

**Sullivan County Legislature
Regular Meeting
May 21, 2009 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:02PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. The IDA Annual Report, Annual Audit Report and Annual Financial Report filed by Jennifer Brylinski, Executive Director on April 28, 2009.
2. Letter dated May 18, 2009 from Chairman Jonathan F. Rouis creating a new standing committee "Sustainability Policy Committee", indicating its membership and replacing Mr. Hiatt , Chairman of the Veterans Committee with Mr. Armstrong
3. Letter dated May 18, 2009 from Ron Hiatt, Chairman of the Sustainability Policy Committee indicating it will hold its 2009 regular bi monthly meetings on the first Thursday at 1:30PM starting June 4th.
4. Certificate of Recognition received for the Sullivan County Legislature from the Literacy Volunteers of Sullivan County

Public Comment:

Chairman Rouis recognized the following speaker:

1. Priscilla Basset stated she is very happy to be here this afternoon on behalf of SLAC (Senior Legislative Action Committee). They brought before the Government Services Committee a concern and hope that the lever voting machine could be retained in the State of New York. For people that don't know, that is a possibility. They are very happy that the Government Services Committee voted unanimously to bring forth the resolution which will be discussed later. Now every voting place in the state has a valid marketing device to make voting accessible to the disabled. The state is in compliance with the HAVA (Help America Vote Act), passing legislation on a state level that is now required to rescind the provision of ERMA (Education Reform Modernization Act) of 2005, a state bill which required computer voting but was passed before the advent of the dollar marking the device as being in place throughout the state. Passage of this resolution adds Sullivan County to the effort with several other counties in the Association of Towns and Counties to avoid the expenditure of substantial amounts of federal tax dollars in the purchase, maintenance, technical support, training, storage, etc., of unneeded optical scanners. Furthermore, we are concerned about the security of their vote. At this time, the lever (or leever), however, voting machines preserve their right to the secure and accurate count of our votes. She urges the legislature to follow the lead of the Government Services Committee and pass this legislation. She appreciates the position of the County Commissioner of Elections but we believe taking action on this issue can avoid unnecessary expense and protect the security of our voting process.

Chairman Rouis stated that this time of year each legislator looks forward to the recognition of the Valedictorians of the school districts of Sullivan County. The legislature is honored to have everyone here today to give you the recognition that they have earned for their great work they have earned. At this time he called upon Susan Schmidt, the Chief Operating Officer of Sullivan County BOCES to call up the Valedictorians and Superintendents.

Mrs. Schmidt congratulated all the Valedictorians. It is her pleasure to introduce all the Superintendents who will call upon their own Valedictorians.

Presentation: 2009 Valedictorians

Susan Schmidt, BOCES Assistant Superintendent, introduced the District Superintendents for each school as follows:

<u>School</u>	<u>Superintendent</u>	<u>Valedictorian</u>
Eldred	Dr. Berneice Brownwell	Regina Young

Fallsburg	Dr. Ivan Katz	Ruth McCoy
Liberty	Michael Vanyo	Stefanie Cuttita
Monticello	Dr. Pat Michel	Rachel Zager
Sullivan West	Kenneth Hilton	Ella MacDonald
Roscoe	Carmine Giangreco	Katelyn Horton (not present) (Certificate presented to her father)
Tri Valley	Tom Palmer	Daniel Killian
Livingston Manor	No one was present from this school	Hillary Hoag

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 21st day of May, 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, Goodman, Binder, Hiatt, Sorensen

ABSENT: None

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

BOND RESOLUTION NO. 160 OF 2009 DATED May 21, 2009.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY COSTS OF LANDFILL CLOSURE 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 ("SEQRA"), have been performed and SEQRA materials are on file in the office of the Clerk of the County Legislature where they may be inspected during normal office hours; 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 specific object or purpose of paying costs of landfill closure, in and for the County of Sullivan, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$7,000,000 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 specific object or purpose is \$7,000,000, and that the plan of financing thereof is by the issuance of the \$7,000,000 bonds of said County authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty (20) years, pursuant to subdivision 6-b 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. Principal of and interest on said bonds are hereby determined to be paid from the County Landfill Reserve Fund. To the extent not paid therefrom, 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, Goodman, Binder, Hiatt, Sorensen

NOES: None

ABSENT: None

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the 21st day of May, 2009.
2. That such meeting was a **regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

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

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

River Reporter January 29, 2009 and February 5, 2009

POSTING Government Center Lobby) 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 21st day of May, 2009.

(CORPORATE SEAL) AnnMarie Martin, Clerk, County Legislature

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on May 21, 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,
May 21, 2009.

AnnMarie Martin Clerk, County Legislature

BOND RESOLUTION NO. 160 OF 2009 DATED May 21, 2009.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY COSTS OF LANDFILL CLOSURE IN AND FOR SAID COUNTY.

Specific object or purpose:	Landfill closure costs
Period of probable usefulness:	20 years
Amount of obligations to be issued:	\$7,000,000 bonds
SEQRA status:	Negative declaration. SEQRA compliance materials may be inspected at the office of the Clerk of the County Legislature during normal office hours.

BOND RESOLUTION

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at the County Government Center, in Monticello, New York, on the 21st day of May, 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, Goodman, Binder, Hiatt, Sorensen

ABSENT: None

The following resolution was offered by Mr. Sorensen, who moved its adoption, seconded by Mr. Hiatt, to-wit:

BOND RESOLUTION NO. 161 OF 2009 DATED MAY 21, 2009.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,052,500 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF PROFESSIONAL ENGINEERING SERVICES FOR THE PLANNING AND DESIGN OF AN EXPANSION OF THE MATERIALS RECOVERY FACILITY AND SOLID WASTE TRANSFER STATION AT THE COUNTY LANDFILL IN AND FOR SAID COUNTY.

WHEREAS, the capital projects hereinafter described, as proposed, have each been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; 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 specific object or purpose of paying the cost of professional engineering services for the planning, permitting, and design of an expansion of the Materials Recovery Facility and solid waste transfer station at the County Landfill, in and for the County of Sullivan, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$1,052,500 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 specific object or purpose is \$1,052,500, and that the plan of financing thereof is by the issuance of the \$1,052,500 bonds of said County authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is five (5) years, pursuant to subdivision 62(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, Goodman, Binder, Hiatt, Sorensen

NOES: None

ABSENT: None

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:

- 8. That a meeting of the Issuer was duly called, held and conducted on the 21st day of May, 2009.
- 9. That such meeting was a **regular** (circle one) meeting.
- 10. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 11. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 12. That all members of the Board of the Issuer had due notice of said meeting.
- 13. 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".
- 14. 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)

above in item 1)

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

River Reporter January 29, 2009 and February 5, 2009

POSTING Government Center Lobby January 22, 2009

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 21st day of May, 2009.

AnnMarie Martin, Clerk, County Legislature

(CORPORATE SEAL)

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on May 21, 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,
May 21, 2009.

AnnMarie Martin, Clerk, County Legislature

BOND RESOLUTION NO. 161 OF 2009 DATED MAY 21, 2009.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,052,500 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF PROFESSIONAL ENGINEERING SERVICES FOR THE PLANNING AND DESIGN OF AN EXPANSION OF THE MATERIALS RECOVERY FACILITY AND SOLID WASTE TRANSFER STATION AT THE COUNTY LANDFILL IN AND FOR SAID COUNTY.

Specific object or purpose:	Professional engineering services for the planning and design of an expansion of the Materials Recovery Facility and solid waste transfer station at the County Landfill
Period of probable usefulness:	5 years
Amount of obligations to be issued:	\$1,052,500 bonds
SEQRA status:	Type II Action. SEQRA compliance materials may be inspected at the office of the Clerk of the County Legislature during normal office hours.

BOND RESOLUTION

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at the County Government Center, in Monticello, New York, on the 21st day of May, 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, Goodman, Binder, Hiatt, Sorensen

ABSENT: None

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

BOND RESOLUTION NO. 162 OF 2009 DATED MAY 21, 2009.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF THE PURCHASE AND INSTALLATION OF A REPLACEMENT DIGITAL MICROWAVE LINK SYSTEM, IN AND FOR SAID COUNTY.

WHEREAS, the capital projects hereinafter described, as proposed, have each been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; 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 specific object or purpose of paying the cost of the purchase and installation of a replacement digital microwave link system, in and for the County of Sullivan, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$200,000 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 specific object or purpose is \$200,000, and that the plan of financing thereof is by the issuance of the \$200,000 bonds of said County authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is ten (10) years, pursuant to subdivision 25 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, Goodman, Binder, Hiatt, Sorensen

NOES: None

ABSENT: None

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:

- 15. That a meeting of the Issuer was duly called, held and conducted on the 21st day of May, 2009.
- 16. That such meeting was a **regular** (circle one) meeting.
- 17. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 18. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 19. That all members of the Board of the Issuer had due notice of said meeting.
- 20. 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".
- 21. 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 Government Center Lobby 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 21st day of May, 2009.

(CORPORATE SEAL) AnnMarie Martin, Clerk, County Legislature

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on May 21, 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,
May 21, 2009.

AnnMarie Martin, Clerk, County Legislature

BOND RESOLUTION NO. 162 OF 2009 DATED MAY 21, 2009.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF THE PURCHASE AND INSTALLATION OF A REPLACEMENT DIGITAL MICROWAVE LINK SYSTEM, IN AND FOR SAID COUNTY.

Specific object or purpose:	Purchase/installation of a replacement digital microwave link system
Period of probable usefulness:	10 years
Amount of obligations to be issued:	\$200,000 bonds
SEQRA status:	Type II Action. SEQRA compliance materials may be inspected at the office of the Clerk of the County Legislature during normal office hours.

RESOLUTION NO. 163-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2008 COUNTY BUDGET

WHEREAS, the County Clerk collects various fees that are passed onto New York State and the Towns within Sullivan County, and;

WHEREAS, the collections made on behalf of the State and Towns are booked as revenues and the corresponding remittances to the State are booked as expenses throughout the year, and;

WHEREAS, the 2008 budget was modified to account for the State and Town pass through money, prior to the accounts being netted out to zero dollars during the year end fiscal closeout, and;

WHEREAS, our external auditors have deemed such action to be appropriate and have recommended that we modify the County Clerk's 2008 budget to remove the pass through expenses and revenues attributable to New York State and or the Towns within Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the attached budgetary transfers be authorized to reduce revenues and expenses in the County Clerk's 2008 budget to remove the pass through expenses and revenues attributable to New York State and the Towns within Sullivan County.

Moved by Mrs. Binder, seconded by Mr. Armstrong, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

Dec 2008
Modifications to 2008 Sullivan County Budget

Page	Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
5	County Clerk - Main Unit	A-1410-10-R1255-R344	CLERK FEE STATE MORTGAGE TAX		945,000		
5	County Clerk - Main Unit	A-1410-10-R1255-R345	CLERK FEE STATE OTHR TAX/FEE		2,938,132		
5	County Clerk - Main Unit	A-1410-10-R1255-R348	CLERK FEE TOWN MORTGAGE TAX		2,215,580		
5	County Clerk - DMV	A-1410-11-R1255-R345	CLERK FEE STATE OTHR TAX/FEE		1,398,347		
63	County Clerk - Main Unit	A-1410-10-48-4840	MISC SERV/EXP STATE MORTGAGE TAX				945,000
63	County Clerk - Main Unit	A-1410-10-48-4841	MISC SERV/EXP STATE OTHER TAXES/FEES				2,938,132
63	County Clerk - Main Unit	A-1410-10-48-4842	MISC SERV/EXP TOWN MORTGAGE TAX				2,215,580
65	County Clerk - DMV	A-1410-11-48-4841	MISC SERV/EXP STATE OTHER TAXES/FEES				1,398,347
Grand Total				\$ -	\$ 7,495,039	\$ -	\$ 7,495,039

RESOLUTION NO. 164-09 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 and unanimously carried and declared duly adopted on motion May 21, 2009.

May 2009
Modifications to 2009 Sullivan County Budget

Page	Department	Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
3	Tax Collection	A-1330-R3040-R167	ST AID REAL PROPRTY DEPARTMENTAL AID	34,000			
4	Real Property	A-1355-R3040-R167	ST AID REAL PROPRTY DEPARTMENTAL AID		34,000		
7	Sheriff - Patrol	A-3110-29-R2626-R247	FORFEITR CRIME PROCDS MISC FEE/REIMBURSMNT	1,000			
9	Public Health - Child Safety	A-4010-35-R3401-R167	ST AID PUBLIC HEALTH DEPARTMENTAL AID	2,000			
17	CvD	A-6293-R4791-R178	FED AID VIA DISLOCATED WORKER	84,453			
17	CvD	A-6293-R4791-R341	FED AID VIA ADULT	56,791			
36	Tax Collection	A-1330-43-4301	COMPUTER SUPPLIES			34,000	
44	Real Property	A-1355-43-4301	COMPUTER SUPPLIES				34,000
48	County Attorney	A-1420-42-4205	OFFICE PRINTING			950	
48	County Attorney	A-1420-46-4614	MISC SERV/EXP LABOR ARBITRATION			10,000	
57	DPW - Storm Stations	A-1620-19-44-4403	UTILITY KEROSENE				370
57	DPW - Storm Stations	A-1620-19-44-4407	UTILITY OTHER			350	
57	DPW - Storm Stations	A-1620-19-45-4524	SPEC DEPT SUPPLY LUMBER			200	
57	DPW - Storm Stations	A-1620-19-45-4537	SPEC DEPT SUPPLY DIESEL FUEL				200
57	DPW - Storm Stations	A-1620-19-47-4717	DEPT BLDG/PROP REPAIRS			20	
N/A	DPW - Transportation Bldg	A-1620-197-44-4401	UTILITY ELECTRIC			1,000	
59	DPW - Gov't Center	A-1620-21-44-4401	UTILITY ELECTRIC				1,000
61	DPW - Liberty Campus	A-1620-22-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				425
62	DPW - Liberty Campus	A-1620-22-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			425	
63	DPW - Misc Locations	A-1620-23-42-4203	OFFICE OFFICE SUPPLIES			180	
63	DPW - Misc Locations	A-1620-23-45-4501	SPEC DEPT SUPPLY MISC/OTHER			125	
63	DPW - Misc Locations	A-1620-23-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				825
63	DPW - Misc Locations	A-1620-23-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			300	
63	DPW - Misc Locations	A-1620-23-45-4541	SPEC DEPT SUPPLY TOOLS			200	
63	DPW - Misc Locations	A-1620-23-45-4541	SPEC DEPT SUPPLY TOOLS			500	
63	DPW - Misc Locations	A-1620-23-45-4542	SPEC DEPT SUPPLY WELDING			10	
63	DPW - Misc Locations	A-1620-23-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			825	
63	DPW - Misc Locations	A-1620-23-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			500	
64	DPW - Misc Locations	A-1620-23-47-4702	DEPT EQUIP SERVICE/REPAIRS			730	
64	DPW - Misc Locations	A-1620-23-47-4717	DEPT BLDG/PROP REPAIRS				1,910
64	DPW - Misc Locations	A-1620-23-47-4717	DEPT BLDG/PROP REPAIRS				635
65	DPW - Adult Care Center	A-1620-24-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				230
65	DPW - Adult Care Center	A-1620-24-45-4526	SPEC DEPT SUPPLY PAINT			35	
65	DPW - Adult Care Center	A-1620-24-45-4541	SPEC DEPT SUPPLY TOOLS			45	
65	DPW - Adult Care Center	A-1620-24-45-4549	SPEC DEPT SUPPLY SAFETY			150	

WHEREAS, Sullivan County does not have the same titles as New York State but would like to provide similar job descriptions; and

WHEREAS, the job descriptions and hourly salaries for said positions have been evaluated and the Division of Public Works and Personnel Department make the following recommendations:

<u>Full Time Position</u>	<u>Hourly Rate</u>
Laborer I (Seasonal)	\$ 9.38
Laborer I (Seasonal)	\$ 9.38
Park Entry Attendant	\$ 9.38

<u>Part Time Position</u>	<u>Hourly Rate</u>
Watch Person	\$14.36

WHEREAS, the approximate cost of these positions (including benefits) to Sullivan County is \$20,000.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature creates stated positions and adopts the recommended salary schedule effective May 21, 2009.

Moved by Mr. Wood, seconded by Mrs. LaBuda, put to a vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 166-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO INCREASE DR. NAMBI SALGUNAN HOURLY RATE

WHEREAS, due to increase responsibilities of Dr. Nambi Salgunan, Psychiatrist within the Sullivan County Department of Community Services; and

WHEREAS, the Department of Community Services is looking to increase Dr. Nambi Salgunan, Psychiatrist hourly rate an additional \$10.00 per hour; and

WHEREAS, this rate change shall take effect May 1st, 2009; and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute a modification to the contract to increase Dr. Nambi Salgunan's hourly rate to an additional \$10.00 per hour effective May 1st, 2009.

BE IT FURTHER RESOLVED, the form of said contract to be approved by the Sullivan County Attorney's Office.

Moved by Mr. Hiatt, seconded by Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 167-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT THE FOLLOWING MEMBER(S) TO THE COMMUNITY SERVICES BOARD OF ALCOHOL AND SBUSTANCE ABUSE SUB-COMMITTEE

WHEREAS, there is a need to appoint the following member(s) to the Community Services Board Sub-Committees; and

NOW, THEREFORE, BE IT RESOLVED, the following individual(s) be appointed as a member of the Sullivan County Community Services Board Sub-Committees for the term to expire on the date set opposite their names:

ASA SUB-COMMITTEE	TERM
Izetta Briggs-Bolling	1/1/2009 - 12/31/2012

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 168-09 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO APPOINT A MEMBER 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 a member 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 appointment is to commence on the date this resolution is adopted

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint the following member 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.

Representative:

Erin McGinley	12/31/10
(To fill a vacancy)	

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 169-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AMEND RESOLUTION 511-08 TO ADD CARMEN BENITEZ WITH A CORRECT EXPIRATION

WHEREAS, pursuant to Resolution No. 490-04 the Sullivan County Legislature created a Sullivan County Commission on Human rights (hereinafter "Commission"); and

WHEREAS, Resolution No. 109-05 appointed the members to the Commission for designated terms; and

WHEREAS, Resolution No. 113-06 indicates that all future terms are to commence on January 1 and terminate on December 31 in the year in which they are scheduled to terminate.

WHEREAS, Resolution No. 511-08 should have had Carmen Benitez listed also with an expiration date of December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby correct the expiration term of Carmen Benitez as follows:

<u>Member</u>	<u>Term Expires</u>
Carmen Benitez	December 31, 2011

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 170-09 INTRODUCED BY THE CAPITAL PLANNING AND BUDGETING COMMITTEE TO RESCIND 2002 SERIAL BOND AUTHORIZATIONS NOT HAVING BEEN BORROWED

WHEREAS, serial bond resolution 373 of 2002 authorized various capital projects, among them \$2,460,000 for county building construction and reconstruction with a twenty year period of probable usefulness and \$1,843,500 for parking lot construction and reconstruction with a ten year period of probably usefulness, and

WHEREAS, \$1,636,500 and \$1,258,500 of the authorizations have not been borrowed, respectively, and

WHEREAS, there is no intention of utilizing the authorized borrowing.

NOW, THEREFORE, BE IT RESOLVED, that \$1,636,500 of bond authorization associated with county building construction and reconstruction with a period of probably usefulness and \$1,843,500 for parking lot construction and reconstruction with a ten year period of probably usefulness originally authorized through resolution 373 of 2002 is hereby rescinded.

Moved by Mr. Sorensen, **seconded by** Mrs. Binder, put to a vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 171-09 INTRODUCED BY THE CAPITAL PLANNING & BUDGETING COMMITTEE TO AMEND THE CAPITAL PLAN TO AUTHORIZE THE PROCUREMENT OF A REPLACEMENT VEHICLE FOR THE CENTER FOR WORKFORCE DEVELOPMENT, UTILIZING AUTHORIZED FEDERAL FUNDS

WHEREAS, the County of Sullivan has been awarded additional federal funds to support the Center For Workforce Development (CWD); and

WHEREAS, the CWD utilizes vehicles to transport program participants from time to time; and

WHEREAS, one of the vehicles utilized by CWD is in need of replacement; and

WHEREAS, the New York State Department of Labor has reviewed the request to utilize federal funds for the procurement of a vehicle for the CWD.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the County of Sullivan, hereby amends the adopted Capital Plan in accordance with Section C2.02(N) of the Sullivan County Charter, upon a two-thirds vote of the membership thereof as follows:

1. The Center For Workforce Development is authorized to procure a replacement vehicle - \$20,000 in appropriate federal funds authorized by the New York State Department of Labor.

Moved by Mr. Armstrong, **seconded by** Mr. Sorensen, put to a roll call vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 172-09 INTRODUCED BY JONATHAN ROUIS, CHAIRMAN OF THE LEGISLATURE, RON HIATT, VICE CHAIRMAN OF THE LEGISLATURE, KATHLEEN LABUDA, MAJORITY LEADER, LENI BINDER, MINORITY LEADER, DAVID A SAGER, CHAIRMAN OF THE PERSONNEL COMMITTEE, ELWIN "WOODY" WOOD, DISTRICT 3 LEGISLATOR, FRANK ARMSTRONG, DISTRICT 5 LEGISLATOR, JODI GOODMAN, DISTRICT 6 LEGISLATOR, AND ALAN SORENSEN, DISTRICT 9 LEGISLATOR, AUTHORIZING THE COUNTY MANAGER TO EXECUTIVE DOCUMENTS NECESSARY TO RATIFY THE TERMS AND CONDITIONS OF THE TENTATIVE AGREEMENT WITH THE TEAMSTERS LOCAL 445 "DPW SUPERVISORY UNIT" COLLECTIVE BARGAINING UNIT REPRESENTING COUNTY EMPLOYEES

WHEREAS, the Collective Bargaining Agreements (CBA) with all of the organizations that represent County employees expired on December 31, 2007, and

WHEREAS, the County Manager, in accordance with his duties specified in the County Charter, has reached a Tentative Agreement with the Teamsters Local 445 “DPW Supervisory Unit” that has been ratified by the respective membership of said organization on May 12, 2009, and

WHEREAS, it is in the best interests of Sullivan County for the County Legislature to ratify said Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Legislature hereby authorizes:

1. Authorizes the County Manager to execute any documents necessary to ratify the terms and conditions of the Tentative Agreement with the Teamsters Local 445 “DPW Supervisory Unit” Collective Bargaining Unit representing County Employees.
2. Ratifies the Tentative Agreement that the County Manager reached with the Teamsters Local 445 “DPW Supervisory Unit”, which was ratified unanimously by their respective election that was held on Tuesday, May 12, 2009.
3. Authorizes the Payroll Department to process the one-time payment of \$1,250, as detailed in the referenced Tentative Agreement. The \$1,250 one-time payment shall not be added to the base pay of the respective employees.

BE IT FURTHER RESOLVED that the County Manager is directed to execute any and all documents as authorized above, in a form that is acceptable to the Special Labor Counsel and the County Attorney.

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 173-09 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE THE CREATION OF THE SOLID WASTE FACILITIES CAPITAL ACCOUNT FOR THE SPECIFIC OBJECT OR PURPOSE OF PAYING THE COST OF PROFESSIONAL ENGINEERING SERVICES FOR THE PLANNING, PERMITTING, AND DESIGN OF AN EXPANSION OF THE MATERIALS RECOVERY FACILITY AND SOLID WASTE TRANSFER STATION AT THE COUNTY LANDFILL, INCLUDING INCIDENTAL IMPROVEMENTS AND EXPENSES IN CONNECTION THEREWITH, IN AN AMOUNT NOT TO EXCEED \$1,052,500

WHEREAS, the County of Sullivan has authorized a contract for the professional engineering services for the planning, permitting, and design of an expansion of the Materials Recovery Facility and solid waste transfer station at the County Landfill, in an amount not to exceed \$1,052,500; and

WHEREAS, there is a need to create a Solid Waste Facilities Capital Account for an amount not to exceed \$1,052,500 for professional services; and

WHEREAS, there will be a need to increase the overall amount for the Solid Waste Facilities Capital Account, once the construction costs of the expansion of the Materials Recovery Facility and solid waste transfer station at the County Landfill have been estimated by Cornerstone Engineering.

NOW, THEREFORE, BE IT RESOLVED, that a capital account be created with a budget of \$1,052,500 for the professional engineering services for the planning, permitting, and design of an expansion of the Materials Recovery Facility and solid waste transfer station at the County Landfill.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 174-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE CREATION OF THE LANDFILL CLOSURE CAPITAL

WHEREAS, the County of Sullivan has undertaken the closure of the remaining cells of the Phase I Landfill; and

WHEREAS, the Landfill Closure Reserve Fund has sufficient available funds to fund those elements of landfill closure which includes but is not limited to engineering design and construction oversight, cap construction and landfill gas system installations; and

WHEREAS, in the event it becomes necessary to use said funds imminently, it would be prudent to have this account in place so that money could be deposited therein.

NOW, THEREFORE, BE IT RESOLVED, that a capital account be created for the closure of the Phase I Landfill so that funds from the existing landfill reserve fund may be transferred thereto, as needed.

Moved by Mrs. Binder, seconded by Mr. Sorensen, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 175-09 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO AMEND THE CAPITAL PLAN TO INCORPORATE A SOLID WASTE CAPITAL PLAN FOR 2009 AND 2010

WHEREAS, the County of Sullivan has authorized a contract for the professional engineering services for the planning, permitting, and design of an expansion of the Materials Recovery Facility and solid waste transfer station at the County Landfill, in an amount not to exceed \$1,052,500; and

WHEREAS, the County of Sullivan has undertaken the closure of the remaining cells of the Phase I Landfill; and

WHEREAS, the adopted Capital Plan included with the adopted 2009 Sullivan County Budget must be amended to incorporate a Solid Waste Capital Plan for 2009 and 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the County of Sullivan, hereby amends the adopted Capital Plan in accordance with Section C2.02(N) of the Sullivan County Charter, upon a two-thirds vote of the membership thereof as follows:

2. The capping and closure of the Phase I landfill, for those elements of landfill closure which includes but is not limited to engineering design and construction oversight, cap construction, and landfill gas system installations - \$7,000,000 in short-term financing.
3. Professional engineering services for the planning, permitting, and design of an expansion of the Materials Recovery Facility and solid waste transfer station at the County Landfill - \$1,052,500 in initial short-term financing that may be converted to long-term financing.
4. Construction of an expansion of the Materials Recovery Facility and solid waste transfer station at the County Landfill - \$6,000,000 in long-term financing.

Moved by Mr. Sorensen, seconded by Mr. Hiatt, put to a roll call vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 176-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO INCREASE THE RESTITUTION SURCHARGE

WHEREAS, the Sullivan County Probation Department (“Probation”) is the designated agency of the County responsible for the collection and administration of restitution ordered pursuant to the New York State Penal Law; and

WHEREAS, pursuant to New York State Criminal Procedure Law §420.10(8) Probation is eligible to collect a surcharge for the collection and administration of restitution payments; and

WHEREAS, pursuant to New York State Penal Law §60.27(8) the standard surcharge is set at five percent (5%) of the amount actually collected but the surcharge can be increased up to an additional five percent (5%) in the event that the costs associated with the collection and administration of restitution exceed the five percent (5%) standard rate; and

WHEREAS, Probation's costs associated with the collection and administration of restitution is far in excess of ten percent (10%) of the amount collected; and

WHEREAS, in order for Probation to be entitled to any increase over the standard five percent (5%) surcharge, Probation must comply with the administrative procedures contained in New York State Penal Law §60.27(8).

NOW, THEREFORE, BE IT RESOLVED, that Probation is authorized to increase the surcharge associated with the collection and administration of restitution payments to ten percent (10%), provided that Probation is in compliance with New York State Penal Law §60.27(8).

Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 177-09 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE THE CREATION OF THE EMERGENCY MANAGEMENT MICROWAVE COMMUNICATION CAPITAL ACCOUNT

WHEREAS, the County utilizes radio towers and microwave signals to enable radio communication throughout the County; and

WHEREAS, there is the need to replace an aging microwave data link system at the Elk Point Tower in Liberty, NY which utilizes technology from the 1980s; and

WHEREAS, Emergency Management, E911, and DPW have recommended the replacement of the existing microwave link at the Elk Point Tower in Liberty, NY at an estimated cost not to exceed \$200,000.

NOW, THEREFORE, BE IT RESOLVED, that a capital account be created with a budget of \$200,000 for the purchase and installation of a replacement Digital Microwave Link System at the Elk Point Tower in Liberty, NY.

Moved by Mr. Wood, seconded by Mr. Armstrong, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 178-09 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO INCREASE THE CASH DRAWER AMOUNT AT SULLIVAN COUNTY SOLID WASTE FACILITIES

WHEREAS, Sullivan County solid waste facilities currently maintain the sum of one hundred and fifty dollars for cash transactions; and

WHEREAS, said amount is no longer adequate to facilitate cash transactions.

NOW, THEREFORE, BE IT RESOLVED, that the cash drawer amount to be maintained at Sullivan County solid waste facilities be increased to the sum of two hundred and fifty dollars.

Moved by Mrs. Binder, seconded by Mr. Sorensen, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 179 -09 INTRODUCED BY THE PERSONNEL COMMITTEE TO AUTHORIZE THE COUNTY ATTORNEY TO FILL VACANT ASSISTANT COUNTY ATTORNEY POSITION AND SET SALARY

WHEREAS, as of March 31, 2009 there is a vacancy of an Assistant County Attorney in the Office of the County Attorney; and

WHEREAS, the County Attorney has conducted interviews and determined the best candidate to fill the vacant position; and

WHEREAS, the County Attorney's Office would like to fill the position effective May 11, 2009 at the salary of \$67,980.00 per year.

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney is hereby authorized to fill the aforesaid position at a maximum of \$67,980 per year.

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 180-09 INTRODUCED BY DAVID A. SAGER, DISTRICT 1 LEGISLATOR, TO AUTHORIZE THE SULLIVAN COUNTY OFFICE OF THE COUNTY MANAGER TO SETTLE AND PAY DISPUTED "STEP" INCREASES TO THE APPROPRIATE MEMBERS OF THE SULLIVAN COUNTY JAIL DEPUTIES' DIVISION

Whereas, failure on the county's part to settle this dispute accordingly will likely lead to poor employer/employee relations.

It is hereby resolved that:

- 1.) The Legislature of Sullivan County duly directs the County Manager to award the "Step" increases to the Sullivan County Sheriff's Deputies Jail Division since the expiration of their previous contract on December 31, 2007.

Moved by Mr. Sager, seconded by Mr. Armstrong, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 181-09 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	23,014.34
Callicoon	17,390.66
Cochecton	4,715.56
Delaware	4,364.24
Fallsburg	26,347.87
Forestburg	5,620.21
Fremont	4,827.68
Highland	13,504.44
Liberty	23,631.20
Lumberland	9,795.01
Mamakating	50,715.40
Neversink	17,981.76
Rockland	15,722.87

Thompson	57,189.81
Tusten	6,358.61

VILLAGES

Bloomington	646.74
Jeffersonville	852.58
Liberty	4,134.58
Monticello	5,964.31
Woodridge	1,222.09
Wurtsboro	2,149.23
TOTAL	\$296,149.19

Moved by Mrs. Binder, seconded by Mr. Armstrong, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 182-09 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE AND DIRECT THE SULLIVAN COUNTY TREASURER TO ESTABLISH A DEDICATED ACCOUNT FOR THE WIA ADULT AND DISLOCATED WORKER NEEDS RELATED PAYMENTS (“PROGRAM”).

WHEREAS, the Center for Workforce Development is in receipt of funding under the American Recovery and Reinvestment Act (“Act”) to provide training, education and necessary supportive services to Sullivan County residents, and

WHEREAS, the Act requires that local areas provide Needs Related Payments to eligible participants enrolled in training and education programs, and

WHEREAS, the timeframe and the Program needs necessitate both quick turnover and immediate access to funds dedicated to the Program, and

WHEREAS, in order to implement such expedited access to funds, it is necessary to create a dedicated fund for the deposit of funds related only to the Program and the disbursement of funds only for expenditures related to the Program, and

WHEREAS, it will be necessary for the Sullivan County Treasurer to establish such a dedicated fund as described above.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes and directs the Sullivan County Treasurer to establish a dedicated account strictly for deposit and disbursement of funds related to the Program.

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 183-09 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO REQUEST THAT THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION INCLUDE THE IMPROVEMENTS TO EXIT 106 OF STATE ROUTE 17 IN THEIR FEDERAL FISCAL YEAR 2009 PROGRAMMING

WHEREAS, the New York State Department of Transportation (NYSDOT) has request input from the County of Sullivan regarding the status of the Exit 106 improvements, and

WHEREAS, the Commissioner of the Division of Public Works and the County Manager have recommended that the County request the NYSDOT to include the improvements to Exit 106 of State Route 17 in the NYSDOT Federal Fiscal Year 2009 programming, and

WHEREAS, the improvements to Exit 106 of State Route 17 are prudent, necessary, and integral to Sullivan County’s Economic Development Public Policy and Transportation Circulation Planning, and

WHEREAS, it is in the best interests of Sullivan County for the NYSDOT to include the improvements to Exit 106 of Route 17 in their Federal Fiscal Year 2009 programming.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Legislature hereby requests that New York State Department of Transportation include the improvements to Exit 106 of State Route 17 in the Federal Fiscal Year 2009 programming, and

BE IT FURTHER RESOLVED that the Clerk of the Legislature is hereby directed to transmit a copy of this resolution to the Commissioner of the New York State Department of Transportation, the Director of Region nine of the New York State Department of Transportation, Governor David A. Paterson, U.S. Senator Chuck Schumer, U.S. Senator Kirsten Gillibrand; Congressman Maurice Hinchey, Senator John Bonacic, Assemblywoman Aileen Gunther, the Town of Thompson, the Village of Monticello, and the Sullivan County Partnership for Economic Development.

Moved by Mr.Sorensen, seconded by Mrs. LaBuda, put to a vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 184-09 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY ELEMENT SPECIFIC BRIDGE PAINTING ECONOMIC RECOVERY PROJECT.

WHEREAS, the Sullivan County Bridge Painting, 22 Structures, Sullivan County, PIN 9753.54, Economic Recovery Project (hereinafter “the Project”) in the County of Sullivan, (hereinafter ‘the Municipality/Sponsor”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-Federal funds; and

WHEREAS, Bond Resolution No. 41 dated February 19, 2009 has authorized funding.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature agrees to advance the Project through the County of Sullivan’s resources and authorizes the County Treasurer to appropriate \$2,225,000 from the capital account to pay in the first instance the full Federal and non-Federal costs of any and all phase(s) or portions thereof, to complete the Project including all phase(s) or portions thereof; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature makes a 100% commitment of the Federal and non-Federal share (if any) of the costs of the Construction and Construction Supervision and Inspection phase of work for the Project or portions thereof, with the Federal share of such costs to be applied by the New York State Department of Transportation pursuant to the State/Local Agreement; and

BE IT FURTHER RESOLVED, that upon completion of construction of the Project, or a fully usable portion thereof, the County of Sullivan agrees to maintain the Project, or fully usable portion thereof, at their sole cost and expense; and

BE IT FURTHER RESOLVED, that in the event the full Federal and non-Federal share of the Projects exceeds the amount appropriated above, the Sullivan County Legislature shall convene as soon as possible to appropriate said excess amount immediately; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to: execute all necessary Agreements or certifications on behalf of the County of Sullivan with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement, in such forms as approved by the County Attorney; and providing for the administration of the Projects and the County of Sullivan’s first instance funding of the Federal and non-Federal share of project costs; and permanent funding of the Local share of Federal-aid and State-aid eligible Project costs; and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 185-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND TO ACCEPT HEAL NY PHASE 9 LOCAL HEALTH PLANNING FUNDING

WHEREAS, Rockland County applied for and was awarded funding for the HEAL NY Phase 9 Grant, which is a cooperative planning initiative to better deliver health care services and align health care resources in our local communities, and

WHEREAS, Sullivan County will be allotted \$75,000 of this funding to implement the following tasks/deliverables:

- Establish a consensus at regular quarterly intervals on a set of regionally collected epidemiological data to facilitate ongoing assessment and identification of priority areas.
- Conduct focus groups in August 2009 with key stakeholders to solicit feedback on the Regional Performance Monitoring process.
- Sponsor a regional summit in April 2010 for public health representatives to identify cost-effective models of care to improve regional outcomes with respect to each priority area.
- Coordinate the activities of the grant; act as a liaison for the Sullivan County Department of Health (Sullivan County Public Health Services) with the other local health departments in the Hudson Valley and New York Medical College, attend all the regional meetings
- Conduct focus groups and participate in data collection efforts, coordinating this project with the local Community Health Assessment efforts to ensure there is no duplication of effort or data collection from targeted populations.
- Participate in outreach and publicity efforts and attend local and regional meetings with the Project Lead.
- Assimilate all data from focus groups, hospital and local health planning data in quarterly and final report formats as well as provide monthly and quarterly updates to the Project Director on collection efforts.
- Complete the work associated with the program, including planning and implementing meetings, collecting data to report on to regional entity, acting as liaisons with the community and completing all reports associated with the grant.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into an agreement with the **County of Rockland Department of Health, 50 Sanatorium Road, Building D, Pomona, NY 10970**, to accept funding in the amount of \$75,000, for the period 3/01/09 – 2/28/11 , and

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

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 186-09 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF LIBERTY TO PROVIDE ACCOMMODATIONS FOR SEIZED ANIMALS.

WHEREAS, in the course of their official duties, the Sullivan County Sheriff's Office and the Sullivan County Probation Department are sometimes required to seize animals, and

WHEREAS, when animals are seized by the Sullivan County Sheriff's Office or the Sullivan County Probation Department, the County of Sullivan ("County") must make arrangements for accommodations providing appropriate and proper care for the animals, and

WHEREAS, the Town of Liberty ("Town") has an animal shelter and is willing and able to provide accommodations with appropriate and proper care for the animals at a cost not to exceed \$3,000.00 annually, and

WHEREAS, it is necessary for the County to enter into an Inter-Municipal Agreement (“IMA”) with the Town to provide for accommodations for seized animals.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an IMA with the Town for the period January 1, 2009 through December 31, 2009, at a cost not to exceed \$3,000.00 annually, to provide accommodations for animals seized by the County, said IMA to be in a form approved by the County Attorney.

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 187-09 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH HUDSON TRANSIT LINES, INC. FOR THE PROVISION OF PUBLIC TRANSPORTATION

WHEREAS, pursuant to Resolution No. 585-07 adopted by the Sullivan County Legislature on December 20, 2007 the County entered into an agreement with Hudson Transit Lines, Inc. for the provision of public transportation; and

WHEREAS, it is in the best interest of the County to continue having Hudson Transit Lines, Inc. continue to provide such services.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into an agreement with Hudson Transit Lines, Inc. for the provision of public transportation; and

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

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 188-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO CONTRACT WITH AUTHORIZED STATE EARLY INTERVENTION AND 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 **Early Intervention contracts** with the following approved State Early Intervention provider(s) for the period 6/1/09 to 12/31/12; and

BE IT FURTHER RESOLVED, that the County Manager be authorized to execute a **Pre-School contract(s)** with the following approved State Education Department service provider(s) for the period 6/1/09 to 6/30/12, and

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

NYS Dept. of Health Early Intervention Services & NYS Education Department (SED) provider:

Making Milestones
7 Cameron Lane
Goshen, NY 10924

Services: Speech Therapy

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 189-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO CONTRACT WITH AUTHORIZED STATE EARLY INTERVENTION AND 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 **Early Intervention contracts** with the following approved State Early Intervention provider(s) for the period 5/1/09 to 12/31/12; and

BE IT FURTHER RESOLVED, that the County Manager be authorized to execute a **Pre-School contract(s)** with the following approved State Education Department service provider(s) for the period 5/1/09 to 6/30/12, and

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

NYS Dept. of Health Early Intervention Services & NYS Education Department (SED) provider:

Bethany Walz, SLP, Edward O'Malley, OT, Tami Doyle, PT, PLLC (or assigns or heirs)
848 Horseshoe Lake Road
Swan Lake, NY 12783

Services: Speech Therapy, Occupational Therapy, Physical Therapy

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 190-09 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO CONTRACT WITH AUTHORIZED STATE EARLY INTERVENTION AND 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 **Early Intervention contracts** with the following approved State Early Intervention provider(s) for the period 6/1/09 to 12/31/12; and

BE IT FURTHER RESOLVED, that the County Manager be authorized to execute a **Pre-School contract(s)** with the following approved State Education Department service provider(s) for the period 6/1/09 to 6/30/12, and

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

NYS Dept. of Health Early Intervention Services & NYS Education Department (SED)

provider:

Marianne Frampton
PO Box 1472
Highland, NY 12528
Services: Speech Therapy

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 191-09 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH JOANNE GEROW TO PROVIDE ACCOMMODATIONS FOR SEIZED ANIMALS, OTHER THAN DOGS

WHEREAS, in the course of their official duties, the Sullivan County Sheriff's Office and the Sullivan County Probation Department are sometimes required to seize animals, and

WHEREAS, when animals are seized by the Sullivan County Sheriff's Office or the Sullivan County Probation Department, the County of Sullivan must make arrangements for accommodations providing appropriate and proper care for the animals, and

WHEREAS, the County has made an agreement with the Town of Liberty to provide for the accommodation of seized dogs, but must make accommodations for animals other than dogs, and

WHEREAS, Joanne Gerow is willing and able to provide accommodations and proper care for seized animals other than dogs at a flat fee of \$75.00 per call, plus 55 cents per mile, adjustable based upon the prevailing IRS rate, and any other terms in the agreement deemed appropriate by the County Attorney,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an agreement for the period January 1, 2009 through December 31, 2009, with Joanne Gerow, 897 Briscoe Road, Swan Lake, New York, to provide accommodations for animals other than dogs seized by the County, said agreement to be in a form approved by the County Attorney.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 192-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE CONTRACT FOR PHYSICIAN SERVICES FOR SULLIVAN COUNTY PUBLIC HEALTH SERVICES TUBERCULOSIS CONTROL PROGRAM

WHEREAS, the Sullivan County Public Health Service Diagnostic & Treatment Center is certified and mandated to provide clinic services to diagnosed tuberculosis patients and contacts at clinics, and

WHEREAS, Alan Greenbaum, MD, had a contract with Sullivan County Public Health Services to provide such services, however, he is retiring and has terminated his contract, effective March 31, 2009, and

WHEREAS, Gary Good, MD, has responded to the Request for Proposal (RFP) and is an appropriately credentialed professional that is capable of providing such services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be hereby authorized to enter into a contract with **Gary Good, MD, 427 Broadway, Suite 1, Monticello, NY 12701**, to provide physician services for the Tuberculosis Control Program at the rate of \$3,800/year (to be paid in quarterly payments); for the period 4/1/09-12/31/11; and

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

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 193-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO CONTRACT FOR PHYSICAL THERAPY SERVICES FOR SULLIVAN COUNTY PUBLIC HEALTH SERVICES' CERTIFIED HOME HEALTH AGENCY AND LONG TERM HOME HEALTH CARE PROGRAM

WHEREAS, Sullivan County Public Health Services Certified Home Health Agency is certified to provide physical therapy services to patients admitted to the Certified Home Health Agency and the Long Term Home Health Care Program, and

WHEREAS, a contract for the period January 1, 2009 through December 31, 2011 was recently entered into with *Mountain Physical Therapy* (authorized by Resolution #415-08), after they responded to the Request for Proposal that was issued, to provide Physical Therapy services to patients of the Certified Home Health Agency and the Long Term Home Health Care Program, and

WHEREAS, Mountain Physical Therapy's *clinic practice and name* have been sold, and the new name of the physical therapy agency is now **Home P.T. Services, LLC**, and

WHEREAS, per the direction of the County Attorney's office, the existing contract needs to be terminated and a new contract entered into, with the new agency name and location.

NOW, THEREFORE, BE IT RESOLVED, that the existing contract with Mountain Physical Therapy be terminated, and

BE IT FURTHER RESOLVED, that the County Manager be authorized to execute a contract with **Home P.T. Services, LLC, PO Box 250, Bethel, NY 12720**, for the period May 1, 2009 through December 31, 2011, at the rate of \$72.24/PT visit and \$54.19/PTA visit (as authorized per Resolution #415-08), and

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

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 194-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, bids were received for Household Hazardous Waste Collection, and

WHEREAS, Care Environmental Corp., 10 Orben Drive, Landing, NJ 07850, is the lowest responsible bidder for such work, and

WHEREAS, the Division of Public Works approves said bid 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 Care Environmental Corp., at a contract price not to exceed \$19,901.00, and in accordance with Bid #B-09-21, dated April 3, 2009, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 195-09 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, proposals were received for Communications Consultant for the E-911 Emergency Control Center, and

WHEREAS, Blue Wing Services, Inc., P.O. Box 16318, St. Paul, MN 55116, is the lowest responsible vendor for such work, and

WHEREAS, the Department of Emergency Management 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 Blue Wing Services, Inc., at a contract price not to exceed \$79,425.00, and in accordance with Request for Proposal #R-09-10, dated February 27, 2009, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 196-09 INTRODUCED BY THE PERSONNEL COMMITTEE TO ENTER INTO AN AGREEMENT WITH SULLIVAN COUNTY BOCES TO CONDUCT A CIVIL SERVICE PREPARATION COURSE

WHEREAS, in order to aid applicants seeking employment with the County a Civil Service Preparation Course would be beneficial; and

WHEREAS, Sullivan County BOCES (“BOCES”) has the expertise and ability to conduct such a training course; and

WHEREAS, BOCES has offered to conduct a 40 hour Advanced Civil Service Preparation Course for 15 students at \$140.00 per student, a total cost not to exceed \$2,100.00 per course; and

WHEREAS, the County is prepared to pay 50% of the costs of the program at a cost not to exceed \$1,050.00 per course; and

WHEREAS, it is in the County’s best interest to have as large a pool of qualified applicants as possible to fill County positions when they become available.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into an agreement with BOCES for an Advanced Civil Service Preparation Course, at a cost to the County not to exceed \$1,050.00 per course, said agreement to be in a form approved by the County Attorney’s Office.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 197-09 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO AUTHORIZE COUNTY MANAGER TO EXECUTE A MODIFICATION AGREEMENT WITH NATIONAL MEDICAL SERVICES LABS FOR ADDITIONAL 2008 CORONERS’ FORENSIC TOXICOLOGY TESTING SERVICES

WHEREAS, forensic toxicology testing services are required at some of the autopsies ordered by Sullivan County Coroners to be performed at Catskill Regional Medical Center, and

WHEREAS, an agreement is in place with National Medical Services Labs (NMS Labs), 3701 Welsh Road, Willow Grove, PA 19090, to perform the required testing in an amount not to exceed \$40,000 per year, and

WHEREAS, due to an increased number of autopsies requiring forensic toxicology testing services in 2008, an additional \$4,034.83 is required to pay the December, 2008 statement to NMS Labs,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a modification agreement with National Medical Services Labs (NMS Labs) in an amount of \$4,034.83 to cover the additional services required during 2008 and to remove restrictions to services performed, which were requested by the coroners' physician, such agreement to be in a form as approved by the County Attorney's Office.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 198-09 INTRODUCED BY THE PERSONNEL COMMITTEE AUTHORIZING THE SULLIVAN COUNTY COMMISSION ON HUMAN RIGHTS TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NEW YORK STATE DIVISION OF HUMAN RIGHTS

WHEREAS, the Sullivan County Legislature created the Sullivan County Commission on Human Rights ("Commission") pursuant to Resolution No. 490-04, which was adopted on December 16, 2004; and

WHEREAS, pursuant to Resolution No. 376-05, adopted by the Sullivan County Legislature on October 20, 2005, modified the powers and duties of the Commission, which in pertinent part authorized the Commission to report complaints to the New York State Division of Human Rights ("Division"), and

WHEREAS, pursuant to Resolution No. 345-08, adopted by the Sullivan County Legislature on September 18, 2008, the Commission was authorized to enter into a Memorandum of Understanding ("MOU") with the Division; and

WHEREAS, the MOU details the responsibilities and obligations of the Commission and the Division regarding their shared goal of enhancement of the enforcement of the New York State Human Rights Law; and

WHEREAS, the MOU was for a six month term which expired in March, 2009 and the parties wish to enter into a new MOU for a full year; and

WHEREAS, the Sullivan County Legislature believes that cooperation between the Commission and Division will benefit the County of Sullivan and the goals of the Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby grant authority to the Commission to enter into a Memorandum of Understanding with the Division which shall allow the agencies to cooperate and work together as civil rights partners to enhance the enforcement of the New York State Human Rights Law; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute said Memorandum of Understanding upon same being approved "as to form" by the Sullivan County Department of Law.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 199-09 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT A GRANT AWARD FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES.

WHEREAS, the New York State Division of Criminal Justice Services has mandated that all Police Agencies submit fingerprints electronically by January 1, 2010, and

WHEREAS, the New York State Division of Criminal Justice Services has awarded Sullivan County \$30,000 to purchase Livescan which is an electronic fingerprinting system, and

WHEREAS, the contract period for this grant is November 01, 2007 through December 31, 2009,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute any and all necessary documents to accept the grant award, in such form as the County Attorney shall approve.

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 200-09 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ACCEPT A GRANT AWARD FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY

WHEREAS, the New York State Office of Homeland Security has awarded a grant to Sullivan County in the amount of \$208,500 for the prevention of and to minimize the danger of terrorist attacks, and

WHEREAS, this funding will be utilized for personnel costs, consultant services and equipment, and

WHEREAS, the contract period for this grant is September 1, 2008 - August 31, 2011, and

WHEREAS, the Sullivan County Department of Emergency Management will implement this program.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute any and all necessary documents to accept the grant award, in such form as the County Attorney shall approve, and

BE IT FURTHER RESOLVED, that should the funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by Mrs. Binder, seconded by Mrs. LaBuda, put to a vote and unanimously carried and **declared duly adopted on motion** May 21, 2009.

RESOLUTION NO. 201-09 INTRODUCED BY DISTRICT 1 LEGISLATOR DAVID SAGER TO SUPPORT THE PASSAGE OF FEDERAL SENATE BILL S-889, KNOWN AS “THE FEDERAL MILK MARKETING ACT OF 2009”

WHEREAS, Sullivan County has traditionally had a rich dairy farming and agricultural history that, despite recent declines, continues to be a vital component of our local economy; and

WHEREAS, the farming industry is and has always been an integral part of our nation’s nutritional health and prosperity, as well as, an important economic engine that has seen a recent unprecedented decline due to social and financial factors; and

WHEREAS, it is estimated that dairy farmers are currently being paid about 95 cents per gallon of milk, while the actual cost of milk production is estimated to be approximately \$1.50 per gallon. The rising costs of production, along with the extreme drop in price per hundred weight of milk over the past year has many dairy farmers in Sullivan County concerned about providing for their families and being able to sustain their own agricultural existence; and

WHEREAS, United States Senators Arlen Specter and Robert P. Casey, Jr. have introduced S-889, known as “The Federal Milk Marketing Improvement Act of 2009” (replacing the former Senate Bill S-1722) which is “an act to amend the Agricultural Adjustment Act to require the Secretary of Agriculture to determine the price of milk or manufactured processes (classified as Class II milk) by using the national average cost of production and other purposes: and

WHEREAS, this bill is designed to correct the disparity in payment versus cost and the reintroduction of this bill would mean a raise in the price per hundred weight from a current approximate price of \$11.97 to an approximate price of \$22.46 and decrease the strong financial burdens on today’s dairy farmers throughout the United States; therefore

BE IT RESOLVED, that the Sullivan County Legislature strongly supports the passage of S-889, the “Federal Milk Marketing Improvement Act of 2009” for the sake of our agricultural future and urges our representatives in the United States Congress and Senate to pass this bill into law,

so as to correct the many inequities the dairy farming industry is facing not only in Sullivan County, but nationwide.

Moved by Mr. Sager, seconded by Mr. Sorensen, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

**RESOLUTION NO. 202—09 INTRODUCED BY GOVERNMENT SERVICES
COMMITTEE IN SUPPORT OF KEEPING THE LEVER VOTING MACHINES**

WHEREAS, Sullivan County has successfully used highly accurate lever voting machines for many decades with very few problems and wants to continue using them, and

WHEREAS, Sullivan County believes that continued use of lever voting machines is in the best interest of the public, that unlike optical scan computers, our time-proved lever machines can be relied upon to accurately count votes as cast and cost far less, and

WHEREAS, Sullivan County's lever machines now comply with the Help America Vote Act (HAVA) because New York has installed ballot marking devices for voting by disabled persons, and

WHEREAS, New York State's enactment of the Election Reform and Modernization Act of 2005 (ERMA) predates installation of the ballot marking devices for disabled-person voting and New York now complies with HAVA, and

WHEREAS, the State's statutorily required elimination of lever machines through ERMA is no longer necessary, is inappropriate, and exorbitantly costly to Sullivan County's tax payers, and

WHEREAS, the lever machines should be permitted for use by Senior Citizens that are unfamiliar with digital equipment, and

WHEREAS, the availability and use of lever machines is in reality an accessibility issue for those citizens unfamiliar with digital equipment.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby requests the New York State Legislature and the New York State Board of Elections to enact laws, rules, and regulations that specifically authorize continued use of lever voting machines, particularly for those citizens unfamiliar with digital equipment, and

BE IT FURTHER RESOLVED, that the Clerk to the Legislature forward a copy of this resolution to Governor David Paterson; New York State Senate Majority Leader, Malcolm Smith; Sheldon Silver, Speaker of the New York State Assembly; Senator John J. Bonacic; Assemblywoman Aileen Gunther; Co-Executive Directors of the New York State Board of Elections Todd Valentine and Stanley Zalen; New York State Board of Elections Commissioners James Walsh, Douglas Kellner, Evelyn Aquila, and Gregory Peterson; and Sullivan County Elections Commissioners Faith Kaplan and Rodney Gaebel.

Moved by Mr. Sorensen, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

Mr. Sager wanted to state that he went to a Town of Delaware Board meeting last night and was informed that the Town Supervisor, Assessor and town board members were not aware of this project. He thinks that we need to have a broader discussion at some point as to open communication between the local municipalities and the county. Unfortunately, he was never made aware of the situation and it is in his district. He saw it go through Mrs. Goodman's committee last week but had no clue that it was in his district. He was never approached and didn't learn of it until last night. He doesn't know that the town is opposed to these types of things but he thinks that we have to work very hard on lines of communication. We can agree or disagree with the townships but they certainly have a right to be included in all of our discussions. He doesn't want to not support this but he is just offended more so that they were kept out of the loop and he was kept out of the loop.

Mr. Hiatt stated that this is new and there is no reason why we can put together some type of procedure of when something is going to be retained, that notice should automatically be sent to the township and the legislator.

Mr. Sager added he thinks that there was some confusion also as the wrong legislator was notified. So in the future, they need to appropriately define which legislators get notified because at no point was it brought to his attention as it is in his district.

Mr. Hiatt stated he is sure that our Treasurer will get it right in the future. He then indicated he was only kidding.

Mrs. Binder there should be a policy where every legislator is notified because sometimes it is an adjoining parcel near a town line and we are not going to have that many that a memo can't go out as there are only nine of them. She has always requested this for the 239 reviews. We should establish a policy requesting that if anything like this comes up again, the legislators be informed and hopefully we can avoid this type of situation again in the future.

RESOLUTION NO. 203-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE THE COUNTY OF SULLIVAN TO RESERVE CERTAIN REAL PROPERTY FOR PUBLIC USE FROM TAX FORECLOSURE PARCELS

WHEREAS, the Sullivan County Division of Planning and Environmental Management and the Sullivan County Division of Public Works requires certain real property for public use; and

WHEREAS, pursuant to the Real Property Tax Law, certain tax delinquent parcels were foreclosed upon by the County of Sullivan ("County"); and

WHEREAS, tax delinquent parcels foreclosed on by the County can be retained by the County for public use pursuant to Section 215 of the County Law; and

WHEREAS, the County desires to reserve unto itself the following parcel contained in Schedule "A" for public use as an agribusiness incubator program, in conjunction with the Farmland Protection Board; and

SCHEDULE "A"

DELAWARE	28.-1-9.4
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WHEREAS, the County desires to continue to reserve unto itself the following parcels contained in Schedule "B" for public use as a potential Compressed Natural Gas Fueling Station in conjunction with the New York State Department of Transportation.

SCHEDULE "B"

THOMPSON	23.-1-35
THOMPSON	23.-1-36

NOW, THEREFORE, BE IT RESOLVED, that the County reserves and retains to the County the above described parcels; and

BE IT FURTHER RESOLVED, that these parcels are to be retained by the County for said public use.

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 204-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CONVEY PARCELS TO THE FORMER OWNERS, THAT WERE ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF AN IN REM TAX FORECLOSURE PROCEEDING, PURSUANT TO SULLIVAN COUNTY LOCAL LAW NO. 5 OF 2003, AS AMENDED

WHEREAS, the County of Sullivan took title to various parcels by virtue of tax foreclosure proceedings by Deed dated the 27th day of February, 2009, and recorded in the Sullivan County Clerk's Office on the 27th day of February, 2009 in Liber 3557 at Page 594; and

WHEREAS, the County has received applications requesting certain parcels (See Attached Schedule “A”) be reacquired by the former owner(s) in consideration for the amount of delinquent taxes, interest and penalties; plus ten (10%) percent of the delinquent taxes, interest and penalties; a surcharge of five (5%) percent of the equalized full assessed value; and other costs & charges; and

WHEREAS, the former owner(s) will be responsible to pay any delinquent Village taxes, if any, the 2009 Town and County Taxes and special district taxes, if any, in addition to any future taxes and charges levied against the property; and

WHEREAS, the conveyance of such parcels indicated on the attached Schedule “A” will restore the former owner(s) and any lien holders to their perspective status prior to the foreclosure once title is conveyed to the former owner(s); and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to re-convey the properties listed on the attached Schedule “A” to the former owners for the total sum of the delinquent taxes, interest, and penalties; plus ten (10%) percent of the delinquent taxes, interest and penalties; a surcharge of five (5%) percent of the full equalized assessed value, and other costs & charges, pursuant to Sullivan County Local Law No. 5 of 2003, as amended.

Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

Schedule “A”

- 1.) William D & Wendy J Brewster wish to repurchase Town of Lumberland 21.-1-14.9, located on Taras Shevchenko Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 29,992.43.**
- 2.) Lloyd & Ruby Jones wish to repurchase Town of Liberty 107.-3-17, located on Champlin Avenue for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 9,667.14.**
- 3.) Joseph Illiano wishes to repurchase Town of Fallsburg 34.-9-1.2, located on Thompson Street for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 4,059.02.**
- 4.) S & N Real Estate Holding Corp. wish to repurchase Town of Liberty 110.-3-21, 110.-3-22, 110.-3-23, 110.-3-24, 111.-1-1 & 111.-1-2, all located on Chestnut Street for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 21,935.87.**
- 5.) Linda G Sheley wishes to repurchase Town of Neversink 18.-1-31, located on Pepacton Hollow Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 6,761.72.**
- 6.) Islamic Culture Center of Monticello wish to repurchase Town of Thompson 111.-4-6, located on Cottage Street for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 13,717.95.**
- 7.) Terri Gelbart wishes to repurchase Town of Fallsburg 44.-1-11, located on Park Lane for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 6,807.89.**

8.) Galina Bekker wishes to repurchase Town of Thompson 46.-4-6, located on Madeline Avenue for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 16,584.87.

9.) Eda Riina wishes to repurchase Town of Mamakating 103.A-2-11, located on Forest Drive for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 1,921.20.

10.) Marion de Hoyos & Debora de Hoyos, Trustees of Marion de Hoyos 1995 Trust wish to repurchase Town of Thompson 115.-5-6.2 & 115.-5-7, located on Lakewood Avenue for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 25,641.23.

11.) Angel M & Carmen M Morales wish to repurchase Town of Mamakating 4.-1-15.11, located on Phillipsport Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 19,289.59.

12.) D & M Rolnick Enterprises, LLC wish to repurchase Town of Bethel 33.-2-1, located on NYS Highway 17B for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 187,137.16.

13.) Household Finance Realty Corp. wish to repurchase Town of Liberty 31.-1-24, located on Worden Lane for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 22,044.18.

14.) 607-55 St. Realty, LLC wish to repurchase Town of Thompson 10.-6-2.1, located on Route 42 for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 11,033.27.

15.) Robert Valentine wishes to repurchase Town of Mamakating 53.-1-15, located on Old Westbrookville Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 1,623.61.

16.) H Russell & Patricia Fraser wish to repurchase Town of Rockland 28.-1-7.6, located on Hunter Lake Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 31,165.53.

17.) Nova Star Mortgage, Inc wish to repurchase Town of Fallsburg 101.-1-12, located on Robert Lane for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 7,070.48.

18.) ATYD Inc. wish to repurchase Town of Fallsburg 17.-1-37.4, located on State Highway 52 for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 17,810.23.

19.) Carl Alexander Porter wishes to repurchase Town of Cohecton 7.-1-26, located on County Road 114 for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 12,010.33.

20.) Donald Kazmark wishes to repurchase Town of Fremont 26.-2-2, located on Route 97 for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 17,526.59.

21.) S & S Enterprises, Inc. wish to repurchase Town of Highland 19.-1-6.1, located on Barker Road & Town of Lumberland 16.-1-35.1, located on Rowley Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 22,096.74.

22.) Matthew Francis wishes to repurchase Town of Fallsburg 32.-1-45.2, located on County Highway 104 for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 18,300.67.

23.) Diane Weiss Trustee of the Henry Weiss Trust & the Shirley Weiss Trust wishes to repurchase Town of Mamakating 10.-1-55, located on Echo Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 25,575.68.

24.) Congregation Khal Krasna Inc wish to repurchase Town of Thompson 8.-1-41, located on Anawana Lake Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 167,789.05.

25.) Laura Lewis & Veronica King wish to repurchase Town of Fallsburg 52.-4-30.6, located on Hatch Street for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 609.78.

26.) Karl Schlademan & Elena Gargano Schlademan wish to repurchase Town of Mamakating 46.-2-38.2, located on Old Roosa Gap Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 8,321.58.

27.) Walter Charchalis wishes to repurchase Town of Mamakating 42.-9-5, located on Laurel Trail on behalf of Maria Charchalis for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 7,462.05.

28.) Lervin NY Inc. wish to repurchase Town of Fallsburg 18.-3-8.1, located on Old Factory Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 65,979.04.

29.) Pauline Hoffman wishes to repurchase Town of Thompson 45.-5-10.1, located on Sackett Lake Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 35,239.01.

30.) Ruth Asman and Gerald Hoffman Trust wishes to repurchase Town of Thompson 45.-5-10.2, located on Sackett Lake Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 28,519.12.

31.) Albert Maciag wishes to repurchase Town of Thompson 111.-4-19 & 111.-4-20, located on Landfield Avenue for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 5,840.72.

32.) Feroze & Farook Rahim wish to repurchase Town of Thompson 11.-1-16.2, located on Maplewood Garden Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 3,618.78.

33.) Roderick Loney wishes to repurchase Town of Liberty 8.-1-8.11, located on Budnick Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 19,590.63.

34.) Menachem M & Zisi Frankel wish to repurchase Town of Fallsburg 56.A-1-8, located on Hideaway Drive for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 13,353.49.

35.) Eugene Cramer wishes to repurchase Town of Mamakating 40.-2-3.3, located on Greenwood Road North for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 16,077.49.

36.) Catskill Construction wish to repurchase Town of Fallsburg 36.-1-23./4501, located on Laurel Ledge Lane for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 28,178.74.

37.) Yeshiva Beth Shearim wish to repurchase Town of Thompson 50.-1-4.1, located on Cold Spring Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 32,585.92.

38.) Domenick N Damico wishes to repurchase Town of Liberty 43.-1-12.5, located on Briscoe Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 11,173.20.

39.) Martha E Pinto Guerra wishes to repurchase Town of Fallsburg 34.-9-9, located on Cole Street for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 8,669.24.

40.) Leonard Sulaymanov wishes to repurchase Town of Forestburgh 6.-2-36.5, located on Lake Joseph for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 8,698.15.

41.) Doreen Gulley wishes to repurchase Town of Rockland 48.-5-6, located on Dubois Street for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 19,463.73.

42.) Sye & Goldie Gross wish to repurchase Town of Liberty 47.-3-2./1001, located on Village Green Circle for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 9,956.11.

43.) Rise Van Iderstine wishes to repurchase Town of Delaware 14.-5-36, located on Mitchell Avenue for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 18,808.46.

44.) Peter Papapetru & Panagiotti Amexas & Ioannis Amexas wish to repurchase Town of Liberty 11.-2-7 & 11.-2-8, located on Benton Hollow Road for the amount of delinquent taxes, interest & penalties, plus 5% of the full equalized assessed value, plus 10% of the delinquent taxes, interest & penalties and closing costs for a total amount of \$ 7,130.71.

Moved by Mrs. LaBuda, seconded by Mr. Hiatt.

The County Treasurer has asked that the Legislature go into a brief Executive Session to discuss the following resolution. Mrs. LaBuda stated she is not in favor of going into Executive Session.

Mr. Sorensen moved to go into Executive Session at 2:44PM regarding the following resolution, seconded by Mrs. Goodman, agreed and carried 9-0.

Mrs. Binder moved to come out of Executive Session at 2:48PM, seconded by Mr. Wood, agreed and carried.

RESOLUTION NO. 205-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE THE SALE OF A COUNTY OWNED PARCEL OF LAND IN THE TOWN OF FORESTBURGH AS A RESULT OF A TAX FORECLOSURE PROCEEDING.

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.-4-1.3 (which parcel is approximately 134’ X 148’ of vacant land), and

WHEREAS, pursuant to Resolution Number 116-09 the County Legislature authorized the County Manager and the County Attorney to negotiate the terms of a private sale of the Subject Property to the Merriewold Club, Incorporated for fair market value based upon an appraisal of the Subject Property,

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.-4-1.3 (which parcel is approximately 134’ X 148’ of vacant land) are hereby designated for private sale to the Merriewold Club, Incorporated.
2. The Subject Property is to be sold at a price established by the independent appraisal services of Roeder’s Appraisal Services. Said appraisal valued the property at \$168,000.
3. Merriewold Club, Incorporated will also be liable for payment of an additional \$1,250 to the County of Sullivan for reimbursement of the cost of the appraisal fees.
4. Merriewold Club Incorporated will additionally be liable to pay the usual fee of 10% of the purchase price, for an amount of \$16,800, to County of Sullivan for reimbursement to the auction company for the removal of this parcel from the auction.
5. Merriewold Club, Incorporated, which has had various inspections of the Subject Property performed by professionals, specifically agrees to take the property as is and agrees it shall hold the County harmless and shall make no claim against the County with respect to any thing or condition relating to the Subject Property.
6. The County Treasurer is hereby directed to withdraw the Subject Property from the rolls of the June auction and mark said property as withdrawn.

Moved by Mrs. LaBuda, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 206-09 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE

WHEREAS, as a result of a tax foreclosure proceeding, the County is in possession of a parcel of property consisting of 6.1 acres located in a portion of the Town of Mamakating (hereinafter collectively the “Subject Property”), and

WHEREAS, the Subject Property parcel is identified on the County’s Real Property Tax Maps as 38.-14-1 (which parcel consists of 6.1 acres with outdoor swimming and a one story building), and

WHEREAS, the Real Property Advisory Board has recommended that the Subject Property be removed from the auction sales pending further determination,

NOW, THEREFORE BE IT RESOLVED:

1. The Subject Property, identified on the County’s Real Property Tax Maps as, 38.-14-1 (which parcel consists of 6.1 acres with outdoor swimming and a one store building) is hereby directed removed from the tax foreclosure auction sale pending further determination.

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 207-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY

WHEREAS, as a result of a tax foreclosure proceeding the County is in possession of a parcel of property located in the Village of Woodridge, Town of Fallsburg identified on the County’s Real Property Tax Maps as, Woodridge 103.-3-32 (hereinafter “Subject Property”), and

WHEREAS, the Subject Property has been classified on the latest assessment roll as vacant land and consists of a small lot 40ft. x 60 ft. with an assessed value of FIVE HUNDRED (\$500.00) DOLLARS, and

WHEREAS, the assessed value indicates that the Assessor’s opinion of market value for the subject property is ONE THOUSAND TWENTY (\$1020.00) DOLLARS, and

WHEREAS, Mordechai and Hena Rozansky have requested permission to purchase the Subject Property by means of a private sale and has offered to purchase this property from the County for ONE THOUSAND TWENTY (\$1020.00) DOLLARS plus all applicable closing costs, 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, the Real Property Advisory Board discussed this issue via e-mail on May 13, 2009 and concluded that a private sale of the Subject Parcel meets the criteria contained in Section 4(C)(3) of Local Law 2 of 2009 and has voted unanimously to recommend that the County Legislature offer this property to Mordechai and Hena Rozansky, for private sale,

NOW, THEREFORE, BE IT RESOLVED, that the Subject Property, identified on County’s Real Property Tax Maps as, Woodridge 103.-3-32 (which parcel consists of a small lot 40ft. x 60 ft. of vacant land) is hereby designated for private sale to Mordechai and Hena Rozansky for ONE THOUSAND TWENTY (\$1020.00) DOLLARS plus all applicable closing costs, and

BE IT FURTHER RESOLVED, that the Chairman of the Legislature is hereby authorized to execute any and all documents necessary to complete the transfer of the Subject Property to Mr. and Mrs. Rozansky.

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 208-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY

WHEREAS, as a result of a tax foreclosure proceeding the County is in possession of a parcel of property located in the Village of Wurtsboro identified on the County's Real Property Tax Maps as, Mamakating 106.-1-23 (hereinafter "Subject Property"), and

WHEREAS, the Subject Property has been classified on the latest assessment roll as a road, street or highway and consists of .16 acres, and

WHEREAS, Robert and Carol Hornby have 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, the Real Property Advisory Board met on April 7, 2009 and concluded that a private sale of the Subject Parcel meets the criteria contained in Section 4(C)(3) of Local Law 2 of 2009 and has voted unanimously to recommend that the County Legislature offer this property to Robert and Carol Hornby for private sale,

NOW, THEREFORE, BE IT RESOLVED, that the Subject Property, identified on the County's Real Property Tax Maps as, Mamakating 106.-1-23 (which parcel consists of .16 acres and is classified as a road, street or highway) is hereby designated for private sale to Robert and Carol Hornby, and

BE IT FURTHER RESOLVED, that the Real Property Advisory Board is hereby authorized to negotiate the terms of a private sale of the Subject Property to Robert and Carol Hornby, and

BE IT FURTHER RESOLVED, in addition to consideration paid, the deed from the County to Mr. and Mrs. Hornby shall reflect that the owner of property, his/her heirs and assigns, identified on the County's Real Property Tax Maps as, Mamakating 106.-1-7.2, which adjoins the Subject Property, shall have a right of way over the Subject Property for purposes of ingress and egress, and

BE IT FURTHER RESOLVED, that said final agreement shall be submitted to the County Legislature for its approval.

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 208-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY

WHEREAS, as a result of a tax foreclosure proceeding the County is in possession of a parcel of property located in the Village of Wurtsboro identified on the County's Real Property Tax Maps as, Mamakating 106.-1-23 (hereinafter "Subject Property"), and

WHEREAS, the Subject Property has been classified on the latest assessment roll as a road, street or highway and consists of .16 acres, and

WHEREAS, Robert and Carol Hornby have 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, the Real Property Advisory Board met on April 7, 2009 and concluded that a private sale of the Subject Parcel meets the criteria contained in Section 4(C)(3) of Local Law 2 of 2009 and has voted unanimously to recommend that the County Legislature offer this property to Robert and Carol Hornby for private sale,

NOW, THEREFORE, BE IT RESOLVED, that the Subject Property, identified on the County's Real Property Tax Maps as, Mamakating 106.-1-23 (which parcel consists of .16 acres

and is classified as a road, street or highway) is hereby designated for private sale to Robert and Carol Hornby, and

BE IT FURTHER RESOLVED, that the Real Property Advisory Board is hereby authorized to negotiate the terms of a private sale of the Subject Property to Robert and Carol Hornby, and

BE IT FURTHER RESOLVED, in addition to consideration paid, the deed from the County to Mr. and Mrs. Hornby shall reflect that the owner of property, his/her heirs and assigns, identified on the County's Real Property Tax Maps as, Mamakating 106.-1-7.2, which adjoins the Subject Property, shall have a right of way over the Subject Property for purposes of ingress and egress, and

BE IT FURTHER RESOLVED, that said final agreement shall be submitted to the County Legislature for its approval.

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 209-09 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY

WHEREAS, as a result of a tax foreclosure proceeding the County is in possession of a parcel of property located in the Town of Mamakating identified on the County's Real Property Tax Maps as, Mamakating 51.-7-11 (hereinafter "Subject Property"), and

WHEREAS, the Subject Property has been classified on the latest assessment roll as vacant land and consists of .03 acres with an assessed value of ONE HUNDRED (\$100.00) DOLLARS, and

WHEREAS, the assessed value indicates that the Assessor's opinion of market value for the subject property is TWO HUNDRED (\$200.00) DOLLARS, and

WHEREAS, Boris Pastorello has requested permission to purchase the Subject Property by means of a private sale and has offered to purchase this property from the County for TWO HUNDRED (\$200.00) DOLLARS plus all applicable closing costs, 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, the Real Property Advisory Board met on May 12, 2009 and concluded that a private sale of the Subject Parcel meets the criteria contained in Section 4(C)(3) of Local Law 2 of 2009 and has voted unanimously to recommend that the County Legislature offer this property to Boris Pastorello, for private sale,

NOW, THEREFORE, BE IT RESOLVED, that the Subject Property, identified on County's Real Property Tax Maps as, Mamakating 51.-7-11 (which parcel consists of .03 acres of vacant land) is hereby designated for private sale to Boris Pastorello for TWO HUNDRED (\$200.00) DOLLARS plus all applicable closing costs, and

BE IT FURTHER RESOLVED, that the Chairman of the Legislature is hereby authorized to execute any and all documents necessary to complete the transfer of the Subject Property to Mr. Pastorello.

Moved by Mrs. Binder, seconded by Mrs. Goodman, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

RESOLUTION NO. 210-09 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND RESOLUTION 279-08 WITH RESPECT TO THE REQUIREMENT FOR COUNTY ATTORNEY APPROVAL AS TO THE FORM OF CERTAIN DOCUMENTS TO BE EXECUTED BY THE COUNTY MANAGER

WHEREAS, in August, 2008, the County Legislature, by Resolution 279-08, authorized the County Manager to execute certain documents with respect to certain New York State funding

available through the NYS DHCR Office of Community Renewal under the Greater Catskills Flood Remediation Program, and

WHEREAS, pursuant to such Resolution the County submitted such an application, and

WHEREAS, pursuant to said application the County was approved to receive Flood Remediation grant funds, and

WHEREAS, the State thereafter sent a proposed Agreement (hereinafter "Agreement") to the County to be executed by the County Manager in order for the County to obtain said grant funds, and

WHEREAS, the County Attorney has opinion that two of the provisions of the Agreement would subject the County to possible unacceptable consequences, and

WHEREAS, the County Attorney further advised that, in spite of a number of requests and discussions, the DHCR Office of Community Renewal has, to date, refused to reasonably amend those two provisions and, therefore, the County Attorney believes that he cannot properly approve the Agreement as to form, and

WHEREAS, mindful of said advice the County Legislature has reconsidered Resolution 279-08 and believes it is absolutely necessary and the best interests of the County and the affected individuals that such funding be obtained for this important flood remediation program notwithstanding the State's inclusion of the two objectionable provisions in the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that Resolution NO. 279-08 is hereby amended to provide that the County Manager shall have the authority to execute the referenced Agreement in the absence of the approval of the County Attorney as to form, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the County's State representatives with a request that they endeavor to have the State reasonably amend the two objectionable provisions in the Agreement and in any other agreement with the County.

Moved by Mrs. Binder, seconded by Mr. Hiatt, put to a vote and unanimously carried and declared duly adopted on motion May 21, 2009.

Recognition of Legislators

Mr. Sorensen stated that he was looking at our procedures for the acquisition of consultants and professional services and it has been on the books for quite a long time. He thinks the legislature needs to revisit and to embellish the policies that are in place. It is literally less than half a page and it doesn't determine minimums or when a RFP should be required for example. He thinks those are things that we need to take up for discussion. It needs to be amended anyway to reflect we have a County Manager and not a County Administrator. He would ask that this be brought up for discussion in Government Services or Management and Budget Committee.

Mr. Hiatt stated that he would like to echo Mr. Sorensen's sentiments.

Mr. Sager stated he respectfully disagrees with both Mr. Sorensen and Mr. Hiatt. He doesn't want to embellish anything he wants to modify those things. He indicated he was just kidding.

Chairman Rouis reminded everyone there is a Special Meeting tomorrow at 1:00PM.

There being no further comments, Mrs. Goodman moved to adjourn, seconded by Mrs. LaBuda, put to a vote and carried. The Regular Meeting was declared closed at 2:47PM subject to the call of the Chairman.

ANNMARIE MARTIN, Clerk of the Legislature