



## AGENDA

Legislative Monthly Meeting for January 26, 2012 at 2:00PM

**Call to Order**

**Pledge of Allegiance**

**Roll Call of Legislators**

**Communications**

**Public Comment**

**Resolutions:**

1. Authorizing the issuance pursuant to Section 90.00 or Section 90.10 of the Local Finance Law of refunding bonds of the County of Sullivan, New York to be designated substantially "Public Improvement Refunding" **(roll call)**
2. Appoint Gieger and Benson to the Sullivan County Soil and Water Conservation District Board
3. Appoint Steingart to the Sullivan County Industrial Development Agency (IDA) Board
4. Appoint Gieger to the Sullivan County Agricultural and Farmland Protection Board
5. Reappoint Conway as County Historian
6. Fill vacant Investigator position in the District Attorney's Office
7. Support Special NYS Legislation to reopen Section 511 of the Retirement and Social Security Law for Sullivan County Deputy Sheriffs
8. Authorize funding Federal Aid and State Marchiselli Program Aid Transportation Project
9. Authorize award of engineering services for the design and construction administration services for replacement of the County Owned Hangar at SCIA
10. Authorize the Chairman of the Legislature to execute a contract with the auction firm (Haroff and Absolute)
11. Withdraw parcels from the 2009 Tax Foreclosure proceeding and to cancel certain taxes
12. Correct CA Tax Roll 24-3-19 to Zieres
13. Correct FR Tax Roll 22-1-47.1 to Leewe
14. Deny Correction of Tax Roll FA 111.-1-3.8/5701 filed by Simon
15. Authorize contract with Sullivan Alliance for Sustainable Development for \$25,000
16. Authorize contract with Industrial Petroleum Incorporated for installation of fuel canopy
17. Authorize contract with Dr. Quazai S. Al-Tariq, Psychiatrist
18. Authorize contract with National Network of Public Health Institutes for a Quality Improvement Grant
19. Authorize Intermunicipal Agreement to form Mid Hudson Sustainability Planning Consortium
20. Authorize Home Tek Inspection Services and Lead Tek Inspection LLC to perform construction and lead inspections for the for the County's home rental housing rehabilitation program
21. Authorize contract with Millhouse Properties LLC to perform Hazardous Materials Inspections
22. **Authorize contract with Catholic Charities Community Services of Orange County for EAP services (needs to be tabled)**
23. Transfer Transportation Logistics Coordinator

**Recognition of Legislators**

**Announcements from Chair**

**Adjournment or Close**

**REFUNDING BOND RESOLUTION**

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at \_\_\_\_\_, in Monticello, New York, in said County, on the \_\_\_\_\_ day of January, 2012, at \_\_\_\_\_ o'clock \_\_\_\_\_ .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:



REFUNDING BOND RESOLUTION NO. \_\_\_\_\_ OF 2012 DATED  
JANUARY \_\_\_\_\_, 2012.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.00 OR SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the County of Sullivan, New York (hereinafter, the "County") heretofore issued \$8,680,000 Public Improvement (Serial) Bonds, 2001, pursuant to various bond resolutions for various objects or purposes, and a bond determinations certificate of the County Treasurer dated September 12, 2001 (hereinafter referred to as the "2001 Refunded Bond Certificate"), such Public Improvement (Serial) Bonds, 2001, now outstanding in the amount of \$3,550,000, maturing on September 1 annually in each of the years 2012 to 2016, both inclusive, as more fully described in the 2001 Refunded Bond Certificate (the "2001 Bonds"); and

WHEREAS, the County heretofore issued \$9,380,000 Public Improvement (Serial) Bonds, 2003, pursuant to various bond resolutions for various objects or purposes, and a bond determinations certificate of the County Treasurer dated September 10, 2003 (hereinafter referred to as the "2003 Refunded Bond Certificate"), such Public Improvement (Serial) Bonds, 2003, now outstanding in the amount of \$5,105,000, maturing on September 1 annually in each of the years 2012 to 2018, both inclusive, as more fully described in the 2003 Refunded Bond Certificate (the "2003 Bonds"); and

WHEREAS, it would be in the public interest to refund all, or one or more, or a portion of one or more, of the \$3,550,000 outstanding principal balance of the 2001 Bonds maturing in each of the years 2012 to 2016, both inclusive (the "2001 Refunded Bonds"), and \$4,465,000 of

the \$5,105,000 outstanding principal balance of the 2003 Bonds maturing in each of the years 2013 to 2018, both inclusive (the “2003 Refunded Bonds”), each by the issuance of refunding bonds pursuant to Section 90.00 or 90.10 of the Local Finance Law; and

WHEREAS, the 2001 Refunded Bonds and 2003 Refunded Bonds are hereinafter sometimes referred to collectively as the “Refunded Bonds”; and

WHEREAS, each such refundings will result in present value savings in debt service as so required by Section 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

RESOLVED, by the County Legislature of the County of Sullivan, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding aggregate principal balance of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the redemption premium to be paid on the Refunded Bonds which are to be called prior to their respective maturities, and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any

portion thereof, there are hereby authorized to be issued not exceeding \$9,100,000 refunding serial bonds of the County pursuant to the provisions of Section 90.00 or Section 90.10 of the Local Finance Law (the "Public Improvement Refunding Bonds" or the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$8,255,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The County Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-12 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller. It is hereby further determined that such Refunding Bonds may be issued pursuant

to Section 90.00 of the Local Finance Law in the event that the amount of Refunding Bonds to be issued does not exceed the maximum permissible thereby at the time of the sale thereof.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the County Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the County Treasurer.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to The Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon

surrender of the bonds at the principal corporate trust office of such Fiscal Agent (as hereinafter defined).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the County Treasurer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the County Treasurer as fiscal agent of the County for the Refunding Bonds in the event that said County Treasurer does not act as same pursuant to Section 70.00 of the Local Finance Law (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

The County Treasurer, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as she shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to

execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The County Treasurer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph g of Section 90.00 of the Local Finance Law or subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law as applicable and 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. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.



Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds, for each of the objects or purposes for which such Refunded Bonds were issued was as provided in each respective 2001 and 2003 Refunded Bond Certificate which is hereby incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph a of Section 90.00 or subdivision 1 of paragraph c of Section 90.10 as applicable of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the aggregate of the refundings authorized by this resolution (collectively, the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refundings, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution.

The Refunding Financial Plan has been prepared based upon the assumption that the Refunding

Bonds will be issued in one series to refund all of the Refunded Bonds in the principal amount of \$8,255,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This County Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for all of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The County Treasurer is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the County Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.00 and/or Section 90.10 of the Local Finance Law. The County Treasurer shall file a copy of his certificates determining the details of the Refunding

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Bonds and the final Refunding Financial Plan with the Clerk of the County Legislature not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The County Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the “Escrow Contract”) with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said County Treasurer shall designate (collectively the “Escrow Holder”) for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Sullivan, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with

Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each of the Refunded Bonds which the County Treasurer shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefor on such redemption date shall be the par value thereof, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call

in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at public competitive sale or at private sale to an underwriter to be hereafter determined by the County Treasurer (the "Underwriter") for purchase prices to be determined by the County Treasurer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the County Treasurer, is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds to a purchasing underwriter if sold at private sale. After the Refunding Bonds have been duly executed, they shall be delivered by the County Treasurer to the purchaser in accordance with said purchase contract upon the receipt by the County of said the purchase price, including accrued interest.

Section 11. The County Treasurer and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Treasurer and all powers in connection thereof are hereby delegated to the County Treasurer.

Section 13. The validity of the Refunding Bonds 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 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said County, together with a notice of the County Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Dated: January \_\_\_\_, 2012.

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

AYES:

NOES:

ABSENT:

The resolution was thereupon declared duly adopted.

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**CERTIFICATION FORM**

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the \_\_\_\_\_ day of January, 2012.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this \_\_\_\_\_ day of January, 2012.

(CORPORATE SEAL)

\_\_\_\_\_  
Clerk, County Legislature

*IN*



**EXHIBIT A**

PRELIMINARY REFUNDING FINANCIAL PLAN

COUNTY OF SULLIVAN, NEW YORK

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LEGAL NOTICE OF ESTOPPEL

NOTICE IS HEREBY GIVEN that the resolution, a summary of which is published herewith, has been adopted by the County Legislature of the County of Sullivan, New York, on January \_\_\_\_, 2012, 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 said County 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.

Dated: Monticello, New York

\_\_\_\_\_, 2012

\_\_\_\_\_  
Clerk, County Legislature

SUMMARY OF REFUNDING BOND RESOLUTION NO. \_\_\_\_ OF 2012  
DATED JANUARY \_\_\_\_, 2012.

SUMMARY OF A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.00 OR SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO.

WHEREAS, the County of Sullivan, New York (hereinafter, the "County") heretofore issued an aggregate principal amount of \$8,680,000 Public Improvement (Serial) Bonds, 2001

(the "2001 Refunded Bonds") and \$9,380,000 Public Improvement (Serial) Bonds, 2003 (the "2003 Refunded Bonds"); and

WHEREAS, the 2001 and 2003 Refunded Bonds are hereinafter sometimes referred to collectively as the "Refunded Bonds"; and

WHEREAS, it would be in the public interest to refund all, or one or more, or a portion of one or more, of the outstanding principal balance of the 2001 Refunded Bonds maturing in the years 2012 to 2016, both inclusive, and outstanding principal balance of the 2003 Refunded Bonds maturing in the years 2013 to 2018, both inclusive, each by the issuance of refunding bonds pursuant to Section 90.00 or 90.10 of the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED, by the County Legislature of the County of Sullivan, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding aggregate principal balance of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$9,100,000 refunding serial bonds of the County pursuant to the provisions of Section 90.00 or Section 90.10 of the Local Finance

Law (the “Public Improvement Refunding Bonds” or the “Refunding Bonds”), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$8,255,000, as provided in Section 4 hereof.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the County Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds, for each of the objects or purposes for which such Refunded Bonds were issued is as provided in the respective bond determinations certificates for the Refunded Bonds;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph a of Section 90.00 or subdivision 1 of paragraph c of Section 90.10 as applicable of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law,

with regard to the Refunded Bonds, is \$367,185.31 as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the aggregate of the refundings authorized by this resolution (collectively, the “Refunding Financial Plan”), showing the sources and amounts of all moneys required to accomplish such refundings are set forth in Exhibit A to the Complete Resolution which Exhibit A is not published as part of this summary. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued, in one series to refund all of the Refunded Bonds, in the principal amount of \$8,255,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in said Exhibit A.

Section 5. The County Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the “Escrow Contract”) with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said County Treasurer shall designate (collectively the “Escrow Holder”) for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Sullivan, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds.

Section 8. The County Treasurer is delegated authority to sell said Refunding Bonds at public competitive sale or private sale and all details in connection therewith.

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A COPY OF THE COMPLETE TEXT OF THIS RESOLUTION TOGETHER WITH ALL EXHIBITS IS ON FILE IN THE OFFICE OF THE CLERK OF THE COUNTY LEGISLATURE WHERE IT IS AVAILABLE FOR PUBLIC INSPECTION DURING NORMAL BUSINESS HOURS.

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**RESOLUTION NO. INTRODUCED BY SCOTT B. SAMUELSON, CHAIRMAN OF THE LEGISLATURE TO APPOINT TWO MEMBERS TO THE SULLIVAN COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS**

**WHEREAS**, the terms of Elwin Wood and David Sager expired on December 31, 2011, creating two vacancies and

**WHEREAS**, it is the desire of the Legislature to appoint Cindy Kurpil Gieger and Gene Benson to fill these two slots.

**NOW, THEREFORE, BE IT RESOLVED**, that Mrs. Gieger and Mr. Benson will be appointed to the Sullivan County Soil and Water Conservation Board of Directors with the terms to expire on December 31, 2013.

2

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT  
IRA STEINGART TO THE SULLIVAN COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY (IDA) BOARD**

**WHEREAS**, Mr. Elwin Wood is not a member of the Sullivan County Legislature as of January 1, 2012, which leaves a vacancy on the Sullivan County IDA Board; and

**WHEREAS**, Mr. Ira Steingart has been nominated to fill the vacancy left by Elwin Wood's departure; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby appoint Ira Steingart to the Sullivan County IDA Board.



**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO MAKE AN APPOINTMENT TO THE SULLIVAN COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD**

**WHEREAS**, Legislator Kathleen LaBuda has resigned as the County Legislature representative on the Sullivan County Agricultural and Protection Board; and

**WHEREAS**, Legislator Cindy Kurpil Gieger, Vice-Chair of the Planning, Environmental Management and Real Property Committee, has offered to serve as the County Legislature representative; and

**WHEREAS**, the Planning, Environmental Management and Real Property Committee has relevant jurisdiction as in accordance with the Administrative Code of the County of Sullivan.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby makes the following appointment to the Sullivan County Agricultural and Farmland Protection Board:

Cindy Kurpil Gieger, County Legislator

For a term to commence on January 13, 2012 and expire on December 31, 2015

**BE IT FURTHER RESOLVED**, that the Clerk of the County Legislature is hereby directed to transmit a copy of this resolution to the Sullivan County Agricultural and Farmland Protection Board, and said resolution shall be filed with any appropriate agency.

**RESOLUTION INTRODUCED BY ALAN J. SORENSEN AND SCOTT B. SAMUELSON  
TO REAPPOINT JOHN CONWAY AS THE SULLIVAN COUNTY HISTORIAN.**

**WHEREAS**, John Conway was born and raised in Monticello, New York, educated at the Georgia Institute of Technology in Atlanta, Georgia, and has been in the vanguard of the movement to chronicle and preserve Sullivan County history for more than twenty years; and

**WHEREAS**, he has served as the Sullivan County Historian since 1993; and

**WHEREAS**, as County Historian, he regularly provides historical context for Sullivan County news events for the New York Times, Associated Press, and Fox News, among others; and

**WHEREAS**, Mr. Conway writes "Retrospect," a weekly column on Sullivan County history, which runs in the Times Herald-Record and the Sullivan County Democrat; and

**WHEREAS**, Mr. Conway's in depth knowledge of Sullivan County's history and the historical context he provides as County Historian at Sullivan County events and celebrations is priceless.

**NOW THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature does hereby reappoint John Conway as Sullivan County Historian.

**Moved by** \_\_\_\_\_.  
**Seconded by** \_\_\_\_\_.  
**and Adopted on motion** \_\_\_\_\_, **2012.**



**RESOLUTION INTRODUCED BY PERSONNEL COMMITTEE TO SUPPORT SPECIAL NEW YORK STATE LEGISLATION TO REOPEN SECTION 511 OF THE RETIREMENT AND SOCIAL SECURITY LAW FOR SULLIVAN COUNTY DEPUTY SHERIFFS**

**WHEREAS**, the County agreed in 1996 to provide an improved retirement plan, known as Article 14-b of the Retirement and Social Security Law, specifically that provision of law known as the "Twenty-five Year Special Retirement Plan for Sheriffs, Undersheriffs and Deputy Sheriffs Directly Engaged in Criminal Law Enforcement Activities," to members of the Sullivan County Patrolmen's Benevolent Association who meet the criteria for this retirement plan, and

**WHEREAS**, Sheriff Deputies have to elect coverage within one year of joining the Retirement System or being appointed to the position of deputy sheriff for Sullivan County, and

**WHEREAS**, there are three (3) deputy sheriffs, Scott Galligan, Sean Grady and Rose Ionta-Tocco, who did not elect this coverage within the one-year time period, and as a result special legislation must be enacted by the New York State Legislature for them to be covered by this special plan, and

**WHEREAS**, due to the 1996 agreement in the Collective Bargaining Agreement, the County is required to provide its deputy sheriffs with this special retirement plan, and

**WHEREAS**, the New York State Legislature requires that the local affected jurisdiction provide a resolution in support of this special legislation, and

**WHEREAS**, the estimated cost of moving these three individuals to the improved plan will be an immediate past service cost of approximately \$7,650 and an increase of approximately \$4,500 in the annual contributions for the fiscal year ending March 31, 2012.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby provides its support of special legislation of the New York State Legislature, which will cover the above three (3) named individuals to become members of the special retirement plan 14-b or 551, the 25-year Retirement Plan, and

**BE IT FURTHER RESOLVED**, that Sullivan County assumes the additional cost required to provide the reopening of Section 551 of the Retirement and Social Security Law, pursuant to Chapter 21 of the Laws of 2007.

**RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE**

**RESOLUTION TO AUTHORIZE FUNDING IN THE FIRST INSTANCE OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A FEDERAL-AID TRANSPORTATION PROJECT.**

**WHEREAS**, a Project for Main Street, Village of Bloomingburg, Sullivan County, P.I.N. 9752.92 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 90% Federal funds and 10% non-Federal Funds for Design, and 80% Federal funds and 20% non-Federal funds for Construction, Construction Supervision and Inspection; and

**WHEREAS**, the County of Sullivan desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the cost of Design work and the Construction, Construction Supervision and Inspection work; and

**WHEREAS**, Resolution 486-04 provided Legislative approval for Preliminary Engineering and Right-of-Way Incidentals work; and

**WHEREAS**, Resolution 487-09 provided Legislative approval for Construction, Construction Supervision and Inspection work.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby approves of the Project and authorizes the County Treasurer to pay in the first instance 100% of the Federal and non-Federal share of the cost of Design work and Construction, Construction Supervision and Inspection work for the project or portions thereof; and

**BE IT FURTHER RESOLVED**, that the sum of \$ 97,807 is hereby appropriated in budget and made available to cover the cost increase of participation in the above phases of the Project; and

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

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

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be filed with the New York Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

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

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE**

**RESOLUTION TO AUTHORIZE THE AWARD OF ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE REPLACEMENT OF THE COUNTY OWNED HANGAR AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)**

**WHEREAS**, Resolution No. 366-09 authorized the County Manager to apply for and execute an Airport Improvement and Revitalization Program Grant with the New York State Department of Transportation; and

**WHEREAS**, a grant has been fully executed in the amount of \$210,000.00 inclusive of \$24,600.00 for the design and construction administrative services and \$185,000.00 for the construction costs; and

**WHEREAS**, the grant is issued at 90% participation rate from the New York State Transportation Bond Act Air 99 Grant funded by the Rebuild and Renew New York State Transportation Bond Act of 2005; and

**WHEREAS**, the County has completed a qualifications-based selection process for an Airport Consultant and has selected Passero Associates and recommends the award of the engineering services to the firm Passero Associates.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature authorizes the County Manager to sign the necessary agreements, contracts and documentation, in such form as the County Attorney shall approve, to retain the services of Passero Associates for a contract amount not to exceed \$24,600.00 for Engineering services; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be filed with the NYSDOT by attaching it to any necessary agreements in connection with this project: and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2011

**RESOLUTION NO.            INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE THE  
CHAIRMAN OF THE LEGISLATURE TO EXECUTE A CONTRACT WITH THE  
AUCTION FIRM FOR THE PURPOSE OF CONDUCTING PUBLIC AUCTIONS**

**WHEREAS**, Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. were hired as the auctioneers o/b/o the County of Sullivan for the 1999 & 2000 public auctions, and

**WHEREAS**, the County of Sullivan was satisfied with the manner in which the Public Auctions were performed and with the professionalism of the Auctioneers, and

**WHEREAS**, Resolution No. 254-02 adopted on the 16<sup>th</sup> day of May, 2002 authorized the County of Sullivan to enter into an agreement with Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. to conduct public auctions for those properties acquired by the County through tax foreclosures for delinquent taxes for the 1998, 1999, 2000, 2001, 2002, 2003, 2004 lien years and prior lien years as necessary, and

**WHEREAS**, Resolution No. 361-06 adopted on the 21<sup>st</sup> day of September, 2006 authorized the County of Sullivan to enter into an agreement with Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. to conduct public auctions for those properties acquired by the County through tax foreclosures for delinquent taxes for the 2005, 2006, 2007, 2008, 2009 lien years and prior lien years as necessary,

**WHEREAS**, the Real Property Advisory Board has recommended that this contract should be renewed to permit Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. to conduct public auctions for those properties acquired by the County through tax foreclosure for delinquent taxes for the 2010 lien year and prior lien years as necessary

**NOW, THEREFORE, BE IT RESOLVED**, the County of Sullivan enter into an Agreement to be prepared and approved by the County Attorney and executed by the Chairman of the Legislature, between the County of Sullivan with Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. to provide auction services for those properties acquired by the County through tax foreclosure for delinquent taxes for the 2010 tax year lien, in addition to properties the County acquires title to for prior tax lien year(s).

**Moved by  
Seconded by  
and declared duly adopted on motion**

**RESOLUTION NO.            INTRODUCED BY THE PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE TO WITHDRAW PARCELS  
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 has consummated the 2009 tax foreclosure proceeding, and

**WHEREAS**, certain parcels meet one or more of the criteria and were withdrawn from the foreclosure proceeding pursuant to Section 1138 of the Real Property Tax Law, and

**WHEREAS**, said parcels are more specifically identified on the Schedule "A" attached hereto and made a part of hereof, and

**WHEREAS**, with regard to said parcels, 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, 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**, there is no practical method to collect delinquent tax liens arising hereafter against said parcels, and

**WHEREAS**, it would be in the best interest of the County to have the County Treasurer issue a Certificate of Cancellation and a Certificate of Prospective Cancellation affecting said parcels, and

**WHEREAS**, the County to charge back to the various municipal corporations the amount so credited or guaranteed.

**NOW, THEREFORE BE IT RESOLVED**, the Sullivan County Treasurer is hereby authorized regarding said specific parcels to issue Certificates of Cancellation pursuant to Section 1138 (6) (b) of the Real Property Tax Law and to charge back to the affected municipal corporations the Cancellation and to file a copy of same with the Assessor of the assessing unit in which each 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 one or more of said parcels should be restored to the taxable portion of the assessment roll, and until the Enforcement Officer files a Certificate of Restoration pursuant to Section 1138 (4) of the Real Property Tax Law.



**Schedule "A"**

MA38.-14-1 WURTSBORO HILLS COMMUNITY ASSOCIATION

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE TO  
CORRECT THE 2012 TAX ROLL OF THE TOWN OF CALLICOON  
FOR TAX MAP #24.-3-19**

**WHEREAS**, an application dated January 3, 2012 having been filed by Kevin and Kathleen Zieres with respect to property assessed to said applicant on the 2012 tax roll of the Town of Callicoon Tax Map #24.-3-19 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 charged the solid waste fee at the commercial rate when in fact the property is classified as a rural residential property and should have been charged the residential rate; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 9, 2012 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 relevied school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE TO  
CORRECT THE 2012 TAX ROLL OF THE TOWN OF FREMONT  
FOR TAX MAP #22.-1-47.1**

**WHEREAS**, an application dated January 7, 2012 having been filed by Michael and Jeanne Leewe with respect to property assessed to said applicant on the 2012 tax roll of the Town of Fremont Tax Map #22.-1-47.1 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact that was caused by an incorrect entry on the tax roll of the value of 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 10, 2012 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 \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT & REAL PROPERTY COMMITTEE TO  
CORRECT THE 2011 TAX ROLL OF THE TOWN OF FALLSBURG  
FOR TAX MAP #111.-1-3.8/5701**

**WHEREAS**, an application dated November 16, 2011 having been filed by Shimen and Francine Simon with respect to property assessed to said applicant on the 2011 tax roll of the Town of Fallsburg Tax Map #111.-1-3.8/5701 pursuant to Section 556 of the Real Property Tax Law, to correct a claimed clerical error on said tax roll resulting from an incorrect assessed valuation of an improvement to applicants' real property.

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated December 13, 2011 recommending this Board deny said application; and

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

(a) That the application be denied because the reason given for the Correction of Error does not meet the definition of error authorized to be corrected pursuant to Sections 550 and 556 of the Real Property Tax Law. This alleged error is a valuation issue that could only have been resolved through the applicable grievance procedure authorized by the Real Property Tax Law to challenge the assessed valuation of an improvement to real property.

**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 an 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 \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY THE CINDY KURPIL GIEGER, DISTRICT 5  
LEGISLATOR TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A  
CONTRACT WITH SULLIVAN ALLIANCE FOR SUSTAINABLE DEVELOPMENT**

**WHEREAS**, the County has determined that there is a need for technical assistance from an organization knowledgeable in the field of sustainability to provide general sustainable policy recommendations to the Sullivan County Legislature, and

**WHEREAS**, Sullivan Alliance for Sustainable Development is a local organization whose efforts in advancing sustainable practices have proven successful in the form of grant procurement and public outreach efforts, and

**WHEREAS**, it is prudent public policy to dedicate resources for further implementation of the "Green Vision".

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The County Manager is hereby directed to execute a contract with Sullivan Alliance for Sustainable Development to provide technical assistance and other assistance as may be requested and agreed to by both parties. Such assistance is to include funding strategies, information dissemination to the general public and such other activities as the Legislature deems appropriate.
2. The contract period shall be from January 1, 2012 through December 31, 2012.
3. The County Manager is hereby authorized to sign and execute an agreement with Sullivan Alliance for Sustainable Development in an amount not to exceed \$25,000, in a form that is acceptable to the County Attorney.
4. The 2012 Operating Budget is amended to increase expense account A-6989-40-4013 by \$25,000 & decrease expense account A-1989-99-47-4736 by \$25,000.

Resolution No. \_\_\_\_\_

**RESOLUTION INTRODUCED BY GOVERNMENT SERVICES COMMITTEE  
RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

**WHEREAS**, proposals were received to purchase and install a fuel canopy at the Division of Public Work's Maplewood Facility, and

**WHEREAS**, Industrial Petroleum Incorporated, is the most responsible firm for such work, and

**WHEREAS**, the Sullivan County Division of Public Works has approved said proposal and recommends that a an agreement be executed, and

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an agreement with Industrial Petroleum Incorporated, at a total price not to exceed \$25,936.00, in accordance with Quote #Q-11-30, dated December 20, 2011 said contract to be in such form as the County Attorney shall approve.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.



**RESOLUTION NO.                    INTRODUCED BY HEALTH & FAMILY SERVICES  
COMMITTEE TO AUTHORIZE PUBLIC HEALTH SERVICES TO APPLY, ACCEPT  
AND CONTRACT WITH THE NATIONAL NETWORK OF PUBLIC HEALTH  
INSTITUTES FOR A QUALITY IMPROVEMENT GRANT**

**WHEREAS**, the National Network of Public Health Institutes (NNPHI) has called for proposals to support health departments with a Quality Improvement( QI) Project award, and

**WHEREAS**, the NNPHI will provide health departments with a \$5,000 award to conduct a QI Project for the period April 1, 2012 to November 30, 2012, and

**WHEREAS**, in the event that funding is awarded, Sullivan County Public Health Services wishes to enter into an agreement with the NNPHI to make improvements with the guidance of an experienced QI coach,

**NOW, THEREFORE, BE IT RESOLVED**, that Sullivan County Public Health Services be authorized to apply, and if funding is awarded, accept and sign agreement with the National Network of Public Health Institutes to conduct Quality Improvement Projects.

**Moved by  
Seconded by  
and declared duly adopted on motion**



**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY SUSTAINABILITY POLICY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN INTERMUNICIPAL AGREEMENT TO FORM THE MID HUDSON SUSTAINABILITY PLANNING CONSORTIUM**

**WHEREAS**, the counties of Dutchess, Orange, Putnam, Sullivan, and Ulster, the Town of Greenburgh, and the Northern Westchester Energy Action Coalition (NWEAC), hereby referred to as the “Cooperating Municipalities,” have partnered in the development of a grant application for NYSERDA’s Cleaner Greener Communities Regional Sustainability Planning Program (“Program”); and

**WHEREAS**, the County of Orange, as applicant, was awarded funding through the Program for the development of a Regional Sustainability Plan; and

**WHEREAS**, General Municipal Law §239-n authorizes counties, cities, towns and villages in New York to create intergovernmental relations councils to conduct surveys and research, to provide for the distribution of information, to cooperate with county, state and federal agencies, to conduct local and intercommunity planning and to provide a forum for local municipalities to explore and develop areas for municipal cooperative activities as further authorized under Article 5-G of the General Municipal Law; and

**WHEREAS**, the Cooperating Municipalities share the goal of preparing and implementing a regional sustainability plan for their shared region, as well as taking action toward reducing greenhouse gas emissions and increasing energy efficiency throughout their communities, and reducing energy costs for municipal, educational, not-for-profit, commercial, and residential entities; and

**WHEREAS**, the Cooperating Municipalities are seeking to form an intergovernmental relations council entitled, the “Mid Hudson Sustainability Planning Consortium,” for the purpose of developing a regional sustainability plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to execute an intermunicipal agreement on behalf of the County of Sullivan in order to form the Mid Hudson Sustainability Planning Consortium; and

**BE IT FURTHER RESOLVED**, that said agreement shall be in a form that is approved by the County Attorney’s Office.

**Moved by**  
**Seconded by**  
**And adopted on motion**

**RESOLUTION NO. INTRODUCED BY PLANNING AND ENVIRONMENTAL MANAGEMENT COMMITTEE TO ENTER INTO AN AGREEMENT WITH HOME-TEK INSPECTION SERVICES AND LEAD-TEK INSPECTIONS, LLC TO PERFORM CONSTRUCTION AND LEAD INSPECTIONS FOR THE COUNTY'S HOME RENTAL HOUSING REHABILITATION PROGRAM**

**WHEREAS**, the County of Sullivan ("County") had applied for and successfully obtained a \$400,000.00 ("Funds") grant under the New York State Housing Trust Fund's HOME Program; and

**WHEREAS**, the County intends to administer this grant for the purposes of improving the condition of affordable rental housing; and

**WHEREAS**, the County proposes to implement the Rental Rehabilitation Program on a county-wide basis, wherein qualified applicants are able to renovate rental housing units and raise the quality of housing available to lower income residents; and

**WHEREAS**, a portion of the Funds may be used to pay for Construction Inspection and Specifications for Renovations including Lead Inspections ("Services"); and

**WHEREAS**, Home-Tek Inspection Services and Lead-Tek Inspections LLC have the experience and expertise to perform the Services and the Division of Planning and Environmental Management recommends entering into contracts with Home-Tek Inspection Services and Lead-Tek Inspections LLC.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and is hereby authorized to execute any and all necessary documents to enter into an agreement with Home-Tek Inspection Services and Lead-Tek Inspections LLC in an amount not to exceed \$12,000.00 and \$15,000.00 respectively, in such form as the County Attorney shall approve.

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

**RESOLUTION NO. INTRODUCED BY PLANNING AND ENVIRONMENTAL MANAGEMENT COMMITTEE TO ENTER INTO AN AGREEMENT WITH MILLHOUSE PROPERTIES, LLC TO PERFORM HAZARDOUS MATERIALS INSPECTIONS FOR THE COUNTY'S HOME RENTAL HOUSING REHABILITATION PROGRAM**

**WHEREAS**, the County of Sullivan ("County") had applied for and successfully obtained a \$400,000.00 ("Funds") grant under the New York State Housing Trust Fund's HOME Program; and

**WHEREAS**, the County intends to administer this grant for the purposes of improving the condition of affordable rental housing; and

**WHEREAS**, the County proposes to implement the Rental Rehabilitation Program on a county-wide basis, wherein qualified applicants are able to renovate rental housing units and raise the quality of housing available to lower income residents; and

**WHEREAS**, a portion of the Funds may be used to pay for Hazardous Materials Inspections ("Services"); and

**WHEREAS**, Millhouse Properties, LLC. has the experience and expertise to perform the Services and the Division of Planning and Environmental Management recommends entering into contracts with Millhouse Properties, LLC.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and is hereby authorized to execute any and all necessary documents to enter into an agreement with Millhouse Properties, LLC in an amount not to exceed \$5,000, in such form as the County Attorney shall approve.

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

**RESOLUTION INTRODUCED BY PERSONNEL COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES OF ORANGE COUNTY (CORPORATE SERVICES EAP) FOR PROVISION OF EAP SERVICES TO EMPLOYEES**

**WHEREAS**, the County desires to continue to make the Employees Assistance Program available to its employees through the County's current vendor; and

**WHEREAS**, the County currently contracts with Catholic Charities Community Services of Orange County for said service and is satisfied with the services being provided; and

**WHEREAS**, it is in the best interest of those employees that utilize the service that said services continue to be provided by Catholic Charities Community Services of Orange County; and

**WHEREAS**, Catholic Charities Community Services of Orange County will continue to provide counseling, legal and financial services to employees and their families, as well as, consultation services with managers and supervisors, from January 1, 2012 through December 31, 2012 at a cost not to exceed \$19,520.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to enter into any and all agreements with Catholic Charities Community Services of Orange County for the provision of EAP services to employees at a cost not to exceed \$19,520.00 for the contract period of January 1, 2012 through December 31, 2012; and

**BE IT FURTHER RESOLVED**, that any and all agreements be approved to form by the Sullivan County Department of Law.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY THE KATHLEEN LABUDA, CHAIRMAN OF THE PUBLIC WORKS COMMITTEE TO THE TRANSPORTATION LOGISITICS COORDINATOR POSITION FROM THE DIVISION OF PUBLIC SAFETY TO THE DIVISION OF PUBLIC WORKS**

**WHEREAS**, the Transportation Logistics Coordinator position that was created with the adoption of Resolution No. 452-11 and through the 2012 County Budget, and

**WHEREAS**, the Transportation Logistics Coordinator position was erroneously placed in the Public Safety Administration, rather than the DPW Administration, and the County Manager has recommended that this position be transferred to the proper budget organization.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby transfers the Transportation Logistics Coordinator position as follows:

A-3010    TRANSPORTATION LOGISTICS COORDINATOR                    \$50,000

TO

A-1490    TRANSPORTATION LOGISTICS COORDINATOR                    \$50,000