

AGENDA

Legislative Monthly Meeting for November 20, 2014 at 4:30PM

Call to Order

Pledge of Allegiance

Roll Call of Legislators

Communications

Presentations: SYDA Foundation Community Service Award

Public Comment

Resolutions:

1. Set Public Hearing for comments on the Updated County Farmland Protection Plan for 12/18/2014 at 1:50PM
2. Modify the 2014 County Budget
3. Apportion the Mortgage Tax
4. Authorize SCCC to request funds from the State University of New York community college Capital Program Fund for paving and site improvement work
5. Authorize SCCC to request funds from the State University of New York community College Capital Program fund for Campus Site Work
6. Authorize an easement requested by New York State Electric and Gas for installation of a new pole and anchor on county owned property along Sandy Lane in the Town of Tusten
7. Authorize County manager to execute an agreement for consultant design services for the County Bridge 369 Rehabilitation project
8. Authorize the acceptance of a donation from the Family Care council for an awning to be utilized at the Sullivan County Adult Care Center
9. Approve the Sullivan County Hazardous Materials Response Plan
10. Correct the 2014 tax roll FA 19.-12-3 to Attent
11. Authorize an advance from the General Fund to administer a New York Main Street Grant
12. Accept funding from Sullivan Renaissance to assist with the administration of the New York Main Street Technical Assistance Grant Award through the CFA 2013
13. Authorize funding to assist the Delaware Highlands Conservancy to purchase a parcel of property (SBL 26.-3-41) to enhance the Long Eddy access to the Upper Delaware River
14. Authorize the award and execution of an agreement to develop a Dairy Processing Facility and rescind Resolution No. 36-13
15. Authorize contract and execute necessary documents to access the funding for the Ignition Interlock Device Monitoring Program

Recognition of Legislators

Announcements from Chair

Adjournment or Close

RESOLUTION NO. -14 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE A PUBLIC HEARING FOR COMMENTS ON THE UPDATED COUNTY FARMLAND PROTECTION PLAN

WHEREAS, the County of Sullivan received a \$50,000 grant from the New York State Department of Agriculture and Markets to develop a County Agriculture and Farmland Protection Plan according to Article 25-AAA of the Agriculture and Markets Law; and

WHEREAS, the Sullivan County Division of Planning and Environmental Management has prepared an update to the County Agricultural and Farmland Protection Plan; and

WHEREAS, the Sullivan County Division of Planning and Environmental Management and the Sullivan County Agricultural & Farmland Protection Board conducted a Public Meeting on November 3, 2014 to obtain comments from the Public on the Draft County Agriculture and Farmland Protection Plan; and

WHEREAS, the Public Meeting was advertised in official newsletters, public meetings, mailings, emails and flyers; and

WHEREAS, the Division of Planning and Environmental Management also conducted surveys, interviews and hosted four focus groups in order to gather input for the County Agriculture and Farmland Protection plan from the public, municipalities and the agricultural community; and

WHEREAS, prior to authorizing the adoption of the County Agriculture and Farmland Protection Plan New York State guidelines require that a public hearing be held concerning this plan;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize holding a public hearing on Thursday, December 18, 2014 at 1:50 pm in the Legislative Hearing Room of the Sullivan County Government Center, 100 North Street, Monticello, New York regarding the adoption of the updated County Agriculture and Farmland Protection Plan; and

BE IT FURTHER RESOLVED, that the Clerk to the Legislature is hereby authorized and directed to publish a notice of such public hearing in the official newspapers of the County and to provide such notice in writing by fax transmission directly to the Commissioner of Agriculture and Markets.

Moved by _____, **seconded by** _____, put to a vote, unanimously carried and declared duly adopted on motion _____, 2014.

**COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Sullivan County Legislature on Thursday, December 18, 2014 at 1:50 pm in the Legislative Hearing Room of the Sullivan County Government Center, Monticello, New York to accept comments from the public on the update to the County Agriculture and Farmland Protection Plan.

1A

**RESOLUTION NO. INTRODUCED BY MANAGEMENT AND BUDGET
COMMITTEE TO MODIFY THE 2014 COUNTY BUDGET**

WHEREAS, the County of Sullivan 2014 Budget requires modification,

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

Moved by:

Seconded by:

November 2014
 Modifications to the 2014 Sullivan County Budget

G/L Account Number	Account Description	Revenue		Appropriation	
		Increase Amount	Decrease Amount	Increase	Decrease
A-1420-40-4007	CONTRACT LABOR RELATIONS			14,000.00	
A-1420-40-4008	CONTRACT LEGAL SERVICES			17,000.00	
A-1420-47-4704	DEPT STENOGRAPHIC SERVICES			5,000.00	
A-1420-47-4705	DEPT COUNSEL/WITNESS EXPENSE			16,199.00	
A-1420-47-4705	DEPT COUNSEL/WITNESS EXPENSE			5,000.00	
A-1420-R1265-R170	ATTORNEY FEE DFS CHARGEBACK	44,699.00			
A-1450-42-4203	OFFICE OFFICE SUPPLIES			565.00	
A-1450-R2215-R247	ELECTION SERV CHRG MISC FEE/REIMBURSMNT	565.00			
A-3020-21-2106	FIXED ELECTRONIC/COMPUTER EQUIP			298,047.00	
A-3020-45-4506	SPEC DEPT SUPPLY PUBLIC SAFETY			3,000.00	
A-3020-R3389-R167	ST AID PUBLIC SAFETY DEPARTMENTAL AID	3,000.00			
A-3020-R3389-R167	ST AID PUBLIC SAFETY DEPARTMENTAL AID	298,047.00			
A-4082-42-4207	OFFICE FURNITURE			2,425.00	
A-4082-45-4501	SPEC DEPT SUPPLY SPEC DEPT SUPPLY MISC/OTHER			20,759.00	
A-4082-45-4503	SPEC DEPT SUPPLY RECREATION			7,341.00	
A-4082-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			7,487.00	
A-4082-45-4541	SPEC DEPT SUPPLY SM EQUIP TOOLS APPLNCS, SM ELECT			2,587.00	
A-4082-47-4703	DEPT DUES			59.00	
A-4082-47-4717	DEPT BLDG/PROP/EQUIP REPAIRS&MAINTNCE			166.00	
A-4082-47-4729	DEPT SPECIAL PROJECTS			540.00	
A-4082-47-4774	DEPT PUBLIC HEALTH EDUCATION			8,870.00	
A-4082-R3450-R167	ST AID OTHR PUBLIC HEALTH DEPARTMENTAL AID	50,234.00			
A-9999-R1051-R239	GAIN FRM SALE TAX ACQ PROP MAIN	7,500.00			
A-9999-R1051-R239	GAIN FRM SALE TAX ACQ PROP MAIN	5,000.00			
General Fund Total		409,045.00			409,045.00

2A

November 2014
 Modifications to the 2014 Sullivan County Budget

G/L Account Number	Account Description	Revenue		Revenue		Appropriation		Appropriation	
		Increase Amount	Decrease Amount	Increase Amount	Decrease Amount	Increase	Decrease	Increase	Decrease
D-5110-45-40-4037	CONTRACT PAVING							52,766.00	
D-5142-10-1012	PERSONAL SERV OVERTIME PAY							15,345.00	
D-9998-R2302-R146	SNOW REMVL SERV OTHR GOV COLLEGE	3,815.00							
D-9998-R2302-R235	SNOW REMVL SERV OTHR LOCAL GOVRNMNT	11,530.00							
D-9998-R2306-R239	ROAD/BRIDGE SERV OTHR GOV MAIN	52,766.00							
	County Road Fund Total	68,111.00						68,111.00	
DM-5130-48-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE							7,500.00	
DM-5130-48-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS							42,500.00	
DM-5130-48-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS							10,000.00	
DM-9997-R1710-R129	PUBLIC WORKS CHARGE CENTRAL GARAGE	50,000.00							
DM-9997-R1710-R129	PUBLIC WORKS CHARGE CENTRAL GARAGE	10,000.00							
	Road Machinery Fund Total	60,000.00						60,000.00	
H53-3997-21-2103	FIXED MACHINERY/EQUIPMENT								
H53-3997-R3306-R167	ST AID HOMELAND SECRTY DEPARTMENTAL AID	25,800.00							
	Capital Fund Total	25,800.00						25,800.00	

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**RESOLUTION NO. INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE
TO APPORTION MORTGAGE TAX**

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

WHEREAS, the County Clerk and the County Treasurer have submitted a quarterly report, for the period of July 2014 to September 2014, to the Clerk of the Legislature, and

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

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

TOWNS	
Bethel	29,405.69
Callicoon	6,870.72
Cochecton	3,455.53
Delaware	9,022.80
Fallsburg	40,198.99
Forestburgh	8,935.38
Fremont	4,518.81
Highland	5,483.82
Liberty	18,011.40
Lumberland	48,985.41
Mamakating	32,316.37
Neversink	12,810.61
Rockland	7,017.15
Thompson	20,917.40
Tusten	23,328.96

VILLAGES	
Bloomington	594.58
Jeffersonville	449.90
Liberty	3,254.51
Monticello	2,366.85
Woodridge	1,374.40
Wurtsboro	1,309.67

TOTAL	280,628.95
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Moved by
adopted on motion

seconded by

declared duly

**RESOLUTION NO. INTRODUCED BY MANAGEMENT AND BUDGET
COMMITTEE AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO
REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY
COLLEGE CAPITAL PROGRAM FUND FOR PAVING AND SITE IMPROVEMENT
WORK**

WHEREAS, the County of Sullivan received a federal roadway money grant in the amount of \$950,000 for paving and site improvement work at Sullivan County Community College; and

WHEREAS, The County of Sullivan, as sponsor of Sullivan County Community College, may accept funds other than county funds as its match for state capital funds; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY for the New York State share of projects that are normally permitted within an approved capital construction budget; and

WHEREAS, The County of Sullivan has already received 50% matching funds on this project but is eligible to apply for an additional match of \$475,000; and

WHEREAS, the 2015 – 2016 New York State Budget Community College Capital Program request will include \$950,000 for paving and site improvement work.

WHEREAS, the Board of Trustees of Sullivan County Community College approved this project and the use of the federal grant as the County's match for approved State Capital Funds.

NOW THEREFORE BE IT RESOLVED, that the that the Sullivan County Legislature hereby adopts this resolution and authorizes the Sullivan County Community College to request matching funds in the amount of \$475,000 from the State University of New York Community College Capital Program Fund; and

BE IT FURTHER RESOLVED, that no funds from the County's General Fund should be committed for this purpose.

**RESOLUTION NO. INTRODUCED BY MANAGEMENT AND BUDGET
COMMITTEE AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO
REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY
COLLEGE CAPITAL PROGRAM FUND FOR CAMPUS SITE WORK**

WHEREAS, The County of Sullivan, as sponsor of Sullivan County Community College, may accept funds other than county funds as its match for state capital funds; and

WHEREAS, Sullivan County Community College will benefit from a NYSERDA grant and other private funds in the amount of \$5,000,000 for campus site work including the installation of a solar field; and

WHEREAS, the 2015 – 2016 New York State enacted budget for community college capital programs will include \$5,000,000 for campus site work; and

WHEREAS, The County of Sullivan will receive 50% matching funds of the original \$1,000,000 project cost from the 2014 – 2015 New York State enacted budget for community college capital programs and, pending SUNY approval of all sources being matchable, will request additional 50% matching funds on the new project costs; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY for the New York State share of projects that are normally permitted within an approved capital construction budget; and

WHEREAS, that the Board of Trustees of Sullivan County Community College approves this project and the use of the NYSERDA grant and private funds as the County's match for approved State Capital Funds.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby adopts this resolution authorizing Sullivan County Community College to request reimbursement up to 50% of eligible project costs up to \$2,000,000 from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York, dependent upon the State appropriation backing the project; and

BE IT FURTHER RESOLVED, that no funds from the County's General Fund should be committed for this purpose.

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RESOLUTION NO. _____ INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN EASEMENT REQUESTED BY NEW YORK STATE ELECTRIC & GAS (“NYSEG”) FOR INSTALLATION OF A NEW POLE AND ANCHOR ON COUNTY OWNED PROPERTY ALONG SANDY LANE IN THE TOWN OF TUSTEN

WHEREAS, the County of Sullivan owns a parcel of land depicted on the Real Property Tax Map in the Town of Tusten as of June 2013, shown as Section 5, Block 1, Lot 12.3; and

WHEREAS, the County of Sullivan plans to erect an emergency communication tower which will require electrical service; and

WHEREAS, NYSEG is requesting an easement to enter on the described property along Sandy Lane, and

WHEREAS, the easement area shall be thirty (30) feet by approximately one hundred seventy six (176) feet beginning at pole numbered 8 situate off the southeasterly side of Sandy Lane, thence extending in a northwesterly direction over said road and Grantor’s land a distance of about one hundred seventy six (176) feet.

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan is authorized to execute the easement, as prepared by NYSEG and approved by the Sullivan County Department of Law; and

BE IF FURTHER RESOLVED, that the Chairman of the Legislature be authorized to execute the necessary easement documents, in said form to be approved by the County Attorney.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2014.

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RESOLUTION NO. _____ INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN AGREEMENT FOR CONSULTANT DESIGN SERVICES FOR THE COUNTY BRIDGE 369 REHABILITATION PROJECT

WHEREAS, County Bridge No. 369 on Town Highway 80 (Willowemoc Road) over the Willowemoc Creek, located in the Town of Neversink, will be rehabilitated under contract; and

WHEREAS, consultant engineering services are required to evaluate alternatives for rehabilitating the superstructure to meet current standards and for preparing plans and specifications required for contract construction work; and

WHEREAS, the project is eligible for 100% State funding through CHIPS funding program; and

WHEREAS, the Division of Public Works recommends the award of an agreement for consultant engineering services to the firm of Delta Engineers, Architects & Land Surveyors, PC on the basis of qualifications.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an Agreement for consulting engineering services with Delta Engineers, at a cost not to exceed \$98,000, said contract to be in such form as the County Attorney shall approve.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2014

**RESOLUTION NO. _ INTRODUCED BY THE PUBLIC WORKS COMMITTEE
TO AUTHORIZE THE ACCEPTANCE OF A DONATION FROM THE FAMILY CARE
COUNCIL FOR AN AWNING TO BE UTILIZED AT THE SULLIVAN COUNTY ADULT
CARE CENTER (ACC)**

WHEREAS, the Sullivan County Division of Public Works (*DPW*), has responsibility for the maintenance of the ACC; and

WHEREAS, the Family Care Council has made an offer to supply an awning to the County to be utilized in the memory impaired unit of the ACC; and

WHEREAS, it is in the best interest of the clients at the ACC to accept the offer from the Family Care Council.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The County of Sullivan gratefully accepts the donation of an awning from Family Care Council for use at the ACC.
2. The Sullivan County Legislature hereby expresses its sincere appreciation and gratitude to the Family Care Council and directs that the Clerk to the Legislature send the Family care Council a certified copy of this resolution.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2014.

Resolution No. _____

**RESOLUTION INTRODUCED BY PUBLIC SAFETY COMMITTEE TO APPROVE
THE SULLIVAN COUNTY HAZARDOUS MATERIALS RESPONSE PLAN**

WHEREAS, the Sullivan County Fire Advisory Board, at its meeting on September 29, 2014, completed revisions to the Sullivan County Hazardous Materials Response Plan, and

WHEREAS, the revised plan shall take effect upon approval of same by the Public Safety Committee and the Sullivan County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the revisions to the Sullivan County Hazardous Materials Response Plan are hereby approved, and county officers and agencies named in the plan are hereby authorized to perform the duties therein, and

BE IT FURTHER RESOLVED, that a copy of the Sullivan County Hazardous Materials Response Plan be filed with the Clerk of the Sullivan County Legislature and the County Manager.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2014

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**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO
CORRECT THE 2014 TAX ROLL OF THE TOWN OF FALLSBURG
FOR TAX MAP #19.-12-3**

WHEREAS, an application dated October 2014 having been filed by Burt Attent with respect to property assessed to said applicant on the 2014 tax roll of the Town of Fallsburg Tax Map #19.-12-3 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an incorrect entry of 16 sewer units when in fact it should be one sewer unit; and

WHEREAS, the Acting Director of Real Property Tax Services has duly investigated the application and filed his report dated November 6, 2014 recommending this Board approve said application; and

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

(a) That the application be approved because of a clerical error

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

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

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

Moved by _____,
Seconded by _____,
and adopted on motion _____ day of _____, 2014.

**RESOLUTION NO. INTRODUCED BY THE PLANNING ENVIRONMENTAL
MANAGEMENT & REAL PROPERTY COMMITTEE AUTHORIZING AN ADVANCE FROM
THE GENERAL FUND TO ADMINISTER A NEW YORK MAIN STREET GRANT**

WHEREAS, pursuant to Resolution No. 278-13, the Sullivan County Legislature authorized the Division of Planning & Environmental Management to apply for and accept a grant from the New York Main Street Technical Assistance (NYMSTA) Program through Round III of the Consolidated Funding Application (CFA) in 2013, and

WHEREAS, the County was awarded \$20,000 from the NYMSTA program, with Sullivan Renaissance committing \$5,000 towards the project, \$1,000 coming from project applicants, and \$9,225 would be provided as in-kind contribution from the County, for a total project cost of \$35,225 for the NYMSTA project; and

WHEREAS, a letter was submitted by the County Manager to the funding source committing to the availability of funds and the ability to front the costs with the understanding the State will reimburse the County upon receipt of a disbursement request, dated August 9, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the advancement of \$20,000 from the General Fund to pay costs incurred for the administration of the NYMSTA program, and

BE IT FURTHER RESOLVED, the Department of Planning shall process the necessary paperwork to acquire the reimbursement from New York State.

Moved by _____, seconded by _____

RESOLUTION NO. INTRODUCED BY THE PLANNING & ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO ACCEPT FUNDING FROM SULLIVAN RENAISSANCE TO ASSIST WITH THE ADMINISTRATION OF THE NEW YORK MAIN STREET TECHNICAL ASSISTANCE GRANT AWARD THROUGH THE CFA 2013

WHEREAS, pursuant to Resolution No. 278-13, the Sullivan County Legislature authorized the Division of Planning & Environmental Management to apply for and accept a grant from the New York Main Street Technical Assistance (NYMSTA) Program through Round III of the Consolidated Funding Application (CFA) in 2013, and

WHEREAS, the County was awarded \$20,000 from the NYMSTA program, with Sullivan Renaissance committing \$5,000 towards the project and \$1,000 would come from project applicants, and \$9,225 would be provided as in-kind contribution from the County, for a total project cost of \$35,225 for the NYMSTA project; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby accept the \$5,000 from Sullivan Renaissance to administer the NYMSTA program in such form as the County Attorney shall approve.

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

RESOLUTION NO. INTRODUCED BY THE PLANNING ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE FUNDING TO ASSIST THE DELAWARE HIGHLANDS CONSERVANCY TO PURCHASE A PARCEL OF PROPERTY (SBL 26.-3-41) TO ENHANCE THE LONG EDDY ACCESS TO THE UPPER DELAWARE RIVER

WHEREAS, the New York State Department of State (NYS DOS) administers funding to advance preparation, refinement or implementation of Local Waterfront Revitalization Programs, made available to local governments under Title 11 of the New York State Environmental Protection Fund Local Waterfront Revitalization Program (LWRP); and

WHEREAS, the LWRP encourages municipalities to plan for the future of their waterfronts and undertake improvement projects to implement their plans; and

WHEREAS, the Sullivan County Division of Planning and Environmental Management (SCDPEM) was awarded a grant in 2012 from the NYS Local Waterfront Revitalization Program to plan for improvements to river access areas along the Upper Delaware River; and

WHEREAS, in 2013 SCDPEM contracted with consultants, Environmental Planning and Design (EP&D), to prepare the river access plan using a process that fully engaged residents and community officials of the riverfront communities involved; and

WHEREAS, EP&D completed a draft river access improvement plan in June of 2014 recommended improvements to the access area in Long Eddy that proposed the development of a boat ramp and parking area on a 0.63-acre riverfront parcel of privately owned land (SBL 26.-3-41), which was known to be for sale; and

WHEREAS, the Delaware Highlands Conservancy (DHC) has signed a contract to purchase the Long Eddy access parcel for the purpose of conveying it to the New York State Department of Environmental Conservation (NYS DEC), which has agreed to develop and maintain the proposed improvements to public river access; and

WHEREAS, the Delaware Highlands Conservancy is fully funding the purchase of the river access parcel but is seeking financial assistance from Sullivan County and other sources to cover costs associated with carrying the parcel until the transfer to NYS DEC is completed; and

WHEREAS, the proposed river access improvements are components of a County initiated project to enhance and facilitate public enjoyment of the Upper Delaware River; implement the County's Local Waterfront Revitalization Plan; and support the County's tourism-based economy; and

WHEREAS, SCDPEM has funding available in its 2014 New Initiatives budget line which may be used for plan implantation.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County legislature authorizes the County manager to execute a Memorandum of Understanding with the Delaware Highlands Conservancy to collaborate on the implementation of the County's Local Waterfront Revitalization Plan, said MOU to be in a form approved by the County Attorney's Office, and

BE IT FURTHER RESOLVED, that the County will provide funding in the amount of \$5,000 to the DHC to support those efforts.



DELAWARE
HIGHLANDS
CONSERVANCY
CELEBRATE 20 YEARS

PENNSYLVANIA
570.226.3164
P.O. Box 218
Hawley, PA
18428

NEW YORK
845.583.1010
P.O. Box 219
Narrowsburg, NY
12764

Memorandum of Understanding (MOU)

between the
Delaware Highlands Conservancy
and
Sullivan County New York

This Memorandum of Understanding (MOU) sets for the terms and understanding between the Delaware Highlands Conservancy (Conservancy) and Sullivan County, New York to receive funding in the amount of \$5,000 to be used towards the purchase and transaction costs associated with the acquisition of property in the Town of Long Eddy, New York to be used for improvements to public access to the Upper Delaware River.

Background:

The New York State Department of Environmental Conservation (NYSDEC) has requested the Conservancy to purchase 0.63 acres of property with a boat launch on the Delaware River (SBL 26.-3-41) and sell it to them when funding is approved from the G56 process – Open Space Acquisition Form. Sullivan County’s Division of Planning and Environmental Management has been working on a Local Waterfront Revitalization Program (LWRP) plan that has focused on improvements to six fishing access points along the Delaware River. Long Eddy is identified in the plan as one of the six priority sites, and the plan notes acquisition of the subject property is needed in order to provide a public boat launch with safe, adequate parking.

Purpose:

This transaction takes an important step toward implementing the County’s LWRP and river access plan. It promotes outdoor recreation, and fosters commitment to the Delaware River. Additionally, this transaction serves as a catalyst for positive economic impacts within the hamlet of Long Eddy, the Town of Fremont, and the overall river corridor. Successful acquisition of this property will bring together the outdoor recreational community, Sullivan County government, the Upper Delaware municipalities involved in the river access, and the NYSDEC. Each of these individual groups have a common interest in securing the property for the boat launch but are limited in their resources to complete the transaction. Working together, these groups can combine their resources to ensure that the transaction is successful, and the property will provide improved public access to the Upper Delaware River.

Transaction Costs:

The property was listed on the market for \$69K. The Conservancy had an appraisal completed for the property to determine the value of the land with the house. The fair market value was determined to be \$55K. The Conservancy put in an offer for \$60K as

Conserving our natural heritage and quality of life in partnership with landowners and the communities of the Upper Delaware region.

13A

Upper Delaware River Access Plan Implementation

a result of a competing offer for the asking price. The seller, feeling that a sale to the Conservancy carries the highest benefit to the parcel, the Town of Long Eddy, and the Upper Delaware River valley, has accepted the Conservancy's offer of \$60K.

The Conservancy has sought an interim loan for \$55K from a partner organization that will be used as capital towards purchasing the property. Additional carrying costs including property insurance, municipal taxes, legal advisement, real estate recording fees, and due diligence fees are estimated at \$10,000 resulting in an unfunded gap in the amount of \$15,000.

Funding:

The Conservancy is requesting \$5,000 in the form of a grant from the Sullivan County Division of Planning and Environmental Management, which will be used towards property acquisition and transaction costs. In addition, the Conservancy is initiating outreach to partners and stakeholders, and a fundraising campaign to gain additional source funding. The Sullivan County funding will leverage 15 times the \$5,000 commitment to achieve a County goal of improved river access.

Duration:

This MOU is at-will and may be modified by mutual consent of authorized officials from Delaware Highlands Conservancy and Sullivan County. This MOU shall become effective upon signature by the authorized officials from the Delaware Highlands Conservancy and Sullivan County and will remain in effect until modified or terminated by any one of the partners by mutual consent.

By signing this MOU, the Delaware Highlands Conservancy and Sullivan County agree to the overall scope of work associated with the property acquisition and the use of funds awarded by the Sullivan County Division of Planning and Environmental Management grant. For any reason should the Conservancy be unable to complete the transaction to acquire the property, Sullivan County will be released from its obligation to provide the funding contribution.

Delaware Highlands Conservancy

Sullivan County

Title

Title

Date

Date

13b

RESOLUTION NO. INTRODUCED BY THE PLANNING AND ENVIRONMENTAL MANAGEMENT COMMITTEE TO AUTHORIZE THE AWARD AND EXECUTION OF AN AGREEMENT TO DEVELOP A DAIRY PROCESSING FACILITY AND RESCIND RESOLUTION NO. 36-13

WHEREAS, pursuant to Resolution No. 163 of 2011, the Sullivan County Legislature authorized the Division of Planning and Environmental Management to prepare an application for funding under the United States Department of Agriculture-Rural Development (USDA-RD) Rural Business Enterprise Grant (RBEG) program for development of dairy processing facilities; and

WHEREAS, the County was awarded the RBEG grant in the amount of \$186,500.00, with an in-kind match of \$15,000.00 from the Division of Planning and Environmental Management for a total project cost of \$201,500.00; and

WHEREAS, Resolution No. 36-13 authorized the County Manager to execute the necessary documents with Sullivan County Dairy Products, LLC; and

WHEREAS, Sullivan County Dairy Products, LLC did not meet the necessary grant requirements and the RFP was re-issued; and

WHEREAS, the evaluation team selected a new applicant, Catskill Mountain Dairies, LLC, and recommends that the County enter into an agreement with them to utilize the RBEG funds; and

WHEREAS, under this agreement, the County will use the RBEG funds to purchase dairy processing equipment, including but not limited to production and packaging equipment, to be leased to Catskill Mountain Dairies, LLC for the development of a dairy processing facility.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 36-13 is rescinded; and

THEREFORE BE IT FURTHER RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute the necessary lease agreements, contracts and documentation with Catskill Mountain Dairies, LLC in an amount not to exceed \$186,500.00 in such form as the County Attorney shall approve.

RESOLUTION INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO ACCEPT THE AWARD AND ACCESS THE FUNDING FOR THE IGNITION INTERLOCK DEVICE MONITORING PROGRAM.

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) projected award for the Ignition Interlock Device Monitoring Program allocation is **\$21,330.00** for the 2014-2015 contract year, and

WHEREAS, based upon the 2014-2015 award for the Ignition Interlock Device Monitoring Program appropriation, DCJS will reimburse eligible expenditures for each sentencing order received which requires Ignition Interlock Device installation and monitoring up to the projected allocation,

WHEREAS, in order to access said funds it will be necessary for the County to file documents with the New York State Division of Criminal Justice Services,

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

Moved by:
Seconded by:
Adopted on motion:

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