of the budgeted appropriation in such form as approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 83-10 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF LIBERTY TO PROVIDE ACCOMMODATIONS FOR SEIZED DOGS.

WHEREAS, in the course of their official duties, the Sullivan County Sheriff's Office and the Sullivan County Probation Department are sometimes required to seize dogs, and

WHEREAS, when dogs are seized by the Sullivan County Sheriff's Office or the Sullivan County Probation Department, the County of Sullivan ("County") must make arrangements for accommodations providing appropriate and proper care for the dogs, and

WHEREAS, the Town of Liberty ("Town") has an animal shelter and is willing and able to provide accommodations with appropriate and proper care for the dogs at a cost not to exceed \$3,000.00 annually, and

WHEREAS, it is necessary for the County to enter into an Inter-Municipal Agreement ("IMA") with the Town to provide for accommodations for seized dogs.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an IMA with the Town for the period January 1, 2010 through December 31, 2010, at a cost not to exceed \$3,000.00 annually, to provide accommodations for dogs seized by the County, said IMA to be in a form approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 84-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO PROVIDE UP TO \$8,500 TO THE EAGLE INSTITUTE

WHEREAS, the Sullivan County Legislature has supported efforts to publicize the presence of the national symbol, the American Bald Eagle, in the County for purposes of tourism development, and

WHEREAS, the increase in the number of these magnificent birds in the County has resulted in numerous newspaper articles and other publicity generating public attention to the area, and

WHEREAS, the Eagle Institute, a fledgling organization, is solely responsible for guiding visitors to the observation sites, and

WHEREAS, the increase in the number of tourist throughout various communities in the County is of benefit to restaurants, bed and breakfasts and other tourism related businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes a sum up to \$8,500 to the Eagle Institute for eagle activities for the year 2010.

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 85-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO APPROPRIATE \$17,100 TO CATSKILL ASSOCIATION OF TOURISM SERVICES (CATS) FOR PROMOTION OF REGIONAL TOURISM

WHEREAS, Resolution No. 470-01 provided for an appropriation for promotion of regional tourism,

WHEREAS, each county within the region agreed to contribute funding for regional tourism marketing as per the terms of Senator John Bonacic's initiative, and

WHEREAS, the County of Sullivan is a member of the region and as such committed to participating in regional promotion.

NOW, THEREFORE, BE IT RESOLVED, that \$17,100 be appropriated for the promotion of regional tourism payable to Catskill Association of Tourism Services for the fiscal year 2010.

Moved by Mr. Wood, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 86-10 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO RENEW AN AGREEMENT WITH THE DELAWARE VALLEY ARTS ALLIANCE (DVAA) INC.

WHEREAS, the furtherance of the arts and cultural activities are necessary functions for society and development of the County of Sullivan; and

WHEREAS, Delaware Valley Arts Alliance, Inc. has demonstrated a commitment to the arts and to the community; and

WHEREAS, the County of Sullivan has appropriated \$23,750 in the 2010 County budget for the Delaware Valley Arts Alliance, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute an agreement between the County and the Delaware Valley Arts Alliance, Inc. for provision of art services to the residents, artists and art groups of the County, which services shall include management and distribution of the County Cultural Calendar, referral services relating to County arts resources, and acting as a conduit for grant funds for the County's individual artists and non-profit arts groups for \$23,750 for the period

from January 1, 2010 to December 31, 2010 said contract to be in such form as approved by the County Attorney.

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 87-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CANCEL TAXES AND CHARGE BACK THE APPROPRIATE TAXING DISTRICT ON TWO PARCELS FOR WHICH THE TAX LIENS ARE UNENFORCEABLE

WHEREAS, the County of Sullivan acquired two parcels of property described on the Real Property Tax Map as Town of Bethel 1.-1-64.11 and 1.-1-65.3, along County Road 144, on or about April 22, 2009 for highway purposes; and

WHEREAS, these parcels have now been deleted on the tax roll and have become part and parcel of County Road 144; and

WHEREAS, there are open taxes for the 2010 lien year totaling \$35.64 plus applicable interest and penalties; and

WHEREAS, this said tax lien is unenforceable due to the fact that these parcels no longer exist, and have been deleted from the records by said Tax Services office; and

WHEREAS, said tax liens against Town of Bethel 1.-1-64.11 and 1.-1-65.3 should be eliminated, cancelled and charged back to the appropriate taxing district pursuant to Sections 550(2)(f), 558(1) and 557(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 taxes, penalties and interest assessed to the Town of Bethel 1.-1-64.11 and 1.-1-65.3 and charge back the appropriate taxing district pursuant to Sections 550(2)(f), 558(1) and 557(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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION 88-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF BETHEL FOR TAX MAP #26.-1-20

WHEREAS, an application dated January 19, 2010 having been filed by Alice Sionsky with respect to property assessed to said applicant on the 2010 tax roll of the Town of Bethel Tax Map #26.-1-20 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure to apply the Enhanced STAR and Aged Exemptions to School taxes that had been relieved onto the 2010 Town and County Tax Bill; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 1, 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 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 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 89-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #13.-3-4

WHEREAS, an application dated January 20, 2010 having been filed by Delia and James McDonnell with respect to property assessed to said applicants on the 2010 tax roll of the Town of Delaware Tax Map #13.-3-4 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure of the assessor to act on a partial exemption; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 90-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FALLSBURG FOR TAX MAP #7.-1-9.8**

WHEREAS, an application dated January 22, 2010 having been filed by John and Doris Bowers with respect to property assessed to said applicants on the 2010 tax roll of the Town of Fallsburg Tax Map #7.-1-9.8 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the assessment roll had reflected an improvement that had been removed prior to taxable status date, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 91-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FORESTBURGH FOR TAX MAP #13.-1-7.1**

WHEREAS, an application dated January 22, 2010 having been filed by William and Robert Sipos with respect to property assessed to said applicants on the 2010 tax roll of the Town of Forestburgh Tax Map #13.-1-7.1 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being coded as a residence when in fact it is vacant, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 92-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FORESTBURGH FOR TAX MAP #26.-1-10.1**

WHEREAS, an application dated January 22, 2010 having been filed by Paul and Frances Schaefer with respect to property assessed to said applicants on the 2010 tax roll of the Town of Forestburgh Tax Map #26.-1-10.1 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being coded as a commercial property when in fact it is a residence, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 93-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FORESTBURGH FOR TAX MAP #27.-3-2**

WHEREAS, an application dated January 22, 2010 having been filed by Richard and Hedy Scopino with respect to property assessed to said applicants on the 2010 tax roll of the Town of Forestburgh Tax Map #27.-3-2 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being coded as a residence when in fact it is vacant, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 94-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FORESTBURGH FOR TAX MAP #27.-1-2.2**

WHEREAS, an application dated January 22, 2010 having been filed by Paul and Frances Schaefer with respect to property assessed to said applicants on the 2010 tax roll of the Town of Forestburgh Tax Map #27.-1-2.2 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being coded as a commercial property when in fact it is a residence, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 95-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FREMONT FOR TAX MAP #28.-1-4.1**

WHEREAS, an application dated January 14, 2010 having been filed by Redard Sipple with respect to property assessed to said applicants on the 2010 tax roll of the Town of Fremont Tax Map #28.-1-4.1 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the assessment roll had reflected an improvement that had been removed prior to taxable status date; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 96-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #17.-5-46.1**

WHEREAS, an application dated January 22, 2010 having been filed by New York – New Jersey Trail Conference, Inc. with respect to property assessed to said applicants on the 2010 tax roll of the Town of Mamakating Tax Map #17.-5-46.1 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being coded as improved commercial property when in fact it is vacant, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 97-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #29.-1-71.10**

WHEREAS, an application dated January 14, 2010 having been filed by Christian Faith Fellowship, Inc. with respect to property assessed to said applicants on the 2010 tax roll of the Town of Mamakating Tax Map #29.-1-71.10 pursuant to Section 554 of the Real Property Tax Law, to correct an unlawful error on said tax roll resulting from the assessors failure to apply wholly exempt status to improvement to property; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 relevied 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 98-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #65.-1-5.1**

WHEREAS, an application dated January 12, 2010 having been filed by Arthur and Shirley Grebeldinger with respect to property assessed to said applicants on the 2010 tax roll of the Town of Mamakating Tax Map #65.-1-5.1 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the assessors failure to remove a partial exemption to which the property owner was not entitled; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 99-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #76.-5-1**

WHEREAS, an application dated January 14, 2010 having been filed by Westbrookville Volunteer Fire Company No. 1 with respect to property assessed to said applicants on the 2010 tax roll of the Town of Mamakating Tax Map #76.-5-1 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the assessment roll had reflected an improvement that had been removed prior to taxable status date, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 100-10 INTRODUCED BY THE PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
ROCKLAND FOR TAX MAP #51.-3-6**

WHEREAS, an application dated January 19, 2010 having been filed by Martin and Shirley Schwartz with respect to property assessed to said applicants on the 2010 tax roll of the Town of Rockland Tax Map #51.-3-6 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the assessors failure to apply the Enhanced STAR exemption which would have applied to the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 2010 recommending this Board approve said application; and

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

- (b) 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 101-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #77.-1-30**

WHEREAS, an application dated January 25, 2010 having been filed by Mennonite Action Program with respect to property assessed to said applicants on the 2010 tax roll of the Town of Mamakating Tax Map #77.-1-30 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being coded as improved commercial property when in fact it is vacant, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 102-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #78.-1-5**

WHEREAS, an application dated January 25, 2010 having been filed by Mennonite Action Program with respect to property assessed to said applicants on the 2010 tax roll of the Town of Mamakating Tax Map #78.-1-5 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being coded as improved commercial property when in fact it is vacant, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 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 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 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 103-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #109.-1-27.1/41**

WHEREAS, an application dated January 19, 2010 having been filed by Anna D. Mays with respect to property assessed to said applicant on the 2010 tax roll of the Town of Mamakating Tax Map #109.-1-27.1/41 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure to apply Enhanced STAR and Aged Exemption rate to the Solid Waste fee to which property owner was entitled; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 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 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 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 104-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #109.-1-27.1/3**

WHEREAS, an application dated January 20, 2010 having been filed by John J. Davidson with respect to property assessed to said applicant on the 2010 tax roll of the Town of Mamakating Tax Map #109.-1-27.1/3 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure to apply Enhanced STAR Exemption rate to the Solid Waste fee to which property owner was entitled; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 105-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #27.-2-3./5**

WHEREAS, an application dated January 27, 2010 having been filed by Patricia Brennan with respect to property assessed to said applicant on the 2010 tax roll of the Town of Mamakating Tax Map #27.-2-3./5 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure to apply Enhanced STAR Exemption rate to the Solid Waste fee to which property owner was entitled; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 106-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #21.-1-1.3/6**

WHEREAS, an application dated January 27, 2010 having been filed by Vesta Underhill with respect to property assessed to said applicant on the 2010 tax roll of the Town of Mamakating Tax Map #21.-1-1.3/6 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure to apply Enhanced STAR and Aged Exemption rate to the Solid Waste fee to which property owner was entitled; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 107-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FALLSBURG FOR TAX MAP #60.-1-15.1/3301**

WHEREAS, an application dated January 20, 2010 having been filed by Shaya and Chaya Lictman with respect to property assessed to said applicants on the 2010 tax roll of the Town of Fallsburg Tax Map #60.-1-15.1/3301 pursuant to Section 554 of the

Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the assessment roll had reflected an improvement that had been removed prior to taxable status date, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 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 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 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 levied 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 with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 108-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FORESTBURGH FOR TAX MAP #12.-1-29**

WHEREAS, an application dated January 29, 2010 having been filed by Aileen Gunther with respect to property assessed to said applicant on the 2010 tax roll of the Town of Forestburgh Tax Map #12.-1-29 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being coded as commercial cottages when in fact it is a seasonal residence, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 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 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 109-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
ROCKLAND FOR TAX MAP #15.-1-4.3**

WHEREAS, an application dated January 25, 2010 having been filed by Emory and Janice Campbell with respect to property assessed to said applicants on the 2010 tax roll of the Town of Rockland Tax Map #15.-1-4.3 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being incorrectly classed as commercial when in fact it is a residence, which resulted in an incorrect entry on the tax roll of the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 3, 2010 recommending this Board approve said application; and

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

- (c) 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 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 with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 110-10 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CANCEL TAXES AND CHARGE BACK THE APPROPRIATE TAXING DISTRICT ON A PARCEL FOR WHICH THE LIENS ARE UNENFORCEABLE

WHEREAS, the a parcel of property, described and designated on the Town of Fallsburg Assessment Rolls as Fallsburg 2.-1-11.46, contained a manufactured home within a manufactured home park that was separately assessed due to the fact that it was eligible for and received a veteran's exemption; and

WHEREAS, there are open taxes for the 2010 lien year totaling \$157.02; 2009 lien year totaling \$84.38; and 2008 lien year totaling \$239.93; for a total of \$481.33 plus applicable interest and penalties; and

WHEREAS, the Town of Fallsburg Assessor has advised the Real Property Tax Services Director that this parcel has been removed from the assessment rolls and has been included in the overall assessment of the manufactured home park since it no longer qualifies for said exemption; and

WHEREAS, the said 2008 tax lien is a parcel in the 2009 County Foreclosure Proceeding which will reach conclusion in the next few weeks and that this lien is unenforceable due to the fact that this parcel no longer exists; and

WHEREAS, said tax liens against Fallsburg 2.-1-11.46 should be eliminated, cancelled and charged back to the appropriate taxing district pursuant to Sections 550(2)(f), 558(1) and 557(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 taxes, penalties and interest assessed to the Town of Fallsburg 2.-1-11.46 and charge back the appropriate taxing district pursuant to Sections 550(2)(f), 558(1) and 557(1) of the Real Property Tax Law of the State of New York.

Moved by Mr. Hiatt, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 111-10 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO WITHDRAW A PARCEL FROM THE 2009 TAX FORECLOSURE PROCEEDING AND TO CANCEL CERTAIN TAXES.

WHEREAS, the County Treasurer is the real property tax Enforcement Officer for the County of Sullivan pursuant to the Real Property Tax Law of the State of New York, and

WHEREAS, the County Treasurer commenced the 2009 tax foreclosure proceeding for 2008 taxes on November 5, 2009, and

WHEREAS, one parcel, MA 57.-13-18, meets one or more of the criteria so that it should be withdrawn from the foreclosure proceeding pursuant to Section 1138 of the Real Property Tax Law, and

WHEREAS, with regard to said parcel, the County Treasurer has determined that the commencement of supplementary proceedings pursuant to Section 1138(5) of the Real Property Tax Law in the manner provided by Section 990 of the Real Property Tax Law would not be an effective means to enforce collection of the delinquent tax liens at the present time because the property owner is an entity with no apparent assets, and

WHEREAS, there is no practical method to enforce the collection of the delinquent tax liens regarding said parcels and that a supplementary proceeding to enforce collection of the taxes would not be effective, and

WHEREAS, it would be in the best interest of the County to have the County Treasurer execute and file a Certificate of Cancellation and a Certificate of Prospective Cancellation affecting said parcel, and

WHEREAS, the County has made the other tax districts whole regarding the delinquent tax liens affecting said parcels, and

WHEREAS, it would be in the best interest of the County to charge back to the various municipal corporations the amount so credited or guaranteed,

NOW, THEREFORE, BE IT RESOLVED, should the Sullivan County Treasurer execute and file a Certificate of Withdrawal pertaining to MA 57.-13-18 pursuant to Real Property Tax Law Section 1138(1) then he is hereby authorized to issue a Certificate of Cancellation pursuant to Section 1138(6)(b) and to charge back to the affected municipal corporations the amounts so credited or guaranteed pursuant to Section 1138(6)(c), and to issue a Certificate of Prospective Cancellation pursuant to Section 1138(6)(d), and to file a copy of same with the Assessor of the assessing unit in which said parcel is located, and with the County Director of Real Property Tax Services pursuant to Section 1138(6)(d) of the Real Property Tax Law, thereby making said parcels exempt until this governing body shall determine that said parcel should be restored to the taxable portion of the assessment roll.

Moved by Mr. Sager , seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 112-10 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT A STATE HOMELAND SECURITY PROGRAM (SHSP) 2009 GRANT AWARD FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY

WHEREAS, the New York State Office of Homeland Security provides funds to support efforts of emergency management/homeland security; and

WHEREAS, the New York State Office of Homeland Security provides funds for the law enforcement community to support their terrorism prevention and preparedness efforts; and

WHEREAS, Sullivan County has been awarded a \$406,000 reimbursable, three part grant from the New York State Office of Homeland Security SHSP 2009; and

WHEREAS, Sullivan County has been awarded \$276,722 from the State Homeland Security Program for support planning, equipment, training and exercise needs associated with preparedness and prevention activities; and

WHEREAS, Sullivan County has been awarded \$101,500 from the State Law Enforcement Terrorism Prevention Program (SLETPP) for the law enforcement community to support their terrorism prevention and preparedness efforts; and

WHEREAS, Sullivan County has been awarded \$27,778 from the State Homeland Security for funds for the local health department to support emergency preparedness efforts; and

WHEREAS, Sullivan County is not required to provide any local cash match.

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

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

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 113-10 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE CHANGE ORDER NO. 2 TO THE ORIGINAL AGREEMENT WITH DELTA ENGINEERS INCORPORATED FOR ENGINEERING INSPECTION SERVICES FOR THE BRIDGE 309 REPLACEMENT PROJECT.

WHEREAS, Resolution 133-09 authorized an agreement with Delta Engineers for providing engineering inspection services for the replacement of County Bridge 309; and

WHEREAS, Resolution 449-09 authorized Change Order No. 1 to provide up to \$18,000 in additional funds to be added to the Original Agreement for additional inspection services to be provided by Delta Engineer; and

WHEREAS, extra work and an extension of time to provide the work is needed in addition to that provided by Change Order No. 1; and

WHEREAS, Change Order No. 2 is necessary to transfer funds from work items that have been completed under budget in the Original Agreement, to items necessary to allow the consultant to be reimbursed for the extra work needed for inspection services; and

WHEREAS, the Division of Public Works recommends that a no cost Change Order be implemented to transfer \$2,430 in funds between work items to facilitate payment for additional work; and

WHEREAS, the project is funded by the New York State Department of Transportation CHIPS reimbursement program.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a no cost Change Order No. 2, to transfer \$2,430 in funds between work items of the Original Agreement with Delta Engineers, in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that the contract completion date be changed from December 31, 2009 to January 31, 2010.

Moved by Mr. Sager, seconded by Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 114-10 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE AMENDMENT OF TITLE VI OF THE SOLID WASTE MANAGEMENT RULES

WHEREAS, the Sullivan County Solid Waste Management Rules (“Rules”) were adopted by the Sullivan County Legislature (“Legislature”), and

WHEREAS, the Legislature has adopted a Solid Waste User Fee schedule, which has been applied to all real property parcels that have improvements on them, and

WHEREAS, the Legislature further recognizes that an equitable accommodation is necessary to allow non-Sullivan County residents a means to dispose of their household solid waste at Sullivan County Solid Waste Facilities, and

WHEREAS, pursuant to Resolution No. 441-09 adopted by the Legislature on November 12, 2009, acceptance of Construction and Demolition Debris (“C & D”) at Sullivan County Solid Waste Facilities was limited to no more than two (2) cubic yards, and

WHEREAS, there is no longer a need to limit quantities of C & D at Sullivan County Solid Waste Facilities.

NOW, THEREFORE, BE IT RESOLVED, that subsection 605 of Title VI of the Rules be amended to read as follows:

605. Types of Permits

1. Solid Waste Collector or Hauler License. Every solid waste collector and hauler shall obtain a license to dispose of solid waste at a County solid waste management facility.
2. Solid Waste Management Facility User Permit. Every commercial user shall obtain a permit to dispose of solid waste at a County solid waste management facility.
3. Solid Waste User Fee (applied to real property with improvements). Fee schedule as established by the Sullivan County Legislature.
4. Non-County Residential User Fee: \$85.00 per year per household, plus \$5.00 decal fee. There will also be a \$5.00 decal replacement fee.
5. Non-County Commercial User Fee (excluding #1 above) \$300.00 per year per business, plus \$5.00 decal fee. There will also be a \$5.00 decal replacement fee, and

BE IT FURTHER RESOLVED, that commercially generated C & D in quantities greater than two (2) cubic yards, is no longer prohibited from disposal at Sullivan County Solid Waste Facilities and the portion of Resolution No. 441-09 that limited disposal of C & D shall be rescinded and changes to the Rules enacting said limitation shall be redacted, and

BE IT FURTHER RESOLVED, that the above detailed amendments to the Rules shall be effective immediately.

Moved by Mrs. LaBuda, **seconded by** Mrs. Binder, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

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 18th day of February, 2010, 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, Wood, Rouis, Goodman, Binder, Hiatt and Sorensen

ABSENT: Armstrong

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

BOND RESOLUTION NO. 115 OF 2010 DATED FEBRUARY 18, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$13,613,600 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital projects hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital projects, 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. The following are hereby authorized in and for the County of Sullivan, New York:

- a) The reconstruction of County roads, including other improvements and expenses incidental thereto, at a maximum estimated cost of \$8,560,000, being a class of objects or purposes having a period of probable usefulness of **fifteen** years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law;
- b) The reconstruction of bridges, including other improvements and expenses incidental thereto, at a maximum estimated cost of \$800,000, being a class of objects or purposes having a period of probable usefulness of **twenty** years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law;
- c) The purchase of solid waste equipment in and for said County, including incidental expenses in connection therewith, at a maximum estimated cost of \$780,000, being a

- class of objects or purposes having a period of probable usefulness of **ten** years, pursuant to subdivision 6 of paragraph a of Section 11.00 of the Local Finance Law;
- d) The purchase and replacement of equipment for the Department of Public Works in and for said County, each item of which costs \$30,000 or more, including incidental expenses in connection therewith, at a maximum estimated cost of \$2,834,000, being a class of objects or purposes having a period of probable usefulness of **fifteen** years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law;
- e) The purchase and replacement of equipment for the Department of Public Works in and for said County, each item of which costs over \$15,000 but less than \$30,000, including incidental expenses in connection therewith, at a maximum estimated cost of \$20,000, being a class of objects or purposes having a period of probable usefulness of **ten** years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law;
- f) The purchase and replacement of equipment for the Department of Public Works in and for said County, each item of which costs \$15,000 or less, including incidental expenses in connection therewith, at a maximum estimated cost of \$119,600, being a class of objects or purposes having a period of probable usefulness of **five** years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law; and
- g) To pay the cost of reconstruction of the parking lot located at the Liberty complex, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$500,000, being a specific of object or purpose having a

period of probable usefulness of **ten** years, pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The total maximum estimated cost of the aforesaid objects or purposes is \$13,613,600, and the plan for the financing thereof is by the issuance of \$13,613,600 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, to be allocated in accordance with the maximum estimated costs of each set forth in Section 1 hereof.

Section 3. 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 4. 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. To the extent not paid from other sources, 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 5. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best

for the interests of said County, including, but not limited to, the power to sell said bonds to or through the auspices of the New York State Municipal Bond Bank Agency; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the County Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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 County Treasurer is hereby further authorized, at his sole discretion, to execute any agreements with the New York State Municipal Bond Bank Agency, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of any object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said County in the event of the sale of same to or through the auspices of the New York State Municipal Bond Bank Agency.

Section 8. 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 9. 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 10. 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: Sager, LaBuda, Wood, Rouis, Goodman, Binder, Hiatt and Sorensen

NOES: None

ABSENT: Armstrong

The resolution was thereupon declared duly adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 18th day of February, 2010.

AnnMarie Martin, Clerk, County Legislature

(CORPORATE SEAL)

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on February 18, 2010, 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,

February 18, 2010.

AnnMarie Martin Clerk, County Legislature

BOND RESOLUTION NO. 115 OF 2010 DATED FEBRUARY 18, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$13,613,600 SERIAL BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR SAID COUNTY.

Objects or purposes:

- a) Reconstruction of County roads/bridges, 15-yr. period of probable usefulness, class of objects or purposes, \$8,560,000 serial bonds, SEQRA: Type II Action
- b) Reconstruction of bridges, 20-yr. period of probable usefulness, class of objects or purposes, \$800,000 serial bonds, SEQRA: Type II Action
- c) Purchase of solid waste equipment, 10-yr. period of probable usefulness, class of objects or purposes, \$780,000 serial bonds, SEQRA: Type II Action
- d) Purchase/replacement of DPW equipment, each item \$30,000 or more, 15-yr. period of probable usefulness, class of objects or purposes, \$2,834,000 serial bonds, SEQRA: Type II Action
- e) Purchase/replacement of DPW equipment, each item over \$15,000 but less than \$30,000, 10-yr. period of probable usefulness, class of objects or purposes, \$20,000 serial bonds, SEQRA: Type II Action
- f) Purchase/replacement of DPW equipment, each item \$15,000 or less, 10-yr. period of probable usefulness, class of objects or purposes, \$119,600 serial bonds, SEQRA: Type II Action
- g) Reconstruction of parking lot at the Liberty Complex, 10-yr. period of probable usefulness, specific object or purpose, \$500,000 serial bonds, SEQRA:

Aggregate amount of obligations to be issued: \$13,613,600 bonds.

RESOLUTION NO. 116-10 INTRODUCED BY MANAGEMENT AND BUDGET TO URGE THE NEW YORK STATE LEGISLATURE TO ADOPT LEGISLATION TO MAKE SCHOOL DISTRICTS WHOLE, SUBJECT TO REIMBURSEMENT BY LOCAL TAX DISTRICTS THAT ENFORCE DELINQUENT SCHOOL DISTRICT TAXES)

WHEREAS, New York State currently requires local governments that enforce delinquent school district taxes to pay all school districts that accept students from their locale for their uncollected taxes, no later than April 1st of each and every year, and

WHEREAS, unlike most towns, school districts never collect enough taxes to cover their own warrants, so that after November 30th, all unpaid school taxes become the sole obligation of the local tax district that enforces said collection to pay, and

WHEREAS, this requirement is known as “making schools whole” for uncollected taxes, and

WHEREAS, the vast majority of tax districts in New York State required to make schools whole are county governments, including Sullivan County, and

WHEREAS, Sullivan County is required, therefore, to make its schools whole by April 1st of every year even though the county has not collected all outstanding school taxes owed at that time, meaning that the Sullivan County must front its own money to the schools, and hope that during the remainder of the year it will collect the rest of the unpaid taxes from delinquent property owners, and

WHEREAS in 2006 and 2007, Sullivan County paid \$15 Million each year to make schools whole, and in 2008 the number rose to \$16 Million, and

WHEREAS in 2009, Sullivan County paid \$16.965 Million to make schools whole, and in 2010 the number will increase to \$17.113 Million,

WHEREAS, an analysis indicates that this monetary obligation has increased significantly over the years, and that the 2007 payment of \$15 Million represents an increase of almost 43 percent from 2004 through 2007, with an increase of 14% between 2007 and 2010, and

WHEREAS, the cash flow that is lost to county governments often necessitates that counties must borrow money to pay their own operating costs, thereby making it very difficult for many counties, including Sullivan County, to afford to pay for operating expenses without incurring additional debt, which costs taxpayers money for interest and costs of borrowing, and

WHEREAS, this burden on county government negatively impacts our general fund balance, our cash flow, our bond rating, our ability to save money and to lower the costs of providing services, and

WHEREAS, it would be more appropriate and in the best interests of the taxpayers of Sullivan County and New York State for the State government to make schools whole and to alleviate this extreme burden from *the backs of county taxpayers*, and

WHEREAS, *this proposal to shift the initial outlay from the counties to the State is uniquely fair to State Government in that local tax districts would retain the obligation to collect the delinquent school taxes and would, therefore, reimburse the State as it collected the delinquent school taxes on the local level, and*

WHEREAS, this proposal would save local taxpayers money and would enable local tax districts to provide more and better services, more efficiently and less expensively,

NOW, THEREFORE BE IT RESOLVED that the Sullivan County Legislature hereby urges the New York State Legislature to adopt legislation to make school districts whole subject to reimbursement by local tax districts that enforce delinquent school district taxes, and

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered forthwith to Assemblywoman Aileen M. Gunther, State Senator John J. Bonacic, Governor David Patterson and to the New York State Association of Counties for their support and endorsement.

Moved by Mrs. Binder **seconded by** Mr. Sager, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 117-10 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO REQUEST THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO ENSURE THAT LOCAL COMMUNITY IMPACTS ARE CONSIDERED BY A LOCAL SEQR PROCESS, AND NOT PREEMPTED BY THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR GAS DRILLING

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) is currently considering the adoption of a Generic Environmental Impact Statement (GEIS) for gas drilling, and

WHEREAS, a GEIS for gas drilling may set the threshold for what is already covered under NYSDEC rank approval, and it will set standards for air quality, and

WHEREAS, a GEIS for gas drilling should provide provisions that require a local SEQR process related to local community impacts, specifically the transportation related impacts, as site specific transportation impacts on the specific roads and the specific bridges must be subject to a site specific SEQR review, and not a GEIS preemption, and

WHEREAS, the GEIS for gas drilling must state that it doesn't cover the specific transportation related impacts, which will be evaluated on a case by case basis through the New York State SEQR process that is very technical and significant, and

WHEREAS, the GEIS for gas drilling must provide for the local community to address impacts that are specific to the community as provided for in the SEQR process for site specific impacts, and

WHEREAS, the County of Sullivan requested action by the New York State Legislature, through Resolutions 254 and 255 of 2009, to enact legislation to amend Section 23-0303 of the Environmental Conservation Law of the State of New York, and this resolution reaffirms the requests made therein.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby request that the New York Department of Environmental Conservation take the following action:

1. The adopted GEIS for gas drilling provide provisions that require a local SEQR process related to local community impacts, specifically the transportation related impacts, as site specific transportation impacts on the specific roads and the specific bridges must be subject to a site specific SEQR review, and not a GEIS preemption.
2. The adopted GEIS for gas drilling must state that it doesn't cover the specific transportation related impacts, which will be evaluated on a case by case basis through the New York State SEQR process that is very technical and significant.
3. The adopted GEIS for gas drilling must provide for the local community to address impacts that are specific to the community as provided for in the SEQR process for site specific impacts.

BE IT FURTHER RESOLVED, that the Sullivan County Legislature reaffirms the requests that were made of the New York State Legislature, through Resolutions 254 and 255 of 2009, to enact legislation to amend Section 23-0303 of the Environmental Conservation Law of the State of New York, and

BE IT FURTHER RESOLVED, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a copy of this resolution, and a copy of Resolutions 254 and 255 of 2009, to the Commissioner of the New York State Department of Environmental Conservation, Governor David A. Paterson. Senator John

J. Bonacic, Assemblywoman Aileen M. Gunther, the presiding officer of the New York State Senate, the Speaker of the New York State General Assembly, the New York State Association of Counties, and all Towns and Villages within Sullivan County.

Moved by Mrs. LaBuda, seconded by Mr. Sager, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 118-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE OPPOSING THE SALE OF WINE IN GROCERY, CONVENIENCE AND DRUG STORES AND URGING THE NEW YORK STATE SENATE AND ASSEMBLY TO VOTE AGAINST LEGISLATION THAT SEEKS TO AMEND THE ALCOHOLIC BEVERAGE CONTROL LAW TO PERMIT THE SALE OF WINE IN GROCERY, CONVENIENCE AND DRUG STORES

WHEREAS, New York State Governor David A. Paterson has declared New York State's economy to be in an "economic recession" and seeks to create new revenue streams to close the anticipated budget gap, and

WHEREAS, Governor Paterson recently proposed legislation which seeks to amend the Alcoholic Beverage Control Law to create a new grocery and drug store wine license, from which New York State would receive revenue in the way of new licensing fees, and

WHEREAS, Sullivan County is fortunate to have a number of successful, locally-owned and operated businesses who sell wine and spirits and whose owners and operators are active, full-time residents in our communities who reinvest their earnings into their businesses and/or spend their earnings in other local establishments, and

WHEREAS, this legislation would decrease the sales made in these locally-owned businesses and would increase sales for larger, corporate-owned and operated grocery, convenience and drug stores, whose profits are sent out-of-county to other counties and states where the corporate headquarters are located, and

WHEREAS, it has been determined that this legislation would be detrimental to local business owners and have a negative ancillary impact on Sullivan County's economy as a whole, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature formally opposes the sale of wine in grocery, drug and convenience stores in Sullivan County and across New York State.

BE IT FURTHER RESOLVED, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a copy of this resolution to New York State Governor David A. Paterson, New York State Senator John Bonacic, New York State Assemblyperson Aileen Gunther, the Sullivan County Chamber of Commerce and the Sullivan County Supervisors' Association.

Moved by Mr. Sorensen, seconded by Mrs. LaBuda, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 119-10 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #2.-1-42

WHEREAS, an application dated February 1, 2010 having been filed by Virginia Giglio and Carol Hutchinson with respect to property assessed to said applicants on the 2010 tax roll of the Town of Fallsburg Tax Map #2.-1-42 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from

the assessment roll had reflected an improvement that had been removed prior to taxable status date; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 9, 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 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 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. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 120-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FALLSBURG FOR TAX MAP #60.-1-15.1/6901**

WHEREAS, an application dated January 25, 2010 having been filed by Meir Perl with respect to property assessed to said applicant on the 2010 tax roll of the Town of Fallsburg Tax Map #60.-1-15.1/6901 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from incorrect application of pro rate due to inventory change; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 9, 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 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 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. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 121-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
FREMONT FOR TAX MAP #21.-1-4.5**

WHEREAS, an application dated February 6, 2010 having been filed by Cheryl Bowers and Michael McLendon with respect to property assessed to said applicants on the 2010 tax roll of the Town of Fremont Tax Map #21.-1-4.5 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an incorrect property class code reflected on the assessment roll for residential property when in fact it was vacant property which resulted in an incorrect solid waste fee charge on the tax roll; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 9, 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 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 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. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 122-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT & REAL PROPERTY
COMMITTEE TO CORRECT TAX ROLL OF THE TOWN OF
HIGHLAND FOR TAX MAP #10.-1-77.4**

WHEREAS, an application dated January 25, 2010 having been filed by Paul J. and Theresa M. Burckard with respect to property assessed to said applicant on the 2010 tax roll of the Town of Highland Tax Map #10.-1-77.4 pursuant to Section 554 of the Real Property Tax Law, to correct an error on said tax roll resulting from the applicants being assessed for a solid waste fee charge that said applicants feel they should not have been imposed.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 9, 2010 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 property owners were assessed a solid waste fee in conformance with the fee established by the Sullivan County Legislature and is not a correctable error pursuant to the provisions of the Real Property Tax Law, therefore the property owners must challenge this fee through the applicable appeals process contained in the local law.

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. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 123-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
HIGHLAND FOR TAX MAP #25.-1-4.2**

WHEREAS, an application dated January 27, 2010 having been filed by Jones Partners, LLC with respect to property assessed to said applicant on the 2010 tax roll of the Town of Highland Tax Map #25.-1-4.2 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the assessment roll had reflected an incorrect classification for the property as a 582 or Camping Park when in fact the property should be classified as a 311 or vacant land which resulted in an incorrect Solid Waste Fee charge on the tax roll; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 9, 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 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 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. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

**RESOLUTION NO. 124-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
LUMBERLAND FOR TAX MAP #14.-1-47.3**

WHEREAS, an application dated January 27, 2010 having been filed by Walter Balaban with respect to property assessed to said applicant on the 2010 tax roll of the Town of Lumberland Tax Map #14.-1-47.3 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the miscalculation of income that resulted in the removal of the Aged exemption to which property owner was entitled; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 9, 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 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 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. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 125-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT THE TAX ROLL OF THE TOWN OF
LUMBERLAND FOR TAX MAP #28.-1-25.1**

WHEREAS, an application dated January 22, 2010 having been filed by Lillian Burckard with respect to property assessed to said applicant on the 2010 tax roll of the Town of Lumberland Tax Map #28.-1-25.1 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure to apply Enhanced STAR and Aged Exemption rate to the Solid Waste fee to which property owner was entitled; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 9, 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 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 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. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

**RESOLUTION NO. 126-10 INTRODUCED BY PLANNING,
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY
COMMITTEE TO CORRECT TAX ROLL OF THE TOWN OF
MAMAKATING FOR TAX MAP #27.-2-4.3/26**

WHEREAS, an application dated February 1, 2010 having been filed by Lynnette Hoins with respect to property assessed to said applicant on the 2010 tax roll of the Town of Mamakating Tax Map #27.-2-4.3/26 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the failure to apply the Aged and Enhanced STAR exemptions to the Solid Waste Fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 9, 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 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. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and declared duly adopted on motion February 18, 2010.

RESOLUTION NO. 127-10 INTRODUCED BY PLANNING ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE A MASS CORRECTION OF ERRORS PURSUANT TO RPTL 556-B.

WHEREAS, an application dated February 18, 2010 having been filed by David Fanslau, County Manager, on behalf of the County of Sullivan with respect to properties assessed to property owners on the 2010 tax roll of the Towns of Bethel, Callicoon, Cochection, Delaware, Fallsburg, Forestburgh, Fremont, Highland, Liberty, Lumberland, Mamakating, Neversink, Rockland, Thompson, and Tusten Tax Map #'s on the list attached to the application which is on file in the offices of the Clerk to the Sullivan County Legislature and the Director of Real Property Tax Service, pursuant to Section 556-b of the Real Property Tax Law, to correct a clerical error, on said tax roll by the erroneous entry of solid waste fees that had been charged analogous to a unit of service provided by a special district, and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 18, 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 Solid Waste Fees were erroneously charged against several properties throughout Sullivan County. With respect to those properties on the list filed in the offices of the Clerk to the Legislature and Director of Real Property Tax Services they have been changed to reflect the intent of the Local Law 7 of 2009 and the rate schedule set by the Legislature.
- (b) It is the intention of this Legislature that the Correction of Errors provisions of the Real Property Tax Law be applicable to applications to correct solid waste fees on a case by case basis in the same manner as said provisions would be applicable to a tax. When it is determined by a town assessor and/or County Director of Real Property Tax Services that an application to

correct a solid waste fee is not covered by any Correction of Errors provisions of the Real Property Tax Law then an application shall be made to and determined by the Grievance or Appeals Board established by the Solid Waste Fee Local Law.

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 refund 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 refunded 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 refund made pursuant to this resolution includes a relieved school tax, the Treasurer shall comply with the provisions of Section 556 (6) (b) of the Real Property Tax Law.

Moved by Mrs. Binder, seconded by Mr. Sorensen, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

RESOLUTION NO. 128-10 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, proposals were received for County Land Records Initiative for the County Clerk's Office, and

WHEREAS, Info Quick Solutions, Inc., 7460 Morgan Road, Liverpool, New York 13090, best meets the needs for the County Clerk, for such work, and

WHEREAS, the County Clerk approves said proposal and recommends that a contract be executed, as the funds may exist.

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 \$67,946.00, and in accordance with the RFP #R-09-41, dated December 4, 2009, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Goodman, seconded by Mr. Sager, put to a vote with Mr. Armstrong absent, unanimously carried and **declared duly adopted on motion** February 18, 2010.

There being no further business, Mr. Wood moved to adjourn, seconded by Mrs. Binder, put to a vote and carried. The Regular Meeting was declared closed at 2:12PM subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk of the Legislature

Feb 2010
Modifications to 2010 Sullivan County Budget

Page	Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
31	District Attorney	A-1165-R2626-R247	FORFEITR CRIME PROCDS MISC FEE/REIMBURSMNT	5,000			
35	Public Safety - Admin	A-3010-R3306-R167	ST AID HOMELAND SECRTY DEPARTMENTAL AID	9,046			
35	Sheriff - Patrol	A-3110-29-R2626-R247	FORFEITR CRIME PROCDS MISC FEE/REIMBURSMNT	1,000			
56	District Attorney	A-1165-47-4703	DEPT DUES			180	
56	District Attorney	A-1165-47-4706	DEPT SPECIAL INVESTIGATIONS				180
56	District Attorney	A-1165-47-4724	DEPT DRUG FORFEITURE PROCEEDS			5,000	
75	County Clerk - Main Unit	A-1410-10-20-2001	TRACKED EQUIP FURNITURE			728	
75	County Clerk - Main Unit	A-1410-10-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER			150	
75	County Clerk - Main Unit	A-1410-10-41-4105	AUTO/TRAVEL REGISTRATION FEES			185	
75	County Clerk - Main Unit	A-1410-10-42-4203	OFFICE OFFICE SUPPLIES				728
75	County Clerk - Main Unit	A-1410-10-43-4301	COMPUTER SUPPLIES				185
75	County Clerk - Main Unit	A-1410-10-43-4301	COMPUTER SUPPLIES				150
81	Bd of Elections	A-1450-20-2005	TRACKED EQUIP OTHER			3,917	
84	Central Service Admin	A-1610-42-4203	OFFICE OFFICE SUPPLIES			583	
84	Central Service Admin	A-1610-42-4204	OFFICE POSTAGE				583
90	DPW - Liberty Campus	A-1620-22-44-4402	UTILITY FUEL OIL				50
90	DPW - Liberty Campus	A-1620-22-44-4406	UTILITY WIRELESS COMMUNICATIONS			50	
92	DPW - Misc Locations	A-1620-23-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				1,500
92	DPW - Misc Locations	A-1620-23-45-4526	SPEC DEPT SUPPLY PAINT			1,500	
94	DPW - ACC	A-1620-24-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				75
94	DPW - ACC	A-1620-24-45-4524	SPEC DEPT SUPPLY LUMBER			75	
96	DPW - Court House	A-1620-25-45-4535	SPEC DEPT SUPPLY SALT BAG/BULK			150	
96	DPW - Court House	A-1620-25-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				150
99	DPW - Jail	A-1620-27-45-4535	SPEC DEPT SUPPLY SALT BAG/BULK			250	
99	DPW - Jail	A-1620-27-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				250
101	DPW - Patrol	A-1620-28-44-4402	UTILITY FUEL OIL				75
101	DPW - Patrol	A-1620-28-44-4404	UTILITY PROPANE			75	
108	Misc Expense	A-1989-99-47-4736	DEPT CONTINGENT				3,917
108	Misc Expense	A-1989-99-47-4736	DEPT CONTINGENT				24,000
108	Misc Expense	A-1989-99-47-4736	DEPT CONTINGENT				17,500
111	Public Safety - Admin	A-3010-20-2003	TRACKED EQUIP PUBLIC SAFETY			5	
111	Public Safety - Admin	A-3010-40-4006	CONTRACT ENGINEER/ARCHITECT/DESIGN SERV			9,046	
111	Public Safety - Admin	A-3010-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE				5
116	Sheriff - Patrol	A-3110-29-47-4724	DEPT DRUG FORFEITURE PROCEEDS			1,000	

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Page	Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
151	Community Services - Admin	A-4310-20-2005	TRACKED EQUIP OTHER			200	
151	Community Services - Admin	A-4310-42-4203	OFFICE OFFICE SUPPLIES				200
160	SC Airport	A-5610-45-4501	SPEC DEPT SUPPLY MISC/OTHER			350	
160	SC Airport	A-5610-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				350
162	Transportation	A-5680-47-4701	DEPT RENTALS			679	
162	Transportation	A-5680-47-4708	DEPT INSURANCE				679
197	Parks & Rec - Admin	A-7110-39-47-4703	DEPT DUES			125	
197	Parks & Rec - Admin	A-7110-39-47-4766	DEPT CLEAN UP/BEAUTIFICATION				125
201	Parks & Rec - Stone Arch	A-7110-84-45-4524	SPEC DEPT SUPPLY LUMBER			75	
201	Parks & Rec - Stone Arch	A-7110-84-47-4717	DEPT BLDG/PROP REPAIRS				75
204	Youth Programs	A-7310-40-4013	CONTRACT - OTHER			24,000	
204	Youth Programs	A-7310-40-4013	CONTRACT - OTHER			17,500	
206	SC County Museum	A-7450-202-42-4203	OFFICE OFFICE SUPPLIES			20	
206	SC County Museum	A-7450-202-47-4717	DEPT BLDG/PROP REPAIRS				20
207	DH Canal Museum	A-7450-203-46-4604	MISC SERV/EXP REAL ESTATE TAXES				250
207	DH Canal Museum	A-7450-203-47-4703	DEPT DUES			250	
217	Planning - Main Unit	A-8020-90-42-4201	OFFICE ADVERTISING			70	
217	Planning - Main Unit	A-8020-90-42-4203	OFFICE OFFICE SUPPLIES				70
Total A Fund				\$ 15,046	\$ -	\$ 66,163	\$ 51,117
239	Solid Waste System	CL-8160-10-1011	PERSONAL SERV REGULAR PAY			715,350	
239	Solid Waste System	CL-8160-10-1012	PERSONAL SERV OVERTIME PAY			25,000	
239	Solid Waste System	CL-8160-20-2005	TRACKED EQUIP OTHER			4,269	
239	Solid Waste System	CL-8160-40-4006	CONTRACT ENGINEER/ARCHITECT/DESIGN SERV				37,350
239	Solid Waste System	CL-8160-40-4013	CONTRACT OTHER				76,800
239	Solid Waste System	CL-8160-40-4013	CONTRACT OTHER				946,325
240	Solid Waste System	CL-8160-47-4702	DEPT EQUIP SERVICE/REPAIRS				370
240	Solid Waste System	CL-8160-47-4720	DEPT LABORATORY/XRAY EXPENSE			28,350	
240	Solid Waste System	CL-8160-47-4730	DEPT JANITORIAL EXPENSE			370	
240	Solid Waste System	CL-8160-47-4730	DEPT JANITORIAL EXPENSE			9,000	
240	Solid Waste System	CL-8160-47-4767	DEPT NYS REGLTORY FEES/FINES/ASSESS			76,800	
240	Solid Waste System	CL-8160-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				4,269
240	Solid Waste System	CL-8160-80-8001	EMPL BENFTS FICA AND MEDICARE			56,650	
240	Solid Waste System	CL-8160-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			144,225	

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Modifications to 2010 Sullivan County Budget

Page	Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
240	Solid Waste System	CL-8160-80-8004	EMPL BENFTS HLTH INSUR OPT OUT			3,000	
240	Solid Waste System	CL-8160-80-8007	EMPL BENFTS DISABILITY			2,100	
Total CL Fund				\$ -	\$ -	\$ 1,065,114	\$ 1,065,114
244	DPW - Traffic Control	D-3310-42-4203	OFFICE OFFICE SUPPLIES			175	
244	DPW - Traffic Control	D-3310-45-4501	SPEC DEPT SUPPLY MISC/OTHER			275	
244	DPW - Traffic Control	D-3310-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				175
244	DPW - Traffic Control	D-3310-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY				275
Total D Fund				\$ -	\$ -	\$ 450	\$ 450
261	DPW - Maplewood	DM-5130-48-45-4537	SPEC DEPT SUPPLY DIESEL FUEL				6,350
263	DPW - Barryville	DM-5130-49-21-2105	FIXED AUTOMOTIVE EQUIP			6,350	
263	DPW - Barryville	DM-5130-49-42-4203	OFFICE OFFICE SUPPLIES			100	
263	DPW - Barryville	DM-5130-49-45-4501	SPEC DEPT SUPPLY MISC/OTHER				100
Total DM Fund				\$ -	\$ -	\$ 6,450	\$ 6,450
Grand Total				\$ 15,046	\$ -	\$ 1,138,177	\$ 1,123,131