

**Sullivan County Legislature
Special Meeting
April 2, 2009 at 12:00PM**

The Special Meeting of the County Legislature was called to order at 12:01PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following Meeting Notice:

A Special Meeting of the County Legislature has been called for **Thursday, April 2, 2009 at 12:00PM** in the Legislative Chambers of the County Government Center, Monticello, N.Y. The purpose of the meeting is to set a public hearing for a proposed local law, alter procedures regarding the County's repurchase policy, authorize an easement agreement with the Village of Bloomingburg and any other business that may come before the Legislature.

Business in Order:

RESOLUTION NO. 113-09 INTRODUCED BY JONATHAN ROUIS, DISTRICT 4 LEGISLATOR, TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN EASEMENT AGREEMENT WITH THE VILLAGE OF BLOOMINGBURG REGARDING A PORTION OF COUNTY ROAD 62 (WINTERTON ROAD)

WHEREAS, the Village of Bloomingburg ("Village") would like to install water and sewer lines on a portion of County Road 62 (Winterton Road) in both the Village and Town of Mamakating and has approached the County of Sullivan ("County") to acquire access, and

WHEREAS, the County may grant access by entering into an Easement Agreement with the Village to permit the installation of the water and sewer lines, and

WHEREAS, the specifics of the sections involved on County Road 62 (Winterton Road) are contained in the description attached hereto.

NOW THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an Easement Agreement with the Village as detailed above, said Easement Agreement to be in a form approved by the County Attorney's Office.

Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion April 2, 2009.

RESOLUTION NO. 114-09 INTRODUCED KATHLEEN LABUDA, DISTRICT 2 LEGISLATOR; ELWIN WOOD, DISTRICT 3 LEGISLATOR; JONATHAN F. ROUIS, DISTRICT 4 LEGISLATOR; FRANK ARMSTRONG, DISTRICT 5 LEGISLATOR; JODI GOODMAN, DISTRICT 6 LEGISLATOR; LENI BINDER, DISTRICT 7 LEGISLATOR; RON HIATT, DISTRICT 8 LEGISLATOR AND ALAN J. SORENSEN, DISTRICT 9 LEGISLATOR, TO DIRECT THE COUNTY TREASURER TO WITHHOLD CASHING CERTAIN CHECKS PENDING A PUBLIC HEARING AND DETERMINATION ON A PROPOSAL TO AMEND LOCAL LAW 2 OF 2009.

WHEREAS, Local Law 2 of 2009 deals, among other things, with the program pursuant to which former property owners may, for a limited time and pursuant to specific requirements, repurchase property acquired by the County pursuant to tax foreclosure, and

WHEREAS, one requirement of the repurchase program is that the former owner must, in addition to other specified amounts, also pay to the County "... an additional sum in the amount of five (5%) percent of the full equalized assessed value of the property ...", and

WHEREAS, in view of the current economic situation in the County the County Legislature will consider waiving the requirement for the additional 5%, but not other amounts, with respect to repurchases made during the 2009 repurchase period, and

WHEREAS, the County Legislature has set a public hearing for April 16, 2009 on a proposed local law entitled "A Local Law to Amend Local Law 2 of 2009 with respect to a one year waiver, in 2009, solely of the requirement for '... an additional sum in the amount of five (5%) percent of the full equalized assessed value of the property' to be paid by persons repurchasing, as that term is set forth in Local Law 2 of 2009, of foreclosed property during the 2009 repurchase period'", and

WHEREAS, in order to insure that former property owners are able to repurchase such properties prior to the end of the repurchase period and even before the County Legislature votes on the proposed amendment to Local Law 2 of 2009 without having to pay such additional 5% amount,

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer is hereby directed as follows:

1. In the event any former owners seek to repurchase their properties during the 2009 repurchase period but prior to the vote by the County Legislature on whether to amend Local Law 2 of 2009 so as to waive the aforesaid 5% fee for 2009, the Treasurer shall require that the former owner pay the amount of the aforesaid 5% in a separate check, separate and apart from all other amounts due on the repurchase.
2. Upon receiving such separate checks for the 5% amount the Treasurer shall hold such checks and shall not deposit them until the County Legislature has held the public hearing and has voted on the proposed Local Law to amend Local Law 2 of 2009.
3. In the event Local Law 2 of 2009 is amended, as discussed above, said separate checks for the 5% amounts shall thereupon be returned to those who have repurchased their property pursuant to the provisions hereof. In the event Local Law 2 of 2009 is not amended the Treasurer shall thereupon deposit such separate 5% checks

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote with Mr. Sager opposed, resolution carried and declared duly adopted on motion April 2, 2009.

Mrs. Binder stated that unfortunately, we are in a bad economic climate right now. The process now is if people pay their taxes there is no penalty. Basically there should not be a process that we try and balance our budget on the backs of other people's misfortunes. If we can save one person from this, it is what we should be doing. About ten years ago we started an Amnesty Program which was created by Steve Kurlander and it is probably the best thing that we did. People should know that we understand their problems. All she is asking now about these two resolutions moving these two resolutions is that we allow a one-time amnesty program of having the penalty waived which is a large chunk.

The Clerk could not hear County Attorney Yasgur's comments as he was not speaking into the microphone.

RESOLUTION NO. 115-09 INTRODUCED BY KATHLEEN LABUDA, DISTRICT 2 LEGISLATOR; ELWIN WOOD, DISTRICT 3 LEGISLATOR; JONATHAN F. ROUIS, DISTRICT 4 LEGISLATOR; FRANK ARMSTRONG, DISTRICT 5 LEGISLATOR;

JODI GOODMAN, DISTRICT 6 LEGISLATOR; LENI BINDER, DISTRICT 7 LEGISLATOR; RON HIATT, DISTRICT 8 LEGISLATOR AND ALAN J. SORENSEN, DISTRICT 9 LEGISLATOR, TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED "A LOCAL LAW TO AMEND LOCAL LAW 2 OF 2009 WITH RESPECT TO A ONE YEAR WAIVER, IN 2009, SOLELY OF THE REQUIREMENT FOR '... AN ADDITIONAL SUM IN THE AMOUNT OF FIVE (5%) PERCENT OF THE FULL EQUALIZED ASSESSED VALUE OF THE PROPERTY' TO BE PAID BY PERSONS REPURCHASING, AS THAT TERM IS SET FORTH IN LOCAL LAW 2 OF 2009, OF FORECLOSED PROPERTY DURING THE 2009 REPURCHASE PERIOD."

WHEREAS, Local Law 2 of 2009 deals, among other things, with the program pursuant to which former property owners may, for a limited time and pursuant to specific requirements, repurchase property acquired by the County pursuant to tax foreclosure, and

WHEREAS, one requirement of the repurchase program is that the former owner must, in addition to other specified amounts, also pay to the County "... an additional sum in the amount of five (5%) percent of the full equalized assessed value of the property ...", and

WHEREAS, in view of the current economic situation in the County the County Legislature will consider waiving the requirement for the additional 5%, but not other amounts, with respect to repurchases made during the 2009 repurchase period, and

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on April 2, 2009 a proposed Local Law entitled "A Local Law to Amend Local Law 2 of 2009 with respect to a one year waiver, in 2009, solely of the requirement for '... an additional sum in the amount of five (5%) percent of the full equalized assessed value of the property' to be paid by persons repurchasing, as that term is set forth in Local Law 2 of 2009, of foreclosed property during the 2009 repurchase period."

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on April 16, 2009, at 10:00AM in the Legislative Chambers, County Government Center, Monticello, New York, and 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 newspapers of said County.

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote with Mr. Sager opposed, resolution carried and declared duly adopted on motion April 2, 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 April 2, 2009, a proposed Local Law, entitled "**A LOCAL LAW TO AMEND LOCAL LAW 2 OF 2009 WITH RESPECT TO A ONE YEAR WAIVER, IN 2009, SOLELY OF THE REQUIREMENT FOR '... AN ADDITIONAL SUM IN THE AMOUNT OF FIVE (5%) PERCENT OF THE FULL EQUALIZED ASSESSED VALUE OF THE PROPERTY' TO BE PAID BY PERSONS REPURCHASING, AS THAT TERM IS SET FORTH IN LOCAL LAW 2 OF 2009, OF FORECLOSED PROPERTY DURING THE 2009 REPURCHASE PERIOD.**"

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 April 16, 2009 at 10:00AM at which time all persons interested will be heard.

DATED: April 2,, 2009

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

RESOLUTION NO. 116-09 INTRODUCED DAVID A. SAGER, DISTRICT 1 LEGISLATOR, KATHLEEN LABUDA, DISTRICT 2 LEGISLATOR; ELWIN WOOD, DISTRICT 3 LEGISLATOR; JONATHAN F. ROUIS, DISTRICT 4 LEGISLATOR; FRANK ARMSTRONG, DISTRICT 5 LEGISLATOR; JODI GOODMAN, DISTRICT 6 LEGISLATOR; LENI BINDER, DISTRICT 7 LEGISLATOR; RON HIATT, DISTRICT 8 LEGISLATOR AND ALAN J. SORENSEN, DISTRICT 9 LEGISLATOR.

WHEREAS, as a result of a tax foreclosure proceeding the County is in possession of two contiguous parcels of property located in a portion of the Town of Forestburgh known as Merriewold Park (hereinafter collectively the "Subject Property"), and

WHEREAS, the Subject Property parcels are identified on the County's Real Property Tax Maps as, 17.-4-2 (which parcel consists of 4.17 acres and contains a house) and 17.-4-3 (which parcel is approximately 134' X 148' of vacant land), and

WHEREAS, the Merriewold Park homeowners organization, known as the Merriewold Club, Incorporated, has requested permission to purchase the Subject Property by means of a private sale, and

WHEREAS, pursuant to Section 4(C)(1) of Local Law 2 Of 2009 "a private sale may be authorized on a case-by-case basis by Resolution of the Legislature after considering the recommendation of the Real Property Advisory Board" and

WHEREAS, pursuant to Section 4(C)(2)& (3) of Local Law 2 of 2009 the Legislature hereby determines that a private sale of the Subject Property to the Merriewold Club, Incorporated would be in the best interest of the County and hereby designates the Subject Property for such a private sale, which sale: (1) shall be at fair market value, and (2) shall be subject to final approval of the County Legislature,

NOW THEREFOR BE IT RESOLVED:

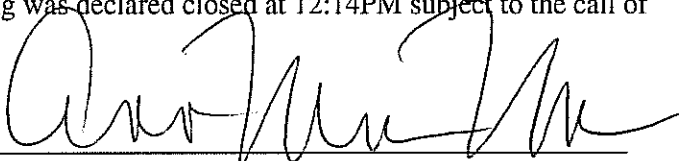
1. The Subject Property, identified on the County's Real Property Tax Maps as, 17.-4-2 (which parcel consists of 4.17 acres and contains a house) and 17.-4-3 (which parcel is approximately 134' X 148' of vacant land) are hereby designated for private sale to the Merriewold Club, Incorporated.
2. The County Manager is hereby authorized to retain a qualified appraiser to provide the County with a current appraisal of the fair market value of the Subject Property.
3. The County Manager and the County Attorney are hereby authorized to negotiate the terms of a private sale of the Subject Property to the Merriewold Club, Incorporated provided that the Merriewold Club, Incorporated shall pay the County a fair market price based on the aforesaid appraisal of the Subject Property and shall also pay for the cost of such appraisal, and further provided that said agreement shall be finalized and submitted to the County Legislature no later than three weeks prior to the County's scheduled June auction of foreclosed properties.

4. The final agreement with Merriewold Club, Incorporated must be submitted to the County Legislature for its approval.
5. In the event no agreement is reached with Merriewold Club, Incorporated no later than three weeks prior to the scheduled June auction of foreclosed properties the authorization for a private sale shall be deemed revoked and the Subject Property shall be sold in such auction.

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote, unanimously carried and declared duly adopted on motion April 2, 2009.

Chairman Rouis announced that we have no meetings next week due to the Passover and Easter Holidays.

There being no further comments, Mrs. Goodman moved to adjourn, seconded by Mr. Hiatt, put to a vote and carried. The Special Meeting was declared closed at 12:14PM subject to the call of the Chairman.



ANNMARIE MARTIN, Clerk of the Legislature