

## **PUBLIC WORKS COMMITTEE**

**August 11, 2016 – 11:15 AM**

Committee Members: Perrello (Chair), McCarthy (Vice Chair),  
Rajsz, Owens, Samuelson, Alvarez, Sorensen

### **PRESENTATION:**

### **DISCUSSIONS:**

1. Jail
2. Seasonal Work Program update

### **RESOLUTIONS:**

1. Resolution to amend the Solid Waste Management Rules.
2. Resolution to authorize award & execution of a contract for roof repair and elastomeric membrane installation on the Sullivan County Courthouse.
3. Resolution to authorize the County of Sullivan to file applications for BRIDGE NY funding available through NYSDOT to fund the replacement of Bridge 192.
4. Resolution to authorize County of Sullivan to file applications for BRIDGE NY funding available through NYSDOT to fund the replacement of Bridge 301.

### **REPORTS:**

### **PUBLIC COMMENT:**

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

**To:** Sullivan County Legislature

**Fr:** Edward McAndrew, P.E.

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

**Date:** August 11, 2016

**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.]

Resolution to amend the Solid Waste Management Rules.

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

No

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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 \_\_\_**

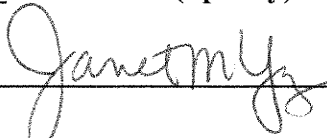
**If "Yes" specify appropriation code(s):** \_\_\_\_\_

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

**Estimated Cost Breakdown by Source:**

<b>County</b>	<b>\$</b> _____	<b>Grant(s)</b>	<b>\$</b> _____
<b>State</b>	<b>\$</b> _____	<b>Other</b>	<b>\$</b> _____
<b>Federal Government</b>	<b>\$</b> _____	<b>(Specify)</b>	_____

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



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

**If "Yes", provide information requested on Pages 2 and 3.**

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.)

N/A

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

**Pre-Legislative Approvals:**

- A. Director of Purchasing: <sup>Assistant</sup> Angela Sims Date 8/3/16
- B. Management and Budget: Janet Myers Date 8/3/16
- C. Law Department: [Signature] Date 8/3/16
- D. County Manager: [Signature] Date 8/4/16
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

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

**RESOLUTION NO.                    INTRODUCED BY PUBLIC WORKS COMMITTEE TO  
AMEND THE SOLID WASTE MANAGEMENT RULES**

**WHEREAS**, the Sullivan County Solid Waste Management Rules (hereinafter the Rules) were adopted by the County Legislature in accordance with Section 171-24 of the Sullivan County Code; and

**WHEREAS**, it has, from time to time, been necessary to modify and amend the Rules.

**WHEREAS**, the Commissioner of the Division of Public Works has recommended, and the County Manager has concurred with the Commissioner's recommendation, the adoption of the revised Sullivan County Solid Waste Management Rules, attached hereto as Schedule "A"; and

**NOW, THEREFORE, BE IT RESOLVED**, that Section 201 Definitions, Section 602 Permit, Application, Requirements, Section 620.1 Disposal Fees and Section 632 Payment of Fees, Interest, Suspension and Restriction of Permit be amended to read as contained in the attached schedule "A"; and

**BE IT FURTHER RESOLVED**, that this amendment shall take effect \_\_\_\_\_.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2016.

**SULLIVAN COUNTY**  
**SOLID WASTE MANAGEMENT RULES**

**LUIS ALVAREZ**  
*Chairman of the Sullivan County Legislature*

**JOSHUA A. POTOSEK**  
*County Manager*

**EDWARD McANDREW, P.E.**  
*Commissioner of Public Works/Solid Waste Management*

**CHERYL Mc CAUSLAND**  
*County Attorney*

Amendments to Rules effective October 1, 2016

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## HISTORY

Adopted by Resolution 299 of 1983 effective September 12, 1983; and amended by:

Resolution 423/83; adopted 12/28/83; Sections 610-632

Resolution 289/84; adopted 11/13/84; Sections 605, 620, 624, 632

Resolution 211/85; adopted 6/10/85; Sections 632

Resolution 46/88; adopted 2/8/88; Section 632

Resolution 47/88; 2/8/88; Section 320

Resolution 285/88; adopted 7/11/88; Section 620

Resolution 224/89; adopted 6/12/89; Sections 504, 611

Resolution 225/89; adopted 6/12/89; Sections 620, 650

Resolution 304/89; adopted 7/10/89; Section 602, 642

Resolution 479/89; adopted 12/13/89; Section 620

Resolution 416/90; adopted 11/13/90; Section 624

Resolution 362/90; adopted 9/19/90; Section 620

Resolution 448/91; adopted 10/10/91; Section 602, 632

Resolution 156/92; adopted 4/9/92; Section 620

Resolution 292/92; adopted 6/11/92; all sections were revised to be in conformance with Local Law No. 1 of 1992 entitled "*A Local Law Entitled Sullivan County Solid Waste Management Law of 1992*" adopted by Resolution 217/92 by the Sullivan County Board of Supervisors.

Resolution 312/92; adopted 7/9/92; Section 620.2; repeal Title VI, Section 620.2b and change 620.2 effective Jan. 1, 1993.

Resolution 599/92; repeal credits and postpone recycling processing fees until 4/1/93.

Resolution 23/93; adopted 1/10/93; amend Section 650

Resolution 266/93; adopted 5/13/93; repeal Title VI, Section 620.2 immediately

Resolution 267/93; adopted 5/13/93; amend Section 632(c)



Resolution 360/93; adopted 7/8/93; amend Section 620.1(f)(4)

Resolution 490/93; adopted 10/10/93; waiver of the prohibition of Section 401 (expiration date 12/31/97)

Resolution 489/93; adopted 10/14/93; amend Section 620.1(a)(b)

Resolution 260/94; adopted 6/13/94; amend Section 201(s), add Section 201(jj), add Section 417, 504 and Section 620.1(f)(5)

Resolution 396/94; adopted 10/13/94; amended Resolution 490/93 (Section 401)

Resolution 395/94; adopted 10/13/94; amended Section 620.1 (a)(b)(c)(d)(e)(f)(g)

Resolution 454/94; adopted 11/4/94; amended Section 620.1(a)(b)

Resolution 159/95; adopted 5/11/95; amended Section 620.1(e)

Resolution 160/96; adopted 6/17/96; added Section 620.1(h)

Resolution 407/97; adopted 9/18/97; deleted Sections 401, 402

Resolution 456/02; adopted 9/19/02; amended Section 620.1 (a)(b)

Resolution 280/04; adopted 8/19/04; amended Section 620.1 (a)-(i)

Resolution 115/06; adopted 3/16/06; amended Section 620.1 (c)-(f)(j)(k)

Resolution 418-06; adopted 11/16/06; amended Section 620.1 (e)(3-5)(j)

Resolution 143-07; adopted 4/26/07; amended Section 204 (r)(mm) and Section 620.1 (l)(m)

Resolution 334-09; adopted 8/20/09; amended Section 620.1 (d) (1 and 3)

Resolution 114-10; adopted 2/18/10; amended Section 605

Resolution 167-11; adopted 4/21/11; amended Section 171-24

Resolution 324-11; adopted 7/21/11; amended Section 201, 302, 303, 501, 502, 620.1 (a)(b)(d)(g)(n)

Resolution 416-13; adopted 11/21/13; amended Section 632 (a)(b)(c)(d) and Section 302 (a)

Resolution 440-13; adopted 12/19/13; amended Section 620.1 (a)(b)(d)(l)(m)

## TITLE I

### GENERAL PROVISIONS

101. ***Title:*** These Rules shall be known as the Sullivan County Solid Waste Management Rules
102. ***Authority:*** These Rules are adopted pursuant to the provisions of Sections 215 and 226-b of the County Law, notwithstanding any other provision of the law and pursuant to the Sullivan County Solid Waste Management Law, Local law No. 1 of 1992.
103. ***Applicability:*** These Rules supersede any and all other Rules heretofore adopted pursuant to law.

**TITLE II**

**DEFINITIONS**

**201.** As used in these Rules, the following terms shall mean:

**Account Customer:** Any commercial enterprise, industry, institution, municipality and permitted solid waste collector or hauler, utilizing County solid waste management facilities, paying fees on a scheduled basis as established in these Rules.

**Adopt-A-Road Program:** Municipally-designated program which permits individuals to deposit roadside litter for no-cost disposal at Sullivan County Solid Waste Management Facilities.

**Alternate Daily Cover:** Substitute material(s) used in place of six inches of natural soils. Use must be approved by the Department.

**Bulky Scrap Metal:** Any large major appliance (such as a refrigerator, washer, dryer, stove, etc., also known as “white goods”).

**Commercial User:** All other persons not defined in section 201 as a Solid Waste Collector Hauler or a Residential User in these Rules who transport solid waste to a County solid waste management facility for disposal.

**Commissioner:** Commissioner of the Division or his designee.

**Components:** Paper, glass, metals, plastics, garden and yard wastes and may include other elements of solid waste as may be defined by law or the Rules.

**Construction and Demolition Debris:** Uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of structures and roads; and uncontaminated solid waste consisting of vegetation resulting from land clearing and grubbing, utility line maintenance and seasonal and storm related cleanup. Such waste includes, but is not limited to, brick, concrete, construction and other masonry materials, soil, rock, wood, wall covering, plaster,

drywall, plumbing fixtures, non-asbestos roofing shingles, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes, electrical wiring and components containing no hazardous liquids, and metals that are incidental to any of the above. Solid waste that is not construction and demolition debris (even if resulting from the construction, remodeling, repair and demolition of structures, roads and land clearing) includes, but is not limited to, asbestos waste, garbage, corrugated container board, electrical fixtures containing hazardous liquids (such as fluorescent light ballasts or transformers), carpeting, furniture, appliances, tires, drums and containers, and fuel tanks.

- County: County of Sullivan
- County Landfill: The Sullivan County Sanitary Landfill located in the Village of Monticello, New York, stopped accepting waste 12/31/09.
- County Solid Waste Management Facility: A solid waste management facility operated by or under the supervision of the County.
- Disposal: The deposit at a solid waste management facility of any permitted or authorized solid waste.
- Division: Sullivan County Division of Public Works.
- Electronic waste: “e-waste” electronic equipment or components that have been discarded or are no longer wanted by the owner or for any other reason enters the waste collection, recovery, treatment, processing, or recycling system.
- Export Facility: Facility that accepts Municipal Solid Waste and Single Stream Recyclables for exportation to disposal or recovery markets.
- Food Waste: Food that is discarded, lost or uneaten.
- Hazardous Waste: All materials, substances and chemicals as defined by Federal and State law and the regulations of the United States Environmental Protection Administrations and the New York Department of Environmental Conservation, which are either

dangerous, poisonous, acidic, explosive, flammable, pathological, infectious or radioactive.

Household Hazardous

Waste (HHW): Post-consumer waste which may qualify as hazardous waste when discarded improperly. It includes household chemicals and other substances for which the owner no longer has a use, such as consumer products sold for home care, personal care, automotive care, pest management and other purposes. Examples include oil-based paint, solvents, drain cleaners, antifreeze, spent fuels, poisons, weed killers, pesticides and cleaning products.

Infectious Waste: All medical and laboratory wastes including, but not limited to, surgical, obstetrical, pathological, and biological wastes as defined in 6 NYCRR Part 360.

Junk Motor  
Vehicles:

Any inoperable motorized vehicle previously used for transportation of passengers or cargo.

Land Clearing  
Debris:

Vegetative matter, soil and rock resulting from activities such as land clearing and grubbing, utility line maintenance or seasonal or storm related clean up such as trees, stumps, brush and leaves and including wood chips generated from these materials. Land clearing debris does not include yard waste which has been collected at the curbside.

Large Dead  
Animals:

Any dead wild or domestic animal over 25 pounds.

Litter Pluck  
Program:

A community-wide volunteer roadside cleanup program designed to remove unsightly trash from roadsides throughout Sullivan County. Registered groups may dispose of Litter Pluck refuse at no charge at Sullivan County Solid Waste Management Facilities.

Materials Recovery  
Facility:

The Sullivan County Materials Recovery Facility at which source separated or permitted single stream recyclable

components of the solid waste stream are deposited and processed for the purposes of recovering raw materials.

Materials

Management: An approach to planning, organizing, and controlling activities associated with the flow of solid waste, recyclables, compostable and reusable materials in a sustainable manner.

Municipal Cleanup  
Program:

A Spring and Fall trash cleanup program sponsored by the Sullivan County Legislature and implemented by Towns and Villages.

Organics:

The portion of the materials management program that contains material such as food, garden and lawn clippings. It can also include animal and plant based material and degradable carbon such as paper, cardboard and timber.

Person:

Individual, partnership, group, association, corporation, estate, trust and municipal corporation.

Pharmaceutical  
Waste:

Unwanted prescription and non-prescription medications intended for proper disposal.

Recyclables:

Solid waste that may be recycled or reused and can be recovered from the overall waste stream or as may be designated for source separation by the Rules.

Regulated Waste:

Oil contaminated debris and soils and asbestos authorized for landfill disposal by the NYSDEC.

Residential User:

Any individual who transports, without fee, solid waste, generated at a private residential location, to a County solid waste management facility for disposal and such transport does not exceed any one time two (2) cubic yards or 2,000 pounds.

Roadside Cleanup  
Program:

Acceptance of properly identified municipally-collected roadside cleanup materials at no charge at County Solid Waste Management Facilities.

Rubble/Aggregates:	Uncontaminated brick, non-reinforced concrete, cement cinder block, ceramic tile, stone and soils.
Rules:	Sullivan County Solid Waste Management Rules
Salvaging:	Authorized picking, sorting and removal of reusable or reclaimable solid waste from a solid waste management facility.
Scavenging:	The unauthorized picking, sorting and removal of reusable or reclaimable solid waste from a solid waste facility.
Select Building Demolition Debris:	Uncontaminated construction debris free Bulky Debris and other wastes defined herein, from the demolition of buildings within Sullivan County pre-approved by the local municipal building inspector.
Sharps:	Medical needles and lancets that have been in contact with blood or bodily fluids from humans or animals and intended for proper collection and disposal by NYS-designated Article 28 Healthcare Facilities.
Single Stream	Comingled recyclable materials removed from the solid waste stream at the point of generation for separate collection, sale or other authorized disposition as provided in the Rules.
Solid Waste:	All materials or substances discarded or rejected as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, including, but not limited to, garbage, refuse, industrial and commercial waste, sludges from air and water pollution control facilities or water supply treatment facilities, rubbish, contained gaseous material, demolition and construction debris and offal, but not including sewage and other highly diluted water carried materials or substances, those in gaseous form.
Single Stream Recycling (SSR):	Clean, comingled metal cans, plastic containers (5 gallons in size or smaller) coded #1 - #7, glass bottles, newsprint, cardboard and mixed paper accepted for recycling together as one classification of material.

Solid Waste  
Collector Hauler: Any person who is engaged in the business of collecting, sorting, storing, hauling or otherwise disposing of solid waste

Solid Waste  
Management  
Facility: Any facility employed beyond the initial solid waste collection process, including, but not limited to, recycling centers, transfer stations, processing systems, including materials recovery facilities or other facilities for reducing solid waste volume, sanitary landfills, and other landfills, plants, facilities for compacting, composting or pyrolozation of solid wastes, and other solid waste disposal, reduction or conversion facilities.

Solid Waste  
Management Plan: The Solid Waste Management Plan adopted, or to be adopted, as it may be amended from time to time, by Sullivan County pursuant to Title I of Article 27 of the Environmental Conservation Law.

Solid Waste  
Transfer Station: Any facility at which permitted or authorized solid waste is deposited for pick up, haul and deposit in the County Landfill or any other legal landfill.

Solid Waste / Recycling Fee :  
An annual fee determined in accordance with the provisions of Local Law No. 1 of 1992 Article VIII and which fee is to be billed to and paid by the owners of the real property within the County on which Solid Waste and/or Recyclables may be generated.

Source Separation: Segregation of recyclable materials from the solid waste stream at the point of generation for separate collection, sale or other authorized disposition as provided in the Rules.

Special Bulky  
Waste: Solid waste including large household furnishings such as bed springs, mattresses, furniture, rugs and other similar objects.



Unauthorized Waste: Those wastes prohibited from landfill disposal; i.e., tires, yard wastes, appliances containing refrigerants, hazardous waste, and infectious waste.

Waste Flow Control: A means of directing the flow of solid waste and recyclables to one or more facilities consistent with the Solid Waste Management Plan.

Waste Generator: Any person whose act or process produces a solid waste.

Waste Tires: Tires and their casings from cars, buses, trucks and other vehicles.

Yard Waste: Leaves, grass clippings, garden debris, tree branches, limbs and other similar wood materials.

## TITLE III

### ADMINISTRATION

**301. ADMINISTRATION:**

The Commissioner shall administer and enforce these Rules.

**302. POWERS AND DUTIES:**

The Commissioner or such persons as may be designated by him shall:

- a) administer the solid waste disposal facilities operated by the County, including days and hours of operation, and supervise personnel;
  - 1) Hours of Operation: County solid waste management facilities shall be open for the deposit of solid waste on days of the year as established by the Commissioner with consideration given to the recommendation of the host community.
- b) administer the issuance, renewal, suspension and revocation of licenses, permits and passes to all solid waste collectors and haulers for use at any County solid waste management facility or any other solid waste management facility;
- c) adopt, modify and amend rules and regulations in accordance with the law, for the operation and maintenance of County Solid Waste Management Facilities; for licensing and regulating solid waste collectors or haulers, and commercial users for implementation of the County recycling program pursuant to law; and the implementation of the local law, including methods of payment and deferral of payment of fees due the County;
- d) propose for approval by the Sullivan County Legislature, rates and fees for use of solid waste management facilities of the County;
- e) investigate violations of local law and applicable rules and institute appropriate administrative or judicial proceedings with full subpoena power in connection therewith;
- f) conduct studies and report the results thereof to the Sullivan County Legislature;
- g) take such other actions as the Sullivan County Legislature may deem necessary and shall direct.

**303.** All solid waste management facilities shall:

- a) be operated pursuant to Article 27, Title 6 of Environmental Conservation Law to the extent applicable;
- b) control access to the operation of motor vehicles thereon;
- c) unload solid waste so as to minimize odor and litter outside the disposal area;
- d) control unauthorized salvage and scavenger activities;
- e) maintain accurate daily records of deposits of solid waste and of fees collected;
- f) as a condition for acceptance of solid waste, require the separation of recyclables and unauthorized waste from all other solid waste set at curbside or otherwise for collection by municipal or private carriers, or directly at solid waste facilities. Designated items requiring separation are as follows:

- 1) Newspaper
- 2) Old corrugated cardboard
- 3) Multi-grade office paper
- 4) Magazines and junk mail
- 5) Glass food and beverage containers
- 6) Steel containers
- 7) Plastic containers
- 8) Aluminum containers
- 9) Bulky scrap metals (incl. Refrigeration units)
- 10) Used motor oil
- 11) Tires
- 12) Yard waste
- 13) Electronic waste (e-waste)
- 14) Fluorescent bulbs

This list may be amended by the Commissioner from time to time.

**304.** Title to any solid waste deposited at the County owned or authorized solid waste management facility shall vest in the County which may sell and dispose of same on such terms as may be appropriate.

**305.** Title to any designated recyclables, source separated apart from the solid waste stream by residential users, shall vest in the County which may sell and dispose of same on such terms as may be appropriate.

306. a) Vehicles used to deposit solid waste at a solid waste management facility shall be metal or other impervious material, constructed and maintained so as to be capable of being completely emptied. Vehicles shall be free from leaks and fully enclosed to prevent odor or litter. Any solid wastes may be hauled in open body vehicles provided same are equipped with covers and tie downs to prevent litter. All vehicles used to haul solid waste shall be subject to inspection by the Commissioner who may bar use of such vehicles until it shall be in compliance with these Rules.
- b) All commercial user vehicles and roll-off (detachable) containers shall prominently display the permit holder's name and identification number. Such information shall be clearly visible to the scalehouse attendant upon entry weigh-in at a solid waste management facility.
- c) All vehicles transporting solid waste in bulk (either compacted or loose) for a fee shall have a valid license.
307. a) Charging of fees to an account other than that of the permit or license holder making delivery of solid waste shall be prohibited unless approved by the Commissioner. Any permitted delivery shall be accompanied by a County waste manifest form.
- b) A fee of \$20.00 shall be charged for the return of checks due to insufficient funds.
- c) There shall be no exemption from special waste fees for recycling/reuse or separate disposal.

## TITLE IV

### PROHIBITED ACTIVITIES

401. No person shall deposit solid waste in any solid waste management facility other than at a location and in the manner directed by the employee in charge of such facility.
402. No person shall deposit solid waste at any solid waste management facility other than on the days and between the hours established for the operation of such facility or as may be authorized by the Commissioner.
403. No person shall deposit regulated special or special bulky waste at any solid waste management facility in violation of Title V of these Rules.
404. No commercial user shall deposit solid waste at County solid waste management facilities without a valid permit, license or contract.
405. No person shall deposit solid waste at any County solid waste management facility without paying the solid waste deposit fees established therefor.
406. No person shall dispose of any solid waste generated in Sullivan County in any place in Sullivan County except a Solid Waste Management Facility which is entitled to operate as such by permit or Order on Consent by the New York State Department of Environmental Conservation pursuant to the provisions of Article 27 of Title 7 of the Environmental Conservation Law and permitted by the County of Sullivan under Local Law.
407. No person shall leave for collection any solid waste unless it has separated from it at the point intended for collection all designated recyclable components and unauthorized waste.
408. No person shall collect, haul, store or transport solid waste to a County solid waste management facility unless it has separated from it at the point intended for collection, all designated recyclable components and unauthorized waste.
409. No person shall dispose of any solid waste generated in Sullivan County at any solid waste management facility in Sullivan County unless such solid waste has removed from it all designated recyclable components and unauthorized waste.
410. No person, including a Solid Waste Collector or Hauler, residential or commercial user, shall fail or refuse to separate solid waste at the source as herein defined or fail, refuse or neglect to separate solid waste into its components as may be provided in these Rules.

- 411.** No person shall operate a vehicle at a County Solid Waste Facility or collect or haul solid waste with a vehicle which does not comply with these Rules.
- 412.** No person shall dispose of radioactive wastes, hazardous wastes, or infectious wastes, as defined in NYCRR Part 360 Regulations, in the County.
- 413.** No person shall deposit any solid waste in unregulated, uncontrolled or unpermitted disposal sites in Sullivan County.
- 414.** No person shall dispose of Yard Waste at any County Solid Waste Management Facility.

## TITLE V

### **REGULATED WASTES AND OTHER WASTES DESIGNATED FOR SEPARATE COLLECTION OR DISPOSAL**

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- 501.** No person shall deposit regulated waste at any Sullivan County Solid Waste Management Facility unless said person shall have obtained a NYSDEC Part 364 Waste Transporter Permit authorizing disposal at such facility.
- 502.** No person shall deposit regulated wastes at a solid waste transfer station not authorized to accept such.
- 503.** Wastes designated for separate collection may be deposited at a solid waste management facility under the following conditions:
- a) The following wastes, which require a means of recycling/reuse or separate disposal, shall be collected from the solid waste stream: Bulky scrap metal, waste tires, used motor oil.
  - b) The fees for those wastes designated for separate collection or disposal shall be as specified in Title VI.
  - c) Upon approval of the Sullivan County Legislature, the Commissioner may suspend the charging of fees for certain separated wastes.
  - d) There shall be no exemption from fees for wastes designated for separate collection or disposal unless authorized by order of the Commissioner.
- 504.** Fees for those wastes which are deposited at Sullivan County Solid Waste Management Facilities, but have not been source separated in accordance with Title IV shall be as specified in Title VI, Section 620.1.

**TITLE VI**

**PERMITS, LICENSES**

**601.** All solid waste haulers (private and municipal) operating or doing business in Sullivan County at a solid waste management facility shall, effective September 1, 1992, be licensed to operate as such by the Commissioner of Public Works.

**602.** Permit, Application, Requirements.

1. All applications shall be made on the appropriate form issued by the Sullivan County Division of Public Works, together with a certificate of public liability and property damage insurance and appropriate fees.
2. Any person wishing to be an account customer must acquire a Solid Waste Management Facility User Permit.
3. In order to obtain a license or permit, solid waste haulers shall provide all residential, institutional and commercial clients or customers with source separation collection services and shall set forth in such application the plan for implementing such service.
4. To obtain or renew a permit the Hauler shall not have any overdue balance at any solid waste management facility within Sullivan County, and shall be in compliance with these Rules.
5. Hauler shall provide mandatory recycling documentation in order to obtain permit to use County SWM Facilities. Permit renewal requires mandatory submission of prior year's recycling tonnage activity by category.

**603.** Permit, Insurance Requirements. The Hauler's certificate of insurance shall name the County, its officers and employees as a named insured, shall be issued by an insurance company licensed to do business in the State of New York, shall be valid for the term of the permit, shall provide for ten (10) days notice of cancellation to the Commissioner, and shall have automobile insurance limits of at least the following amounts:

Liability per Person.....	\$100,000
Bodily Injury Liability per Accident.....	\$300,000
Property Damage per Accident.....	\$ 50,000

The Commissioner may require, at his discretion, comprehensive general liability insurance with a combined single limit liability of at least \$1,000,000.



**604.** Regulated Waste Insurance Requirements. An additional certificate may be required in the discretion of the Commissioner prior to the issuance of any authorization to dispose of regulated waste. The insurance shall comply with the requirements of Section 603, and shall specifically insure against damage to person or property by the specific regulated waste to be deposited at an authorized County Solid Waste Management Facility. The amount of such insurance shall be determined in the discretion of the Commissioner, giving consideration to the extent and type of handling and disposal measures involved and the cost of cleanup of such waste in the event of spillage.

**605.** Types of Permits and Passes

1. Solid Waste Collector or Hauler License. Every solid waste collector and hauler shall obtain a license to operate in the County unless such solid waste collector and/or hauler shall operate solely and exclusively within the territory of a municipality in which solid waste is collected and disposed of and which municipality has adopted regulations which are not less comprehensive than that required by local law and the Rules adopted hereunder.
2. Solid Waste Management Facility User Permit. Every commercial user shall obtain a permit to dispose of solid waste at a County Solid Waste Management Facility.
3. Passes. Passes are a special permit issued to residential user and persons other than commercial users and solid waste collectors and haulers for limited duration and purposes. Such passes may be issued for any purpose authorized by the Rules.

**606.** All licenses and facility user permits shall be valid from the date of issue to December 31 of the year of issuance. A license or permit shall be exhibited by the license holder to any authorized employee of the Division upon demand.

**607.** Exceptions; Credits (deleted)

**608.** Monitoring Load Inspections

a. Private and Municipal Solid Waste Haulers

1. At least two (2) times per year, haulers shall inform all customers and accounts in writing of the type of material designated as a recyclable, including the preparation of the material by customer and the schedule of collection for recyclables with a copy of the letter sent to the County.
2. All private and municipal solid waste haulers shall be responsible for monitoring and notifying customers in violation of the local law and these

rules. Haulers shall forward a copy of the names and addresses of those customers having committed a violation as defined in Title VII of these Rules to the County.

- b. Sullivan County and other municipal/private Solid Waste Management Facility operators
  - 1. All solid waste shall be subject to inspection by County Solid Waste Management Facility operators to determine facility user compliance with local law, New York State Regulations and these rules. All violations shall be reported to the County Division of Solid Waste office.
  - 2. The Commissioner shall be responsible for notifying those persons in violation of the Local law and these Rules and to execute enforcement proceedings where warranted.

**(609 through 619 purposely reserved)**

**620. Fee and Recycling Credit Schedule 1**

**620.1 Disposal Fees**

All persons depositing solid waste at a Solid Waste Management Facility operated by the County shall in addition to the Solid Waste / Recycling Fee pay the following fees as may be amended from time to time by the Sullivan County Legislature:

- a) Compacted Solid Waste in Bulk:
  - \$95.00 per ton at Transfer Stations equipped with weight scales with a minimum fee of \$10.75 for all loads of 250 pounds or less at Transfer Stations equipped with weight scales.
  - \$42.50 per cubic yard at facilities not equipped with weight scales (loads shall be measured by facility attendant and the calculated quantity rounded to the next highest 1/4 of the rated truck body capacity).
- b) Construction & Demolition Debris (C&D) and Bulk Waste:
  - \$95.00 per ton at Transfer Stations equipped with weight scales. There will be a minimum fee of \$10.75 for all loads of 250 pounds or less,
  - C&D will not be accepted at Transfer Stations which are not equipped with a scale.

---

<sup>1</sup> The County of Sullivan intends to implement the use of credit cards for payment of services included in these Rules. To the extent there is a fee charged for the use of a credit card, such fee not be a County charge to the customer, and shall be between the customer and the credit card company.

If the scales are not functioning then a charge of \$42.50 per cubic yard with a \$25.00 minimum fee for quantities of 1/4 cubic yard or less. (loads shall be measured by facility attendant and rounded to the nearest 1/4 cubic yard),

A maximum amount of 2 yards of C&D will accepted at the Transfer Stations. Any amount in excess of 2 yards shall be brought to the Monticello Transfer Station during normal operating hours

- c) Individual Drop:
  - 1) \$2.00 per 1-30 gallon can or clear bag.
  - 2) \$4.00 per 1-30 gallon opaque bag.
- d) Regulated wastes with special NYSDEC permit only, and subject to approval by the Commissioner:
  - Oil soaked debris and soils, \$95.00 per ton, with a minimum fee of \$15.00 for all loads of 375 pounds or less,
- e) Special Waste Fees:
  - 1) Waste Tires (up to a 19-inch rim size): \$3.00 per tire, \$300.00 per ton in bulk.
  - 2) Waste Tires (20 inch rim or larger): \$30.00 per tire.
  - 3) Refrigeration/Air Conditioning Appliances, \$15.00 per unit;
  - 4) Handling Fee for Unseparated Waste: loads of solid waste containing quantities of recyclable items identified in Title III Section 303(f), which are required to be separated from solid waste shall charged a disposal fee two (2) times the applicable rate for solid waste and the charges shall apply to the entire load deposited.
  - 5) Untarped Load Surcharge: A \$10.00 surcharge will be applied for any untarped loads being transported into the facility on commercial vehicles.
- f) Service fee for issuance of certified weight receipt for vehicles not seeking access to County Solid Waste Disposal and Recycling Facilities shall be \$10.00.
- h) Handling fee for labor and machinery shall equal the actual cost for removal and remediation of unauthorized waste at the transfer station tipping floor, as determined by the commissioner.
- i) Commercial Hauler License Fee: All commercial solid waste haulers (public and private) shall be charged a license fee of \$150.00 plus \$25.00 per truck.

- j) Bulk Scrap Metal and Non-CFC appliances Handling Fee: at the discretion of the Commissioner with the concurrence of the County Manager, based on market conditions and handling costs incurred by the County.
- k) Propane tanks, 20 lbs. tanks only: \$2.00 each. Tanks greater than 20 lbs. not accepted.
- l) Rubble/Aggregate, \$95.00 per ton.
- m) Select Building Demolition Debris (minimum transaction quantity of 40 cubic yards, \$95.00 per ton.
- n) Fluorescent Bulbs, \$1.00 per bulb

**621. Compacted Bulk Solid Waste - Calculation of Fees**

Unless weighed, the charge to permit holders and contract haulers for depositing compacted solid waste at a County Solid Waste Management Facility shall be based upon a measurement by the facility attendant and the calculated quantity rounded to the next highest 1/4 of the rated truck body capacity.

**622. Loose Bulk Solid Waste - Calculation of Fees**

If unweighed, the quantity of all loose bulk solid waste to be deposited at a County Solid Waste Management Facility shall be determined by the facility attendant's estimated measure of the volume of the load of the vehicle rounded to the nearest 1/2 cubic yard.

**623. Required Weighing**

If there shall be a scale at a solid waste management facility, the vehicle, conveyance or detachable solid waste container shall be weighted prior to and after deposit of solid waste.

**624. Minimum Solid Waste Deposit Fee**

Any person, not an account customer (permit restriction notwithstanding), shall be required to deposit the following minimum fee before proceeding to unload:

- |    |   |            |
|----|---|------------|
| a) | Trailer or pickup                             | \$ 125.00  |
| b) | Single axle trucks, GVW less than 18,000 lbs. | \$1,250.00 |
| c) | Single axle trucks, GVW over 18,000 lbs.      | \$2,000.00 |
| d) | Tandem axle trucks or tractor trailers        | \$2,500.00 |

Upon determination of the net weight, any portion of the deposit not required to pay the fee as described in Section 620, will be refunded.

**632. Payment of Fees, Interest, Suspension and Restrictions of Permit**

a) Payment of Fees – Surety Bonds and Statements of Account

Any non-governmental or no-educational entity permit holder wishing to be allowed to accrue charges shall provide the County with a surety bond issued by a licensed company authorized to do business in New York State. The Maximum of the surety bond shall be \$50,000.00.

Monthly charges shall only be allowed to accrue to the maximum amount of the surety bond provided to the County. At such time that said limit has been reached, The full amount due shall be paid in 24 hours or the permit restrictions set forth in section 632 (b) (1) shall apply.

All permit holders accruing charges in a 30-day period shall receive a monthly statement of account balance. The statement of account balance will be generated by the close of business on the last day of each month. Said statement shall be accompanied by an official notification stating that payment in full is due within 15 days of the statement date.

b) Permit Restrictions

1. Failure of a permit holder to make payment within fifteen (15) days of the statement date or if the amount added by the surety bond has been reached shall result in the restriction of tipping privileges to a twenty four (24) hours credit basis. Payment of outstanding charges made before the next monthly billing shall, at the discretion of the Commissioner, constitute grounds for release of restrictions on tipping privileges.

c) Interest. In the event that the statement amount is not paid within the time permitted in subdivision (a) of this section, the balance due shall accrue interest at the rate of 1% for each calendar month or portion thereof that the balance shall remain unpaid.

d) Suspension of Permit for Nonpayment. A permit shall be automatically suspended on the 30<sup>th</sup> day after the date a statement amount is due and any amount including any accrued interest is unpaid. Such suspension shall continue and tipping privileges shall cease until the date of payment of all amounts due including interest. A period of suspension shall not suspend the accrual of interest to the date of payment. At the option of the Commissioner, the County may declare all amounts due immediately, without regard to the period permitted for payment, after written notice to the permit

holder and upon such declaration the permit of such permit holder shall be suspended as herein provided.

**642. Other Charges**

Nothing herein set forth shall be deemed to control fees charged or recycling credits issued by a municipality other than the County at a solid waste management facility, other than the County Landfill, transfer stations and authorized recycling centers.

## TITLE VII

### VIOLATIONS

701. Any person who commits a violation of these Rules as herein set forth or any provision of local law, shall be subject to penalties and proceedings as established by said local law.
- a) The failure or refusal by any waste generator having received three (3) separate notices within a six month period to separate recyclable materials from its solid waste shall constitute a violation and each subsequent notice thereafter shall constitute a separate violation.
  - b) The failure or refusal by any private or municipal solid waste collector or hauler to provide a means of curbside separation and collection of recyclables for residential and commercial customers.
  - c) The failure or refusal by any privately or municipally operated solid waste management facility, located in the County, to require the separation of recyclables from waste to be deposited or processed.
  - d) The act, by any person, of disposal of solid waste at an unregulated, uncontrolled or unpermitted site in Sullivan County.
  - e) The act of littering along public highways in Sullivan County by any person.
  - f) The failure or refusal by any residential or commercial user to comply with any section of these Rules.
  - g) The act of disposing of any waste defined herein in non-designated areas.

## TITLE VIII

### CRIMINAL, CIVIL AND ADMINISTRATIVE PENALTIES AND ENFORCEMENT

- 801. CRIMINAL PENALTIES.** Any person who shall fail to comply with local law or with the rules and regulations adopted pursuant to local law shall be subject to the following criminal penalties:
- a) Hazardous or Infectious Waste. Any person convicted of depositing hazardous or infectious wastes at a solid waste management facility shall be guilty of a misdemeanor and upon conviction, each offense shall be punishable by a fine not to exceed \$5,000.00 or by imprisonment for not longer than six (6) months, or by both such fine and imprisonment.
  - b) Each deposit of hazardous or infectious waste shall constitute a separate criminal offense.
- 802. CIVIL PENALTIES**
- a) Any person who shall violate the local law or applicable rules, now or hereafter adopted, shall be liable to the County of Sullivan for a civil penalty not to exceed \$1,000.00 for each separate violation thereof. Each day during which such violation shall continue shall be deemed to be a separate violation.
  - b) Illegal Dumping. Any person who shall have deposited solid waste in unlawful, uncontrolled and unpermitted disposal sites in violation of these rules and local law, shall be liable to the County of Sullivan for a civil penalty not to exceed \$5,000.00 for each separate violation thereof. Each day during which such violation shall continue shall be deemed to be a separate violation.
- 803.** These Rules may be enforced by injunction.
- 804. ADMINISTRATIVE PROCEDURES.**
- a) If the Commissioner shall believe that any person holding a permit has violated these Rules, the Commissioner shall provide the permit holder with a written violation Notice setting forth the factual basis for his belief, and setting forth the modification to the hauler's permit, if any, the period of effectiveness of the permit and shall also set forth a fine to be paid as a result of the violation. The Hauler may seek an administrative review of the charges by providing the Commissioner with a written request within five days of receipt of the Notice. An administrative hearing shall be



held within five business days to determine whether a violation has occurred. If the Commissioner finds from the evidence that a violation has occurred, he may suspend the permit of the Hauler for a period of not more than one hundred eighty (180) days, revoke such permit or license, or impose a fine not to exceed \$1,000.00 for each violation, or impose such conditions on suspension or revocation and fine as may be appropriate. In the event a fine is imposed, the permit shall be deemed suspended until payment of such fine. Upon re-application for a permit, the Commissioner may impose such conditions as may be appropriate under the circumstances including, but not limited to, issuance of a provisional or conditional permit revocable upon a determination of subsequent violations of local law or the rules.

- b) In the event the Hauler does not ask for an administrative hearing within five days, the Commissioner's determination shall be final. Payment of any fine shall be due within five business days of receipt of the violation.
- c) At any hearing conducted by the Commissioner, the respondent may be represented by counsel, may cross examine witnesses, present evidence and subpoena witnesses.
- d) **CONSENT ORDERS.** The Commissioner is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any person responsible for the noncompliance with local law or the Rules. Such orders shall include specific action to be taken by the Hauler to correct the noncompliance within a time period also specified by the Order. Consent Orders shall have the same force and effect as an administrative Violation Notice order.
- e) **ADMINISTRATIVE OR COMPLIANCE ORDER.** Notwithstanding any other provision set forth in these Rules, when the Commissioner finds that a person has violated or continues to violate local law, these rules or a permit, license or order issued thereunder, he may issue an order to the person responsible for the violation directing that, following a specified time period, such permit and/or license held by such person shall be suspended unless the violation is corrected and that there is no reoccurrence of the violation. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the self-monitoring and management practices. The person responsible may, within five days of receipt of such order, petition the Commissioner to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Commissioner by certified mail, return receipt requested. The Commissioner may:
  - 1) Reject any frivolous petitions,
  - 2) Modify or suspend the order,
  - 3) Request additional information; or

- 4) Order the petitioner to show cause.
- f) CEASE AND DESIST ORDERS. Notwithstanding any other provision of these Rules, when the Commissioner finds that a person has violated or continues to violate local law, these Rules or any permit, license or order issued hereunder, the Commissioner may issue and order to cease and desist all such violations and direct those persons in noncompliance to:
- 1) Comply forthwith; or
  - 2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or termination of the violation.

The person responsible may, within five days of receipt of such order, petition the Commissioner to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Commissioner by certified mail return receipt requested. The Commissioner may:

- 1) Reject any frivolous petitions,
- 2) Modify or suspend the order,
- 3) Request additional information from the user, or
- 4) Order the petitioner to show cause.

- 805. ADDITIONAL EXPENSES RECOVERABLE.** In the event of a judgment in favor of the County in any civil, administrative or criminal action or proceeding, the County may recover its expenses, including reasonable counsel fees, and expert and special service and witness fees incurred in connection with the proof of such violation. The fact that the County shall not have retained counsel shall not be a bar to the collection of such counsel fees, and expert and special service and witness fees and expenses incurred; provided however, that the County shall use a reasonable basis upon which to calculate the cost of services provided by officers and employees of the County.
- 806. COUNTY ATTORNEY.** The Sullivan County Attorney is hereby authorized on the request of the Commissioner to appear in any proceeding on behalf of the County to enforce any civil or administrative penalty, order or to undertake the prosecution of any violation or criminal proceeding authorized by local law and these rules.
- 807. COUNTY SHERIFF'S DEPARTMENT.** The Sullivan County Sheriff's Department is hereby authorized on the request of the Commissioner to undertake investigative measures and law enforcement procedures for violations of local law and these rules.

## TITLE IX

### SEPARABILITY AND EFFECTIVE DATE

- 901.** Separability. If any clause, sentence, paragraph, section or part of these rules shall be adjudged by a court of competent jurisdiction to be invalid, such judgment, decree or order shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of these rules shall not be affected thereby and shall remain in full force and effect.
- 902.** Effective Date. These rules shall take effect immediately.

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

**To:** Sullivan County Legislature

**Fr:** Edward McAndrew, P.E.

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

**Date:** August 11, 2016

**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.]

To authorize award & execution of a contract for roof repairs and elastomeric membrane installation on the Sullivan County Courthouse.

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

No

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

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

Amount to be authorized by Resolution: \$ 120,000.00

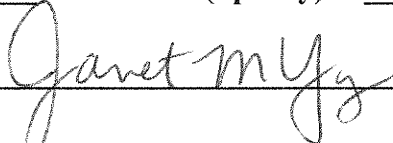
Are funds already budgeted? Yes  No

If "Yes" specify appropriation code(s): H67-1997-21-2102

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

**Estimated Cost Breakdown by Source:**

County	\$ <u>120,000.00</u>	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 and 3.**

Request for Authority to Enter into Contract with [Wheat & Sons General Contract] of [301 Dingle Daisy Road, Monticello, NY 12701]

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:

N/A

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.]:

County does not have the resources in-house.  
\_\_\_\_\_  
\_\_\_\_\_

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \$120,000

Efforts made to find Less Costly alternative:

Competitive bid process.  
\_\_\_\_\_  
\_\_\_\_\_

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

N/A  
\_\_\_\_\_  
\_\_\_\_\_

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)  
B-16-37 Bid # B-16-37

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

Pre-Legislative Approvals:

- A. <sup>Assistant</sup> Director of Purchasing: Arupm Sears Date 8/3/16
- B. Management and Budget: Janet Myg Date 8/3/16
- C. Law Department: [Signature] Date 8/3/16
- D. County Manager: [Signature] Date 8/4/16
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

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

**RESOLUTION NO.                    INTRODUCED BY PUBLIC WORKS COMMITTEE TO  
AUTHORIZE AWARD & EXECUTION OF A CONTRACT FOR ROOF REPAIR AND  
ELASTOMERIC MEMBRANE INSTALLATION ON THE SULLIVAN COUNTY  
COURTHOUSE**

**WHEREAS**, bids were received for Roof Repair and Elastomeric Membrane Installation for Sullivan County Courthouse; and

**WHEREAS**, Wheat and Sons General Contracting, Inc., 301 Dingle Daisy Road, Monticello, New York 12701, is the lowest responsible bidder; and

**WHEREAS**, the Sullivan County Division of Public Works has reviewed the proposal and recommends that an agreement be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an agreement with Wheat and Sons General Contracting, Inc., in accordance with Bid No. B-16-37, for a total amount not to exceed \$120,000.00, includes a GAF Fifteen (15) year Topcoat Diamond Pledge NDL Roof Warranty, said agreement to be in such form as the County Attorney shall approve.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2016.

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

**To:** Sullivan County Legislature

**Fr:** Edward McAndrew, P.E.

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

**Date:** August 11, 2016

**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.]

Resolution to authorize grant applications for BRIDGE NY funding of the costs to replace Bridge 192 on Hunter Road in the Town of Neversink.

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

No

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

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

Amount to be authorized by Resolution: \$ 3,800,000.00

Are funds already budgeted? Yes  No

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

If "No", specify proposed source of funds: 95% State Funds, 5% General Fund

**Estimated Cost Breakdown by Source:**

County	\$ <u>190,000.00</u>	Grant(s)	\$ _____
State	\$ <u>3,610,000.00</u>	Other	\$ _____
Federal Government	\$ _____	(Specify)	<u>Bridge NY</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.)

Not Applicable *[Signature]*  
\_\_\_\_\_

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

**Pre-Legislative Approvals:**

- A. Director of Purchasing: *[Signature]* Date 5/4/16
- B. Management and Budget: *[Signature]* Date 8/4/16
- C. Law Department: *[Signature]* Date 8/4/16
- D. County Manager: *[Signature]* Date 8/4/16
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

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

**RESOLUTION NO.                    INTRODUCED BY PUBLIC WORKS COMMITTEE TO  
AUTHORIZE THE COUNTY OF SULLIVAN TO FILE APPLICATIONS FOR BRIDGE  
NY FUNDING AVAILABLE THROUGH THE NEW YORK STATE DEPARTMENT OF  
TRANSPORTATION (NYSDOT) TO FUND THE REPLACEMENT OF BRIDGE  
192/BIN 3357070.**

**WHEREAS**, the New York State Department of Transportation has funding available through the BRIDGE NY program; and

**WHEREAS**, the BRIDGE NY funding program can provide 95% funding of the eligible costs for engineering and construction services necessary for the replacement of bridges; and

**WHEREAS**, approximately \$3.8 million dollars in funding is needed to expedite work needed for the replacement of Bridge 192/BIN 3357070.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature Authorizes the County of Sullivan to apply for BRIDGE NY program funding for the replacement of Bridge 192; and

**BE IT FURTHER RESOLVED**, that the form of any funding agreements be approved by the County Attorney and that further authorization be obtained from the County Legislature for authorizing the County Manager to execute agreements for BRIDGE NY funding.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2016.

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

**To:** Sullivan County Legislature

**Fr:** Edward McAndrew, P.E.

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

**Date:** August 11, 2016

**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.]

Resolution to authorize grant applications for BRIDGE NY funding of the costs to replace Bridge 301 on County Road 105B in the Town of Neversink.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

No

\_\_\_\_\_

\_\_\_\_\_

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

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

Amount to be authorized by Resolution: \$ 3,600,000.00

Are funds already budgeted? Yes  No

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

If "No", specify proposed source of funds: 95% State Funds, 5% General Fund

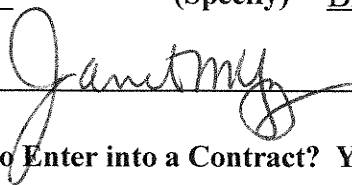
**Estimated Cost Breakdown by Source:**

County	\$ <u>180,000.00</u>	Grant(s)	\$ _____
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State	\$ <u>3,420,000.00</u>	Other	\$ _____
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Federal Government	\$ _____	(Specify)	<u>Bridge NY</u>
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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:

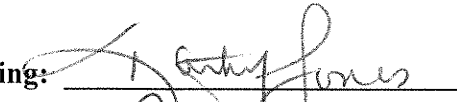
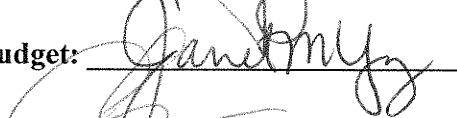
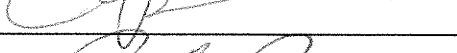

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Not Applicable *df*

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

**Pre-Legislative Approvals:**

- A. Director of Purchasing:  Date 8/4/16
- B. Management and Budget:  Date 8/4/16
- C. Law Department:  Date 8/4/16
- D. County Manager:  Date 8/4/16
- E. Other as Required: \_\_\_\_\_ Date \_\_\_\_\_

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

**RESOLUTION NO.                    INTRODUCED BY PUBLIC WORKS COMMITTEE TO  
AUTHORIZE THE COUNTY OF SULLIVAN TO FILE APPLICATIONS FOR BRIDGE  
NY FUNDING AVAILABLE THROUGH THE NEW YORK STATE DEPARTMENT OF  
TRANSPORTATION (NYSDOT) TO FUND THE REPLACEMENT OF BRIDGE  
301/BIN 3355870.**

**WHEREAS**, the New York State Department of Transportation has funding available through the BRIDGE NY program; and

**WHEREAS**, the BRIDGE NY funding program can provide 95% funding of the eligible costs for engineering and construction services necessary for the replacement of bridges; and

**WHEREAS**, approximately \$3.6 million dollars in funding is needed to expedite work needed for the replacement of Bridge 301/BIN 3355870.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature Authorizes the County of Sullivan to apply for BRIDGE NY program funding for the replacement of Bridge 301; and

**BE IT FURTHER RESOLVED**, that the form of any funding agreements be approved by the County Attorney and that further authorization be obtained from the County Legislature for authorizing the County Manager to execute agreements for BRIDGE NY funding.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2016.

**PUBLIC WORKS COMMITTEE**  
**Monthly Report – August 11, 2016**

**JULY 2016 MONTHLY REPORT**

**BUILDINGS & GROUNDS**

- Continued the replacement of Bridges 36 and 22
- Completed Bridges 91, 314 and 315
- Replaced the fence at Fort Delaware
- Made repairs to DI on County Road 113 and the Government Center
- Continued the foundation of the MIS building

**PARKS & RECREATION**

- Continued operating D&H Canal Interpretive Center full time
- Continued operating Fort Delaware full time
- Continued ordering merchandise for Fort Delaware Gift shop
- Continued booking events and demonstrations for Fort Delaware
- Continued operating Lake Superior full time
- Continued selling season passes for Lake Superior
- Continued operating Clean Team full time
- Prepped Minisink Battleground Park grounds for Commemorative event
- Continued processing Park & Pavilion rentals and permits
- Continued working with sign shop to update parks signage
- Conducted Park & Recreation Commission meeting
- Continued assisting Commissioner of Public Works with duties
- Continued assisting with SCIA Wayfinding Signage project
- Continued providing guidance to buildings staff on various issues

**SHOP STAFF**

- Continued services & New York State Inspections
- Continued repairs on solid waste roll-off trucks and containers
- Made all necessary repairs to DPW and outside agency equipment
- Continued to make repairs to mowers
- Repaired and repainted body damage on vehicles
- Completed estimates on damaged vehicles
- Repaired rust on County vehicles
- Sandblasted and refinished parts

**SIGN SHOP**

- Fabricated signs for Division of Public Works and Towns
- Repaired signs on county roads and bridges



- Sign Shop inventory data entry for 2014-2015
- Made repairs to the Striper
- Continued 2015-2016 sign inventory
- Installed detours
- Placed decals on new lease vehicles

## **AIRPORT**

- Completed monthly Airport Rescue and Fire Fighting training (ARFF)
- Completed required monthly weather observations
- Continued coordination of the Terminal Access Roadway and Traffic Circle Rehabilitation Project
- Prepared and submitted potential projects to the FAA for funding
- Assisted in the research and issuance of highway permits for drainage, roadway access, utility locations and overweight / oversize vehicles

## **BRIDGES**

- Addressed NYSDOT bridge flags for Bridges 22 (CAL), 272 (LIB) and 361 (NEV)
- Continued administration and management for the construction and inspection contracts; Continued quality control and assurance inspections and assisted the mounting of decorative silhouettes; Coordinated with the traffic signal installation contractor for the completion of work and adjustments and provided information to auditors for the Bridge 45 (FAL) replacement project
- Continued engineering assistance and inspection work for the replacement of Bridge 379 (LIB) by DPW Operations and for the Bridge 36 (MAM) construction project
- Continued quality control inspection, administration and project management work for the Bridge 369 (NEV) construction and inspection contracts
- Completed coordination with NYSEG, Verizon and Time Warner Cable, monitoring program to check for additional settlement of the abutment impacted by the July 2014 flood, coordinated with the sheet pile supplier for the delivery of materials and started inspection and engineering assistance during construction work for the replacement of Bridge 22 (CAL)
- Completed coordination with our Attorney's office and the Village of Jeffersonville for the execution of an Inter-Municipal Agreement needed for the relocation of the Village's water main on Maple Avenue
- Started coordination with the Village of Jeffersonville Water Department for the construction work needed to relocate its water main on Maple Avenue
- Coordinated surveying services and provided follow-up with the receipt of the topographic survey maps and information and continued preliminary engineering and planning work for the replacement of Bridge 259 (MAM) with a new routing of Depot Road which eliminates the need for the bridge

- Continued preliminary engineering and planning and the monitoring of the Bridge 98 (BET) seat beams for rotational changes in response to Flags received from NYSDOT
- Started coordination and contract management of a contract to obtain soil borings and geotechnical services needed for six (6) bridges planned to be replaced and provided quality control inspection work for the soil borings being made for the geotechnical services contract
- Continued the review of bridge inspection reports to identify steel repair work needed
- Continued to coordinate with NYSDOT for improvements to the State Route 42/County Road 53 intersection to alleviate traffic congestion.
- obtained an accident report for vehicular damages to Bridge 171 (THO) from the New York State Police Department
- Assisted the Office of Risk Management & Insurance with information needed for Toaspern Dam and Sunset Lake Dam
- Reviewed ideas and made recommendations for applying for Bridge NY funding for replacement of several bridges
- Reviewed an inspection report provided by NYSDEC for the Toaspern Dam and coordinated the submission information to NYSDEC and other actions needed
- Started research of refurbishment options for large diameter pipe culverts and developed a list
- Researched products applicable to coating sheet piles and H piles to protect steel from rusting where exposed to water and made a recommendation for implementing the testing of a product
- Assisted with overweight permits
- Responded to a complaint for storm damages to CB 387 (NEV) needing an application for a NYSDEC permit and a property owner release to be submitted to enable repair work

## **BUILDINGS**

- New Sullivan County Jail project 359 page 100% complete plan review for 2010 code compliance, ten page Commercial Plan Checklist, Building Permit issuance and chart of inspections/certifications required for a Certificate of Occupancy
- Completed foster care home inspections and reports for the Department of Family Services (DFS) weekly
- Proceeded with Department of State (DOS) mandated 2016 Building Inspections and Reports with Annual/Triennial Building Inspection Summary Chart
- Sullivan County Cooling Tower Inspection & Testing coordination with engineering firm for submittal to DOH prior to July 15, 2016
- Government Center New York Power Authority (NYPA) coordination with Pres Energy Technicians for Energy Efficiency Project

- Completed safe room plans for Sullivan County buildings in case of an emergency as per the Sullivan County Sheriff's Office recommendations
- Government Center Building exterior cleaning and sealing specifications
- Completed the Hurleyville Cultural Center Roof Replacement & Gutter Repair/Paint Project field review, pictures of project progress and final invoice payment reviewed
- Reviewed new 2015 State Uniform Fire Prevention and Building Code and Energy Conservation Construction Code books received from the NYSDOS
- Federal Communications Commission (FCC) continued coordination for new towers
- FCC Narrowband coordination for wideband removal update on various radio licenses as per the FCC's request
- Continued with mandated Federal Communications Commission radio license renewal and modification forms for EMS, sheriff, fire service, highway maintenance, microwave and local government
- Prepared and submitted the Human Service Complex and Airport mandated monthly water chlorination system Operation Report calculations and letters to NYSDOH
- Prepared and submitted the Human Service Complex and Airport mandated quarterly treated water bacteriological reports and letters to the NYSDOH
- Prepared and submitted the Sullivan County International Airport & Human Service Complex mandated nitrate water reports and letter to the NYSDOH
- Prepared and submitted the Sullivan County Human Service Complex mandated water triennial Primary Inorganic Chemical Report and letter to the NYSDOH
- Completed weekly water testing at the Human Service Complex water chlorination system with documentation
- Water online class as mandated by NYSDOH for Water Distribution System Chlorination Operator Certification
- Water lab invoice and voucher review and approval
- Submitted mandated Hazardous Waste Manifest Forms to NYSDEC and Environmental Protection Agency (EPA)
- Provided technical support for County facility operations and maintenance

## **HIGHWAYS**

- Provided ROW information to the public
- Provided project status report to the Governor's Office of Storm Recovery (GOSR) on all SCDPW projects related to FEMA 4020 and FEMA 4085
- Continued to advance the County Road 173 (THO) reconstruction project
- Continued to coordinate with the County's construction inspection consultant (MJI) on design issues and requests for information (RFI's) for the County Road 173 / Exit 106 (THO) roundabout project related to the proposed EPT Concord development (MJI participating in weekly construction meetings on County's

- behalf and providing onsite inspection services – County providing additional oversight and guidance as necessary – County forces repaired a guide rail section)
- Completed the 2016 contract surface treating and striping of approximately 45 miles of county road (County Roads 12, 23, 25, 26, 56, 72, 73, 84, 85, 101 and part of 102 and 108) – provided daily oversight on quantities – coordinated material testing – inspected striping
  - Coordinated with contractor for 2016 contract paving and striping of approximately thirty (30) miles of county road - field marked rebates and milling areas for repair - checked sign layout - provided daily inspection, quantity tracking, material testing coordination, scheduling and billing oversight for paving and striping operations (County Roads 111, 112, 31 and 154 complete)
  - Completed field layout of westerly footing for replacement of County Bridge 36 on County Road 55 (MAM)
  - Completed field recovery of survey control at County Bridge 22 (CAL)
  - Reviewed right-of-way data found for County Bridge 259 (MAM)
  - Coordinated with soil nailing contractor on embankment stabilization project on County Road 127 (CAL) – held pre-construction site meeting – prepared resolution for award – laid out work zone
  - Reviewed and/or researched the following for safety issues, potential impacts to and conflicts with the County’s right-of-way, drainage, infrastructure and maintenance: County Road 103 (THO) – sight distance improvements at proposed access to Camp Krasna; County Road 143 (LIB) – drainage complaint on hill to White Sulphur Springs and; provided comments to county planning for G.M.L. 239 review on the following County Roads (CR): CR 158 (FAL/Vill. WOO) – Maplewood Estates project – drainage tie-in
  - Received a demo from certified dealer for a new field survey instrument to be purchased off of NYSOGS contract
  - Provided 2<sup>nd</sup> quarter performance measure reporting for the highway unit

## SOLID WASTE & RECYCLING - MONTHLY REPORT

Month	2015 tonnage (T)	2015 tonnage (T)
January	2,368	2,846
February	2,212	3,045
March	3,075	3,884
April	3,908	4,055
May	4,274	4,776
June	5,757	6,532
July	9,188	
August	8,486	
September	4,755	
October	4,045	
November	3,403	
December	4,436	
<b>TOTAL</b>	<b>55,907</b>	

(T) - Total Monticello Transfer Station

### SOLID WASTE

- Continued tracking of the Monticello Transfer Station tonnage for invoice review and reporting
- Prepared and submitted monthly SPDES reports in accordance with NYSDEC permit conditions
- Continued preparation of annual reports for the Landfill
- Reviewed report for CBS update at the Pretreatment Plant
- Compiled closed capped Landfill reporting data
- Submitted the NYSDEC Title V semi-annual compliance certification electronic report and the quarterly NSPS reports

### RECYCLING

- Coordinate E-Scrap clean outs at all transfer stations with Advanced Recovery, Inc.
- Advertising and pre-registration signups for July 17 Household Hazardous Waste Collection Event #1 of 2016
- Ongoing enrollments for August 27 HHW Collection Event #2 of 2016
- Coordinate HHW/Rx Take-Back promotional component for August 27 Event with Public Health Services
- Town of Rockland Seniors Group recycling seminar with Judy Coger
- Provided tours of Materials Management Facilities for County Legislators
- Load inspections of Single Stream Recyclables at Export Building
- Updated the used Motor Oil tank services with Advanced Oil Recycling, Inc.

- Adopt-A-Road Program updates
- READ Foundation follow-up regarding textile boxes at transfer stations
- Recycling program updates for online content prepared
- Rx Task Force participation with Public Health Services
- Public Works Committee recycling update
- Review recycling program vouchers
- Single Stream Recycling Program ongoing education/program promotion
- Continue marketing coordination with Treasurers Department and Office of General Services for marketing, sale and tracking of recyclables
- Continue review of Materials Management Program water and leachate sampling invoices from Pace Analytical Laboratories