



AGENDA

Legislative Monthly Meeting for October 21, 2010 at 2:00PM

Call to Order

Pledge of Allegiance

Roll Call of Legislators

Communications

Presentations:

John Kehlenbeck, Division of Solid Waste

Public Comment

Resolutions:

1. Delegate the County Treasurer of the County of Sullivan, New York the power to authorize the issuance of and to sell Tax Anticipation Notes and Revenue Anticipation Notes of said county
2. Appoint Cornwell to the Community Services Board
3. Amend the County of Sullivan's Drug Free Workplace Policy
4. Authorize Sullivan County Visitor's Association, Inc to apply for I Love New York Matching funds
5. Approve the 2011 Stop DWI Plan and authorize the County Manager to sign any and all agreements necessary for the Plan
6. Approve allocation of State Aid to Youth Development and Special Delinquency Prevention Programs
7. Authorize payment of funds to the Sullivan County Industrial Development Agency (Southern Catskills Red Meat processing Facility)
8. Correct the 2010 Tax Roll FA 26.-1-68.12 to Ellis
9. Correct the 2010 Tax Roll CO 7.-1-2 to Battistessa-Battis
10. Correct the 2008 Tax Roll BE 24.-1-35 to Barry
11. Correct the 2009 Tax Roll BE 24.-1-35 to Barry
12. Correct the 2010 Tax Roll BE 24.-1-35 to Barry
13. Accept the recommendations of the Sullivan county User Fee Grievance Committee
14. Authorize the issuance of a Request for Proposals for a Conservation Development Plan for the Old Smallwood Golf Course in the Town of Bethel
15. Authorize contract for services with Digital Virtual Imaging, LTD to conduct a countywide broadband and mobile telephony communications infrastructure study for Sullivan County
16. Authorize contract with NYSDOT for implementing engineering services for the repair of the Beaver Kill Covered Bridge
17. Authorize contract for 2010-2011 with Sukhwinder Singh, MD as a professional service consultant in the Department of Community Services

Recognition of Legislators

Announcements from Chair

Adjournment or Close

TAX AND REVENUE ANTICIPATION NOTE 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, in said County, on October _____, 2010, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by _____, who moved its adoption, seconded by _____, to-wit:

* * * * *

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

AYES:

NOES:

ABSENT:

The resolution was thereupon declared duly adopted.

* * * * *

RESOLUTION NO. _____ OF 2010 DATED OCTOBER _____, 2010.

A RESOLUTION DELEGATING TO THE COUNTY TREASURER OF THE COUNTY OF SULLIVAN, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND TO SELL TAX ANTICIPATION NOTES AND REVENUE ANTICIPATION NOTES OF SAID COUNTY.

BE IT RESOLVED by the affirmative vote of the County Legislature of the County of Sullivan, New York, as follows:

Section 1. The power to authorize the issuance and sale of tax anticipation notes of the County of Sullivan, New York, including renewals thereof, in anticipation of the collection of real estate taxes levied for the 2010 fiscal year of said County, in an amount not to exceed \$5,000,000, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said County Treasurer, in accordance with the provisions of the Local Finance Law.

Section 2. The power to authorize the issuance of and to sell tax anticipation notes and revenue anticipation notes of said County, including renewals thereof, is hereby determined to be continued to be delegated to said County Treasurer, as previously authorized by Resolution No. 270 of 1974, dated September 20, 1974. Such notes shall be of such terms, form and content as may be determined by said County Treasurer, in accordance with the provisions of the Local Finance Law.

Section 3. This resolution shall take effect immediately.

Resolution No. _____

RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE.

RESOLUTION TO APPOINT ONE (1) MEMBER TO THE COMMUNITY SERVICES BOARD

WHEREAS, there is a vacancy on the Community Services Board, and

WHEREAS, there is a need to appoint one (1) member to fill the vacancy on the Community Services Board.

NOW, THEREFORE, BE IT RESOLVED, the following individual to be appointed to fill a vacancy on the Sullivan County Community Services Board to reflect the date set opposite his name:

APPOINTMENT TO THE CSB

TERM

Jason K. Cornwell
(to fill a vacancy left by resignation of Cheryl White)

10/1/2010 – 12/31/12

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2010.

**RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE
AMENDING THE COUNTY OF SULLIVAN'S DRUG-FREE WORKPLACE POLICY.**

WHEREAS, pursuant to Res. No. 315-89 adopted by the Sullivan County Board of Supervisor's on August 14, 1989 the County of Sullivan ("County") adopted a Drug-Free Workplace Policy ("Policy"), and

WHEREAS, the federal regulation, which required the County to adopt the Policy in order to be eligible for certain federal funding, has been amended, and

WHEREAS, in order to be in complete compliance with the requirements of 7 CFR Subpart F, the County must amend the Policy.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the adoption of the following language as the Policy;

"The County of Sullivan Drug-Free Workplace Policy:

- (a.) The County affirmatively states that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace. Employees who violate this prohibition shall be subject to discipline in accordance with relevant provisions of the Civil Service Law, the Collective Bargaining Agreement covering the person's employment, or such other personnel policies as may relate to the individual's employment.
- (b.) The County shall establish and maintain on an ongoing basis a drug-free awareness program which shall inform employees about;
 - 1. The dangers of drug abuse in the workplace, and
 - 2. The County's Policy of maintaining a drug-free workplace, and
 - 3. The availability of drug counseling, drug rehabilitation and the Employee Assistance Program, and
 - 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- (c.) The County shall require that every employee that is engaged in the performance of a grant be provided with a copy of the drug-free workplace Statement contained in section (a) above.
- (d.) The County shall require that every employee that is engaged in the performance of a grant shall be notified that as a condition of employment under the grant that the employee will;
 - (1.) Comply with the Drug-Free Workplace Statement contained in section (a) above, and
 - (2.) Notify the County in writing of his/her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- (e.) The County shall notify the federal agency funding the grant, within ten calendar days after receiving a notice from an employee pursuant to section (d)(2) above or within ten calendar days of receiving actual notice of an employee's conviction. The County

will provide the notice to every grant official or designee of the federal agency on whose grant activity the convicted employee was working. The notice shall include identification numbers of the affected grants.

(f.) The County shall, within thirty calendar days of receiving notice from an employee pursuant to section (d)(2) above, with respect to the employee who was convicted of a criminal drug crime take one of the following actions:

1. Take appropriate civil service action against the employee which may conclude with the termination of the employee, if warranted, or
2. Require the employee to participate in an approved drug abuse assistance program or drug rehabilitation program from which the employee is satisfactorily discharged.

(g.) The County shall make a good faith effort to maintain a drug-free workplace and shall use its best efforts to ensure compliance with this Policy.

(h.) The definitions contained in 7 CFR§3017.605 shall apply to this Policy.”

BE IT FURTHER RESOLVED, that upon adoption this Policy shall be published on the County’s website and provided to all County employees via electronic or other means necessary, and

BE IT FURTHER RESOLVED, this Policy shall take effect immediately.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2010.

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby designates the Sullivan County Visitors Association, Inc. as the official tourism promotion agency of Sullivan County to apply for and receive matching funds for the fiscal year 2011.

BE IT FURTHER RESOLVED, that the County of Sullivan pledges to match up to 5% of the total New York State Matching Funds Budget, subject to County Legislature appropriation, which is the maximum application amount allocated per county for 2011 Program Year.

Resolution No. _____

RESOLUTION INTRODUCED BY PUBLIC SAFETY COMMITTEE

RESOLUTION TO APPROVE THE 2011 STOP DWI PLAN AND AUTHORIZE THE COUNTY MANAGER TO SIGN ANY AND ALL AGREEMENTS NECESSARY FOR THE PLAN

WHEREAS, the 2011 STOP DWI Plan has been prepared and requires the signature of the County Manager prior to being approved by the New York State Department of Motor Vehicles, and

WHEREAS, the 2011 STOP DWI budget is \$281,708, and

WHEREAS, a copy of the 2011 STOP DWI Plan is on file in the County Manager's Office.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to sign any and all agreements with the State of New York and all appropriate agencies to effect the 2011 STOP DWI Plan, said agreements to be in such form as the County Attorney shall approve.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2010.

RESOLUTION INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE

RESOLUTION TO APPROVE ALLOCATION OF STATE AID TO YOUTH DEVELOPMENT AND SPECIAL DELINQUENCY PREVENTION PROGRAMS

WHEREAS, Sullivan County and its municipalities are eligible to receive local assistance funds for the year 2011 for YDDP Youth Development (Youth Recreation, Youth Services, Youth Initiatives), and SDPP (Special Delinquency Prevention) projects; and

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

*YDDP Youth Bureau Administration	\$32,070	*YDDP Youth Service	\$26,947
*YDDP Youth Recreation	\$20,143	*Liberty Police Juvenile Aid Bureau	\$ 5,485
*Delaware Youth Center	\$ 4,800	*Monticello Police Youth Officer Unit	\$ 5,485
*Roscoe CSD Summer Youth Recreation	\$ 1,195	*Monticello Housing Youth Services	\$ 4,350
		*Community Driver Safety Prgrm Alive @ 25	\$ 2,000
		*DRC Youth Achievement, Recognition	\$ 3,490
*Town of Bethel Youth Recreation	\$ 1,570	*Eldred Sunshine Hall Library Story Hour	\$ 1,000
*Town of Cochection Youth Recreation	\$ 1,135	*PRASAD CDHP Smiles for Teens	\$ 2,175
*Town of Fallsburg Youth Recreation	\$ 2,967	*WJFF Youth Radio Project	\$ 2,962
*Town of Forestburgh Youth Recreation	\$ 1,000		
*Town of Highland Youth Recreation	\$ 1,190	*YDDP Youth Initiative	\$10,765
*Town of Lumberland Youth Recreation	\$ 1,135	*Boys & Girls Club	\$ 6,280
*Town of Mamakating Youth Recreation	\$ 2,966	*SC Cares Coalition Youth Program	\$ 4,485
*Town of Rockland Youth Recreation	\$ 1,135		
*Town of Tusten Youth Recreation	\$ 1,050	SDPP Special Delinquency Prevention	\$28,167
		Council on Alcohol Safe Summer Camp	\$ 6,709
		Girl Scouts Heart of the Hudson Pathways	\$ 2,294
		Recovery Center Sunshine Camp for Teens	\$ 6,706
		SC BOCES Even Start Summer Kids Camp	\$ 4,375
		SC CASA Court-Appointed Special Advocates	\$ 4,375
		SC Youth Bureau Program Monitoring	\$ 3,708

[* indicates programs must match funds]

[Youth Bureau administration/monitoring set by State] **Total:** **\$118,092**

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

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

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

Moved by _____,

Seconded by _____,

and adopted on motion _____, 2010.

Proposals for Youth Bureau/OCFS-funded programs, 2011

Municipal programs: youth service and recreation

[* indicates programs must match funds]

- **Village of Liberty Police Youth Officer***: Crime prevention to divert youth from juvenile court; community outreach through bike or Halloween safety, career-day presentations, fingerprinting through local schools.
- **Monticello Police Youth Officers' Unit***: Preventive outreach includes Halloween safety, fingerprinting, school mediation, familiarizing youth with K-9 and community policing.
- **Monticello Housing Authority Youth Services***: Tutoring, computer learning, sports, field trips, adolescent living skills, community service.

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

Proposals for Youth Bureau/OCFS-funded programs, 2011

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

[* indicates programs must match funds]

- **Boys & Girls Club***: Through partnership with local school systems, after-school Boys & Girls Club builds youth skills and leadership, preventing at-risk and gang-related behaviors.
- **CDSP, Community Driver Safety Programs Alive @ 25***: National Driver Safety education for ages 16–20 targets attitudes, lifestyles, and decision making factors that put young drivers at risk, promotes safe driving, and prevents vehicular accidents among teens.
- **Delaware Youth Center Summer Youth Recreation***: A rich summer program with dance, theater, photojournalism, crafts, fine art, cooking, sports, canoeing, preschool play groups, teen dances and musical events, workshops with area artists, and educational presentations.
- **DRC (Dispute Resolution Center) Youth Achievement, Recognition, and Development***: Violence-prevention initiative recruits and trains youth in dispute resolution / communication to act as peer mediators, and assists schools in building peer-mediation programs.
- **Eldred Sunshine Hall Library Story Hour***: Saturday-morning activities include reading, thematic arts and crafts, computer-based learning, encouragement of parent-child bonding.
- **Girl Scouts Heart of the Hudson Pathways/Flexible Delivery***: Customized programming, life skills, and enrichment education for at-risk, high-need, underserved girls in special-education settings in BOCES, fostering self-esteem, motivation, and healthy choices.
- **PRASAD CDHP Smiles for Teens***: The Children’s Dental Health Program targets teenagers through school- and community-based outreach and treatment for teens unable to afford care.
- **Recovery Center Sunshine Camp for Teens**: Teens at extreme risk participate in a camp and follow-up workshops that strengthen coping skills, preventive factors, bonding with adults and community, personal decision making, and effective peer relationships.
- **Roscoe Central School Youth Recreation***: Summer golf, tennis, arts and crafts, group games, fitness, swimming.
- **SC BOCES Even Start Summer Kids Camp**: Outdoor exploration and class activities build preliteracy and motor skills, reading and art, cognitive and social readiness for preschoolers' success in school.
- **SC CARES Coalition***: “Growing” engages parents, teens, and preteens in effective listening, alternatives to fighting, self- and mutual understanding; “Choices” trains youth as peer educators; mentoring program pairs teens with local business people for jobs and personal role models / mentoring.
- **SC CASA, Court-Appointed Special Advocates**: Advocacy for children in family court, to ensure delivery of services and promote safe, permanent homes.
- **SC Council on Alcoholism Safe Summer Camp**: A sleep-away camp for extremely at-risk children that fosters self-esteem, trust, respect, bonding, and coping skills. Fall follow-up activities and winter tie-in with Strengthening Families program.
- **WJFF Youth Radio Project***: Youth learn technical skills and creative program development; conduct outreach to other youth, school districts, and the community; and produce a youth radio show.

Note: Most of these programs are currently funded for 2010 and are in good standing as to the activities and services they are providing for county youth.

RESOLUTION INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE PAYMENT OF FUNDS TO THE SULLIVAN COUNTY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, the County of Sullivan (“County”), pursuant to Resolution #349-10, has expressed its commitment to working with the Sullivan County Industrial Development Agency (“Sullivan County IDA”) in furtherance of the construction of the Southern Catskills Red Meat Processing Facility (“Project”) to be located in the Village of Liberty, New York; and

WHEREAS, all grant funding for the planning and construction of the facility is now in place; and

WHEREAS, the \$800,000 grant received from the United States Department of Commerce Economic Development Administration (EDA) requires a 50% match, of which the County portion is \$150,000 in cash; and

WHEREAS, the Sullivan County IDA is the applicant for the EDA grant and requires the County share of \$150,000 to be paid to them; and

WHEREAS, all parties desire to commence development of the facility in an expeditious manner.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes a payment of \$150,000 to the Sullivan County IDA reflecting the County’s cash commitment of matching funds; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute any and all documents to finalize Sullivan County’s financial obligations to the Sullivan County IDA in a form acceptable to the County Attorney; and

BE IT FURTHER RESOLVED, that the County Manager is hereby directed to place the Sullivan County IDA on notice that the \$150,000 represents Sullivan County’s sole payment, as all funding for the project has now been secured; and

BE IT FURTHER RESOLVED, that in the event that the EDA funding is not provided, the County will not be obliged to provide the \$150,000 nor shall it be committed to further the Project.

**Moved by,
Seconded by,
and adopted on motion, 2010.**

**RESOLUTION INTRODUCED BY THE PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2010
TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #26.-1-68.12**

WHEREAS, an application dated September 9, 2010 having been filed by Wayne and Tamara Ellis with respect to property assessed to said applicant on the 2010 tax roll of the Town of Fallsburg Tax Map #26.-1-68.12 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry on the tax roll that did not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 21, 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,
Seconded by,
and adopted on motion, 2010.**

**RESOLUTION INTRODUCED BY THE PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2010
TAX ROLL OF THE TOWN OF COCHECTON FOR TAX MAP #7.-1-2**

WHEREAS, an application dated September 8, 2010 having been filed by John and Marilyn Battistessa-Battis with respect to property assessed to said applicant on the 2010 tax roll of the Town of Cochecton Tax Map #7.-1-2 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from failure to apply the senior rate to the solid waste fee; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 21, 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,
Seconded by,
and adopted on motion, 2010.**

RESOLUTION INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2008 TAX ROLL OF THE TOWN OF BETHEL FOR TAX MAP #24.-1-35

WHEREAS, an application dated September 10, 2010 having been filed by Deirdra Barry with respect to property assessed to said applicant on the 2008 tax roll of the Town of Bethel Tax Map #24.-1-35 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from an incorrect entry of acreage on the taxable portion of the assessment roll and tax roll, which acreage was considered by the assessor in the valuation of the parcel and which resulted in an incorrect assessed valuation of the parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 27, 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 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,
Seconded by,
and adopted on motion, 2010.**

RESOLUTION INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2009 TAX ROLL OF THE TOWN OF BETHEL FOR TAX MAP #24.-1-35

WHEREAS, an application dated September 10, 2010 having been filed by Deirdra Barry with respect to property assessed to said applicant on the 2009 tax roll of the Town of Bethel Tax Map #24.-1-35 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from an incorrect entry of acreage on the taxable portion of the assessment roll and tax roll, which acreage was considered by the assessor in the valuation of the parcel and which resulted in an incorrect assessed valuation of the parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 27, 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 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,
Seconded by,
and adopted on motion, 2010.**

RESOLUTION INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2010 TAX ROLL OF THE TOWN OF BETHEL FOR TAX MAP #24.-1-35

WHEREAS, an application dated September 10, 2010 having been filed by Deirdra Barry with respect to property assessed to said applicant on the 2010 tax roll of the Town of Bethel Tax Map #24.-1-35 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from an incorrect entry of acreage on the taxable portion of the assessment roll and tax roll, which acreage was considered by the assessor in the valuation of the parcel and which resulted in an incorrect assessed valuation of the parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated September 27, 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 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,
Seconded by,
and adopted on motion, 2010.**

**RESOLUTION INTRODUCED BY THE PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE ACCEPTING THE
RECOMMENDATIONS OF THE SULLIVAN COUNTY USER FEE GRIEVANCE
COMMITTEE**

WHEREAS, the Sullivan County Legislature (“Legislature”) adopted Local Law No. 7 of 2009 which established a solid waste user fee; and

WHEREAS, Local Law No. 7 of 2009 provided for a Sullivan County User Fee Grievance Committee (“Committee”) to review written appeals from property owners; and

WHEREAS, the Committee wishes to report its recommendations to the Legislature; and

WHEREAS, the Committee has reviewed appeals and it recommends approving reduction/elimination of the user fee for properties detailed on the Recommended Approval List attached hereto as Appendix “A” and made a part hereof; and

WHEREAS, the Committee has reviewed appeals and it recommends denying reduction/elimination of the user fee for properties detailed on the Recommended Denial List attached hereto as Appendix “B” and made as part hereof.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature acknowledges receipt of the Committee’s recommendations detailed on Appendix “A” and Appendix “B” and hereby ratifies said recommendations contained on Appendix A and B.

BE IT FURTHER RESOLVED, that the Legislature hereby authorizes the Sullivan County Treasurer, on behalf of the Committee to notify the property owners regarding approval/denial of their respective appeals.

**Moved by,
Seconded by,
and adopted on motion, 2010.**

RESOLUTION NO. INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE THE ISSUANCE OF A REQUEST PROPOSALS FOR A CONSERVATION DEVELOPMENT PLAN FOR THE OLD SMALLWOOD GOLF COURSE IN THE TOWN OF BETHEL

WHEREAS, the County of Sullivan (“County”) seeks to have developed two parcels in the hamlet of Smallwood, designated on the Town of Bethel tax map as SBL 51.-1-25.3 and 51.-1-27.1, commonly referred to as the ‘Smallwood Golf Course’ site (“Site”) in the Town of Bethel; and

WHEREAS, the County, through a working group created by Legislative Chair, Jonathan Rouis, consisting of the County Treasurer, the Division of Planning and Environmental Management, the Town of Bethel, and several civic associations is interested in the development of the Site using a conservation development technique for the economic, social and environmental benefit of Sullivan County residents and visitors; and

WHEREAS, this project is an innovative approach to land development and has the potential to serve as a demonstration project and be replicated by other developers in Sullivan County and beyond; and

WHEREAS, the County, through its Division of Planning and Environmental Management is seeking proposals for a conservation development which will include both site planning and financing for implementation on this Site.

NOW, THEREFORE BE IT RESOLVED, that the County authorizes the issuance of a request for proposals for a conservation development, including planning and financing of the Site.

Moved by _____, **seconded by** _____, put to a vote, unanimously carried and **declared duly adopted on motion** . . .

RESOLUTION NO. ____ INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD AND EXECUTION OF A CONTRACT FOR SERVICES WITH DIGITAL VIRTUAL IMAGING, LTD. TO CONDUCT A COUNTYWIDE BROADBAND & MOBILE TELEPHONY COMMUNICATIONS INFRASTRUCTURE STUDY FOR SULLIVAN COUNTY.

WHEREAS, the County of Sullivan, acting through the Division of Purchasing and Central Services, issued a Request for Qualifications (RFQ) for various Technical Services related to the submission of Community Development Grants, which was prepared by the Division of Planning and Environmental Management (RFQ No. R-10-14, issued March 26, 2010); and

WHEREAS, the RFQ included a request for Communications Engineering Services with specific reference to broadband and cellular/wireless technologies; and

WHEREAS, Digital Virtual Imaging (DVI), Ltd., was among the firms responding to the RFQ and was the only firm offering services in the area of communications engineering and planning; and

WHEREAS, the County applied for and was awarded funding from the USDA/Rural Development Rural Business Opportunity Grant (RBOG) program, for the purpose of conducting a Countywide Broadband and Mobile Telephony Communications Infrastructure Study; and

WHEREAS, the RBOG application identified a scope of work to be implemented under the grant, if awarded, which DVI, Ltd. is capable of providing, and

WHEREAS, the RBOG application identified as part of the project team DVI, Ltd., who would provide technical expertise and work as a consultant to the Division of Planning and Environmental Management;

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract for services with DVI, Ltd., for a scope of services related to the work plan identified in the RBOG application, for a contracted price not to exceed \$65,000 and in such form as the County Attorney shall approve.

Moved by _____, seconded by _____, put to a vote and
[Date].

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE AN AGREEMENT WITH NYSDOT FOR IMPLEMENTING ENGINEERING SERVICES FOR THE REPAIR OF THE BEAVER KILL COVERED BRIDGE.

WHEREAS, a Project for BIN 3357260/County Bridge 304 on Town Highway 29 over the Beaver Kill in the Town of Rockland, Sullivan County, PIN 9753.40 (the "Project") is eligible for funding under Title 23 of the U.S. Code as amended that calls for apportionment of the costs of such programs to be borne at the ratio of 100% Federal funds; and

WHEREAS, the County desires to advance the Project by making a commitment of 100% of the Federal share of the costs of the Preliminary Engineering work.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature, duly convened hereby approves the Project; and

BE IT FURTHER RESOLVED, the Sullivan County Legislature hereby authorizes the County Treasurer to pay in the first instance 100% of the Federal share of the costs of the Preliminary Engineering work for the Project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of \$7,300 is hereby appropriated from D5020-10-1011 and made available to cover the cost of participation in the Project; and

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

BE IT FURTHER RESOLVED, that the County Manager be hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal-Aid on behalf of the County with the New York State Department of Transportation, in such forms as approved by the County Attorney, to advance, approve, and administer the Project; and

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2010.

