



**SULLIVAN COUNTY LEGISLATURE**  
**Planning, Environmental Management and Real Property Committee**  
**Thursday, July 11, 2013 ~ 11:30 AM**

**Committee Members: Alan Sorensen (Chair); Cindy Kurpil Gieger (Vice Chair);  
Kathy LaBuda; Cora Edwards; and Ira Steingart**

***AGENDA***

**DISCUSSION: None**

**PRESENTATIONS: None**

**RESOLUTIONS:**

**COUNTY ATTORNEY - None**

**COUNTY TREASURER - None**

**PLANNING**

- 1. To issue a Negative Declaration pursuant to the New York State Environmental Quality Review Act regarding the addition of Parcels of Real Property to Existing Certified Agricultural Districts within Sullivan County.**
- 2. To Include Viable Agricultural Land in an Existing Certified Agricultural District within Sullivan County.**

**REAL PROPERTY**

- 3. To correct the 2012 Tax Roll of the Town of Fallsburg for Tax Map #111.-1-3.8/2601.**
- 4. To correct the 2013 Tax Roll of the Town of Fallsburg for Tax Map #111.-1-3.8/2601.**
- 5. To correct the 2013 Tax Roll of the Town of Fallsburg for Tax Map #39.-1-1.2.**

**DEPARTMENT/PROGRAM UPDATES AND REPORTS:**

County Attorney: - None  
County Treasurer: - Update on Current Issues  
Real Property: - Monthly Deed and Subdivision Report

**DIVISION DISCUSSION ITEMS:**

**PUBLIC COMMENTS:**

**COMBINED: LEGISLATIVE MEMORANDUM,  
CERTIFICATE OF AVAILABILITY OF FUNDS  
AND RESOLUTION COVER MEMO**

**To:** Sullivan County Legislature

**Fr:** Jill M. Weyer, SC Division of Planning and Environmental Management

**Re:** Request for Consideration of a Resolution:

**Date:** July 2, 2013

**Purpose of Resolution:** [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

This resolution is to issue a negative declaration under SEQR for the action of adding parcels to the Agricultural District 4 after closing the 30 window for inclusion.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Is subject of Resolution mandated? Explain:**

SEQR is mandatory for the action of completing the amendment to the Agricultural District 4 pursuant to the annual 30 day window for inclusion.

**Does Resolution require expenditure of funds? Yes \_\_\_ No**

**If "Yes, provide the following information:**

Amount to be authorized by Resolution: \$ \_\_\_\_\_

Are funds already budgeted? Yes \_\_\_ No \_\_\_

If "Yes" specify appropriation code(s): \_\_\_\_\_

If "No", specify proposed source of funds: \_\_\_\_\_

**Estimated Cost Breakdown by Source:**

County	\$ _____	Grant(s)	\$ _____
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State	\$ _____	Other	\$ _____
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Federal Government	\$ _____	(Specify)	_____
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**Verified by Budget Office:** 

**Does Resolution request Authority to Enter into a Contract? Yes \_\_\_ No**

**If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.**

Request for Authority to Enter into Contract with \_\_\_\_\_ of  
\_\_\_\_\_

Nature of Other Party to Contract: .

Other:

Duration of Contract: From \_\_\_\_\_ To \_\_\_\_\_

Is this a renewal of a prior Contract? Yes \_\_\_ No \_\_\_

If "Yes" provide the following information:

Dates of prior contract(s): From \_\_\_\_\_ To \_\_\_\_\_

Amount authorized by prior contract(s): \_\_\_\_\_

Resolutions authorizing prior contracts (Resolution #s): \_\_\_\_\_

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes \_\_\_ No \_\_\_

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \_\_\_\_\_

Efforts made to find Less Costly alternative:

\_\_\_\_\_  
\_\_\_\_\_

Efforts made to share costs with another agency or governmental entity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

*Procurement is not applicable*

Person(s) responsible for monitoring contract (Title): *Jim Weyer*

**Pre-Legislative Approvals:**

- A. Director of Purchasing: Justin Jones Date 7/2/13
- B. Management and Budget: Jane Miller Date 7/2/13
- C. Law Department: S. Gasper Date 7/3/13
- D. County Manager: John Powell Date 7/3/13
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

Vetted in \_\_\_\_\_ Committee on \_\_\_\_\_

**RESOLUTION NO. INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO ISSUE A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE ADDITION OF PARCELS OF REAL PROPERTY TO EXISTING CERTIFIED AGRICULTURAL DISTRICTS WITHIN SULLIVAN COUNTY**

**WHEREAS**, The Sullivan County Legislature has the authority under New York State Agriculture and Markets Law to include additional parcels in the existing certified Agricultural District No. 4 on a yearly basis; and

**WHEREAS**, the New York State Department of Agriculture and Markets has consented to the Sullivan County Legislature being declared lead agency with respect to the environmental review of the proposal to add parcels to Sullivan Agricultural District No. 4; and

**WHEREAS**, a short form Environmental Assessment (attached hereto) has been prepared which concludes that the proposal to add parcels to Sullivan County Agricultural Districts No. 4 will not have a significant adverse impact on the environment and recommends that the County Legislature issue a Negative Declaration.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby accepts the Environmental Assessment described in the SEQRA Environmental Assessment Form (attached hereto); and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature hereby issues a Negative Declaration pursuant to the provisions of the New York State Environmental Quality Review Act, with respect to the proposal to add parcels to Sullivan County Agricultural District No. 4; and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature authorizes the Chairman of the Legislature to execute the Environmental Assessment Form.

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, put to a vote with \_\_\_\_\_ and declared duly adopted on motion \_\_\_\_\_.

**ENVIRONMENTAL ASSESSMENT FORM**

**PART I**

1. The proposed action is located in the County of Sullivan and the Town(s) of Highland, Mamakating, Forestburgh, Bethel, Liberty, Neversink, Rockland, Thompson, and Fallsburg.
2. The agency responsible for preparing this Environmental Assessment Form and determining environmental significance is the County Legislative Body of Sullivan County.
3. The name and address for the Clerk of the above named County is Daniel L. Briggs, 100 North Street, PO Box 5012, Monticello NY 12701.
4. Is this an application for the formation of a new agricultural district?  Yes  No If yes, what is the total number of acres to be included in this district? \_\_\_\_\_ acres
5. Is this an application to modify an existing district?  Yes  No If yes, what is the total number of acres comprising the district as it exists prior to modification? 46.473 acres
6. If this application involves a modification, will such modification result in a change in the size of the district?  Yes  No If yes, how many acres are involved in the change? 18
7. Is there a public controversy related to this district proposal?  Yes  No If yes, describe in space below:

During the June 20, 2013 public hearing, no negative public comments were received regarding any of the parcels recommended for inclusion.

**PART II**

The Department of Agriculture and Markets, as lead agency for the Agricultural Districts Program, has conducted a programmatic review of the environmental effects of agricultural districting and has concluded that there is little likelihood of significant adverse environmental impact resulting from the formation or modification of such districts. It is, however, the responsibility of the agency preparing this form to review the site-specific proposal under consideration to determine if unique circumstances exist which increase the likelihood of environmental significance. If any such circumstances exist, please describe them on the space provided below and explain how the resulting impact will be mitigated. (Refer to the criteria contained in 6NYCRR§ 617.11 for aid in determining the likelihood of significance and whether or not it is material, substantial, large or important.)

**PART III**

Please indicate desire for lead agency status by checking the appropriate box below:

- Since the proposed action will be undertaken by the County Legislative Body and since any adverse environmental impacts will be primarily of local significance it is hereby recommended that this County Legislative Body serve as lead agency to insure compliance with the requirements of the State Environmental Quality Review Act. It has been determined that the only other agency required to undertake an action in this case is the Department of Agriculture and Markets.
  
- The County Legislative Body does not choose to nominate itself to serve as lead agency.

**PART IV**

The County Legislative Body of Sullivan County has determined that: (check one)

- The proposed action will not have a significant adverse environmental impact and therefore an Environmental Impact Statement is not required.
  
- Although unique circumstances beyond those anticipated by the Department of Agriculture and Markets in its programmatic environmental assessment will result from the proposed action, it has been determined that the proposed action will not have a significant adverse environmental impact.
  
- Due to unique circumstances detailed in Part II, significant environmental impact will result from the proposed action. Therefore, an Environmental Impact Statement will be required and will be prepared or approved by this County Legislative Body prior to undertaking any action.

This Environmental Assessment Form was prepared for the County of Sullivan by Sullivan County Legislature.

\_\_\_\_\_  
Authorized Signature

Chairman of Legislature

\_\_\_\_\_  
Telephone

**COMBINED: LEGISLATIVE MEMORANDUM,  
CERTIFICATE OF AVAILABILITY OF FUNDS  
AND RESOLUTION COVER MEMO**

**To:** Sullivan County Legislature

**Fr:** Jill M. Weyer, Acting Commissioner, SC Division of Planning and Environmental Management

**Re:** Request for Consideration of a Resolution: Inclusion of New Parcels for Ag Dist 4 8- Year Review

**Date:** July 2, 2013

**Purpose of Resolution:** [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

This resolution is to add parcels to the NYS Agricultural District 4 pursuant to the annual 30 day window for requests for inclusion.

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**Is subject of Resolution mandated? Explain:**

Agricultural Districts have an annual 30 day window allowing the opportunity for parcels to be added.

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**Does Resolution require expenditure of funds? Yes \_\_\_ No**

**If "Yes, provide the following information:**

**Amount to be authorized by Resolution: \$** \_\_\_\_\_

**Are funds already budgeted? Yes \_\_\_ No \_\_\_**

**If "Yes" specify appropriation code(s):** \_\_\_\_\_


**If "No", specify proposed source of funds:** \_\_\_\_\_

**Estimated Cost Breakdown by Source:**

**County** \$ \_\_\_\_\_ **Grant(s)** \$ \_\_\_\_\_

**State** \$ \_\_\_\_\_ **Other** \$ \_\_\_\_\_

**Federal Government** \$ \_\_\_\_\_ **(Specify)** \_\_\_\_\_

**Verified by Budget Office:** 

**Does Resolution request Authority to Enter into a Contract? Yes \_\_\_ No**

**If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.**



Request for Authority to Enter into Contract with \_\_\_\_\_ of \_\_\_\_\_

Nature of Other Party to Contract: .

Other:

Duration of Contract: From \_\_\_\_\_ To \_\_\_\_\_

Is this a renewal of a prior Contract? Yes \_\_\_ No \_\_\_

If "Yes" provide the following information:

Dates of prior contract(s): From \_\_\_\_\_ To \_\_\_\_\_

Amount authorized by prior contract(s): \_\_\_\_\_

Resolutions authorizing prior contracts (Resolution #s): \_\_\_\_\_

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes \_\_\_ No \_\_\_

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \_\_\_\_\_

Efforts made to find Less Costly alternative:

\_\_\_\_\_

Efforts made to share costs with another agency or governmental entity:

\_\_\_\_\_  
\_\_\_\_\_

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

*procurement is not applicable*

Person(s) responsible for monitoring contract (Title): *Bill Neyer*

**Pre-Legislative Approvals:**

- A. Director of Purchasing: Kathy Jones Date 7/2/13
- B. Management and Budget: Janet Mlyn Date 7/2/13
- C. Law Department: S. Gasque Date 7/3/13
- D. County Manager: John Bond Date 7/3/13
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

Vetted in \_\_\_\_\_ Committee on \_\_\_\_\_

**RESOLUTION NO. INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO INCLUDE VIABLE AGRICULTURAL LAND IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT WITHIN SULLIVAN COUNTY**

**WHEREAS**, Section 303-b of the Agriculture and Markets Law authorizes the inclusion of viable agricultural land into certified agricultural districts; and

**WHEREAS**, the County of Sullivan’s Agricultural & Farmland Protection Board has recommended the following parcels to be added to the existing certified Agricultural District No. 4 within Sullivan County; and

**WHEREAS**, a public hearing was held on the inclusion of these parcels into the existing certified Agricultural District No. 4 on June 20<sup>th</sup>, 2013 at which time all comments were heard by the Sullivan County Legislature; and

**WHEREAS**, all comments and considerations brought to the attention of the Sullivan County Legislature and the Sullivan County Division of Planning and Environmental Management were considered during all phases of the inclusion process, including but not limited to the environmental review process, in determining whether or not the following parcels were to be included in the existing certified Agricultural District No. 4.

**NOW, THEREFORE, BE IT RESOLVED**, that the following parcels are to be included in the existing certified Agricultural District No. 4:

- Agricultural District No. 4**
- Town of Highland 10.-1-47.1
  - Town of Highland 10.-1-47.2
  - Town of Mamakating 21.-1-32.3
  - Town of Mamakating 21.-1-32.4

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, put to a vote with \_\_\_\_\_ and declared duly adopted on motion \_\_\_\_\_.

**COMBINED: LEGISLATIVE MEMORANDUM,  
CERTIFICATE OF AVAILABILITY OF FUNDS  
AND RESOLUTION COVER MEMO**

**To:** Sullivan County Legislature

**Fr:** Lynda G. Levine, Director of Real Property Tax Services

**Re:** Request for Consideration of a Resolution:

**Date:** July 3, 2013

**Purpose of Resolution:** [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

This is a Resolution to approve a correction of the 2012 tax rolls for town and county purposes pursuant to section 556 of the Real Property Tax Law that was caused by an arithmetical error in calculating the value of improvement to real property.

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**Is subject of Resolution mandated? Explain:**

This Resolution is mandated by Section 556 of the Real Property Tax Law

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**Does Resolution require expenditure of funds? Yes  No**

**If "Yes", provide the following information:**

**Amount to be authorized by Resolution:** \$ 244.63

**Are funds already budgeted? Yes  No**

**If "Yes" specify appropriation code(s):** A1989-99-47-4731

**If "No", specify proposed source of funds:** \_\_\_\_\_

**Estimated Cost Breakdown by Source:**

County	\$ <u>139.75</u>	Grant(s)	\$ _____
State	\$ _____	Other	\$ <u>104.88</u>
Federal Government	\$ _____	(Specify)	<u>Town of Fallsburg</u>

**Verified by Budget Office:** 

**Does Resolution request Authority to Enter into a Contract? Yes \_\_\_\_\_ No**

**If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.**

Request for Authority to Enter into Contract with [ \_\_\_\_\_ ] of [ \_\_\_\_\_ ]

Nature of Other Party to Contract: .

Other:

Duration of Contract: From \_\_\_\_\_ To \_\_\_\_\_

Is this a renewal of a prior Contract? Yes \_\_\_ No \_\_\_

If "Yes" provide the following information:

Dates of prior contract(s): From \_\_\_\_\_ To \_\_\_\_\_

Amount authorized by prior contract(s): \_\_\_\_\_

Resolutions authorizing prior contracts (Resolution #s): \_\_\_\_\_

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes \_\_\_ No \_\_\_

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \_\_\_\_\_

Efforts made to find Less Costly alternative:

\_\_\_\_\_  
\_\_\_\_\_

Efforts made to share costs with another agency or governmental entity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

*procurement is not applicable. Kf*

Person(s) responsible for monitoring contract (Title): \_\_\_\_\_

**Pre-Legislative Approvals:**

- A. Director of Purchasing: *J. K. Jones* Date 7/3/13
- B. Management and Budget: *Janet Meyer* Date 7/3/13
- C. Law Department: *S. Yasgim* Date 7/3/13
- D. County Manager: *John P. Bond* Date 7/3/13
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

Vetted in \_\_\_\_\_ Committee on \_\_\_\_\_

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE TO  
CORRECT THE 2012 TAX ROLL OF THE TOWN OF FALLSBURG  
FOR TAX MAP #111.-1-3.8/2601**

**WHEREAS**, an application dated May 28, 2013 having been filed by Aaron and Gitty Klein with respect to property assessed to said applicant on the 2012 tax roll of the Town of Fallsburg Tax Map #111.-1-3.8/2601 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an entry on the tax rolls which is incorrect by reason of an arithmetical error by the assessor appearing on the property record card, to wit; the value of an improvement was incorrectly calculated; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 3, 2013 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 \_\_\_\_\_, 2013.

**COMBINED: LEGISLATIVE MEMORANDUM,  
CERTIFICATE OF AVAILABILITY OF FUNDS  
AND RESOLUTION COVER MEMO**

**To:** Sullivan County Legislature

**Fr:** Lynda G. Levine, Director of Real Property Tax Services

**Re:** Request for Consideration of a Resolution:

**Date:** July 3, 2013

**Purpose of Resolution:** [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

This is a Resolution to approve a correction of the 2013 tax rolls for town and county purposes pursuant to section 556 of the Real Property Tax Law that was caused by an arithmetical error in calculating the value of improvement to real property.

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**Is subject of Resolution mandated? Explain:**

This Resolution is mandated by Section 556 of the Real Property Tax Law

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**Does Resolution require expenditure of funds? Yes  No**

**If "Yes, provide the following information:**

**Amount to be authorized by Resolution:** \$ 251.85


**Are funds already budgeted? Yes  No**

**If "Yes" specify appropriation code(s):** A1989-99-47-4731

**If "No", specify proposed source of funds:** \_\_\_\_\_

**Estimated Cost Breakdown by Source:**

County	\$ <u>145.97</u>	Grant(s)	\$ _____
State	\$ _____	Other	\$ <u>105.88</u>
Federal Government	\$ _____	(Specify)	<u>Town of Fallsburg</u>

**Verified by Budget Office:** 

**Does Resolution request Authority to Enter into a Contract? Yes  No**

**If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.**



Request for Authority to Enter into Contract with \_\_\_\_\_ of \_\_\_\_\_

Nature of Other Party to Contract: -

Other:

Duration of Contract: From \_\_\_\_\_ To \_\_\_\_\_

Is this a renewal of a prior Contract? Yes \_\_\_ No \_\_\_

If "Yes" provide the following information:

Dates of prior contract(s): From \_\_\_\_\_ To \_\_\_\_\_

Amount authorized by prior contract(s): \_\_\_\_\_

Resolutions authorizing prior contracts (Resolution #s): \_\_\_\_\_

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes \_\_\_ No \_\_\_

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \_\_\_\_\_

Efforts made to find Less Costly alternative:

\_\_\_\_\_  
\_\_\_\_\_

Efforts made to share costs with another agency or governmental entity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

\_\_\_\_\_ *Procurement is not applicable. TKJ* \_\_\_\_\_

Person(s) responsible for monitoring contract (Title): \_\_\_\_\_

**Pre-Legislative Approvals:**

- A. Director of Purchasing: *Kathy Jones* Date 7/3/13
- B. Management and Budget: *Janet Myer* Date 7/3/13
- C. Law Department: *S. Gaspari* Date 7/3/13
- D. County Manager: *John P. Stouffer* Date 7/3/13
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

Vetted in \_\_\_\_\_ Committee on \_\_\_\_\_

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE TO  
CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG  
FOR TAX MAP #111.-1-3.8/2601**

**WHEREAS**, an application dated May 28, 2013 having been filed by Aaron and Gitty Klein with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #111.-1-3.8/2601 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an entry on the tax rolls which is incorrect by reason of an arithmetical error by the assessor appearing on the property record card, to wit; the value of an improvement was incorrectly calculated; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 3, 2013 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 \_\_\_\_\_, 2013.

**COMBINED: LEGISLATIVE MEMORANDUM,  
CERTIFICATE OF AVAILABILITY OF FUNDS  
AND RESOLUTION COVER MEMO**

**To:** Sullivan County Legislature

**Fr:** Lynda G. Levine, Director of Real Property Tax Services

**Re:** Request for Consideration of a Resolution:

**Date:** July 3, 2013

**Purpose of Resolution:** [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

This is a Resolution to approve a correction of the 2013 tax rolls for town and county purposes pursuant to section 556 of the Real Property Tax Law that was caused by an incorrect entry of 163 sewer units which should have been 109 sewer units.

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**Is subject of Resolution mandated? Explain:**

This Resolution is mandated by Section 556 of the Real Property Tax Law

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**Does Resolution require expenditure of funds? Yes  No**

**If "Yes", provide the following information:**

Amount to be authorized by Resolution: \$ 704.73

Are funds already budgeted? Yes  No

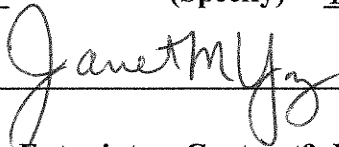
If "Yes" specify appropriation code(s): \_\_\_\_\_

If "No", specify proposed source of funds: funds to come from town sewer district

**Estimated Cost Breakdown by Source:**

County	\$ _____	Grant(s)	\$ _____
State	\$ _____	Other	\$ <u>704.73</u>
Federal Government	\$ _____	(Specify)	<u>Town of Fallsburg</u>

**Verified by Budget Office:** \_\_\_\_\_



**Does Resolution request Authority to Enter into a Contract? Yes  No**

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with [ \_\_\_\_\_ ] of  
[ \_\_\_\_\_ ]

Nature of Other Party to Contract: ·

Other:

Duration of Contract: From \_\_\_\_\_ To \_\_\_\_\_

Is this a renewal of a prior Contract? Yes \_\_\_ No \_\_\_\_

If “Yes” provide the following information:

Dates of prior contract(s): From \_\_\_\_\_ To \_\_\_\_\_

Amount authorized by prior contract(s): \_\_\_\_\_

Resolutions authorizing prior contracts (Resolution #s): \_\_\_\_\_

Future Renewal Options if any:

\_\_\_\_\_

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes \_\_\_ No \_\_

If “Yes” cite the mandate’s source; describe how this contract satisfies the requirements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If “No” provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \_\_\_\_\_

Efforts made to find Less Costly alternative:

\_\_\_\_\_  
\_\_\_\_\_

Efforts made to share costs with another agency or governmental entity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

\_\_\_\_\_

Person(s) responsible for monitoring contract (Title): \_\_\_\_\_

**Pre-Legislative Approvals:**

A. Director of Purchasing: \_\_\_\_\_ Date \_\_\_\_\_

B. Management and Budget: Janet My \_\_\_\_\_ Date 7/3/13

C. Law Department: S. Yasgur \_\_\_\_\_ Date \_\_\_\_\_

D. County Manager: John P. ... \_\_\_\_\_ Date 7/3/13

E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

Vetted in \_\_\_\_\_ Committee on \_\_\_\_\_

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE TO  
CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG  
FOR TAX MAP #39.-1-1.2**

**WHEREAS**, an application dated May 2, 2013 having been filed by Chut Hameshulash, Inc. with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #39.-1-1.2 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 163 sewer units on the tax bill which should have been 109 sewer units; and

**WHEREAS**, applicant also sought a correction based on the value of the improvement, and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated July 3, 2013 recommending this Board approve said application in part with respect to the incorrect entry of sewer units and deny said application in part with respect to the challenge of the value of the improvement on the basis that said value could only be challenged pursuant to RPTL 524; and

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

(a) That the application be approved in part because of a clerical error as recommended.

**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 \_\_\_\_\_, 2013.