



SULLIVAN COUNTY LEGISLATURE
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
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MONTICELLO, NY 12701
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EXECUTIVE COMMITTEE
November 15, 2012 at 12:00PM

COMMITTEE MEMBERS: Samuelson, Benson, LaBuda, Vetter, Rouis, Gieger,
Edwards, Steingart, Sorensen

- I. DISCUSSION**
 1. Vacancy Policy (referred from October 11 meeting)
 2. Tourism RFP
 3. Family Services Director of Investigations

- II. COUNTY MANAGER'S MONTHLY REPORT-----David P. Fanslau**

- III. COUNTY ATTORNEY'S MONTHLY REPORT---- Samuel S. Yasgur**

- IV. RESOLUTIONS :**
 1. Set public hearings on 2013 tentative budget
 2. Enter into a inter-local agreement with the County of Orange to accept portion of Hazmat Grant
 3. Adopt a Solid Waste Fee Schedule for 2013
 4. Authorize County Attorney and Commissioner of Management and Budget to modify the Retainer agreement with Lukas, Nace, Gutierrez and Sachs

- V. PUBLIC COMMENT**

RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO SCHEDULE DATES FOR PUBLIC HEARINGS ON THE COUNTY TENTATIVE BUDGET FOR FISCAL YEAR 2013

WHEREAS, the Tentative Budget for the County of Sullivan for the fiscal year beginning January 1, 2013 will be reviewed by the Sullivan County Legislature in accordance with Rule 50(c) of the Rules of the County Legislature; and

WHEREAS, the County Legislature will hold public hearings on said Tentative Budget on Tuesday, December 4, 2012 at 5:30PM and Tuesday, December 11, 2012 at 12 Noon in the Legislative Chambers of the Sullivan County Government Center, 100 North Street, Monticello, New York;

NOW, THEREFORE, BE IT RESOLVED, that the Clerk to the County Legislature is hereby authorized and directed to publish a notice of hearing in the official newspapers of the County; and

BE IT FURTHER RESOLVED, that at least five days shall lapse between the first publication of such notice and date specified for the hearing pursuant to Section 359 of the County Law.

NOTICE OF PUBLIC HEARINGS ON TENTATIVE BUDGET

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Sullivan, New York, will meet in the Legislative Chambers of the Sullivan County Government Center, Monticello, New York on Tuesday, December 4, 2012 at 5:30PM and Tuesday, December 11, 2012 at 12 Noon for the purpose of holding public hearings on the Tentative Budget of said County for the fiscal year beginning January 1, 2013.

Further notice is hereby given that copies of said Tentative Budget are available at the Office of the County Manager, Sullivan County Government Center, Monticello, New York where they may be inspected and procured by an interested person during business hours.

Pursuant to Section 359 of the County Law, the maximum salaries that may be fixed and payable during the fiscal year to the members of the County Legislature and to the Chairman thereof, respectively, are hereby specified as follows:

County Legislator	\$22,600
Chair of the County Legislature	\$31,600

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE

RESOLUTION TO AUTHORIZE THE COUNTY LEGISLATIVE CHAIRMAN TO ACCEPT 2011 SPECIAL SESSION FUNDS TO ALLOW THE COUNTY TO MEET THE 25% NON-FEDERAL MATCH REQUIREMENT FOR ELIGIBLE FEDERALLY FUNDED STREAM RESTORATION PROJECTS AKA EMERGENCY WATERSHED PROTECTION PROGRAM PROJECTS THROUGH THE USDA NATURAL RESOURCES CONSERVATION SERVICE.

WHEREAS, NY Empire State Development (*ESD*) has notified the County it has been awarded funding from the remaining 2011 special session funds to allow the County to meet its 25% percent non-federal match requirement for eligible federally funded stream restoration projects through the USDA Natural Resources Conservation Service; and

WHEREAS, the funds awarded are being administered by ESD in consultation with the NYS Department of Environmental Conservation; and

WHEREAS, the unprecedented flood water levels caused by Hurricane Irene and Tropical Storm Lee resulted in extensive damage to public and private infrastructure and the state's waterways; and

WHEREAS, these funds will help Counties in NYS repair waterways and further safeguard public and private infrastructure from future flood events; and

WHEREAS, Sullivan County has been notified of and awarded \$1,028.00 in funds for the Hust Road Bridge project in the Town of Callicoon (*total project cost of \$4,114.00*).

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

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

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

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT A SOLID WASTE FEE SCHEDULE FOR 2013

WHEREAS, the Sullivan County Legislature adopted Local Law 6 of 2010 amending Local Law No. 7 of 2009 and Local Law No. 1 of 1992 and Chapter 171 of the Code of Sullivan County to add a new Article VIII Establishing a Solid Waste Fee, and

WHEREAS, Local Law 6 of 2010 provides that there shall be an annual Solid Waste Fee and that the County Legislature establish by resolution a “Rate Schedule assigned to all parcels of improved property based upon the authorized use of real property”, and

WHEREAS, a proposed Rate Schedule has been submitted to the Legislature for adoption for calendar year 2013, and

WHEREAS, the County Legislature has determined that the proposed Rate Schedule will not create any significant adverse environmental impacts.

BE IT THEREFORE RESOLVED AS FOLLOWS:

1. For the calendar year 2013 the Solid Waste Fees shall be as follows:
 - A. The per ton tipping fee for Municipal Solid Waste delivered over scales to any County transfer station shall be \$90.00 per ton.
 - B. The per ton tipping fee for Construction and Demolition debris and Bulky Waste delivered over scales to the central County transfer station shall be \$90.00 per ton.
 - C. The annual direct billed portion of the solid waste fee, billed to owners of parcels of improved property, shall be as follows:
 - i. Residential category = \$120.00 per parcel.
 - ii. Residence with enhanced STAR or Aged Exemption category = \$108.00 per parcel.
 - iii. Commercial Residential category = \$120.00 per unit, up to 15 units, then capped at \$1,800.00 per parcel.
 - iv. Legislative Definitions category = \$120.00 per parcel.
 - v. Commercial (non-residential) category = \$300.00 per parcel.

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2. The fees set forth in this Resolution supersede, as applicable, the comparable fees set forth in the County's current Solid Waste Rules.

RESOLUTION NO. ____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY ATTORNEY AND COMMISSIONER OF MANAGEMENT AND BUDGET TO MODIFY THE RETAINER AGREEMENT WITH LUKAS, NACE, GUTIERREZ AND SACHS

WHEREAS, the County Attorney and Commissioner of Management and Budget entered into a Retainer Agreement with Lukas, Nace, Gutierrez and Sachs (the "Firm") on January 6, 2012, and

WHEREAS, the Firm agreed to provide legal services on behalf of the County of Sullivan ("County") with regard to negotiations with Motorola, and

WHEREAS, the Retainer Agreement was for services not to exceed \$5,000.00 without County Legislative approval, and

WHEREAS, the necessary services have exceeded the \$5,000.00 cap in the Retainer Agreement, and

WHEREAS, the present cost of such services is \$5,130.00, and,

WHEREAS, it is anticipated we may incur another \$2,000.00 in costs, and

WHEREAS, it is requested the cap on the retainer be raised to \$7,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney and Commissioner of Management and Budget are hereby authorized to modify the Retainer Agreement with the Firm to extend the amount for legal fees and disbursements to \$7,500.00.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2012.