



SULLIVAN COUNTY LEGISLATURE
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
PO BOX 5012
MONTICELLO, NY 12701
845-807-0435
845-807-0447 (fax)

EXECUTIVE COMMITTEE
February 21, 2013 at 12:30PM

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

I. DISCUSSION

Personnel Policies – referred from January 10th Personnel Committee
Vacancies

II. RESOLUTIONS :

1. Enact Local Law No. 1 of 2013 amending the Charter and Administrative Code
2. Enact Local Law No. 2 of 2013 amending the Charter
3. Reappoint Bassett to the Office for the Aging Advisory Committee
4. Create a part-time Account Clerk/Database position in the Probation Department
5. Authorize public hearing for March 21, 2013 at 1 :50PM for extension of additional mortgage recording tax
6. Authorize County Manager to enter into agreements for the provision of US Department of Agriculture's food nutrition services
7. Accept a negative declaration for Radio Project
8. Approve Change Order #3 /execute modification agreement with Motorola
9. Approve Bond for \$8,798,960 to pay portion of certain capital improvements for public safety communications upgrade
10. Appoint Heather Jacksy to the Upper Delaware Scenic Byway
11. Authorize award and execution of agreements for bids that were received for the interior renovations at the Sullivan County Adult Care Center (HEAL Grant)
12. Authorize license agreement with Jaime Marks, Inc. For filming of a movie at Apollo Mall

III. PUBLIC COMMENT

Vacancy Request

Date: February 21, 2013

Department: Adult Care Center

Department Head: Catherine Rauschendorfer

Position / Duties: Program Coordinator – Required by DOH/CMS regs to have an RN as Director of the Adult Day Health Program. The program provides support to seniors and their families which allow these individuals to remain safely in the community.

Salary: \$57,420

Benefits: \$36,500

Total Cost: \$93,920

County Share: \$1,722 (Revenue received from Medicare, Medicaid and private pay based upon census.)

Federal Share:

State Share:

Mandated: Yes

Budgeted: Yes **Budget Line:** Position #436

Date of Vacancy: 2/28/13

Notes:

Vacancy Request

Date: February 21, 2013

Department: Adult Care Center

Department Head: Catherine Rauschendorfer

Position / Duties: Program Coordinator – Required by DOH/CMS regs to maintain an infection control program and provide ongoing inservices to our employees. Therefore it is imperative that we fill this vacant Program Coordinator position.

Salary: \$57,420

Benefits: \$36,533

Total Cost: \$93,953

County Share: \$1,722 (Revenue received from Medicare, Medicaid and private pay based upon census.)

Federal Share:

State Share:

Mandated: Yes

Budgeted: Yes **Budget Line:** Position #2660

Date of Vacancy: 2/15/13

Notes:

Vacancy Request

Date: February 21, 2013

Department: Sheriff's Office

Department Head: Sheriff Schiff

Position / Duties: Deputy Sheriff – this position will help in cutting down on the number of overtime hours required by the Sheriff's Office

Salary: \$46,215

Benefits: \$34,239

Total Cost: \$80,454

County Share: \$80,454

Federal Share:

State Share:

Mandated: No

Budgeted: Yes **Budget Line:** Position #817

Date of Vacancy:

Notes:

Vacancy Request

Date: February 21, 2013

Department: DPW

Department Head: Robert Meyer/Edward McAndrew

Position / Duties: **Bridge Maintainer II – plays an essential role by providing a variety of repairs and maintenance to bridges and buildings along with snow and ice control efforts enabling the County to maintain its infrastructure for use by the public.**

Salary: \$53,891

Benefits: \$39,160

Total Cost: \$93,051

County Share: \$93,051

Federal Share:

State Share:

Mandated: Not mandated by law, but the LIU contract has a minimum staffing level.

Budgeted: Yes **Budget Line:** Position #1495

Date of Vacancy: 7/24/12

Notes:

Vacancy Request

Date: February 21, 2013

Department: DPW

Department Head: Robert Meyer/Edward McAndrew

Position / Duties: **Bus Driver –Transportation currently provides shopping transportation for Seniors, nutrition and medical runs for Seniors, and transportation for the Veterans. Drivers are needed to continue to provide these services.**

Salary: \$35,026

Benefits: \$12,164

Total Cost: \$47,190

County Share: \$47,190

Federal Share:

State Share:

Mandated: Not mandated by law, but LIU contract has a minimum staffing level.

Budgeted: Yes **Budget Line:** Position #497

Date of Vacancy: 10/31/12

Notes:

Vacancy Request

Date: February 21, 2013

Department: DPW

Department Head: Robert Meyer/Edward McAndrew

Position / Duties: CEO I/Backfill –CEO I's operate automotive & construction equipment in the removal of snow, transportation of sand, stone, asphalt & other materials & supplies; operate graders for snow removal & force feed loaders; loaders, backhoes, rollers, pavers, compactors, vacall, stone spreader, pick-up drivers & crack sealers; assists in building & maintaining bridges, installing pipe & guiderail & may lead a sub-crew. Essential to year round operations.

Salary: \$48,772

Benefits: \$26,988

Total Cost: \$75,760

County Share: \$75,760

Federal Share:

State Share:

Mandated: Not mandated by law, but the LIU contract has a minimum staffing level.

Budgeted: Yes **Budget Line:** Position #1434

Date of Vacancy: 10/4/112

Notes:

Vacancy Request

Date: February 21, 2013

Department: DPW

Department Head: Robert Meyer/Edward McAndrew

Position / Duties: Laborer I – maintain its infrastructure for the use and safety of the traveling public. This position plays an essential role by providing manual labor and also operating motorized equipment and trucks at a basic level. This position forms a foundation of DPW operations from mowing to snow and ice control; and from drainage repairs, maintenance and improvements to assisting in bridge and building construction, maintenance and repair

Salary: \$35,340

Benefits: \$11,744

Total Cost: \$47,084

County Share: \$47,084

Federal Share:

State Share:

Mandated: Not mandated by law, but the LIU contract has a minimum staffing level.

Budgeted: Yes **Budget Line:** Position #1503

Date of Vacancy: 1/9/13

Notes:

Vacancy Request

Date: February 21, 2013

Department: DPW

Department Head: Robert Meyer/Edward McAndrew

Position / Duties: **Maintenance Assistant/Backfill – plays essential role by assisting in the maintenance of the county’s infrastructure. Such as installation and repair of wiring, electrical fixtures, windows, doors, floor, general plumbing, cleaning and repairing boilers, pumps, heaters, pipe lines, valves and traps; laying brick, plastering walls, finishing concrete work, performs routine maintenance on kitchen and medical equipment and participates in snow and ice removal and grounds maintenance.**

Salary: \$47,206

Benefits: \$37,643

Total Cost: \$84,849

County Share: *\$84,849*

Federal Share:

State Share:

Mandated: Not mandated by law, but the LIU contract has a minimum staffing level.

Budgeted: Yes **Budget Line:** Position #1483

Date of Vacancy: 12/28/12

Notes:

Vacancy Request

Date: February 21, 2013

Department: DPW

Department Head: Robert Meyer/Edward McAndrew

Position / Duties: **Solid Waste Operator/Backfill – insufficient number of staff available to provide 2 operators at each transfer station with the county operation of Ferndale Transfer Station following the opening of the new MRF/TS. Only one operator at a transfer station on a regular basis is insufficient and could endanger the public.**

Salary: \$50,642

Benefits: \$26,463

Total Cost: \$77,105

County Share: \$77,105

Federal Share:

State Share:

Mandated: Not mandated by law, but the LIU contract has a minimum staffing level.

Budgeted: Yes **Budget Line:** Position #2787

Date of Vacancy: 1/5/13

Notes:

Vacancy Request

Date: February 21, 2013

Department: DPW

Department Head: Robert Meyer/Edward McAndrew

Position / Duties: Senior Master Mechanic – plays an essential role by providing repairs to a variety of equipment enabling the County to maintain its infrastructure for the use of the public.

Salary: \$53,891

Benefits: \$35,550

Total Cost: \$89,441

County Share: \$89,441

Federal Share:

State Share:

Mandated: Not mandated by law, but the LIU contract has a minimum staffing level.

Budgeted: Yes **Budget Line:** Position #1441

Date of Vacancy: 7/24/12

Notes:

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE
TO ENACT A LOCAL LAW AMENDING CHAPTER 3 OF THE SULLIVAN
COUNTY CHARTER AND SECTIONS A-3, A7 AND A8 OF THE SULLIVAN
COUNTY CODE**

WHEREAS, proposed Local Law entitled "Enact A Local Law Amending Chapter 3 Of The Sullivan County Charter And Sections A-3, A7 And A8 Of The Sullivan County Code" was presented to the Sullivan County Legislature at a meeting held on February 21, 2013, at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled entitled "Enact A Local Law Amending Chapter 3 Of The Sullivan County Charter And Sections A-3, A7 And A8 Of The Sullivan County Code" which local law is annexed hereto and made a part hereof.

LOCAL LAW NO. 1 OF 2013
COUNTY OF SULLIVAN, NEW YORK

A LOCAL LAW AMENDING CHAPTER 3 OF THE
SULLIVAN COUNTY CHARTER and SECTIONS A-3, A7 and
A8 OF THE SULLIVAN COUNTY CODE

SULLIVAN COUNTY CHARTER

Section 1: ARTICLE III C§3.07. Acting County Manager.

Section C3.07 (A) is amended to delete the following language: “If a vacancy occurs in the office of the County Manager, the Acting County Manager shall serve until the vacancy is filled by the County Legislature pursuant to the provisions of this Charter.”

Section C3.07 is amended to add the following new paragraph C.

“C. In the event there is a vacancy in the office of the County Manager, the County Legislature shall appoint an interim County Manager until such time as a permanent County Manager is appointed in accordance with the County Charter.”

ADMINISTRATIVE CODE

Section 2: SECTION A3-3. COUNTY MANAGER. POWERS AND DUTIES.

Administrative Code Section A3-3 is amended to delete the entirety of subsection

A. Subsections B through the end shall be renumbered.

Section 3: §A7-1 Deputy County Manager.

Section A7-1 is deleted in its entirety -- both subsections A and B. The remainder of Article VII shall be renumbered.

Section 4: §8.1 BUDGET. Filing with the Clerk of Legislature.

Section 8.1 is amended to delete “not later than the fifteenth day of November.” and replace it with “not later than the first day of October.”

The provisions of this Local Law shall be effective immediately upon the filing of a copy with the Secretary of State.

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE
TO ENACT A LOCAL LAW AMENDING CHAPTER 3 OF THE SULLIVAN
COUNTY CHARTER” REGARDING COUNTY MANAGER APPOINTMENT,
SUSPENSION AND REMOVAL**

WHEREAS, proposed Local Law entitled "Enact A Local Law Amending Chapter 3 Of The Sullivan County Charter” was presented to the Sullivan County Legislature at a meeting held on February 21, 2013, at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled entitled "Enact A Local Law Amending Chapter 3 Of The Sullivan County Charter” which local law is annexed hereto and made a part hereof.

LOCAL LAW NO. 2 OF 2013
COUNTY OF SULLIVAN, NEW YORK

A LOCAL LAW AMENDING CHAPTER 3 OF THE
SULLIVAN COUNTY CHARTER

SULLIVAN COUNTY CHARTER

Section 1: ARTICLE III. §C3.01. County Manager. Appointment, suspension and removal.

Section C3.01 is amended to delete “A two-thirds majority of the whole membership of the County Legislature shall be required to appoint, suspend or remove the County Manager.”

This Local Law amending the Sullivan County Charter shall take effect sixty (60) days after the final enactment of this Local Law and upon filing with the Secretary of State subject to a referendum on petition pursuant to Municipal Home Rule Law, Section 34 (4)(c).

Resolution No.

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE

**RESOLUTION TO REAPPOINT ONE MEMBER TO THE OFFICE FOR THE AGING
ADVISORY COMMITTEE**

WHEREAS, it is the desire to reappoint Priscilla Bassett to the Office for the Aging Advisory Committee, and

WHEREAS, the above reappointment is to commence on the date this resolution is adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following member to the Office for the Aging Advisory Committee, for the term to expire on the date opposite of name.

OFA REAPPOINTMENT:

TERM:

Priscilla Bassett
292 Glade Hill Road
Grahamsville NY 12740

1/31/2016

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

**RESOLUTION xx-13 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
CREATE A PART-TIME POSITION IN THE PROBATION
DEPARTMENT**

WHEREAS, clerical positions have previously been eliminated in the Probation Department and the Director of Probation has determined that the present clerical workload requires additional resources to facilitate the timely completion of caseload data entry; and

WHEREAS, the Probation Department Director has requested that a Part-Time Account Clerk/Database position be created to fulfill the needs of the Probation Department.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates a position in the Probation Department, in accordance with the terms and conditions of the Collective Bargaining Agreement and Salary Schedule of the IBT 445 Main Unit as follows:

CREATE:

A-3140-16 Account Clerk/Database- Part-Time

RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A PUBLIC HEARING FOR THE ADOPTION OF A PROPOSED LOCAL LAW TO EXTEND THE IMPOSITION OF AN ADDITIONAL MORTGAGE RECORDING TAX IN THE COUNTY OF SULLIVAN.

WHEREAS, on May 23, 2007, the Sullivan County Legislature adopted Local Law No. 4 of 2007, to impose a Mortgage Recording Tax, and

WHEREAS, Local Law No. 4 of 2007 has been amended by Local Law No. 1 of 2010 and Local Law No. 2 of 2010 and is currently due to expire on or about April 30, 2013

WHEREAS, it is the intention of the Sullivan County Legislature to extend the provisions of the Sullivan County Mortgage Recording Tax for an additional three years to coincide with the applicable sales tax periods, and

WHEREAS, Section 253-j of the Tax Law of the State of New York authorizes the County of Sullivan to enact a local law to continue the imposition of an additional mortgage recording tax for a three year period upon the expiration of any term extending Local Law No. 4-2007, the Sullivan County Mortgage Recording Tax.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on March 21, 2013 at 1:50 pm, in the Legislative Hearing Room, County Government Center, Monticello, New York, and at least five (5) days notice of 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 declared duly adopted on _____.

**COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that at a meeting of the Legislature of the County of Sullivan, New York, held on February 21, 2013, a proposed Local Law entitled "A Local Law Amending Local Law No. 4 of 2007 Imposing a Mortgage Recording Tax" was discussed.

The purpose of this proposed Local Law is that Local Law No. 4 of 2007, which had imposed, in Sullivan County a tax of \$0.25 for each \$100.00 of real property secured by a mortgage, is due to expire on or about April 30, 2013, and it is the intention of the Legislature to extend the terms of Local Law No. 4 of 2007, until April 30, 2016, by enacting the proposed Local Law effective May 1, 2013, to coincide with the applicable sales tax periods and ensure that there is non-interrupted and continuing imposition of the mortgage recording tax.

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Hearing Room, County Government Center, Monticello, New York, 12701, on March 21, 2013 at 1:50 pm , at which time all persons interested will be heard.

DATED: February 21, 2013

ANNMARIE MARTIN
Clerk of the Legislature
County of Sullivan, New York

A Local Law to Amend Local Law No. 4-2007 (Part 9 of Chapter 182 of the Sullivan County Code) as amended by Local Law No. 1 of 2010 and further amended by Local Law No. 2 of 2010, Imposing a Mortgage Recording Tax.

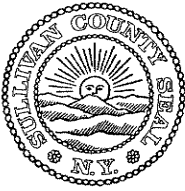
Section 1: Purpose: To amend Local Law No. 4-2007 (Part 9 of Chapter 182 of the Sullivan County Code) as amended by Local Law No. 1 of 2010 and further amended by Local Law No. 2 of 2010, which imposed a Mortgage Recording Tax in the County of Sullivan. Local Law No. 4-2007 is set to expire on April 30, 2013 and it is the intention of the Sullivan County Legislature to extend the Local Law No. 4-2007 for three additional years.

Section 2: Section 182-77 of Part 9 of Chapter 182 of the Sullivan County Code shall be amended by deleting the language "May 1, 2010" both times it appears and inserting the language "May 1, 2013" in both places and by deleting the language "April 30, 2013" and inserting the language "April 30, 2016."

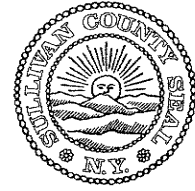
Section 3: Section 182-83 of Part 9 of Chapter 182 of the Sullivan County Code shall be amended by deleting the language "May 1, 2010" and inserting the language "May 1, 2013".

Section 4: Effective Date

This Local Law shall take effect May 1, 2013. A certified copy of this Local Law shall be mailed by registered or certified mail to the Commissioner of Taxation and Finance at the Commissioner's Office in Albany. Certified copies of this Local Law shall be filed with the Sullivan County Clerk, the Secretary of State and the State Comptroller within five days after this Local Law is enacted.



COUNTY OF SULLIVAN



LEGISLATIVE MEMORANDUM

To: COUNTY LEGISLATURE

From: Randy J. Parker

Title: Commissioner

Department: Division of Health and Family Services

COMMITTEE WITH JURISDICTION

Check all that apply:

- Executive
- Financial Management
- General Services
- Health & Family Services
- Personnel
- Planning & Community Development
- Public Safety
- Public Works
- Real Property
- Veterans

SUBJECT OF RESOLUTION: SNAP-Ed (formerly known as ESNY) for FSNEP services

PURPOSE OF RESOLUTION: Authorize County Manager to enter into agreement

DATE OF FIRST SUBMISSION: 2/21/2013

BRIEF DESCRIPTION: \$118,477 Federal funding is available 10/1/2012-9/30/2013 through DFS for Food Nutrition Service (FNS). The Supplemental Nutrition Assistance Program (SNAP-Ed) (aka Eat Smart New York (ESNY)) program, endorsed by NYS OTDA as satisfying the program requirements of FNS. DFS will enter into agreement to pass federal funding from OTDA through to Cornell Cooperative Extension of Sullivan County New York (CCE) to provide the approved services to be paid by DFS at cost with federal dollars. Target Population/Audience - Total Direct Education: 780, Total Indirect One-time Education: 3,100 = Total Project Number to be Served: 3,880.

Costs to Other County Programs: None

Mandated Budgeted Budget Revision Necessary

FINANCIAL IMPACT:	2012	2013	2014	2015
Projection:	YEAR 1	YEAR 2	YEAR 3	YEAR 4
County Costs	\$ _____	\$ _____	\$ _____	\$ _____
State Funds	\$ _____	\$ _____	\$ _____	\$ _____
Federal Funds	\$ 29,619	\$ 88,858	\$ _____	\$ _____
Other	\$ _____	\$ _____	\$ _____	\$ _____
Total	\$ 29,619	\$ 88,858	\$ _____	\$ _____

If NONE check here:

Resolution No.

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE
RESOLUTION TO AUTHORIZE COUNTY MANAGER TO ENTER INTO
AGREEMENT/S FOR THE PROVISION OF US DEPARTMENT OF AGRICULTURE'S
FOOD NUTRITION SERVICES (FNS) FROM OCTOBER 1, 2012 THROUGH
SEPTEMBER 30, 2013**

WHEREAS, federal funding has been made available to Cornell University Cooperative Extension of Sullivan County (CCE) funded under New York State's SNAP Nutrition Education State Plan approved in the amount of \$118,477 for the period 10/1/ 2012 through 9/30/2013; and

WHEREAS, the Supplemental Nutrition Assistance Program (SNAP-Ed), formerly and also known as the Eat Smart New York (ESNY) program is endorsed by New York State Office of Temporary and Disability Assistance (NYS OTDA) as satisfying the program requirements of the US Department of Agriculture's Food Nutrition Service (FNS) agency programs; and

WHEREAS, the Cornell Cooperative Extension of Sullivan County New York (CCE) administers the Supplemental Nutrition Assistance Program (SNAP-Ed), formerly and also known as Eat Smart New York (ESNY) program in Sullivan County New York; and

WHEREAS, the County of Sullivan, through the Department of Family Services, is able to access the approved federal funding for the purpose of a Food Nutrition Service (FNS) programs for New York State's SNAP Nutrition Education Plan and pass the funding through purchase of service agreement with Cornell University Cooperative Extension of Sullivan County (CCE) for the provision of those services; and

WHEREAS, the Cornell Cooperative Extension of Sullivan County New York (CCE) will provide the approved services through purchase of service agreement with the Department of Family Services at the New York State Office of Temporary and Disability Assistance (NYS OTDA) approved amount, with the costs paid with federal funding by the department.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreement/s with Cornell University Cooperative Extension of Sullivan County (CCE) for the provision of Food Nutrition Service (FNS) programs services in the approved amount of \$118,477 funded under New York State's SNAP Nutrition Education State Plan for the period 10/1/ 2012 through 9/30/2013; and

BE IT FURTHER RESOLVED, that the form of said agreement/s will be approved by the Sullivan County Department of Law.

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

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE ACCEPT
NEGATIVE DECLARATION FOR RADIO PROJECT**

WHEREAS, in May, 2009, pursuant to Resolution 195-09, the Sullivan County Legislature authorized a professional services contract with Blue Wing Services to study and review the County's Public Safety Radio System and to make recommendations to the County concerning possible renovations and/or upgrades to that system, and

WHEREAS, in April, 2010 Blue Wing Services presented its report to the County, which report contained three possible options for upgrading the County's Public Safety radio system, and

WHEREAS, in June, 2010, based on the Sullivan County's Legislature's assessment of which of the options presented in the April Blue Wing Report was the most viable for the County, the Sullivan County Legislature adopted Resolution 331-10 which authorized a modification of the aforesaid contract with Blue Wing Services to enable Blue Wing to search the radio frequency spectrum for appropriate frequencies which would be available to Sullivan County and which would enable Sullivan County to implement the selected upgrade option, and

WHEREAS, in September 2010 the Sullivan County Legislature approved the proposed Public Safety Radio System upgrade in the County's Capital Plan, and

WHEREAS, based on the Blue Wing Study it was determined that the County would need to upgrade 5 existing antenna towers and would need to add 4 new antenna towers, and

WHEREAS, in or about April, 2011 the County contracted with the Chazen Company to conduct the appropriate environmental reviews of the existing and the new antenna tower sites as required by both federal and state laws, and

WHEREAS, during the period from May, 2011 to December, 2012 Chazen Company conducted detailed site specific environmental assessments, in accordance with New York's State Environmental Quality Review Act and the applicable provisions of the federal government's National Environmental Policy Act, at the six sites for which specific locations have already been identified (Elk Point, White Lake, Monticello, Wurtsboro, Tennanah Lake and Thunder Hill), and

WHEREA, at the three additional sites (Callicoon, Narrowsburg and Knights Eddy) for which specific antenna tower locations have not yet been specified, areas of approximately one square mile each or less have been identified for each of those three areas with understanding that the specific antenna tower locations in each of those three area would be within those one square mile, or less, areas, thus enabling the Chazen Company to conduct an environmental review of each of the those three areas of approximately one square mile or less, and

WHEREAS, Chazen also performed a generic environmental review for the entire project, and

WHEREAS, Chazen has now advised the County that: (1) in its professional opinion the Project will not have any adverse environmental impact that cannot be appropriately mitigated, (2) in its professional opinion the construction of the proposed antenna towers on the specified Elk Point, White Lake, Monticello, Tennanah Lake and Thunder Hill locations will not result in any adverse environmental impact, and (3) in its professional opinion it will be possible to locate antenna towers in each of the approximately one square mile designated areas in Callicoon, Narrowsburg and Knights Eddy without causing any adverse environmental impact that cannot be appropriately mitigated, and

WHEREAS, as a result of the foregoing Chazen Company recommends that the County Legislature issue a Negative Declaration with respect to the Project as a whole and as to the nine antenna Tower sites.

NOW THEREFORE BE IT RESOLVED THAT:

1. The attached Negative Declaration, prepared pursuant to the New York State Environmental Quality Review Act, is hereby accepted by the Sullivan County Legislature and formally issued as its environmental review for the Project.

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO
APPROVE CHANGE ORDER #3 AND TO EXECUTE MODIFICATION
AGREEMENT WITH MOTOROLA INCORPORATING THE PROVISIONS AND
SCHEDULES IN CHANGE ORDER #3 INTO AGREEMENT**

WHEREAS, in May, 2009, pursuant to Resolution 195-09, the Sullivan County Legislature authorized a professional services contract with Blue Wing Services to study and review the County's Public Safety Radio System and to make recommendations to the County concerning possible renovations and/or upgrades to that system, and

WHEREAS, in April, 2010 Blue Wing Services presented its report to the County, which report contained three possible options for upgrading the County's Public Safety radio system, and

WHEREAS, in June, 2010, based on the Sullivan County's Legislature's assessment of which of the options presented in the April Blue Wing Report was the most viable for the County, the Sullivan County Legislature adopted Resolution 331-10 which authorized a modification of the aforesaid contract with Blue Wing Services to enable Blue Wing to search the radio frequency spectrum for appropriate frequencies which would be available to Sullivan County and which would enable Sullivan County to implement the selected upgrade option, and

WHEREAS, in September 2010 the Sullivan County Legislature approved the proposed Public Safety Radio System upgrade in the County's Capital Plan, and

WHEREAS, in December, 2010, pursuant to the authorization of the Sullivan County Legislature set forth in Resolution 582-10, the County entered into a contract with Motorola Solutions, a provider of radio equipment which also owned six pair of High Band radio frequencies which Motorola said would be available to be transferred to Sullivan County, subject to approval by the Federal Communications Commission (FCC), for the purchase of the six pair of frequencies and the necessary radio equipment which would be required to implement the proposed Public Safety Radio upgrade recommended by Blue Wing Services, and

WHEREAS, the contract between Motorola and the County contemplated a two year time period, commencing January 1, 2011 and running through December 31, 2012, during which Motorola: (1) would obtain the necessary approvals from the FCC, (2) transfer the six pair of frequencies to Sullivan County, (3) conduct the final equipment design review to make sure that individual items of equipment were appropriate for the project, and (4) commence delivery of the equipment, and

WHEREAS, the Agreement provided that if the transfer of the frequencies to the County had not been completed by December 31, 2012 either Party could terminate the Agreement, and

WHEREAS, the process of obtaining the requisite approvals from the FCC took much longer than anticipated and has only just recently reached the point where the County and Motorola are

now satisfied that Motorola can transfer the frequencies to the County free and clear of any claims by any third parties, and

WHEREAS, neither Party has terminated the Agreement and both the Sullivan County Legislature and Motorola desire to enter into an agreement modifying the original agreement so as to appropriately adjust and extend all of the milestone date for the transfer of the frequencies, for design review, for delivery of equipment and for payment, and

WHEREAS, as a result of the delay it will become necessary to specify later model equipment than originally contemplated at a resulting cost increase of Thirty Three Thousand Dollars (\$33,000.00), and

WHEREAS, Motorola has proposed a Change Order to the original Agreement, Change Order #3, which would incorporate an adjusted schedule and provide for the payment of the additional Thirty Three Thousand (\$33,000.000) Dollars, and

WHEREAS, the Sullivan County Legislature has reviewed Change Order #3 which is annexed hereto and believes it is in the County's best interest to authorize the County Manager to approve that Change Order and execute a Modification Agreement with Motorola incorporating the provisions and schedules of Change Order #3 into the Agreement.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The County Manager is hereby authorized to approve Change Order #3 and to execute a Modification Agreement with Motorola incorporating the provisions and schedules in Change Order #3 into the Agreement.
2. The final Modification Agreement shall be in such form as approved by the County Attorney.

**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Date: ____

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The County of Sullivan Legislature has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

SEQRA Status: __X__ Type 1
 ____ Unlisted

Conditioned Negative Declaration: __ Yes
 __X_ No

Description of Action: The County of Sullivan will upgrade the emergency communication system(s) currently in use by public safety agencies (fire, EMS, law enforcement and public works) throughout Sullivan County. The current system, comprised of several independent systems, is nearly thirty (30) years old and lacks the ability for these agencies to interoperate. The proposed upgrade includes the potential installation of up to nine new towers. Six (6) specific sites (located in Elk Point, White Lake, Monticello, Wurtsboro, Tennanah Lake and Thunder Hill) have been identified, and there is the potential for development of three additional towers in Callicoon, Narrowsburg and Knights Eddy. All proposed towers are 180 feet in height with the exceptions of the Monticello tower, which will be 300 feet in height, and the Wurtsboro tower, which will be 149 feet in height.

Location:

Tower Site Name	Municipality	Tax Parcel #	Parcel Address
Elk Point	Town of Liberty	25-1-13.1	481 Elk Point Road
Tennanah Lake	Town of Fremont	8-1-6.2	Hanking Road
Thunder Hill	Town of Neversink	31-1-11	Thunder Hill Road
White Lake	Town of Bethel	18-1-16.1	57 CR 183A
Monticello	Town of Thompson	12-1-37.1	Route 17
Wurtsboro	Town of Mamakating	16-1-30	Fire Tower Road
Callicoon	Town of Delaware	TBD	Tower Road
Narrowsburg	Town of Tusten	TBD	Off of Route 97

Knights Eddy	Town of Lumberland	TBD	Decker Road
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Reasons Supporting This Determination: The Sullivan County Legislature has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c), specifically:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production.
2. Field visits were conducted by a qualified biologist/wetlands ecologist for each of the six tower sites for which specific locations have been selected for the purpose of identifying the presence of regulated water bodies (wetlands and streams), rare threatened and endangered species and/or significant habitat. None of the six project sites contain any NYS Department of Environmental Conservation (NYSDEC) or Federally regulated wetlands or buffer area. Where wetlands were identified in the vicinity of the tower sites, the locations were noted on memos prepared. These wetlands can be avoided, and no impacts to aquatic resources are proposed. For the three sites where a specific tower has not been located but may be located in the future, environmental resource maps were consulted and suitable locations in the target service areas are available that avoid any impact to these resources
3. Five of the six project sites are developed sites where towers or similar structures presently exist. The project footprint of 'new' tower site has been minimized to the extent practicable-limiting site disturbances. The proposed action will not result in the removal or destruction of large quantities of vegetation or associated habitat for fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impact a significant habitat area; result in substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such species; and will not result in other significant adverse impacts to natural resources. The Wurtsboro Tower site was identified by the NYSDEC as having the potential for presence of an endangered species. Consultation with the NYSDEC was specifically undertaken for this site, and it was determined that the project would not result in a significant impact to the species that required any additional consultation. For the three sites where a specific tower has not been located but may be located in the future, site locations are available that will avoid any impact to these resources and compliance with federal and state law ensures no significant impacts on flora or fauna will occur.
4. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR Part 617.14(g).
5. The proposed action will not result in a material conflict with the any of the affected municipalities' officially approved or adopted plans or goals.
6. Phase IA archeological investigations conducted by City/Scape: Cultural Resource Consultants (City/Scape) for the Elk Point and White Lake tower sites conclude that the APE

of the tower has either a shallow depth to bedrock or is significantly disturbed (respectively) that it does not have the potential to contain cultural resources that require additional Phase IB investigation, and that the towers on those two sites should be permitted to proceed without further consideration of archaeological resources. Phase IA/IB archeological investigations conducted by City/Scape for the Monticello, Tennanah Lake, Thunder Hill and Wurtsboro tower sites conclude that the APE for each tower does not contain any cultural resources that require additional investigation, and that the projects should be permitted to proceed without further consideration of archaeological resources.

Consultation with relevant Indian Nations has been completed in accordance with FCC Section 106 Tower Construction Notification System process; none of the respective Indian Nations expressed concerns regarding the potential for historic/cultural resources. The tribes all commented that in the event that cultural materials or human remains are identified during construction, work should stop and consultation with the tribes should commence immediately.

Consultation with New York State Office of Parks, Recreation and Historic Preservation (NYSHP) has been initiated and this agency's concurrence is forthcoming.

The proposed action will not result in the impairment of the character or quality of important historical, archaeological, architectural, aesthetic resources, or the existing character of the community or neighborhood. For the three sites where a specific tower has not been located but may be located in the future, site locations within the target service areas are available that will avoid any impact to this resource.

7. The proposed action will not result in a major change in the use of either the quantity or type of energy.
8. The proposed action will not create a hazard to human health.
9. A Viewshed Analysis was completed for the Wurtsboro site due to its proximity to sensitive resources. The analysis concluded there is the potential for filtered views of the project from various scattered locations to the north within NY State Forest Lands. Views mainly occur in the one-quarter to one mile range along the Shawangunk ridgeline. Since there are existing tower structures and a fire tower in close proximity to the planned tower, it is anticipated that the viewer will not identify the planned tower as contrasting significantly from the existing conditions. A viewshed/visual analysis was not completed for the balance of the sites because of the presence of similar structures and/or the visual character of the surrounding areas did not warrant such an evaluation. For the three sites where a specific tower has not been located but may be located in the future, site locations within the target service areas are available that will avoid or minimize any impact to visual/aesthetic resources. Based on the results of the analysis the project is not anticipated to have a significant effect on the noted resources.
10. The proposed action will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support

existing uses.

11. The proposed action will not encourage or attract a large number of people to a place or place for more than a few days, compared to the number of people who would come to such place absent the action.
12. The proposed action will not create a material demand for other actions that would result in one of the above consequences.
13. The proposed action will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.
14. When analyzed with two or more related actions, the proposed action will not have a significant impact on the environment and when considered cumulatively, will not meet one or more of the criteria under 6 NYCRR 617.7(c).
15. The Planning Board has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions.

For further information contact:

Alex Rau, E911 coordinator

This notice is being filed with:

INVOLVED AGENCIES:

NYSDEC Region 3
21 South Putt Corners Road
New Paltz, NY
12561-1696

INTERESTED AGENCIES

Town of Bethel, Town Supervisor
PO Box 300
White Lake, NY 12786

Town of Delaware, Town Supervisor
PO Box 129
Hortonville, NY 12745

Town of Liberty, Town Supervisor
120 North Main St.
Liberty, NY 12754

Town of Lumberland, Town Supervisor
PO Box 5
Glen Spey, NY 12737

Town of Fremont, Town Supervisor
Box 69
Fremont Center, NY 12736

Town of Neversink, Town Supervisor
PO Box 307
Grahamsville, NY 12740

Town of Tusten, Town Supervisor
PO Box 195
Narrowsburg, NY 12764

Town of Mamakating, Town Supervisor
2948 Route 209
Wurtsboro, NY 12790

Town of Thompson, Town Supervisor
4052 Route 42
Monticello, NY 12701

Upper Delaware Council
211 Bridge Street
P.O. Box 192
Narrowsburg, NY 12764-0192



ORRICK, HERRINGTON & SUTCLIFFE LLP
51 West 52nd Street
NEW YORK, NY 10019-6142
tel 212-506-5000
fax 212-506-5151
WWW.ORRICK.COM

February 14, 2013

Douglas E. Goodfriend
(212) 506-5211 (Direct Dial)
dgoodfriend@orrick.com

VIA E-MAIL (ira.cohen@co.sullivan.ny.us; nancy.buck@co.sullivan.ny.us)

Mr. Ira Cohen, County Treasurer
Ms. Nancy Buck, Deputy County Treasurer
County of Sullivan
Government Center
Monticello, New York 12701

Re: County of Sullivan, New York
Public Safety Communications Upgrade Project - \$10,818,960
Orrick File: 42391-2-34

Ladies and Gentlemen::

In accordance with your recent request, we are enclosing the following **REVISED discussion draft number 2** relative to the above:

- (1) A suggested form for the bond resolution. As you know, this resolution must be adopted by the affirmative vote of at least two-thirds of the entire voting strength of the County Legislature.
- (2) A suggested form for the Legal Notice of Estoppel. This Legal Notice of Estoppel should be published once in each of the official newspapers designated in Section 9 of the bond resolution. (Confirm that we have current newspapers please.)

Note 1: The leased sites where bonded facilities are going need to have leases which meet or exceed the useful life of what is built there due to Constitutional gift or loan of credit considerations.

Note 2: This is again drafted as a net funded resolution, i.e., without authority to borrow in anticipation of the grants portion. If you would like to gross fund the project, let me know and I will revise it accordingly.

In due course, after we further revise this together (as need be), please furnish us with the following:

- (a) An **ORIGINALLY** certified copy of the bond resolution.
- (b) An **ORIGINAL** printers' affidavit of publication of the Legal Notice of estoppel from both official County newspapers.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

A handwritten signature in cursive script that reads "Douglas".

Douglas E. Goodfriend

DEG/zmt
Enclosures
5905090.04

Mr. Ira Cohen, County Treasurer
Ms. Nancy Buck, Deputy County Treasurer
February 5, 2013
Page 2

cc: Joshua A. Potosek (joshua.potosek@co.sullivan.ny.us)

DRAFT

BOND RESOLUTION

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at the County Government Center, in Monticello, New York, on the 21st day of February, 2013, at ____:00 o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

DRAFT

BOND RESOLUTION NO. _____ OF 2013 DATED FEBRUARY 21, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$8,798,960 SERIAL BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY A PORTION OF THE COST OF CERTAIN CAPITAL IMPROVEMENTS CONSTITUTING THE PUBLIC SAFETY COMMUNICATIONS UPGRADE PROJECT IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital projects hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, the capital projects hereinafter described have each been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in a significant environmental effect; and

WHEREAS, it is now desired to authorize said capital projects and the financing thereof,
NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Sullivan, New York, as follows:

Section 1. The following elements of a Public Safety Communications Upgrade Project are hereby authorized in and for the County of Sullivan, New York:

- (a) The construction of buildings and related facilities at various County-owned or leased sites, including site and other improvements, furnishings, equipment, apparatus, appurtenances and expenses incidental thereto, at a maximum estimated cost of

\$1,000,000, being a class of objects or purposes having a period of probable usefulness of **thirty** years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law;

(b) The construction of communication towers, including site improvements, equipment and expenses incidental thereto, at a maximum estimated cost of \$3,300,000, being a class of objects or purposes having a period of probable usefulness of **fifteen** years, pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law; and

(c) The purchase and installation of microwave and radio communication systems, including fixed and mobile equipment and incidental expenses in connection therewith, at a maximum estimated cost of \$6,518,960, being a class of objects or purposes having a period of probable usefulness of **ten** years, pursuant to subdivision 90, based upon subdivisions 25 and 98, of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of the aforesaid \$10,818,960 maximum estimated cost is as follows:

(a) by the issuance of \$8,798,960 serial bonds of the County hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law allocated as follows: (i) \$1,000,000 serial bonds for the class of objects or purposes described in Section 1(a) hereof, (ii) \$2,080,000 serial bonds for the class of objects or purposes described in Section 1(b) hereof, and (iii) \$5,718,960 serial bonds for the class of objects or purposes described in Section 1(c) hereof; and

- (b) by the expenditure of \$2,020,000 Federal and/or State grant-in-aid monies and other monies, which monies of said County are hereby authorized to be expended therefor as follows: for the class of objects or purposes described in Section 1(b) hereof, \$1,220,000, and for the class of objects or purposes described in Section 1(c) hereof, \$800,000.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 4. The faith and credit of said County of Sullivan, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such 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 annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said County; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the County

Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially 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 consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes 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 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or

are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full in the *Sullivan County Democrat* and the *River Reporter*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

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

AYES:

NOES:

ABSENT:

The resolution was thereupon declared duly adopted.

* * * * *

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 21st day of February, 2013.
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 February, 2013.

(CORPORATE SEAL)

Clerk, County Legislature

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on February 21, 2013, 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 the County of Sullivan, New York, 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.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Monticello, New York,
February ____, 2013.

Clerk, County Legislature

BOND RESOLUTION NO. ____ OF 2013 DATED FEBRUARY 21, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$8,798,960 SERIAL BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY A PORTION OF THE COST OF CERTAIN CAPITAL IMPROVEMENTS CONSTITUTING THE PUBLIC SAFETY COMMUNICATIONS UPGRADE PROJECT IN AND FOR SAID COUNTY.

- Objects or purposes:**
- a) Construction of buildings/facilities, 30-yr. period of probable usefulness, class of objects or purposes, \$1,000,000 serial bonds
 - b) Construction of communication towers, 15-yr. period of probable usefulness, class of objects or purposes, \$2,080,000 serial bonds; \$1,220,000 grant and other monies
 - c) Purchase/installation of microwave/radio communication systems, 10-yr. period of probable usefulness, class of objects or purposes, \$5,718,960 serial bonds; \$800,000 grant monies
- Maximum estimated cost:** \$10,818,960
- Aggregate amount of obligations to be issued:** \$8,798,960 bonds
- Other monies:** \$2,020,000 grants-in-aid and other reimbursement monies
- SEQRA status:** Type I Action. Negative Declaration. SEQRA compliance materials on file in the Office of the Clerk of the County Legislature where they may be inspected during regular office hours.

RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE APPOINTMENT OF HEATHER JACKSY TO THE UPPER DELAWARE SCENIC BYWAY (“UDSB”) BOARD TO REPRESENT SULLIVAN COUNTY AS A VOTING MEMBER AND TO APPOINT JILL WEYER AS AN ALTERNATE MEMBER

WHEREAS, the UDSB Committee recommended that Sullivan County become a voting member along with the cities, towns and villages along the Byway; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby appoints, Heather Jacksy as the Sullivan County representative to the UDSB, and appoints Jill Weyer, as an alternate member of the UDSB.

Resolution No. _____

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

WHEREAS, bids were received for Interior Renovations at Sullivan County Adult Care Center (HEAL Grant), and

WHEREAS, **Grimm Construction** is the lowest responsible bidder for the General Construction Work, for this project, at a base bid of \$443,687.00, and alternates totaling \$170,414.00 , and

WHEREAS, **Ackerman Plumbing, Incorporated** is the lowest responsible bidder for the Plumbing Work, for this project, at a base bid of \$82,428.00, and alternates totaling \$2,986.00, and

WHEREAS, **DJ Heating & Air Conditioning** is the lowest responsible bidder for the Mechanical Work, for this project, at a base bid of \$22,400.00, and alternates totaling \$4,450.00, and

WHEREAS, **Port Jervis Electric, Incorporated**, is the lowest responsible bidder for the Electrical Work, for this project, at a base bid of \$69,779.00, and alternates totaling \$13,178.00, and

WHEREAS, in the normal course of construction unforeseen change orders may occur and,

WHEREAS, this project has specific time constraints attached to the grant, and in order to ensure compliance with said grant time constraints, and to assist in assuring no cost to the County, the Division of Public Works shall be authorized to modify any or all contracts up to a total change order(s) amount of \$100,000.00, and

WHEREAS, the Sullivan County Division of Public Works has approved said vendors and recommends that agreements be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute agreements with the Vendors listed above, **at a total base price not to exceed \$618,294.00, plus alternates totaling a not to exceed cost of \$191,028.00, for a total base bid with alternates cost not to exceed \$809,322.00**, in accordance with B-13-03, **plus additional \$100,000.00 in change orders, if necessary, for a maximum total of \$909,142.00**, said contract to be in such form as the County Attorney shall approve.

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

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE EXECUTION OF A LICENSE AGREEMENT WITH JAMIE MARKS, INC.

WHEREAS, Jamie Marks, Inc. is a production company that seeks access to utilize portions of the Apollo Mall as a location for the filming of a movie with a working title of Jamie Marks is Dead, and

WHEREAS, the Sullivan County Legislature desires to authorize the above project at the Apollo Mall, and

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

NOW THEREFORE BE IT RESOLVED, that the Legislature authorizes the Chairman to execute a License Agreement, substantially in the form submitted to the Legislature, with Jamie Marks, Inc.

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