

**Sullivan County Legislature  
Regular Meeting  
February 19, 2009 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:00PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated Mrs. Goodman and Mr. Sorensen absent.

The Clerk Read the following communications:

1. County Manager's 2008 Annual Report filed by Manager David Fanslau dated February 17, 2009
2. Records Destruction Notification dated /February 3, 2009 filed by the Adult Care Center, January 30, 2009, Board of Elections dated January 26, 2009
3. Notice of Evidentiary Hearing from the State of New York Public Service Commission issued January 26, 2009 and Ruling on Motion to compel regarding the Application of New York Regional Interconnect Inc. for a Certificate of Environmental compatibility and Public Need
4. Chairman Rouis's appointment of the Town of Rockland Representative on the Sullivan County Fire Advisory Board
5. Sullivan County Real property Tax Services 2008 Annual Report filed by Lynda Levine, Director.
6. Sullivan County Economic Stimulus Request for Funding packet filed by County Manager David P. Fanslau dated February 10, 2009.
7. Copy of Sullivan County Conflict Legal Aid Mission Statement dated February 4, 2009
8. Chairman Rouis's proclamation in Observance of February as National Children's Dental Health Month
9. Town of Bethel Resolution objecting to the proposed closure of the Dr. Cornelius Duggan Elementary School

**Presentation (Child Support Enforcement Unit)**

Chairman Rouis stated it is not often enough that we get to recognize the members of our workforce that do a great job. These certificates are well deserved. At this point, he would like to turn things over to the Chair of the Health and Family Services Committee, Ron Hiatt.

Mr. Hiatt stated he knows personally, that the child support cases are tough and hard. Health and Family Services Commissioner Chris Cunningham stated it is a privilege to be honoring our Child Support Collection Unit. It has been a pleasure to work with these folks a little over a year now. They are hardworking and dedicated employees that are putting their best effort forward on behalf of tax payers everyday. They have the distinct honor of being the highest percentage of collection in the State of New York.

Beth Berlin, Deputy Commissioner of the Office of Temporary Disability Assistance and Michael Hayes, Director of Communications presented the unit with a Citation and individual certificates of appreciation. Ms. Berlin stated it is truly an honor to be here on behalf of Governor Paterson to recognize the exemplary work that Sullivan County Division of Child Support does. It is an area that we all appreciate the importance of the work that has been done by bringing financial support into households. I think many of us also appreciate the delicate balance that the Child Support Unit has in working with individuals who find themselves in situations that they never expected to be in. When we talk about Sullivan County being exemplary, they have performed in a way that has exceeded in bringing in child support collection and raising the percentage from \$7.5 million in 2007 to \$8.3 million in 2008, which is an increase of 10.9%. Sullivan County posed a 95.3% in paternity establishment, 92% support establishment and that is better than the state's average of 82%. Sullivan County has a medical support establishment rate of 79% which is better than the state's average of 59%. She then acknowledged the Commissioner and the Sullivan County Legislature. She then presented certificates to the entire staff of the Sullivan County Child Support Unit:

BATAILLE, Elizabeth  
COVART, Mary Jane  
CRANE, Pat  
CURRY, Shanon  
EDWARDS, Laura  
KRUPP, Lorraine  
MILLER, Brenda  
PARLIAMENT, Nancy  
PASQUALE, Laura  
POYER, Nance

REILLY, Tina  
SANTARELLI, Beverly  
SCOVASSO, Anthony  
TERWILLIGER, Cristy  
WALTERS, Carolyn  
WILEY, Melinda  
YERKES, Leeann

Chairman Rouis then called everyone up to the front for a group picture.

**Public Comment:**

There was no public comment.

**Resolutions:**

**BOND RESOLUTION**

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at the County Government Center, in Monticello, New York, on the 19th day of February, 2009, at 2:00 o'clock P.M., Prevailing Time.

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

PRESENT: Sager, LaBuda, Wood, Rouis, Armstrong, Binder Hiatt

ABSENT: Goodman, Sorensen

The following resolution was offered by Mr. Armstrong, who moved its adoption, seconded by Mrs. Binder, to-wit:

**BOND RESOLUTION NO. 41 OF 2009 DATED FEBRUARY 19, 2009.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO AND RECONSTRUCTION OF HIGHWAYS, BRIDGES AND RELATED TRAFFIC CONTROL AND SIGNAGE SYSTEMS THROUGHOUT AND IN AND FOR SAID COUNTY.**

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

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

Section 1. For the class of objects or purposes of paying the cost of the construction of improvements to and reconstruction of highways, bridges and related traffic control and signage systems throughout and in and for the County of Sullivan, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$3,000,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$3,000,000, and that the plan of financing thereof is by the issuance of the \$3,000,000 bonds of said City authorized to be issued pursuant to this bond resolution; **PROVIDED, HOWEVER**, that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten (10) years, pursuant to subdivision 90, based upon subdivisions 10, 20(c) and 72(2nd) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be

sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Sullivan, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
  - 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

AYES: Sager, LaBuda, Wood, Rouis, Armstrong, Binder Hiatt

NOES: None

ABSENT: Goodman, Sorensen

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

**CERTIFICATION FORM**

STATE OF NEW YORK    )  
  ) ss.:  
COUNTY OF SULLIVAN    )

I, the undersigned Clerk of the County Legislature of the County of Sullivan, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1. That a meeting of the Issuer was duly called, held and conducted on the 19th day of February, 2009.
- 2. That such meeting was a **regular** meeting.
- 3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5. That all members of the Board of the Issuer had due notice of said meeting.
- 6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**Sullivan County Democrat January 27, 2009 and February 3, 2009**

**River Reporter: January 29, 2009 and February 5, 2009**

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

January 22, 2009

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 19th day of February, 2009.

AnnMarie Martin, Clerk, County Legislature

(CORPORATE SEAL)

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on February 19, 2009, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Sullivan, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Monticello, New York,  
February 19, 2009.

AnnMarie Martin Clerk, County Legislature

**BOND RESOLUTION NO. 42 OF 2009 DATED FEBRUARY 19, 2009.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO AND RECONSTRUCTION OF HIGHWAYS, BRIDGES AND RELATED TRAFFIC CONTROL AND SIGNAGE SYSTEMS THROUGHOUT AND IN AND FOR SAID COUNTY.**

<b>Class of objects or purposes:</b>	Construction/reconstruction of highways/bridges/ traffic control and signage systems throughout and in and for said County
<b>Period of probable usefulness:</b>	10 years
<b>Amount of obligations to be issued:</b>	\$3,000,000 bonds
<b>SEQRA status:</b>	Type II Action

Chairman Rouis wanted to recognize the Management Information Systems Department's work and staff with the roll out of these phones which officially took place this morning without some minor glitches. Over time, this will be a significant project for the county. The MIS Department has been working tirelessly to get this done. Mr. Lorne Green is not here but thank you very much.

### **RESOLUTION**

At a meeting of the County Legislature of the County of Sullivan, New York, on the 19<sup>th</sup> day of February, 2009, at 2 o'clock P.M., Prevailing Time.

The meeting was called to order by Chair, Jonathan Rouis, and upon roll being called, there were

PRESENT: Sager, LaBuda, Wood, Rouis, Armstrong, Binder, Hiatt

ABSENT: Goodman, Sorensen

The following resolution was offered by Mr. Sager, who moved its adoption, seconded by Mrs. Binder, to-wit:

RESOLUTION DATED FEBRUARY 19, 2009.

RESOLUTION NO. 42-09 A RESOLUTION AMENDING RESOLUTION 379-08 AUTHORIZING THE COUNTY OF SULLIVAN, NEW YORK, TO ENTER INTO A LEASE PURCHASE AGREEMENT IN CONNECTION WITH THE ACQUISITION OF A VOICE OVER INTERNET PROVIDER AND TELEPHONE SYSTEM, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO, INCLUDING THE REFINANCING OF SAID EQUIPMENT.

WHEREAS, the County of Sullivan, New York (the "County") is interested in undertaking an acquisition of a new voice over internet provider telephone system (the "Project") pursuant to an agreement previously entered into with Key Government Finance, Inc., on behalf of Cisco Systems Capital Corporation ("Equipment Provider") dated as of October 27, 2008 (the "Agreement"); and



WHEREAS, in order to undertake the Project and finance the improvements contemplated in connection with the Project it was necessary to enter into the Agreement with the Equipment Provider and a lease purchase agreement with Cisco Systems Capital Corporation (the “Lessor”) and the execution of related documents; and

WHEREAS, the County hereby seeks to refinance the Project so as to pay off Key Government Finance, Inc., in full and to replace its obligation thereto with an agreement with Municipal Leasing Consultants at a lower rate of interest, and

WHEREAS, the County is in compliance with the competitive bidding statutes or other provisions for procurement applicable thereto;

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY LEGISLATURE OF COUNTY OF SULLIVAN, NEW YORK as follows:

Section 1. The Agreement, in substantially the form presented to this County Legislature, is hereby approved and the County Manager has been previously authorized to execute the Agreement subject to any modifications thereto approved by the County Attorney.

Section 2. For the purpose of refinancing the Project, including costs of issuance in connection therewith (or such portion thereof as the County Treasurer shall determine to be in the best financial interests of the County) the execution and delivery of a lease purchase agreement, in an amount not to exceed \$773,213.56 and a rate not to exceed 3.59%, with the Lessor (the “Lease”) is hereby authorized, based upon evaluations of financing alternatives and findings provided in Appendix A attached hereto and hereby determined to be a part hereof. The County Treasurer is hereby authorized to execute all necessary financial documents in order to effectuate the refinancing with Municipal Leasing Consultants, or its designee, at an interest rate not to exceed 3.59%, with the understanding that the Lease agreement previously executed by the County Manager on October 27<sup>th</sup>, 2008 shall remain in full force and effect between Cisco Systems Capital Corporation and the County; it is just the financing arrangement that will change, so that Key Government Finance, Inc. will be repaid in full, having agreed to waive its 3% prepayment penalty, and the payment obligation will be to Municipal Leasing Consultants, or its designee, and

Section 3. All other officers, employees and agents of the County are hereby and directed for and on behalf of the County to execute and deliver all certificates and other

documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 4. All other matters pertaining to the terms and delivery of the Lease shall be determined by the County Treasurer and all powers in connection therewith are hereby delegated to the County Treasurer.

Section 5. This resolution takes effect immediately. The foregoing resolution was duly put to a vote which resulted as follows:

AYES: Sager, LaBuda, Wood, Rouis, Armstrong, Binder, Hiatt

NOES: None

ABSENT: Goodman, Sorensen

The resolution was thereupon declared duly adopted.

**CERTIFICATION FORM**

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF SULLIVAN        )

I, the undersigned Clerk of the County Legislature of the County of Sullivan, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1) That a meeting of the Sullivan County Legislature was duly called, held and conducted on the 19<sup>th</sup> day of February, 2009.
- 2) That such meeting was a regular meeting.
- 3) That attached hereto is a record of the proceeding and the Resolution which was duly adopted at such meeting by the County Legislature.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said County Legislature.
- 5) That all members of the County Legislature had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the legal and customary manner:

**Sullivan County Democrat January 27, 2009 and February 3, 2009**

**River Reporter: January 29, 2009 and February 5, 2009**

Legal Notice dated January 22, 2009

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of Sullivan County this 19<sup>th</sup> day of February, 2009.

(CORPORATE SEAL)

AnnMarie Martin, Clerk of the County Legislature

## APPENDIX A

### EVALUATION OF FINANCING ALTERNATIVES AND FINDINGS STATEMENTS PURSUANT TO GENERAL MUNICIPAL LAW §109-b(3)(d) AND THE REGULATIONS OF THE OFFICE OF THE STATE COMPTROLLER THEREUNDER

- (a) A statement indicating the estimated cost of each capital improvement to be financed, exclusive of the cost of financing. Cisco Systems Equipment at \$485,840.16; Extended Maintenance Cost for Five (5) Years at \$150,773.40; Installation and other services at cost of \$136,213.56 for a total amount to be leased of \$773,213.56. The interest as a result of the refinancing will be reduced from 5.18% to 3.59%, including all costs of said transaction. The term of the repayment may be decreased in the discretion of the County Treasurer from five (5) years to four (4) years in order to make the transaction less costly.
- (b) A statement indicating whether the proposed capital improvements may be financed with indebtedness issued under the Local Finance Law and if not, the specific reasons why such financing is not authorized. It is less costly and more efficient to enter into the installment lease. The purpose of the instant transaction is to refinance such lease, previously executed by the County Manager on October 27, 2008. The lease itself with the equipment provider, Cisco Systems Capital Corporation, will remain in effect, including the five year extended warranty, but the monetary obligation to Key Government Finance, Inc. will be terminated upon repayment, to be replaced by new financing arranged by Municipal Leasing Consultants, 7 Old Town Lane, Grand Isle, VT. 05458, at an interest rate that will not exceed 3.59%, and will save the County money.
- (c) If the capital improvements may be financed with indebtedness, a statement indicating the estimated total cost of the capital improvements, inclusive of the cost of financing, if financed pursuant to the Local Finance Law. If the County were to borrow this money by a series of short term bonds, the interest rate could be subject to change each year of financing and renewal, and would be in an uncertain amount, in a very unfavorable economic climate for borrowing. In addition, the County would incur costs of borrowing each year, instead of the present arrangement which has a favorable rate of interest which will remain stable throughout the term of the payment agreement, and which includes all costs of financing.

- (d) A statement indicating the estimated total cost of the proposed capital improvements, inclusive of the cost of financing, if financed pursuant to an installment purchase contract. \$773,213.56.
  
- (e) A comparison of the estimated total costs required by subdivisions (c) and (d) of this section. Those costs would likely exceed the current costs. Specificity is not possible due to the uncertain rates of interest that the County would incur this year, and in the future, particularly in light of the unstable economic climate and global economic crisis.
  
- (f) A recommendation as to whether it is in the best interests of the political subdivision to finance the capital improvements pursuant to the Local Finance Law or pursuant to an installment purchase contract and the specific reasons for such recommendation. The reasoning is stated in detail hereinabove.

**RESOLUTION NO. 43-09 INTRODUCED BY COMMUNITY AND ECONOMIC  
DEVELOPMENT COMMITTEE TO MAKE TECHNICAL  
CORRECTIONS TO THE EMPIRE ZONE BOUNDARIES**

**WHEREAS**, there has been introduced and presented at a meeting of the Sullivan County Legislature held on February 19, 2009 a proposed Local Law entitled "To Make Technical Corrections to the Empire Zone Boundaries."

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held on said proposed local law by the Sullivan County Legislature on March 19, 2009 at 1:50 PM, in the Legislative Chambers, County Government Center, Monticello, New York, at least six (6) days notice of public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspaper of said County.

**Moved by Mrs. Binder, seconded by Mr. Sager, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion** February 19, 2009.

**COUNTY OF SULLIVAN  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on February 19, 2009, a proposed Local Law entitled "A Local Law to Make Technical Corrections to the Empire Zone Boundaries."

**NOTICE IS FURTHER GIVEN** that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on March 19, 2009 at 1:50 p.m. at which time all persons interested will be heard.

DATED: February 19, 2009  
Monticello, New York

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

**RESOLUTION NO. 44-09 INTRODUCED BY JODI GOODMAN, CHAIR OF THE PLANNING AND ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO SET PUBLIC HEARING FOR A PROPOSED LOCAL LAW OF 2009 TO AMEND COUNTY CODE CHAPTER 164**

**WHEREAS**, there has been introduced and presented at a meeting of the Sullivan County Legislature held on February 19, 2009, a proposed Local Law of the year 2009 entitled "A Local Law to Amend the Sullivan County Code, Chapter 164, Regarding the Sale of County-Owned Property",

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held on said proposed local law by the Sullivan County Legislature on March 19, 2009 at 1:40 PM in the Legislative Chambers, County Government Center, Monticello, New York, and that at least six (6) days notice of said public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspaper of said County.

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion February 19, 2009.**

COUNTY OF SULLIVAN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on February 19, 2009, a proposed Local Law of 2009, entitled "A Local Law to Amend the Sullivan County Code, Chapter 164, Regarding the Sale of County-Owned Property".

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on March 19, 2009 at 1:40PM at which time all persons interested will be heard.

DATED: February 19, 2009  
Monticello, New York

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

**RESOLUTION NO. 45-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO APPORTION MORTGAGE TAX**

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

**WHEREAS**, the County Clerk and the County Treasurer have submitted the quarterly report to the Clerk of the Legislature, and

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

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

**TOWNS**

Bethel	50,046.46
Callicoon	16,921.08
Cochecton	3,370.86
Delaware	16,266.82
Fallsburg	35,658.46
Forestburg	15,354.78
Fremont	5,245.55
Highland	14,926.20
Liberty	37,614.82
Lumberland	18,390.30
Mamakating	53,529.84
Neversink	14,552.80
Rockland	12,070.60
Thompson	71,436.32
Tusten	12,044.08

**VILLAGES**

Bloomingsburg	682.63
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Jeffersonville	829.56
Liberty	6,581.19
Monticello	7,450.07
Woodridge	1,653.95
Wurtsboro	2,268.50
<b>TOTAL</b>	<b>\$396,894.87</b>

Moved by Mr. Wood, seconded by Mrs. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 5, 2009.

**RESOLUTION NO. 46-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2009 COUNTY BUDGET**

WHEREAS, the County of Sullivan 2009 Budget requires modification,

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

Moved by Mr. Armstrong, seconded by Mrs. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

Feb 2009 Modifications to 2009 Sullivan County Budget							
Page	Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
7	Sheriff - Patrol	A-3110-29-R1510-R248	SHERIFF FEE MISC LOCAL GRANT	2,110.00			
7	Sheriff - Patrol	A-3110-29-R2705-R162	GIFT/DONATION DARE	2,000.00			
7	Sheriff - Patrol	A-3110-29-R3389-R167	ST AID PUBLIC SAFETY DEPARTMENTAL AID	1,601.00			
14	DFS - Admin	A-6010-38-R4610-R228	FED AID DFS ADMIN JOBS TITLE XX	30,000.00			
21	Aging - RSVP	A-7610-89-R2705-R338	GIFT/DONATION OTHER	375			
41	Grants Admin	A-1341-40-4001	CONTRACT AGENCIES				25,000.00
45	Real Property Tax Map	A-1355-10-1012	PERSONAL SERV OVERTIME PAY			603	
45	Real Property Tax Map	A-1355-80-8001	EMPL BENFTS FICA AND MEDICARE			46	
45	Real Property Tax Map	A-1355-80-8005	EMPL BENFTS RETIREMENT			66	
N/A	DPW - Transportation Bldg	A-1620-197-44-4404	UTILITY PROPANE			5,000.00	
60	DPW - Gov't Center	A-1620-21-20-2004	TRACKED EQUIP SMALL TOOLS			539	
60	DPW - Gov't Center	A-1620-21-20-2005	TRACKED EQUIP OTHER				539
60	DPW - Gov't Center	A-1620-21-45-4541	SPEC DEPT SUPPLY TOOLS				50
60	DPW - Gov't Center	A-1620-21-45-4549	SPEC DEPT SUPPLY SAFETY			50	
60	DPW - Gov't Center	A-1620-21-47-4702	DEPT EQUIP SERVICE/REPAIRS				500
60	DPW - Gov't Center	A-1620-21-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			500	
62	DPW - Liberty Campus	A-1620-22-20-2005	TRACKED EQUIP OTHER			550	
62	DPW - Liberty Campus	A-1620-22-20-2005	TRACKED EQUIP OTHER			5	
62	DPW - Liberty Campus	A-1620-22-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				550
62	DPW - Liberty Campus	A-1620-22-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				5
62	DPW - Liberty Campus	A-1620-22-47-4702	DEPT EQUIP SERVICE/REPAIRS				825
63	DPW - Liberty Campus	A-1620-22-47-4720	DEPT LABORATORY/XRAY EXPENSE			375	
63	DPW - Liberty Campus	A-1620-22-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			450	
64	DPW - Misc Locations	A-1620-23-44-4405	UTILITY PHONE LAND LINES				375
64	DPW - Misc Locations	A-1620-23-44-4406	UTILITY WIRELESS COMMUNICATIONS				100
64	DPW - Misc Locations	A-1620-23-44-4407	UTILITY OTHER				7,463.00
64	DPW - Misc Locations	A-1620-23-44-4407	UTILITY OTHER				37
64	DPW - Misc Locations	A-1620-23-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				1,825.00
64	DPW - Misc Locations	A-1620-23-45-4541	SPEC DEPT SUPPLY TOOLS			500	
64	DPW - Misc Locations	A-1620-23-45-4549	SPEC DEPT SUPPLY SAFETY			1,325.00	
65	DPW - Misc Locations	A-1620-23-46-4604	MISC SERV/EXP REAL ESTATE TAXES			7,838.00	
65	DPW - Misc Locations	A-1620-23-46-4604	MISC SERV/EXP REAL ESTATE TAXES			268	
65	DPW - Misc Locations	A-1620-23-47-4702	DEPT EQUIP SERVICE/REPAIRS			600	
65	DPW - Misc Locations	A-1620-23-47-4717	DEPT BLDG/PROP REPAIRS				600
65	DPW - Misc Locations	A-1620-23-47-4717	DEPT BLDG/PROP REPAIRS				131
66	DPW - Adult Care Center	A-1620-24-21-2103	FIXED MACHINERY/EQUIPMENT			11,000.00	
66	DPW - Adult Care Center	A-1620-24-44-4404	UTILITY PROPANE				5,000.00
66	DPW - Adult Care Center	A-1620-24-44-4407	UTILITY OTHER				144,642.00
66	DPW - Adult Care Center	A-1620-24-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				5,800.00
66	DPW - Adult Care Center	A-1620-24-46-4604	MISC SERV/EXP REAL ESTATE TAXES			144,642.00	
66	DPW - Adult Care Center	A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				5,500.00
69	DPW - Community Services	A-1620-26-20-2005	TRACKED EQUIP OTHER			550	
69	DPW - Community Services	A-1620-26-47-4730	DEPT JANITORIAL EXPENSE				550
70	DPW - Sheriff: Jail	A-1620-27-47-4717	DEPT BLDG/PROP REPAIRS				450
70	DPW - Sheriff: Jail	A-1620-27-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			450	
73	MIS	A-1680-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER				34,060.00
73	MIS	A-1680-43-4301	COMPUTER SUPPLIES				4,000.00
73	MIS	A-1680-43-4304	COMPUTER MAINTENANCE/SERVICE FEES			25,000.00	
73	MIS	A-1680-43-4307	COMPUTER OTHER			34,060.00	
73	MIS	A-1680-47-4702	DEPT EQUIP SERVICE/REPAIRS			4,000.00	
79	Misc Expense	A-1989-99-47-4736	DEPT CONTINGENT				715
84	Public Safety - E911	A-3020-45-4501	SPEC DEPT SUPPLY MISC/OTHER			1,100.00	
84	Public Safety - E911	A-3020-47-4701	DEPT RENTALS				1,100.00
86	Sheriff - Patrol	A-3110-29-20-2003	TRACKED EQUIP PUBLIC SAFETY			1,601.00	
86	Sheriff - Patrol	A-3110-29-20-2003	TRACKED EQUIP PUBLIC SAFETY			2,110.00	
87	Sheriff - Patrol	A-3110-29-47-4749	DEPT DARE			2,000.00	
98	Stop DVI	A-3315-47-4703	DEPT DUES			571	
98	Stop DVI	A-3315-47-4752	DEPT MISC PROGRAM EXP				571
136	DFS - Admin	A-6010-38-21-2105	FIXED AUTOMOTIVE EQUIP			60,000.00	
172	Parks & Rec - Lake Superior	A-7110-82-42-4205	OFFICE PRINTING			555	
172	Parks & Rec - Lake Superior	A-7110-82-42-4206	OFFICE PUBLICATIONS				50
172	Parks & Rec - Lake Superior	A-7110-82-45-4503	SPEC DEPT SUPPLY RECREATION				505
188	Aging - RSVP	A-7610-89-47-4729	DEPT SPECIAL PROJECTS			375	
			<b>Total A Fund</b>	<b>\$ 36,086</b>	<b>\$ -</b>	<b>\$ 306,729</b>	<b>\$ 240,643</b>
			<b>Grand Total</b>	<b>\$ 36,086</b>	<b>\$ -</b>	<b>\$ 306,729</b>	<b>\$ 240,643</b>



**RESOLUTION NO. 47-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT MEMBERS TO THE LONG TERM CARE COUNCIL FOR SULLIVAN NYCONNECTS (FORMERLY CALLED THE POINT OF ENTRY SYSTEM).**

**WHEREAS**, the County Legislature has authorized the creation of a Long Term Care Council to assist in the development of SULLIVAN NYCONNECTS (formerly called the Point of Entry system), and

**WHEREAS**, there is a need to appoint members to the Long Term Care Council, and

**WHEREAS**, the appointments of members shall be for either a term to end 12/31/09 or a term to end 12/31/10, and

**WHEREAS**, the appointments are to commence on the date this resolution is adopted

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby appoint the following members to the SULLIVAN NYCONNECTS (formerly called Point of Entry) Long Term Care Council, for the term to expire on the date opposite of the name.

Representatives:

Lina Lerentracht (to replace Sharon Yabut)	12/31/10
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Heidi Schneider (to fill a vacancy)	12/31/10
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**Moved by** Mrs. LaBuda, **seconded by** Mrs. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 48-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO APPOINT THREE NEW MEMBERS TO THE SULLIVAN COUNTY PUBLIC HEALTH SERVICES' HEALTH SERVICES ADVISORY BOARD**

**WHEREAS**, Section 357 of the Public Health Law mandates that two members of the Health Services Advisory Board (HSAB) be licensed physicians, with the remaining seven to be known as public members selected on the basis of their interest and knowledge regarding health needs, resources and facilities of the community, and

**WHEREAS**, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members shall have fixed terms of four years, which shall be deemed to run from the first day of the year in which the appointment was made, and

**WHEREAS**, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members may not serve for more than two terms consecutively, and

**WHEREAS**, the terms of several members of the Health Services Advisory Board, Alan Greenbaum, MD, Herman Goldfarb, MD, and Gladys Walker, expired 12/31/08, with all three having served two consecutive terms.

**NOW, THEREFORE, BE IT RESOLVED**, that the individuals listed below be appointed to the Health Services Advisory Board for four-year terms (1/1/09-12/31/12) per Public Health Law.

- 1) Glenn Pontier, PO Box 482, Jeffersonville, NY 12748
- 2) Lisa Baumander, RPh, c/o Medicine Shoppe, 1987 State Route 52, Suite 3,  
Liberty, NY 12754
- 3) Catherine Siebert, MD, Hudson River Health Care, 23 Lakewood Avenue,  
Monticello, NY 12701

**Moved by** Mr. Hiatt, **seconded by** Mrs. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 49-09 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE IN SUPPORT FOR THE CONTINUATION OF THE EMPIRE ZONE PROGRAM**

**WHEREAS**, the economic stability and sustainability of Sullivan County is vital to its residents and businesses; and,

**WHEREAS**, the County of Sullivan is desirous of a balanced economy existing of a range of various types of business, industry, tourism and recreation; and,

**WHEREAS**, the County of Sullivan is cognizant of the need for additional commercial and industrial growth to attain such economic stability and sustainability; and,

**WHEREAS**, the tax revenue generated by businesses throughout Sullivan County and the State of New York provide much needed relief to the individual taxpayers and their families; and,

**WHEREAS**, the New York State Empire Zone program has been a proven stimulus in the growth and revitalization of weakened local economies throughout New York State; and,

**WHEREAS**, the New York State Empire Zone program has been successful in bringing thousands of new jobs to its sponsoring counties; and,

**WHEREAS**, the Sullivan County Empire Zone, established in 2001, has shown great promise for the economy of Sullivan County in both piqued interest of prospective businesses inquiring from outside of New York State and assisting local companies prepare for growth; and,

**WHEREAS**, the State of New York must continue to offer economic development incentives that are necessary to remain competitive with the States of Pennsylvania and New Jersey that offer economic development incentives, and

**WHEREAS**, the New York State Empire Zone program has a planned sunset date of June 30, 2011; and, Sullivan County requests the State of New York to continue its Empire Zone stimulus program beyond 2011 to June 30, 2017.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature, in anticipation of continued success and promise for new job creation within its Empire Zones, hereby requests the State of New York to continue its Empire Zone stimulus program beyond 2011 to June 30, 2017; and

**BE IT FURTHER RESOLVED**, that the New York State Legislature, in an effort to maintain continuity and to stimulate positive momentum, is encouraged to enact legislation that will make the Empire Zone program less bureaucratic, less complex, more targeted, and less costly; and

**BE IT FURTHER RESOLVED**, that the New York State Legislature not consider retroactive application for Empire Zone certification for those businesses that have followed the rules and have come to rely on the State's promise to help their businesses grow; and

**BE IT FURTHER RESOLVED**, that the State of New York must continue to offer economic development incentives that are necessary to remain competitive with the States of Pennsylvania and New Jersey that offer economic development incentives, and

**BE IT FURTHER RESOLVED**, that the Clerk of the Legislature is hereby directed to forward this resolution in support of continuing the Empire Zone program to Governor David A. Paterson, Senator John Bonacic, Assemblywoman Aileen Gunther, and the New York State Association of Counties.

**Moved by Mr. Wood, seconded by Mrs. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 50-09 INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT THE LIST OF THOSE PUBLIC OFFICIALS AND EMPLOYEES OF THE COUNTY OF SULLIVAN WHO ARE REQUIRED TO FILE A FINANCIAL DISCLOSURE STATEMENT**

**WHEREAS**, pursuant to Section 12(a) of the Code of Ethics which became effective on August 10, 1998 the County Legislature shall determine who is required to file a Financial Disclosure Statement by Resolution, and

**WHEREAS**, the County Legislature has determined that persons with the following titles are required to file a Financial Disclosure Statement:

Accounts Payable Coordinator in Audit  
Administrator, Adult Care Center

Administrator, Department of Motor Vehicles  
Assistant County Attorneys  
Assistant Director of Aging Services  
Assistant Director of Nursing Services/Patient Care  
Assistant Director of Purchasing and Central Services  
Assistant Director, Veterans Service Agency  
3rd Assistant District Attorney  
4th Assistant District Attorney  
5th Assistant District Attorney  
6<sup>th</sup> Assistant District Attorney  
7th Assistant District Attorney  
8th Assistant District Attorney  
Assistant Insurance Administrator, Risk Management & Insurance  
Attorneys, Department of Family Services  
Board of Trustees, Sullivan County Community College  
Budget Analyst  
Chairman of the Legislature  
Chief Civil Officer  
Chief Deputy Patrol Division/Internal Affairs  
Chief Information Officer  
Clerk to the Legislature  
Commissioner, Board of Elections  
Commissioner, Family Services  
Commissioner, Division of Health and Family Services  
Commissioner, Planning and Environmental Management  
Commissioner, Division of Public Safety  
Commissioner, Division of Public Works  
Coordinator, Child Support Enforcement Unit  
Coordinator, Human Resources  
Coroner  
County Attorney  
County Auditor  
County Clerk  
County Legislator  
County Manager  
County Treasurer  
Dean of Administration, Sullivan County Community College  
Dean of Students, Sullivan County Community College  
Deputy Administrator, Adult Care Center  
Deputy Clerk to the Legislature  
Deputy Commissioner of Elections  
Deputy Commissioner of Public Works and Engineering  
Deputy Commissioner of Management and Budget  
Deputy County Manager/Commissioner Management and Budget  
Deputy Director of Community Services  
Deputy Public Health Director  
Deputy County Clerk  
Deputy County Treasurer  
Director, Center for Workforce Development  
Director, Department of Real Property Tax  
Director, Nursing Services  
Director, Office for the Aging  
Director of Operations, DPW  
Director, Parks, Recreation and Beautification Programs,  
Director, Probation II  
Director, Public Health Services  
Director, Purchasing and Central Services  
Director, Risk Management & Insurance  
Director, Social Services  
Director, Solid Waste Management  
Director, Temporary and Medical Assistance – Department of Family Services  
Director, Veterans Service Agency  
Director, Youth Bureau  
District Attorney  
Economic Development Programs Supervisor  
Executive Assistant to County Manager  
Executive Assistant District Attorneys  
Executive Director, Community Services

Executive Director, Human Rights  
 Facilities Superintendent  
 Family Services Intervention and Outreach Coordinator  
 Fiscal Administrative Officer, Adult Care Center  
 Fiscal Administrative Officer, Department of Public Works  
 Fiscal Administrative Officer, Community Services  
 Fiscal Administrative Officer, Public Health  
 Fiscal Administrative Officer, Division of Management & Budget  
 Sr. Fiscal Administrative Officer, County Treasurer's Office  
 Garage Superintendent  
 Attorney, Industrial Development Agency  
 Industrial Development Agency Members  
 Jail Administrator, Sheriff's Office  
 Legislative Aide  
 Managing Attorney  
 Personnel Officer  
 President, Sullivan County Community College  
 Road Maintainer Superintendent  
 Secretary, Industrial Development Agency  
 Senior Assistant County Attorney (part-time)  
 Senior Budget Analyst  
 Senior Fiscal Administrative Officer, County Sheriff's Office  
 Sheriff  
 Staff Auditor  
 Treasurer, Industrial Development Agency  
 Trustee, Sullivan County Community College  
 Undersheriff  
 Vice Chair, Industrial Development Agency  
 Vice President, Academic & Student Affairs, Sullivan County Community  
 College

**WHEREAS**, Section 13(1)(a) of the Code of Ethics requires that all statements shall be filed on or before the fifteenth day of May of each year,

**NOW, THEREFORE, BE IT RESOLVED**, that the above list of titles is the official list of titles set by the Sullivan County Legislature and said list contains all of those persons required to file a Financial Disclosure Statement to the Clerk of the Sullivan County Legislature on behalf of the Board on or before May 15, 2008.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO 51-09 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO ESTABLISH RATE OF PAY FOR CORONER'S PHYSICIAN**

**WHEREAS**, Coroners are authorized to select any physician licensed to practice medicine in the State of New York to act as Coroner's Physician for the purpose of performing an autopsy of any person, and

**WHEREAS**, Resolution 174 of 2001 established the rate of pay for coroner's physician at \$1,200 for each forensic autopsy performed, \$1,200 for each decomposition/high risk autopsy performed and \$200 for each day or portion thereof required for testimony in any court or proceeding related to any such judicial proceeding, and

**WHEREAS**, Michael Sikirica, M.D., Coroner's Physician, has requested an increase to a fixed rate of \$1,500.00 per forensic or decomposition/high risk autopsy and \$200 per day or portion thereof required for testimony in court or any proceeding, and

**WHEREAS**, Dr. Sikirica is called in to perform such autopsies at the request of the District Attorney or in difficult cases requiring his expertise.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be authorized to enter into an agreement with Michael Sikirica, M.D. to act as Coroner's Physician and be paid at the rate of \$1,500 per forensic or decomposition/high risk autopsy, not to exceed \$3,000 annually,

plus \$200 per day or portion thereof required for testimony in any court or proceeding related to any such judicial proceeding, effective January 1, 2009.

**Moved by Mr. Sager, seconded by Mrs. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 52-09 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO DISBURSE THE DISTRICT ATTORNEYS RECRUITMENT AND RETENTION PROGRAM GRANT**

**WHEREAS**, the Division of Criminal Justice Services has awarded Contract #T078665 to the Sullivan County District Attorney for the period of January 1, 2008 through December 31, 2008 for the purpose of recruitment and retention, and

**WHEREAS**, the Division of Criminal Justice Services has provided to the County of Sullivan under the contract the sum of \$10,078.00, and

**WHEREAS**, the Sullivan County District Attorney, in determining the allocation of this contract award, has determined that eight (8) Assistant District Attorneys shall receive \$1,259.75 payable to each Assistant District Attorney as part of the retention program and in accordance with the contract requirements.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Treasurer's Office disburse to each Assistant District Attorney as set forth in the enclosure, the amount of \$1,259.75 to augment their 2008 salary and in accordance with the recruitment and retention contract.

**Moved by Mrs. Binder, seconded by Mr. Sager, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 53-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO SET A DEADLINE FOR APPLICATIONS FOR REPURCHASES FOR APRIL 20, 2009 PURSUANT TO SULLIVAN COUNTY CODE ARTICLE II OF CHAPTER 164.**

**WHEREAS**, the County of Sullivan has commenced an action to enforce the collection of 2007 and/or other delinquent real property taxes as of 1/1/95 or thereafter or other lawful charges, which have accumulated and become liens on real property contained in the Verified List of Delinquent Taxes for 2007 and other tax liens for the County of Sullivan filed in the Sullivan County Clerk's office on November 1<sup>st</sup>, 2007, and

**WHEREAS**, the redemption period for all parcels contained on the Verified List of Delinquent Taxes for 2007 and other tax liens ended on January 31, 2009, and

**WHEREAS**, once the redemption period ended in this foreclosure proceeding any person having a right to redeem or answer was forever barred and foreclosed of all of his or her right title and interest and equity of redemption in and to the parcels, and

**WHEREAS**, the Sullivan County Legislature has adopted a local law, known as Article II of Chapter 164 of the Sullivan County Code to permit the previous owner of record to purchase the parcel through a release of the County's interest after the redemption period ends for a limited time, and

**WHEREAS**, the Sullivan County Legislature seeks to allow prior owners of record to take advantage of this repurchase program,

**NOW, THEREFORE, BE IT RESOLVED**, that the deadline to make complete applications for repurchase of real property pursuant to section 164-8 of the Sullivan County Code, and submit them to the Sullivan County Treasurer's Office is no later than April 20, 2009 at 5:00 p.m., and

**BE IT FURTHER RESOLVED**, that an application is deemed fully completed once the application and recording documents are fully executed by the applicant and full payment of delinquent taxes interest and charges as provided by 164-8 of the Sullivan County Code is received by the Sullivan County Treasurer's Office, and

**BE IT FURTHER RESOLVED**, that following the expiration of the repurchase program, all unredeemed properties shall be sold by the County at its public auction commencing on June 10<sup>th</sup> 2009, or as otherwise authorized by the Sullivan County Legislature.

**Moved by Mrs. Binder, seconded by Mr. Wood**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 54-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2009 TAX ROLL OF THE TOWN OF HIGHLAND TAX MAP #7.-1-84.4**

**WHEREAS**, an application dated January 2, 2009 having been filed by Robert J. Hallock Sr. & Angela M. Hallock with respect to property assessed to said applicant on the 2009 tax roll of the Town of Highland Tax Map #7.-1-84.4 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the applicants not receiving a veterans exemption on the parcel.

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 15, 2009 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 and 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 Mrs. Binder, seconded by Mrs. LaBuda**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 55-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2009 TAX ROLL OF THE TOWN OF FALLSBURG TAX MAP #12.-1-65.10**

**WHEREAS**, an application dated January 12, 2009 having been filed by Frank C. Smith & Lori Smith with respect to property assessed to said applicant on the 2009 tax roll of the Town of Fallsburg Tax Map #12.-1-65.10 pursuant to Section 554 of the Real Property Tax Law, to correct an unlawful entry on said tax roll resulting from the applicants parcel not being in the sewer, water, or parking special district yet was charged for being in those special districts; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 26, 2009 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 an unlawful entry.

**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 and 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** Mrs. Binder, **seconded by** Mrs. LaBuda, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 56-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT TAX ROLL OF THE TOWN OF FALLSBURG TAX MAP #3.-1-26.1**

**WHEREAS**, an application dated February 6, 2009 having been filed by Mary DeFilippo with respect to property assessed to said applicant on the 2009 tax roll of the Town of Fallsburg Tax Map #3.-1-26.1 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an incorrect assessment resulting from increase of living area size after renovation while the actual dwelling size has decreased; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 6, 2009 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 and 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** Mrs. Binder, **seconded by** Mrs. LaBuda, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 57-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2009 TAX**

**ROLL OF THE TOWN OF BETHEL TAX MAP #55.E-1-30**

**WHEREAS**, an application dated January 23, 2009 having been filed by Russell & Lorraine Finazzo with respect to property assessed to said applicant on the 2009 tax roll of the Town of Bethel Tax Map #55.E-1-30 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the owner being over assessed for a building where no building exists; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 02, 2009 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 and 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 Mrs. Binder, seconded by Mrs. LaBuda**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 58-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO AUTHORIZE REAL PROPERTY TO CORRECT TAX ROLL & ISSUE A REFUND WHERE NECESSARY**

**WHEREAS**, an application dated January 22, 2009 having been filed by Daniel Sturm, Supervisor, Town of Bethel with respect to property assessed to his constituents on the 2009 tax roll of the Town of Bethel Tax Map # (see attached list), pursuant to Section 556-b of the Real Property Tax Law, to correct a clerical error, on said tax roll resulting from sewer charges applied to parcels that should not have been charged; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 2, 2009 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 sewer charges should not have been charged on these parcels (see attached list).

**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 and 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 refund made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

**Moved by Mrs. Binder, seconded by Mr. LaBuda, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion February 19, 2009.**

**RESOLUTION NO. 59-09 INTRODUCED BY PUBLIC WORKS COMMITTEE TO ACQUIRE PROPERTY ALONG COUNTY ROAD 61 FOR HIGHWAY PURPOSES**

**WHEREAS**, the Division of Public Works has determined that it would be in the public interest for the County to acquire from Ronald Pestone, Executor of the Estate of Josephine Pestone, a parcel situated in the Town of Mamakating described on the Real Property Tax as Section 12, Block 1, Lot 63 along County Road 61, for highway purposes; and

**WHEREAS**, Ronald Pestone has agreed to convey this parcel to the County at no charge.

**THEREFORE, BE IT RESOLVED**, that the County accepts title to the above described property, and that the Chairman of the Legislature be authorized to execute any documents necessary for the conveyance, such documents to be in a form approved by the County Attorney.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion February 19, 2009.**

**RESOLUTION NO. 60-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN INCREASE IN THE ADMISSION FEES AT FORT DELAWARE MUSEUM OF COLONIAL HISTORY.**

**WHEREAS**, Fort Delaware is owned and operated by Sullivan County and maintained by the Division of Public Works; and

**WHEREAS**, it is the goal of the Division of Public Works to make the Fort's operation self sufficient; and

**WHEREAS**, the current fees are inadequate to accommodate rising operational and maintenance costs; and

**WHEREAS**, the Sullivan County Office of Management & Budget has reviewed and supports the below admission increases.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature authorizes the following schedule of admission fees to be effective on May 1, 2009.

General Admission

Adults	\$ 7.00 ea.
Seniors (62 +)	\$ 5.00 ea.
Children (5 - 14)	\$ 4.00 ea.
Under 5	Free
Family Rate (2 adults, 3 children)	\$20.00

Student Days/Group Fees

(One (1) free chaperone per each ten (10) paid student/camper admissions)

Students/Campers	\$ 3.00 ea.
Extra Chaperons	\$ 5.00 ea.

**Moved by Mr. Wood, seconded by Mr. Rouis, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion February 19, 2009.**

**RESOLUTION NO. 61-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO PROVIDE UP TO \$8,500 TO THE EAGLE INSTITUTE**

**WHEREAS**, the Sullivan County Legislature has supported efforts to publicize the presence of the national symbol, the American Bald Eagle, in the County for purposes of tourism development, and

**WHEREAS**, the increase in the number of these magnificent birds in the County has resulted in numerous newspaper articles and other publicity generating public attention to the area, and

**WHEREAS**, the Eagle Institute, a fledgling organization, is solely responsible for guiding visitors to the observation sites, and

**WHEREAS**, the increase in the number of tourist throughout various communities in the County is of benefit to restaurants, bed and breakfasts and other tourism related businesses.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature authorizes a sum up to \$8,500 to the Eagle Institute for eagle activities for the year 2009.

**Moved by Mr. Hiatt, seconded by Mr. LaBuda**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 62-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO APPROPRIATE \$17,100 TO CATSKILL ASSOCIATION OF TOURISM SERVICES (CATS) FOR PROMOTION OF REGIONAL TOURISM**

**WHEREAS**, Resolution No. 470-01 provided for an appropriation for promotion of regional tourism,

**WHEREAS**, each county within the region agreed to contribute funding for regional tourism marketing as per the terms of Senator John Bonacic's initiative, and

**WHEREAS**, the County of Sullivan is a member of the region and as such committed to participating in regional promotion.

**NOW, THEREFORE, BE IT RESOLVED**, that \$17,100 be appropriated for the promotion of regional tourism payable to Catskill Association of Tourism Services for the fiscal year 2009.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 63-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AWARD AND EXECUTE A CONTRACT FOR A FACILITIES IMPROVEMENT PROJECT FOR ENERGY EFFICIENCY AT THE SULLIVAN COUNTY HEALTH AND FAMILY SERVICES COMPLEX IN LIBERTY, NY**

**WHEREAS**, the Sullivan County Legislature adopted a "Green Vision" in 2007, and

**WHEREAS**, this resolution specifically identifies the "operation of county buildings in a sustainable manner, by conducting regular energy audits, decreasing energy needs and increasing energy efficiency, and encouraging alternative energy production" as a specific item in the implementation of a plan of action to achieve the "Green Vision," and

**WHEREAS**, the County formalized the Office of Sustainable Energy in 2008 to promote and pursue energy savings through efficiency and alternative energy, and

**WHEREAS**, the County issued a Request for Proposals for a facilities improvement project for energy efficiency at the Health and Family Services Complex in Liberty, NY, inclusive of the

Travis Building, Community Services Administration Building, and the Shared Health Clinic, and

**WHEREAS**, the project must be inclusive of a comprehensive energy audit that, once completed, will provide a list of potential projects to reduce energy usage from which the County may select for inclusion in the final construction project; and

**WHEREAS**, the cost of construction of the final project must be offset by annual energy savings, and payments must be structured such that a net-zero impact is realized in the County's operating budget, and

**WHEREAS**, proposals were received for said project, and

**WHEREAS**, upon review it was determined that Wendel Energy Services of Buffalo, New York is the most responsible vendor for such work, and

**WHEREAS**, the Office of Sustainable Energy approves said proposal and recommends that a contract be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute a contract with Wendel Energy Services, at a contract price not to exceed \$10,100 for the comprehensive energy audit, and is in accordance with RFP #R-08-33, dated February 17, 2009, said contract will be in such form as the County Attorney shall approve, and

**BE IT FURTHER RESOLVED**, that upon completion of the comprehensive energy audit, the County shall review the resulting list of potential projects and select those that best fit the needs of the County for inclusion in the final construction contract.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 64-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO CONTRACT WITH AUTHORIZED STATE EARLY INTERVENTION AND/OR STATE EDUCATION DEPARTMENT PROVIDERS**

**WHEREAS**, Sullivan County provides mandated Early Intervention and Developmental Educational Services to eligible children from Sullivan County; and

**WHEREAS**, the Service Provider(s) listed below have applied for and have been accepted by the authorized State Agency for delivery of said services; and

**WHEREAS**, Sullivan County is mandated to pay for Early Intervention Services and Developmental Educational Services at state-set rates for eligible children from Sullivan County.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be authorized to execute a **Pre-School contract** with the following approved State Education Department service provider(s) for the period 2/1/09 to 6/30/11, and

**BE IT FURTHER RESOLVED**, that the form of such contract be approved by the Sullivan County Department of Law.

**NYS Dept. of Health NYS Education Department (SED) provider:**

Partnership for Education  
Family & Educational Consultants, LLC  
268 West Saugerties Road  
Saugerties, NY 12477  
Services: Speech Therapy

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 65-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE EXECUTION OF A CONTRACT FOR ENGINEERING SERVICES IN CONNECTION WITH THE CLOSURE OF THE SULLIVAN COUNTY PHASE I LANDFILL**

**WHEREAS**, the County has received proposals for engineering services for the closure of the Sullivan County Phase I Landfill (Resolution 406-08); and

**WHEREAS**, said proposals have been reviewed by the Sullivan County Division of Public Works and a recommendation of award made.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute a contract for engineering services in connection with the closure of the Sullivan County Phase I Landfill with Cornerstone Engineering, PLLC in an amount not to exceed \$183,352, said contract shall be in a form approved by the County Attorney.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 66-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE THE EXECUTION OF AGREEMENTS WITH MUNICIPALITIES FOR PARTICIPATION IN THE COUNTY'S CLEANUP INITIATIVE 2009 PROGRAMS**

**WHEREAS**, the County will provide landfill space to municipalities for the disposal of municipal cleanup debris under such terms and conditions set forth by the County; and

**WHEREAS**, the municipalities will authorize their participation by their respective legislative bodies.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to execute agreements with the participating municipalities and the agreements shall be in a form approved by the County Attorney.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 67-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT**

**WHEREAS**, bids were received for lawn mowing services at various locations throughout the County, and

**WHEREAS**, various vendors (see below) were determined to be the lowest responsible bidders for various locations,

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute contracts as follows:

<u>Vendor</u>	<u>Site</u>	<u>Price/Cutting</u>
1. Smith Lawn Maintenance, LLC Youngsville, NY 12791	Govt. Center (edging \$160/mo.)	240.00
	Courthouse (edging \$105.00/mo.)	100.00
	Lake Superior Park	
	650.00	
	Veterans' Cemetery	
135.00		
	Liberty Complex	
740.00		
	Livingston Manor Covered Bridge	
85.00		
2. Sazoff & Sons Landscaping	Stone Arch Bridge	
	186.00	

Liberty, NY 12754

Fort Delaware Museum  
189.00  
Minisink Battleground Park  
190.00

and in accordance with Bid #B-08-72, said contracts to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion February 19, 2009.**

**RESOLUTION NO. 68-09 INTRODUCED BY GOVERNMENT SERVICES  
COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT**

**WHEREAS**, the County of Sullivan received a New York State grant under the Local Records Management Improvement Funds in the amount of \$47,186.00 for the purpose of electronically archiving records made and maintained by the Office of the Sullivan County Clerk, and

**WHEREAS**, proposals were received and the Office of the County Clerk wishes to contract with Info Quick Solutions, Inc., to accomplish a portion of the records archival, at a cost not to exceed \$26,016.00, and

**WHEREAS**, Info Quick Solutions, Inc. has the expertise to perform said services.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute a contract with Info Quick Solutions, Inc. to perform said services at a total cost not to exceed \$26,016.00, said contract to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion February 19, 2009.**

**RESOLUTION NO. 69-09 INTRODUCED BY GOVERNMENT SERVICES  
COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT**

**WHEREAS**, bids were received for Landfill Gas Collection & Control System Improvements, and

**WHEREAS**, B & M Excavating Co., LLC, 157 West Main Street, Dudley, MA 01571, is the lowest responsible bidder for such work, and

**WHEREAS**, the Division of Public Works recommends that said bid be approved and a contract executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and is hereby authorized to execute a contract with B & M Excavating Co., LLC, at a contract price not to exceed \$160,280.00, and in accordance with Bid #B-08-76, said contract to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Binder, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and declared duly adopted on motion February 19, 2009.**

**RESOLUTION NO. 70-09 INTRODUCED BY GOVERNMENT SERVICES  
COMMITTEE TO AUTHORIZE MODIFICATION TO EXISTING CONTRACT**

**WHEREAS**, pursuant to Resolution No. 407-08, adopted by the Sullivan County Legislature on November 20, 2008, the County Manager executed a contract with Rolling V Bus Corporation, dated 1/1/09 (“original agreement”), and

**WHEREAS**, pursuant to the original agreement, Rolling V Bus Corporation has agreed to perform transportation services for Welfare to Work Program for 2009 at a cost not to exceed \$248,625.00, and

**WHEREAS**, the Request for Proposal, R-08-32, which was the basis for the contract and the price was based upon Rolling V Bus Corporation’s use of three (3) county vehicles, and

**WHEREAS**, only one (1) vehicle is available for use by Rolling V Bus Corporation, and

**WHEREAS**, Rolling V Bus Corporation has agreed to continue performing services but requires an increase in fees in the amount of \$16,657.87, so that the total annual contract for Welfare To Work shall now be \$265,282.87.

**WHEREAS**, it is in the best interest of the County to enter into a Modification Agreement reflecting the increase in fees as described above.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute a Modification Agreement with Rolling V Bus Corporation, to increase the annual contract for the Welfare To Work Program, to an amount not to exceed \$265,282.87, said Modification Agreement to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 71-09 INTRODUCED BY GOVERNMENT SERVICES  
COMMITTEE TO MODIFY AWARD OF CONTRACT**

**WHEREAS**, there is an existing contract with Fred A. Cook, Jr., Inc., Bid Contract No. B-05-64, authorized by Resolution No. 351-05, adopted by the Sullivan County Legislature on October 20, 2005, “original agreement”, and

**WHEREAS**, additional funding is required due to contract amount exceedance for emergency services (January 2008, emergency leachate removal), and

**WHEREAS**, the total contract price, for 2008, was \$76,704, and

**WHEREAS**, in order to pay the vendor for services performed, in excess of the contract price, it will be necessary to enter into a Modification Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute a Modification Agreement with Fred A. Cook Jr., Inc., in the amount not to exceed \$21,200.00, said Modification to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 72-09 INTRODUCED BY GOVERNMENT SERVICES  
COMMITTEE TO AUTHORIZE MODIFICATION AGREEMENT WITH  
FRONTRUNNER NETWORK SYSTEMS**

**WHEREAS**, pursuant to Resolution No. 528-06, adopted by the Legislature on December 21, 2006, the County entered into a contract with Frontrunner Network Systems for Telephone Maintenance (“original agreement”), and

**WHEREAS**, the contract shall expire on February 28, 2009, and

**WHEREAS**, Frontrunner Network Systems is prepared to continue to perform those services at the Sullivan County Jail Complex, for the term of March 31, 2009 – August 31, 2009, at a cost not to exceed \$3,643.00, and

**WHEREAS**, in order to extend the original agreement, it will be necessary to enter into a Modification Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to enter into a Modification Agreement with Frontrunner Network Systems, extending the original agreement for a six month term at a contract cost not to exceed \$3,643.00 (for the Sullivan County Jail Complex only), said Modification Agreement to be approved to form by the County Attorney’s Office.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 73-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE MODIFICATION TO EXISTING CONTRACT**

**WHEREAS**, the County utilizes the services of Malcolm Pirnie, Inc. for Groundwater Quality Monitoring Reports at the Sullivan County Landfill, and

**WHEREAS**, the County would like to continue to retain the services of Malcolm Pirnie, Inc. for the term of April 1, 2009 – March 31, 2010 at the same contract cost of \$59,750.00.

**WHEREAS**, Resolution 126-08 contained a typographical error regarding the contract dates, the previous resolution, 126-08, is hereby amended to reflect a modified contract term of April 1, 2008 to March 31, 2009.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized execute a contract modification with Malcolm Pirnie, Inc. for the term April 1, 2009 – March 31, 2010, at a cost not to exceed \$59,750.00, said contract to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

**RESOLUTION NO. 74-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO AUTHORIZE A MODIFICATION TO A CONTRACT WITH THE GERRY FOUNDATION, INC., FOR ASSISTANCE ON THE COUNTYWIDE OPEN SPACE PLAN**

**WHEREAS**, the Sullivan 2020 Strategic Plan set forth a strategy to develop an Open Space Plan to identify and preserve open space throughout the County; and

**WHEREAS**, pursuant to Resolution No. 68-07, the Sullivan County Legislature authorized a contract with the Department of State Quality Communities Program to administer a grant in order to promote the Open Space Plan; and

**WHEREAS**, pursuant to Resolution No. 135-08, the Sullivan County Legislature authorized a contract with The Gerry Foundation to assist with the compilation of the Open Space Plan; and

**WHEREAS**, Sullivan Renaissance, a program of The Gerry Foundation, Inc., has the ability to partner with the County of Sullivan and the Division of Planning and Environmental

Management to assist with the compilation, printing and implementation of the Open Space Plan; and

**WHEREAS**, the County of Sullivan was used as a pass through entity to issue payment to The Gerry Foundation, Inc. for services in an amount not to exceed \$15,000 provided at no cost to the County for the contract period beginning March 31, 2008 and ending March 31, 2009; and

**WHEREAS**, the County of Sullivan will be used as a pass through entity to issue payment to The Gerry Foundation, Inc. for services in an additional amount not to exceed \$2,000 for a total amended contract of \$17,000 provided at no cost to the County for the contract period beginning March 31, 2008 and ending March 31, 2009.

**NOW, THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature authorizes the County Manager to execute an amended contract with The Gerry Foundation, Inc. in order to promote the open space plan in an amount not to exceed \$17,000, said contract to be in a form as approved by the County Attorney's Office.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

#### **RESOLUTION NO. 75-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE MODIFICATION TO EXISTING CONTRACT**

**WHEREAS**, the County utilizes the services of Cornerstone Environmental Group, LLC, for Professional Engineering Services for Air Quality Reports and Related Landfill Gas System/Odor Control Issues at the Sullivan County Landfill, and

**WHEREAS**, the County would like to continue to retain the services of Cornerstone Environmental Group, LLC, for the term of April 1, 2009 – March 31, 2010, at the same contract cost of \$129,181.05.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized execute a contract modification with Cornerstone Environmental Group, LLC, for the term April 1, 2009 – March 31, 2010, at a cost not to exceed \$129,181.05, said contract to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Binder**, put to a vote with Mrs. Goodman and Mr. Sorensen absent, unanimously carried and **declared duly adopted on motion** February 19, 2009.

Chairman Rouis indicated that we received good news from the court system regarding the NYRI Project and through the diligent efforts of several counties, will come to an end. The second thing is he knows we have done some press releases and we have been pushing for the motor vehicle department in the county because we do receive a fee as opposed to the on-line version. He knows that the County Clerk has been trying to make that process as painless as possible. So if everyone would remember to register their vehicles here, the county does get a piece of that fee which we don't otherwise get and which offsets the cost.

There being no further comments, Mr. Armstrong moved to adjourn, seconded by Mr. Wood, put to a vote and carried. The Regular Meeting was declared closed at 2:22PM subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk of the Legislature