

JULY 18, 2013 FULL BOARD ADDENDUM

1. Reappoint Sneed, Eidel and Cornwell to the Community Services Board
2. Formalize the Steering Committee for the Comprehensive Economic Development Strategy and Plan for Sullivan County
3. Approve the Assistance of the Delaware Company
4. Authorize the execution of a license agreement with HITS Film LLC
5. Approve a Tri-Partite Agreement with Sullivan County Community College, the County of Sullivan and Heliosage
6. Set public hearing for August 15, 2013 at 1 :15PM for proposed local law entitled « A Local Law to Amend the Sullivan County Ethics Law by granting the Board of Ethics the power to issue subpoenas and compel the Attendance of Witnesses »
7. Accepting/denying the recommendations of the Sullivan County Solid Waste/Recycling Fee Greivance Committee Second Appeals
8. Authorize contract with H2M Labs, Inc for water sampling and laboratory analysis for various facilities and the landfill
9. Removed County Road 173A from the County of Sullivan's Road System Map pursuant to Highway Law Section 115-b

Resolution No. _____

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO RE-APPOINT THREE (3) MEMBERS TO THE COMMUNITY SERVICES BOARD

WHEREAS, there is a need to re-appoint three (3) members to the Community Services Board; and

WHEREAS, the appointment is to commence on January 1, 2013; and

WHEREAS, the appointment shall be for a four (4) year term ending on December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED, the following individual(s) be reappointed to the Sullivan County Community Services Board to reflect a four (4) year term.

RE-APPOINTMENTS TO THE CSB	TERM
Regina McKenny-Sneed	1/1/2013 - 12/31/2016
Sherry Eidel	1/1/2013 – 12/31/2016
Jason Cornwell	1/1/2013 – 12/31/2016

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO FORMALIZE THE STEERING COMMITTEE FOR THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY AND PLAN FOR SULLIVAN COUNTY

WHEREAS, pursuant to Resolution No. 162-11, the County of Sullivan applied for and was awarded a grant through USDA Rural Development’s Rural Business Opportunity Grant (RBOG) program to fund the development of a Comprehensive Economic Development Strategy and Plan (Economic Development Plan); and

WHEREAS, the work plan identified a Steering Committee to provide guidance to the planning process and to ensure broad based community involvement; and

WHEREAS, in the RBOG application, the Steering Committee committed to an in-kind contribution of \$43,000, at an hourly rate of \$63.50; and

WHEREAS, certain members are chosen because they serve in such a capacity. In these instances, the organization may appoint a designee to attend if the named appointee is unavailable.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the following appointments be made to the Economic Development Plan Steering Committee:

Appointment By Title:

- County Legislative Chairman
- County Manager
- Chairman of PEMRP Legislative Committee
- President of the Partnership for Economic Development
- Chairman of the Chamber of Commerce
- Chairman of the IDA
- Chairman of the SC Visitor Association
- Executive Director of Sullivan Cornell Cooperative Extension
- President of Sullivan County Community College
- Director, Center for Workforce Development

Individual Appointments:

- Amanda Ward
- Darlene Fedun
- George Kinne
- Tom Kappner
- Nadia Rajs
- Andrea Reynosa
- Norman Graves
- Latisha Rodriguez
- Dennis Caro
- Dick Riseling
- Dave Thomson

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

RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPROVE THE ASSISTANCE OF THE DELAWARE COMPANY

WHEREAS, Fort Delaware and the Minisink Battleground are two important County facilities which not only preserve County history, but which also afford the general public an opportunity to witness and appreciate such history in a hands on manner, and

WHEREAS, Fort Delaware and the Minisink Battleground are also significant in that they are a part of the County's tourism assets and thus assist in bringing visitors to the County, and

WHEREAS, during these stressful economic times it has been difficult for the County to allocate the level of funding to these assets, particularly Fort Delaware, which would be appropriate and desirable to assure their enhanced viability, and

WHEREAS, the County has been most fortunate to have been the beneficiary of the efforts of many volunteers who have: (a) served as re-creators/interpreters, (b) provided costuming and artifacts necessary to provide realism, and (c) have given their time to running and operating these County facilities, and

WHEREAS, a number of public spirited citizens have offered to create a formal structure through which donations may be raised through which they could fund projects to enhance these facilities and enhance the experience of those who visit the facilities, and

WHEREAS, these individuals established The Delaware Company of New York, Inc. (hereinafter the "Delaware Company"), on November 13, 2012, to act as a vehicle to engage in such projects and in other enhancement projects along the upper Delaware, and

WHEREAS, the Delaware Company is a not-for-profit corporation pursuant to section 501(c)(3) of the Internal Revenue Code, with an address of P.O. Box 185, Barryville, NY 12719 and

WHEREAS, the Delaware Company has a Board of Directors and an Advisory Board made up of individuals committed to the preservation and enhancement of a number of sites along the Upper Delaware including the referenced County facilities, and

WHEREAS, the Delaware Company proposes that it will collaborate with the County's Division of Public Works to identify needed/desirable projects which could be funded and accomplished by the Delaware Company on or with respect to these County facilities, and

WHEREAS, it is anticipated that such projects will be gifted to the County, and

WHEREAS, the Sullivan County Legislature welcomes the concept presented by the Delaware Company.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Sullivan County Legislature authorizes the Division of Public Works to collaborate with the Delaware Company to identify needed/desirable projects which could be funded and accomplished by the Delaware Company on or with respect to County facilities.
2. Upon identifying such projects the Division of Public Works and the Delaware Company will present them to the Sullivan County Legislature for review and approval.
3. The Delaware Company will gift each such project to the County and the Sullivan County Legislature will accept such gifts on a project by project basis.

Moved by _____,

Seconded by _____,

Put to a vote and declared duly adopted on motion on July 18, 2013

3A

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE THE EXECUTION OF A LICENSE AGREEMENT WITH HITS FILM,
LLC**

WHEREAS, Hits Film, LLC is a production company with an address in Brooklyn, NY that seeks to utilize certain County property, to wit, the Legislative meeting room and the Highland transfer station for the filming of scenes in a movie with the working title of Hits, and

WHEREAS, the Sullivan County Legislature desires to authorize Hits Film, LLC to use the aforesaid County sites for such filming, and

WHEREAS, a License Agreement has been negotiated between the County and Hits Film, LLC which satisfactorily deals with all applicable technical and other issues including insurance.

NOW THEREFORE BE IT RESOLVED:

1. The Sullivan County Legislature authorizes the Chairman to execute a License Agreement, substantially in the form previously shown to the Legislature, with Hits Film, LLC.
2. The final License Agreement shall be in a form approved by the County Attorney.

Moved by _____,

Seconded by _____,

Put to a vote and declared duly adopted on motion on July 18, 2013

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RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPROVE A TRI-PARTITE AGREEMENT WITH SULLIVAN COUNTY COMMUNITY COLLEGE, THE COUNTY OF SULLIVAN AND HELIOSAGE

WHEREAS, the County of Sullivan (“County”) owns the land occupied by the Sullivan County Community College (“College” or “SCCC”) and holds such land in Trust for the College for educational use, and

WHEREAS, HelioSage Energy, of 117 4th Street, S.E., Suite B, Charlottesville, VA 22902, (“HelioSage”) is a solar project development firm which has designed and installed solar array projects at a number of government and corporate facilities in the Northeast, and

WHEREAS, HelioSage has applied for a New York State Sun Grant which HelioSage would like to apply to the construction of a solar array at the College, and

WHEREAS, the project would be designed and installed at no cost to the College or the County and would provide: (1) a reduced cost of energy for the College during the project’s estimated twenty year life and (2) an on-site educational venue for the College in future courses relating to green energy, and

WHEREAS, the College is desirous of entering into an agreement with HelioSage for the construction of the project, and

WHEREAS, given the County’s status as landowner the project requires a tri-partite agreement among the College, the County and HelioSage, and

WHEREAS, the County Legislature is supportive of the project.

A handwritten mark, possibly a signature or initials, consisting of a stylized 'S' shape with a horizontal line extending to the right.

NOW THEREFORE BE IT RESOLVED THAT:

1. The County Manager and the County Attorney are hereby authorized to participate in the negotiation/drafting of a tri-partite agreement among the College, the County and HelioSage for the aforesaid project.
2. The Chairman of the County Legislature is hereby authorized to execute such a tri-partite agreement.
3. Said tri-partite agreement shall be in such form as approved by the County Attorney.

Moved by _____ ,

Seconded by _____ ,

Put to a vote and declared duly adopted on motion on July 18, 2013

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**RESOLUTION NO. _____-13, INTRODUCED BY THE EXECUTIVE COMMITTEE,
TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED “A
LOCAL LAW TO AMEND THE SULLIVAN COUNTY ETHICS LAW BY GRANTING
THE BOARD OF ETHICS THE POWER TO ISSUE SUBPOENAS AND COMPEL THE
ATTENDANCE OF WITNESSES”**

WHEREAS, on May 23, 2013, pursuant to Resolution 227 of 2013, the Sullivan County Legislature enacted a new ethics law, and

WHEREAS, said Ethics Law is scheduled to become effective approximately July 18, 2013, and

WHEREAS, the Sullivan County Legislature desires to amend the aforesaid Ethics Law so as to grant the Board of Ethics the power to subpoena witnesses and compel their attendance, and

WHEREAS, the amendment of a Local Law must be accomplished by a Local Law, following a hearing on notice.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed Local Law by the Sullivan County Legislature on August 15, 2013 at 1:15PM, in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days' notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

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COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly enacted a local law 3 of 2013 adopted on May 23, 2013 " The Sullivan County Ethics Law".

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on amendments to Local Law No. 3 of 2013 , "A Local Law to Amend the Sullivan County Ethics Law by Granting the Board of Ethics the Power to Issue Subpoenas and Compel the Attendance of Witnesses" at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on August 15, 2013 at 1:15PM at which time all persons interested will be heard.

DATED: Monticello, New York

July 18, 2013

ANNMARIE MARTIN

Clerk of the Legislature

County of Sullivan, New York

6A

RESOLUTION OF THE EXECUTIVE COMMITTEE ACCEPTING/DENYING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID WASTE/RECYCLING FEE GRIEVANCE COMMITTEE SECOND APPEALS.

WHEREAS, the Sullivan County Legislature (“Legislature”) Amended Local Law No. 7 of 2009 to Add a New Article VIII Establishing a Solid Waste Recycling Fee, and

WHEREAS, Local Law No. 7 of 2009 as amended provides for a Sullivan County Solid Waste/Recycling Fee Appeals Committee (“Committee”) after reviewing written appeals that have been denied from property owners, that they have an opportunity to personally meet with the Appeal Board, and

WHEREAS, the Committee wishes to report its Recommendations/Denys’ to the Legislature, and

WHEREAS, the Committee has personally met with John Fink the owner on parcel De25.-1-4.69, and it recommends reduction of the fee” from nine hundred sixty dollars (\$960.00) to three hundred dollars (\$300.00)

NOW, THEREFORE, BE IT RESOLVED, that the Legislature acknowledges receipt of the Committee’s.

BE IT FURTHER RESOLVED, that the Legislature hereby authorizes the Sullivan County Treasurer, on behalf of the Committee to notify the property owner regarding the accepting of their respective second appeals.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

Resolution No. _____

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

WHEREAS, bids were received for Water Sampling and Laboratory Analysis for various Sullivan County Facilities and the Landfill, and

WHEREAS, H2M Labs., Inc. is the lowest responsible bidder for this project, and

WHEREAS, the Sullivan County Division of Public Works has approved said bid and recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with H2M Labs., Inc., at a total price not to exceed \$120,000, for Water Sampling and Laboratory Analysis, in accordance with B-13-32, said contract to be in such form as the County Attorney shall approve.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

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**EXECUTIVE COMMITTEE
RESOLUTION TO REMOVE COUNTY ROUTE 173A
FROM THE COUNTY OF SULLIVAN'S ROAD SYSTEM MAP
PURSUANT TO HIGHWAY LAW SECTION 115-b**

WHEREAS, on January 15, 2013, the Town of Thompson ("Town") Town Board approved a planned resort development on approximately 1700 acres of property, as shown on the Comprehensive Development Plan as the EPT Concord Resort (the "Project"); and

WHEREAS, the Project includes a number of roadway improvements to accommodate traffic volumes and to create an appropriate gateway into the Project; and

WHEREAS, the Project roadway improvements include a redesign of Interchange 106 of State Route 17, including a realignment of County Road 173A ("CR 173A"), creation of a new Town road at the end of Cimarron Road, and conversion of the County Road 173 ("CR 173") / Overpass signalized intersection to a single lane roundabout (the "Interchange 106 Improvements"); and

WHEREAS, by Resolution No. 102-63 adopted by the Board of Supervisors of the County of Sullivan ("County") on July 8, 1963, the County Road System Map was amended, pursuant to Highway Law Section 115, to add CR 173 and CR 173A; and

WHEREAS, a meeting was held on March 12, 2013, among the Town Highway Superintendent, Sullivan County Division of Public Works, and the consultants of the Project Applicant to discuss the Interchange 106 Improvements; and

WHEREAS, the Town requested that the County surrender maintenance responsibility of County Route 173A from the County to the Town; and

WHEREAS, the Town of Highway Superintendent has informed the County that he has recommended that the Town accept maintenance responsibility for County Road 173A should the County abandon said road pursuant to Section 115-b of the Highway Law; and

WHEREAS, the Sullivan County Commissioner of Public Works has recommended that pursuant to Highway Law Section 115-b, the County should remove CR 173A from the County's road system map, abandon CR 173A and revert the responsibility to Maintain CR 173A; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby acknowledges and accepts the recommendation of the County Superintendent of Highways that pursuant to New York State Highway Law Section 115-b, that County Route 173A be removed from the County's road system map, that County Route 173A shall revert to the Town and the Town shall be responsible for the maintenance of County Route 173A thereafter, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to sign and execute an agreement with the Town, and take any other necessary action, to effectuate the transfer of maintenance responsibilities from the County to the Town, for County Road 173A, said agreement or other documents to be in a form approved by the County Attorney.

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