

**Sullivan County Legislature**

**Regular Meeting**

**June 16, 2011 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 3:02PM by Chairman Rouis with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Truth in Taxation "Introduction Kit" from the County of Fulton Board of Supervisors Chairman dated May 16, 2011
2. Copy of Resolution No. 10 of 2011 adopted by the Town of Neversink Limiting Exemptions for Tax Exempt Properties received May 24, 2011
3. Copy of Resolution adopted by the Greene County Legislature urging elected representatives in New York State Legislature to pass legislation exempting counties from obligation to pay chargebacks associated with the Fashion Institute of Technology tuition and fees or reimburse counties pursuant to education Law 6305 (10)
4. Letter from NYS Office of Parks, Recreation and Historic Preservation indicating that the Forestburgh Town Hall was listed on the National Register of Historic Places on May 11, 2011
5. The 2012-2017 Capital Plan Requests filed by County Manager Fanslau on June 1, 2011
6. Records Destruction Notification filed by Department of Family Services dated June 1, 2011
7. Copy of Resolution No. 115-2011 adopted by the Orange County Legislature regarding the adoption of the New Orange County/Sullivan County boundary Line description and map
8. Letter received June 14, 2011 from Allan Scott, President of the Sullivan County Partnership for Economic Development urging the legislature to reconsider its cuts to the 2011-2012 Sullivan County Community College Budget

Chairman Rouis recognized the following speakers:

1. Ken Walter stated you should have your meetings at night because it is better than TV. He is glad to see that the process of the General Services Committee and you as the legislature have supported with the College and getting to know the college's budget better. By the way, he thought the College's budget was to be in our hand today and he didn't see it. Let's talk about the position of President Dr. Mamie Golladay. She is going to retire next year. Do we really need a lame duck at the college? It has got to be pushed because we can't have somebody who has seen this operation gone the way it has especially in the last five or six years, she's not going to correct it. We need someone in that position who is going to make decisions for us in the right forum. People say it is going to be too much to buy her out but there are too many things that she did not fulfill in her contract that she could be asked to retire now and not next year. These are the things that we really need to have addressed. There have been a lot of problems out at the college, the last one being the nursing issue. Let's try and get her to say bye, thank you and go.
2. Jeremy Gorelick, he is not here today as the Chairman of the Liberty Beautification Project. As he understands it, there is an item on the agenda which is #19 in reference to a parcel of property that is under consideration. The reason he is here today is to give a little information about that project and that our local legislator has been an important part of the volunteer end of the effort. He knows that there is some policy issues surrounding it and he is not here to talk about it because that it for the legislature to decide. He is here to share what that project is. It is a community benefit project where we are taking an unused municipal parking lot and converting that to a park area to benefit everyone in the community. We will be putting in approximately one dozen grills, walking paths throughout, and we have been trying to figure out ways to incorporate other parcels of land. The parcel he is talking about is on the opposite of the creek which runs along the converted parking lot into a park. He is here today because he wanted to make sure that everyone understood what the project was and that it is a community benefit project. We are very lucky we have support from Sullivan Renaissance but this is not necessarily a Renaissance Project but instead a community project that receives funding from Renaissance and local businesses.

3. Dan Ratner, Sr. explained where his son and daughter went to college. His son lives here and has his own business and his daughter works for the Department of Defense and would like to come back here. Every time he asks for someone's child to come back to Sullivan County he gets asked why. It is tantamount to your job to keep us here. One of the ways that you keep us here is look at all the small things. The small things end up as chatter and that chatter turns into rumor and that rumor turns into press releases and it turns into things that his son says, ya know I don't need to stay here. There is no more middle class in Liberty anymore. He sat at Benny Leon's Farm with Max Yagur. We have been here awhile. But if you guys miss the ball, on such a small item as this, and you had to miss the ball because he sat here for three hours in front of all you distinguished people to talk about .03 acres that nobody wants. He knows there is policy in Wurtsboro and Jeffersonville but he thinks there are issues that can be addressed. He doesn't know how much money he lost sitting here because he doesn't get paid for sitting here. He should be in Wolf Lake with his son but he isn't. he is here because it is important and beneficial. He is asking for your support to Agenda item #19.

**RESOLUTION NO. 259-11 INTRODUCED BY PUBLIC SAFETY COMMITTEE**

**TO AUTHORIZE A MODIFICATION TO THE SHERIFF'S OFFICE PBA WORK SCHEDULE FOR PATROL PERSONNEL**

**WHEREAS**, the current Sheriff's Office Patrol schedule requires an 8-hour work day, and

**WHEREAS**, the Sheriff's Office is desirous to pilot a 12-hour per day work schedule for deputy sheriffs, corporals and sergeants, for a period of six months, and

**WHEREAS**, it is anticipated there will be no additional cost associated with this schedule change and will provide better patrol coverage, and

**WHEREAS**, the Sullivan County PBA has agreed to this modification on a trial basis,

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to execute a Memorandum of Understanding with the Sheriff and the Sullivan County PBA to pilot a 12-hour per day work schedule for six months, such agreement to be in a form as approved by the County Attorney.

Moved by Mrs. Binder, seconded by Mr. Sorensen, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.

**RESOLUTION NO. 260-11 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2011 COUNTY BUDGET**

**WHEREAS**, the County of Sullivan 2011 Budget requires modification,

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

**Moved by Mrs. Binder, seconded by Mr. Sager, put to a vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

See attached

**RESOLUTION NO. 261-11 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO ELIMINATE VENDOR CERTIFICATIONS ON COUNTY VOUCHERS.**

**WHEREAS**, New York County Law Section 369(2) gives Counties the discretion to require that claims for the payment of money be certified by the claimant.

**WHEREAS**, Resolution No. 208-83 adopted by the Sullivan County Board of Supervisors on June 13, 1983 required all standard Sullivan County vouchers to have a completed vendor certification for payment to be made; and

**WHEREAS**, the County Manager has requested that the Lean Government Committee review processes and make recommendations to reduce the internal workload and claims processing time, and the Committee has recommended the elimination of vendor certification on vouchers; and

**WHEREAS**, the County Attorney has opined that it is legally permissible to eliminate vendor certification requirement for County claims, and will add language to purchase orders and contracts where appropriate indicating that submission of an invoice to the County for payment certifies that the goods and services have been delivered; and

**WHEREAS**, the County Attorney has also opined that inclusion of such language in purchase orders and contracts will strengthen the County's financial protection as compared to the current system of vendor certification.

**NOW, THEREFORE, BE IT RESOLVED**, that

1. Vendor certifications will no longer be required to process claims for payment from the County, effective immediately; and
2. It is directed that language be added to all future purchase orders and contracts stating that any bill, invoice or other claim for payment from the County will constitute a representation that the goods and/or services have been delivered, and that the person or persons submitting such a claim had the authority to make such a representation to the

County.

**Moved by Mrs. Binder, seconded by Mr. Armstrong, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

**RESOLUTION NO. 262-11 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE A SUPPLEMENTAL AGREEMENT WITH THE ENGINEER FOR ADDITIONAL PRELIMINARY ENGINEERING AND RIGHT-OF-WAY INCIDENTALS WORK, FOR THE REPLACEMENT OF COUNTY BRIDGE 45 (BIN 3355530) LOCATED IN THE TOWN OF FALLSBURG**

**WHEREAS**, Sullivan County Legislature by Resolution 100-11 approved the bridge replacement project for County Bridge 45 and had entered into Supplemental Agreement No. 4 with NYSDOT that provides 80% federal and 15% state funding of the project costs of additional work; and

**WHEREAS**, the Division of Public Works recommends the award of a Supplemental Agreement to Barton & Loguidice, PC, the Engineer retained to provide preliminary engineering and right-of-way incidentals work, to provide the additional work.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be, and hereby is, authorized to execute a Supplemental Agreement for engineering services with Barton & Loguidice, PC at a cost not to exceed \$28,000, 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, declared duly adopted on motion June 16, 2011.**

**RESOLUTION NO. 263-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO EXECUTE AND AWARD CONTRACT**

**WHEREAS**, the Center for Workforce Development is responsible for the implementation of the Title I provisions of the Federal Workforce Investment Act of 1998, and

**WHEREAS**, the Center for Workforce Development contracted with Sullivan County BOCES ("BOCES") for the provision of certain services for the adult, dislocated worker and youth populations, in accordance with RFP R-09-23, dated July 17, 2009, and

**WHEREAS**, the current agreement with BOCES shall expire on June 30, 2011, and

**WHEREAS**, the terms of RFP, R-09-23 allow for BOCES to continue to provide comprehensive employment, education and training services to eligible participants from July 1, 2011 through June 30, 2012, at a total cost not to exceed \$64,100.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute a contract with BOCES, for the term July 1, 2011 to June 30, 2012, at an annual contract price not to exceed \$64,100.00, and in accordance with the RFP, R-09-23, said contract to be in such form as the County Attorney shall approve.

**BE IT FURTHER RESOLVED**, that the above agreement will be contingent upon the County receiving the Federal allocations.

Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.

**RESOLUTION NO. 264-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE A CONTRACT FOR 2011 WITH A PROFESSIONAL SERVICE CONSULTANT IN THE DEPARTMENT OF COMMUNITY SERVICES.**

**WHEREAS**, the County of Sullivan, through the Department of Community Services (DCS), has a Professional Service Contract with various individuals; and

**WHEREAS**, such contract needs to be approved for 2011.

**NOW, THEREFORE, BE IT RESOLVED**, the Sullivan County Legislature authorizes the County Manager to execute a contract for the period of June 30, 2011 to December 31, 2011, with the following individuals at the rate set opposite his/her name:

Dr. Salil Kathpalia, Psychiatrist	\$120.00 per hour
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**BE IT FURTHER RESOLVED**, this new contract is at the County's discretion, subject to annual appropriation; and

**BE IT FURTHER RESOLVED**, the maximum of the Professional Service Contract not exceed the 2011 Department of Community Services' budgeted amount for Professional Services; and

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

Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.

**RESOLUTION NO. 265-11 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO CONTRACTS BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND VARIOUS PHYSICIANS**

**WHEREAS**, the Adult Care Center has a desire to enter into contracts with various physicians to improve residents choice in providers of care; and

**WHEREAS**, various residents have a desire to request their own qualified physicians who will have access to provide care in the facility; and

**WHEREAS**, the facility would ensure physician credentialing and enter into contracts with physicians as a provider of care; and

**WHEREAS**, these contracts will began 6/1/2011 and expire 12/31/2012 and physicians would bill third party payors.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to enter in to contracts with various physicians to provide services at the facility, and

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

**Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 266-11 INTRODUCED BY PUBLIC WORKS COMMITTEE**

**TO AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH CORNERSTONE ENGINEERING PLLC**

**WHEREAS**, the County entered into a contract with Cornerstone Engineering PLLC for the closure of the Sullivan County Phase I Landfill (Resolutions 65-09 & 423-09); and

**WHEREAS**, as a result of severe rainstorms in the fall of 2010 additional engineering work is required to provide oversight of closure project.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute a contract modification with Cornerstone Engineering PLLC at a cost not to exceed \$145,050. Said contract to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 267-11 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE EXECUTION OF ALTERNATIVES TO INCARCERATION CONTRACT THROUGH DECEMBER 31, 2011.**

**WHEREAS**, the County has a contract with the New York State Office of Probation and Correctional Alternatives to provide an Alternatives to Incarceration (ATI) Community Service Program which includes Community Service and Pretrial Release, and,

**WHEREAS**, Resolution No. 433-10 authorized the execution of the Alternatives to Incarceration contract through December 31, 2010, and,

**WHEREAS**, State funding for the Alternatives to Incarceration (ATI) Community Service Program for the contract year January 01, 2011, through December 31, 2011, is \$12,309.00, and,

**WHEREAS**, State funding for the Alternatives to Incarceration (ATI) Pretrial Release Program for the contract year January 01, 2011, through December 31, 2011, is \$16,995.00;

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be authorized to execute a contract renewal for the ATI Community Service Program and Pretrial Release Program to continue operations for the term of January 01, 2011, through December 31, 2011, said contract to be in such form as the County Attorney shall approve, and

**BE IT FURTHER RESOLVED**, that the County Manager is hereby authorized to execute any documents necessary to receive State funding, in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Sorensen**, put to a vote and unanimously carried, **declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 268-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO MODIFY AWARD OF CONTRACT**

**WHEREAS**, pursuant to Resolution No.434-03, adopted by the Sullivan County Legislature on November 20, 2003, the County entered into a contract with NYCOMCO to lease console equipment for the Emergency Control Center, and

**WHEREAS**, the existing lease expires on May 31, 2011, and a continuation of the current lease and maintenance of the consoles, through May 31, 2012, is required due to the replacement of the current equipment in 2012, and

**WHEREAS**, the Commissioner of Emergency Management approves and recommends that the lease be extended.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to modify the lease with NYCOMCO, for the term of June 1, 2011 through May 31, 2012, at a cost not to exceed \$1,487.00/month and in accordance with the written quote, from NYCOMCO, dated March 30, 2011, said lease modification to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Sorensen**, put to a vote and unanimously carried, **declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 269-11 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO MODIFY AWARD OF CONTRACT**

**WHEREAS**, pursuant to Resolution No. 407-08, adopted by the Sullivan County Legislature on November 20, 2008, Resolution No. 70-09 adopted by the Sullivan County Legislature on February 19, 2009 and Resolution No. 574-10 adopted by the Legislature on December 29, 2010, the County entered into a contract with Rolling V Bus Corporation to provide transportation services for the Welfare to Work Program, and

**WHEREAS**, the Request for Proposal, R-08-32, allows for these services to be extended, per year, under the same terms and conditions, for 2011 and 2012, at an annual cost not to exceed \$265,282.87, and

**WHEREAS**, the Division of Family Services approved said proposal and recommends that the contract be extended.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to modify the contract with Rolling V Bus Corporation, for the term of January 1, 2011 to December 31, 2012, at an annual contract price not to exceed \$265,282.87, and in accordance with the RFP, R-08-32, said contract to be in such form as the County Attorney shall approve.

**Moved by Mr. Wood, seconded by Mr. Sorensen, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

**RESOLUTION NO. 270-11 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO AUTHORIZE THE DIVISION OF PLANNING AND ENVIRONMENTAL MANAGEMENT AND THE CENTER FOR WORKFORCE DEVELOPMENT TO SUBMIT A FULL APPLICATION FOR A MICROENTERPRISE PROGRAM GRANT THROUGH THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

**WHEREAS**, the County, acting through the Division of Planning and Environmental Management (Division) and the Center Workforce Development (CWD), seeks to foster economic development through increased investment in small businesses, linked to job creation; and

**WHEREAS**, the New York State Housing Trust Fund Corporation's Office of Community Renewal issued a Notice of Funding Availability (NOFA) for the 2011 New York State Community Development Block Grant (NYS CDBG) Program, offering \$13.2 million available in grants through the Open-Round Economic Development program; and

**WHEREAS**, under the Economic Development Open Round grants, the Microenterprise Program allows eligible local governments to apply for up to \$200,000 for the purpose of providing grants to small businesses ranging from \$5,000 to \$35,000, so as to enable these businesses to grow and create additional employment; and

**WHEREAS**, a minimum of fifty-one percent (51%) of the jobs that are created or retained as a result of the grant award must be either held by or made available to persons from low- and moderate-income households, as defined by the U.S. Department of Housing and Urban Development (HUD); and



**WHEREAS**, no matching contribution is required from the local jurisdiction applying for the grant, and the only local match required is a minimum of 10% owner equity contribution to any business activity funded under the grant;

**NOW THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the Division of Planning & Environmental Management to submit a full application for \$185,000 in Microenterprise grant funding to create a program targeting local existing or start-up businesses that are either 1) agricultural sector enterprises; or 2) located in a downtown "Main Street" location. The County anticipates awarding ten (10) grants, recipients of which must participate in a small-business training program as a condition of the grant.

**BE IT FURTHER RESOLVED**, that, if it is awarded, the Chair of the Legislature is authorized to execute a contract with the NYS CDBG Program for receipt and administration of the grant; and

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

Moved by Mr. Sorensen, seconded by Mr. Hiatt, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.

**RESOLUTION NO. 271-11 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO AUTHORIZE THE CENTER FOR WORKFORCE DEVELOPMENT TO SUBMIT AN APPLICATION TO THE NEW YORK STATE DEPARTMENT OF LABOR (NYS DOL), SEEKING FEDERAL WORKFORCE INVESTMENT ACT FUNDING UNDER THE SUMMER JOBS EXPRESS PROGRAM.**

**WHEREAS**, the County, acting through the Center Workforce for Development (CWD) and the Division of Planning and Environmental Management, seeks to foster economic development that includes work-readiness and employment opportunities for the County's residents, including its youth; and

**WHEREAS**, on May 20, 2011, the New York State Department of Labor, issued a request for proposals for local Workforce Boards to compete for federal Workforce Investment Act (WIA) funding, made available through the "Summer Jobs Express" program; and

**WHEREAS**, CWD, despite a very short timeline, has developed a program that would provide for 20 individual youths to receive training in the "National Work Readiness Credential" curriculum and to gain six (6) weeks of work experience with private-sector employers within the County; and

**WHEREAS**, CWD has developed a program budget that will fund 14 days of Work-Readiness training, to be provided by Sullivan County BOCES, followed by six (6) weeks of work experience to be provided by seven (7) local employers, which shall consist of 30 hours per week at \$8.25 per hour; and

**WHEREAS**, no matching contribution is required of the County in applying for this funding;

**NOW THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature authorizes the submission of an application in the amount of \$72,133.45 in Summer Jobs Express funding, which will enable CWD to expand the County's existing summer youth program into the private sector and to incorporate the National Work Readiness Credential into the program; and

**BE IT FURTHER RESOLVED**, that, if awarded, the Chairman of the Legislature is authorized to accept the WIA funding from NYSDOL for administration of the program; and

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

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

**RESOLUTION            272-11    INTRODUCED    BY    PLANNING,  
ENVIRONMENTAL    MANAGEMENT    AND    REAL    PROPERTY  
COMMITTEE TO CORRECT 2009 TAX ROLL OF THE TOWN OF  
THOMPSON FOR TAX MAP    #1.-1-90**

**WHEREAS**, an application dated May 20, 2011 having been filed by Michael and Eileen Babich with respect to property assessed to said applicant on the 2009 tax roll of the Town of Thompson Tax Map #1.-1-90 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the 2008 assessment rolls incorrectly reflecting the value of an improvement that had been removed prior to the applicable taxable status date; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated June 1, 2011 recommending this Board approve said application; and

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

- (a) That the application be approved because of an error in essential fact.

**NOW, THEREFORE, BE IT RESOLVED**, that the application be approved upon the grounds herein set forth; and

**BE IT FURTHER RESOLVED**, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute and order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

**BE IT FURTHER RESOLVED**, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mr. Wood, seconded by Mrs. LaBuda, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.

**RESOLUTION NO. 273-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT 2010 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #1.-1-90**

**WHEREAS**, an application dated May 20, 2011 having been filed by Michael and Eileen Babich with respect to property assessed to said applicant on the 2010 tax roll of the Town of Thompson Tax Map #1.-1-90 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the 2009 assessment rolls incorrectly reflecting the value of an improvement that had been removed prior to the applicable taxable status date; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated June 1, 2011 recommending this Board approve said application; and

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

(a) That the application be approved because of an error in essential fact.

**NOW, THEREFORE, BE IT RESOLVED**, that the application be approved upon the grounds herein set forth; and

**BE IT FURTHER RESOLVED**, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute and order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

**BE IT FURTHER RESOLVED**, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

**Moved by Mr. Wood, seconded by Mrs. LaBuda, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

**RESOLUTION NO. 274-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT 2011 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #1.-1-90**

**WHEREAS**, an application dated May 20, 2011 having been filed by Michael and Eileen Babich with respect to property assessed to said applicant on the 2011 tax roll of the Town of Thompson Tax Map #1.-1-90 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from the 2010 assessment rolls incorrectly reflecting the value of an improvement that had been removed prior to the applicable taxable status date; and

**WHEREAS**, the Director of Real Property Tax Services has duly investigated the application and filed her report dated June 1, 2011 recommending this Board approve said application; and

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

(a) That the application be approved because of an error in essential fact.

**NOW, THEREFORE, BE IT RESOLVED**, that the application be approved upon the grounds herein set forth; and

**BE IT FURTHER RESOLVED**, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute and order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

**BE IT FURTHER RESOLVED**, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

**Moved by Mr. Wood, seconded by Mrs. LaBuda, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

**RESOLUTION NO. 275-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CANCEL UNENFORCEABLE TAXES, PENALTIES AND INTEREST ON A PARCEL OWNED BY THE STATE OF NEW YORK DOT, LOCATED IN THE TOWN OF LIBERTY KNOWN AS LIBERTY 7.-8-9**

**WHEREAS**, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as Liberty 7.-8-9 was acquired by the State of New York/Dept of Transportation by

Acquisition Map No 240-D parcel number 544 filed October 30, 2009 and recorded in the Sullivan County Clerk's Office on June 24, 2008 in Liber 3622 at Page 59, and

**WHEREAS**, a tax bill for the lien year 2010 was generated for this parcel, and

**WHEREAS**, said parcel has been deleted from the assessment roll, and

**WHEREAS**, the tax bill for the lien year 2010 has remained unpaid, accruing delinquent taxes, penalties and interest through June 2011.

**WHEREAS**, the aforementioned parcel purchased by the State of New York is exempt from taxation under Section 558 of the Real Property Tax Law of the State of New York, and

**WHEREAS**, these said taxes, penalties and interest are unenforceable, the County Treasurer should cancel any outstanding taxes, penalties and interest due and owing on the aforementioned parcel pursuant to Section 558 of the Real Property Tax Law of the State of New York, and

**NOW, THEREFORE, BE IT RESOLVED**, the County Treasurer is so authorized to cancel the delinquent taxes, penalties and interest assessed to Liberty 7.-8-9 and charge back the tax to the appropriate tax districts pursuant to Section 558 of the Real Property Tax Law of the State of New York

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 276-11 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CANCEL UNENFORCEABLE TAXES, PENALTIES AND INTEREST ON A PARCEL OWNED BY THE STATE OF NEW YORK DOT, LOCATED IN THE TOWN OF LIBERTY KNOWN AS LIBERTY 6.-1-42**

**WHEREAS**, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as Liberty 6.-1-42 was acquired by the State of New York/Dept of Transportation by Acquisition Map No 238-9D parcel number 542-3 filed and recorded in the Sullivan County Clerk's Office on December 29, 2009 in Liber 3635 at Page 22, and

**WHEREAS**, a tax bill for the lien year 2010 was generated for this parcel, and

**WHEREAS**, said parcel has been deleted from the assessment roll, and

**WHEREAS**, the tax bill for the lien year 2010 has remained unpaid, accruing delinquent taxes, penalties and interest through June, 2011.

**WHEREAS**, the aforementioned parcel purchased by the State of New York is exempt from taxation under Section 558 of the Real Property Tax Law of the State of New York, and

**WHEREAS**, these said taxes, penalties and interest are unenforceable, the County Treasurer should cancel any outstanding taxes, penalties and interest due and owing on the aforementioned parcel pursuant to Section 558 of the Real Property Tax Law of the State of New York, and

**NOW, THEREFORE, BE IT RESOLVED**, the County Treasurer is so authorized to cancel the delinquent taxes, penalties and interest assessed to Liberty 6.-1-42 and charge back the tax to the appropriate tax districts pursuant to Section 558 of the Real Property Tax Law of the State of New York

**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 277 -11 INTRODUCED BY JODI GOODMAN, LEGISLATOR DISTICT 6, TO CONVEY PROPERTY IN THE TOWN AND VILLAGE OF LIBERTY KNOWN AS LI108.-6-39**

**WHEREAS**, a property located in the Town and Village of Liberty designated on the Sullivan County Real Property Tax Map as Liberty 108.-6-39, being about 0.3 acres, was acquired by the County of Sullivan as a result of a Tax Foreclosure,

**WHEREAS**, said parcel is part of a Sullivan Renaissance project, and

**WHEREAS**, the Village of Liberty has expressed an interest in receiving title to said property for Village purposes, for the amount of ONE DOLLAR, and

**WHEREAS**, the Village will be responsible for the recording fees and any other applicable charges.

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to the Village of Liberty upon payment of ONE DOLLAR to the County Treasurer, plus fees for the County Clerk, plus the 2011 taxes, and

**BE IT FURTHER RESOLVED**, the purchaser will be responsible for the recording fees and any other applicable charges.

**Moved by Mrs. Goodman, seconded by Mrs. Binder, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

Chairman Rouis stated next we will do the addendum which are resolutions that passed through committees this morning.

**RESOLUTION NO. 278-11 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO SET THE COUNTY'S CONTRIBUTION TO THE SULLIVAN COUNTY COMMUNITY COLLEGE FOR THEIR 2011-2012 BUDGET, AND TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY AND THE SCCC**

**WHEREAS**, the County has reached an agreement with the Sullivan County Community College (SCCC) to contribute \$4 million to the Sullivan County Community College's operating budget for the SCCC's 2011-2012 budget, in conjunction with a Memorandum of Agreement between the County and the SCCC as detailed in the attached letter from the Chair of the Board of Trustees of the Sullivan County Community College; and

**WHEREAS**, the Memorandum of Agreement is both necessary and in the best interest of the County, particularly with a projected \$13 million gap between projected revenues and projected expenses in the 2012 fiscal year, primarily due to unfunded New York State mandates, projected increases in health insurance premiums and employer pension contributions, and the costs associated with the various collective bargaining agreements; and

**WHEREAS**, the unfunded New York State mandates consume more than 85% of the County's property tax levy; and

**WHEREAS**, New York State remains one of only two States that require County Property Taxpayers to fund the Medicaid program, which will require \$21 million of locally generated revenues to be sent to Albany in 2012; and

**WHEREAS**, the current State Administration has strongly advocated for a property tax cap, which, if enacted, would cap an available increase in the property tax levy at 1.6% in 2012, without any relief from unfunded State mandates; and

**WHEREAS**, the enacted 2011-2012 New York State budget reduces revenues to Sullivan County by more than \$500,000 in 2011, and by more than \$600,000 in 2012; and

**WHEREAS**, New York State has consistently failed to honor its financial obligation level to community colleges, but expects County Property Taxpayers to fund community colleges at increasing levels, without relief from unfunded mandates; and

**WHEREAS**, the Sullivan County Community College has agreed to fund \$463,238.09 to the County for current debt service for completed college capital projects, and the SCCC will also purchase services from the Division of Public Works for road paving and rehabilitation around the College in the amount of about \$82,000 as salary and benefits offset, resulting in a total financial commitment from the SCCC to the County of \$545,238.09.

**NOW, THEREFORE BE IT RESOLVED**, that the Sullivan County Legislature, as the Local Sponsor of the Sullivan County Community College, hereby sets the County's contribution for the Sullivan County Community College's 2011-2012 Budget at \$4,000,000; and

**BE IT FURTHER RESOLVED**, that the County Manager is hereby authorized and directed to execute a Memorandum of Agreement between the County and the Sullivan County Community College to fund \$463,238.09 to the County for current debt service for completed college capital projects, and the SCCC will also purchase services from the Division of Public Works for road paving and rehabilitation around the College in the amount of about \$82,000 as salary and benefits offset, resulting in a total financial commitment from the SCCC to the County of \$545,238.09; and

**BE IT FURTHER RESOLVED**, that a letter dated June 14, 2011 addressed to the County Manager from the Chair of the Board of Trustees of the Sullivan County Community College is hereby attached hereto and incorporated herein as Schedule "A"; and

**BE IT FURTHER RESOLVED**, that the Memorandum of Agreement shall be in a form approved by the county Attorney, and it shall be fully executed prior to August 16, 2011; and

**BE IT FURTHER RESOLVED**, that the Clerk of the County Legislature shall transmit a copy of this resolution to the Sullivan County Community College Board of Trustees.

**Moved by Mr. Sorensen, seconded by Mrs. Binder**, put to a roll call vote and unanimously carried, **declared duly adopted on motion** June 16, 2011.

**RESOLUTION 279-11 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PROPERTY IN THE TOWN OF BETHEL KNOWN AS BE22.-1-2.1, ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2009 LIEN YEAR.**

**WHEREAS**, property located in the Town of Bethel designated on the Sullivan County Real Property Tax Map as BE22.-1-2.1, Class 210, being 1.00 +/- acres, located on Best Rd TR 9, is owned by the County of Sullivan and formerly owned by Connie Sue Cigna, was included in the foreclosure of 2009 liens, and

**WHEREAS**, GF Realty III LLC has offered to purchase said property for the sum of, FORTY-FOUR THOUSAND (\$44,000.00) DOLLARS, more than the amount of the delinquent taxes owed to the County, and

**WHEREAS**, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcel to GF Realty III LLC for FORTY- FOUR THOUSAND (\$44,000.00) DOLLARS, and

**WHEREAS**, the purchaser will also be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes, 2011 Town/County taxes, water and sewer charges, if any, and

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to GF Realty III LLC, upon payment of \$44,000.00 to the County Treasurer, plus fees for the County Clerk, plus the 2011 County/Town taxes.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder**, put to a vote and unanimously carried, **declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 280-11 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO RECONVEY A PARCEL LOCATED IN THE TOWN OF THOMPSON KNOWN AS THOMPSON 22.-3-11 TO THE FORMER OWNER.**



WHEREAS, the County of Sullivan through its tax foreclosure deed, dated April 11, 2011, recorded as Instrument #2011-2274 in the Sullivan County Clerk's Office, took title to the premises located in the Town of Thompson and identified as Tax Map # 22.-3-11, and

WHEREAS, the County failed to notify the Owner of said parcel at the time of commencement of the foreclosure proceeding as a result of a mistake made by the U.S. Post Office, thereby resulting in a Mennonite failure, and

WHEREAS, said Owner is going to redeem the delinquent taxes in the amount of \$2,989.04, and said parcel should therefore be conveyed to the former record owner, Ceola A Bickham, as surviving tenant by the entirety, upon payment of the delinquent taxes with interest through June 30, 2011 in the amount of \$2,989.04, and

WHEREAS, the conveyance of said parcel will restore to its prior status, any and all liens and/or judgments of record that were extinguished with the recording of the county foreclosure deed dated on April 11, 2011, and recorded on April 11, 2011, in the Sullivan County Clerk's Office as Instrument #2011-2274, 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 aforesaid premises to the former owner of record, Ceola A Bickham, as surviving tenant by the entirety.

Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.

**RESOLUTION NO. 281-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PROPERTIES IN THE TOWN OF CALLICOON, VILLAGE OF JEFFERSONVILLE KNOWN AS CA106.-1-23.1 & CA106.-1-39, ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2009 LIEN YEAR.**

WHEREAS, properties located in the Town of Callicoon designated on the Sullivan County Real Property Tax Map as CA106.-1-23.1, Class 270, being 1.74 +/- acres, located on Swiss Hill Rd N is owned by the County of Sullivan and formerly owned by Lillian L & George H Hyde & CA106.-1-39, Class 312, being 70.00 x 157.00 +/- feet, located on Lovett Ln is owned by the County of Sullivan and formerly owned by Ogul & Angela D Keser, were included in the foreclosure of 2009 liens, and

WHEREAS, the Sullivan County Division of Public works will retain a portion of CA 106.-1-23.1 as per Resolution No. 238 adopted on May 19, 2011, and

WHEREAS, Village of Jeffersonville has offered to purchase said properties for the sum of FOUR THOUSAND SIX HUNDRED THIRTY-TWO (\$4,632.00) DOLLARS, the amount of the delinquent taxes owed to the County, and

**WHEREAS**, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcels to the Village of Jeffersonville for FOUR THOUSAND SIX HUNDRED THIRTY-TWO (\$4,632.00) DOLLARS, and

**WHEREAS**, the purchaser will also be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, if any, and

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to the Village of Jeffersonville, upon payment of \$4,632.00 to the County Treasurer, plus fees for the County Clerk.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

**RESOLUTION NO. 282-11 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PROPERTIES IN THE TOWN OF LIBERTY KNOWN AS LI8.-1-10.2 & LI8.-1-21.2, ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2009 LIEN YEAR.**

**WHEREAS**, properties located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as LI8.-1-10.2, Class 322, being 15.30 +/- acres, located on Tanzman Rd & LI8.-1-21.2, Class 314, being 4.34 +/- acres, located on Tanzman Rd, are owned by the County of Sullivan and formerly owned by Lakeside Realty LLC, were included in the foreclosure of 2009 liens, and

**WHEREAS**, Kuplen Properties LLC has offered to purchase said properties for the sum of FIFTY THOUSAND (\$50,000.00) DOLLARS, more than the amount of the delinquent taxes owed to the County, and

**WHEREAS**, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcels to Kuplen Properties LLC for FIFTY THOUSAND (\$50,000.00) DOLLARS, and

**WHEREAS**, the purchaser will also be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes, 2011 Town/County taxes, water and sewer charges, if any, and

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to

Kuplen Properties LLC, upon payment of \$50,000.00 to the County Treasurer, plus fees for the County Clerk, plus the 2011 County/Town taxes.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 283-11 INTRODUCED BY EXECUTIVE COMMITTEE TO DECLARE PARCELS OF REAL PROPERTY NOT NECESSARY FOR PUBLIC USE**

**WHEREAS**, pursuant to Resolution No. 131-11 adopted by the Sullivan County Legislature on February 23, 2011, Chancellor Livingston was designated the Preferred Developer for the following tax parcels at the East Broadway Redevelopment Site: Village of Monticello 130.-1-19 and Town of Thompson 31.-1-10.2, 31.-1-10.3 and 31.-1-94 (involved parcels), and

**WHEREAS**, the County Attorney was authorized to negotiate the terms and conditions of a lease of the involved parcels to Chancellor Livingston, and

**WHEREAS**, in furtherance of those lease negotiations and as an indication of the County's continued support of the project the Sullivan County Legislature wishes to declare that the involved parcels are no longer necessary for public use.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby declares that the following four parcels of real property currently owned by the County are no longer necessary for a public use: Village of Monticello 130.-1-19 and Town of Thompson 31.-1-10.2, 31.-1-10.3 & 31.-1-94.

**Moved by Mr. Sorensen, seconded by Mrs. Binder, put to a roll call vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 284-11 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE PERSONNEL TO CREATE NINE (9) PART-TIME CUSTODIAL WORKER POSITIONS**

**WHEREAS**, the current contracted cleaning service will not be completing the existing contract; and

**WHEREAS**, the Division of Public Works has requested nine (9) part-time Custodial Worker positions be created to perform this scope of work.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of nine (9) part-time Custodial Worker positions in the Division of Public Works.

**RESOLUTION NO. 285-11 INTRODUCED BY ELWIN “WOODY” WOOD, LEGISLATOR, DISTRICT 3 AND LENI C. BINDER, LEGISLATOR, DISTRICT 7, LIMITING EXEMPTIONS FOR TAX EXEMPT PROPERTIES**

**WHEREAS**, Article 16, Section 1 of the New York State Constitution requires that religious, charitable and educational institutions be exempt from property taxation, but allows the Legislature to further define the parameters what will apply to such exemptions, and

**WHEREAS**, definitions need to be established which limit the ability to receive unlimited exemptions on land and structures not used exclusively for religious, charitable or educational purposes on a continuous year round basis, and

**WHEREAS**, the courts in New York State have rendered decisions allowing exemptions on property “not exclusively” used for exempt purposes and in some cases have allowed exemptions on property not even primarily used for the exempt purpose, and

**WHEREAS**, correcting these inequities can be accomplished by amendments to Section 420-a of the Real Property Tax Law and;

**WHEREAS**, the Town of Neversink has adopted a resolution requesting the above statutory amendments, and the County of Sullivan supports and endorses the Town of Neversink’s resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature requests the Governor and New York State Legislature to enact definitions which limit the exemptions received by exempt organizations to only that land and those structures used exclusively and continuously for exempt purposes and to further emphasize in the law that exemptions will be limited only to those portions of the property that are exclusively used for the exempt purpose and no exemption shall be granted, nor continued, unless it is so used, and

**BE IT FURTHER RESOLVED**, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a certified copy of this resolution to Governor Andrew M. Cuomo, Senator John J. Bonacic, Assemblywoman Aileen Gunther, Senate Majority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, all Towns and Villages within Sullivan County, and the New York State Association of Counties.

**RESOLUTION NO. 286-11 INTRODUCED BY EXECUTIVE COMMITTEE TO DESIGNATE THE FUNDS RECEIVED FROM THE SULLIVAN COUNTY TOBACCO ASSET SECURITIZATION CORPORATION TO A DEBT SERVICE RESERVE WITHIN THE GENERAL FUND**

**WHEREAS**, the Sullivan County Tobacco Asset Securitization Corporation (SCTASC) has made a one-time transfer of \$493,235.26 to the County of Sullivan, and

**WHEREAS**, the SCTASC funds have been established to satisfy certain debt service payments on bonds there were issued or re-issued at the time of the creation of the SCTASC, and

**WHEREAS**, the SCTASC has adopted a resolution recommending that the County place the \$493,235.26 from the SCTASC into a Debt Service Reserve within the General Fund, and the County Manager and the Commissioner of the Division of Management and Budget have concurred with the recommendation of the SCTASC; and

**WHEREAS**, it is in the County's best interest to designate the \$493,235.26 from the SCTASC to a Debt Service Reserve within the General Fund to be appropriated in future fiscal years to fund debt service payments.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby designates the \$493,235.26 received from the Sullivan County Tobacco Asset Securitization Corporation in June of 2011, to a Debt Service Reserve within the General Fund; and

**BE IT FURTHER RESOLVED**, that the \$493,235.26 from the SCTASC to the Debt Service Reserve within the General Fund may be appropriated in future fiscal years to fund debt service payments.

**RESOLUTION NO. 287-11 INTRODUCED BY THE EXECUTIVE COMMITTEE**

**RESOLUTION TO CREATE ONE (1) CREW LEADER POSITION FOR THE CENTER FOR WORKFORCE DEVELOPMENT**

**WHEREAS**, the Center for Workforce Development is responsible for the administration and implementation of the Workforce Investment Act Title I Youth program and the TANF Summer Youth Employment Program, and

**WHEREAS**, the Summer Youth Employment Program (SYEP) runs from May 1, 2011 through September 30, 2011, and

**WHEREAS**, the Center for Workforce Development will be expanding the program, and

**WHEREAS**, one (1) additional Crew Leader will provide daily supervision of youth participants, and

**WHEREAS**, the Crew Leaders will be paid \$15/hour; 30 hours per week.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of one (1) Crew Leader positions for the Center for Workforce Development.

**BE IT FURTHER RESOLVED**, that all positions will be eliminated at the end of the program.

Moved by Mr. Armstrong, seconded by Mr. Sorensen, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.

**RESOLUTION NO. 288-11 INTRODUCED BY THE EXECUTIVE COMMITTEE  
TO CREATE 20 SUMMER YOUTH POSITIONS FOR THE CENTER FOR WORKFORCE  
DEVELOPMENT**

**WHEREAS**, the Center for Workforce Development is the entity responsible for the administration and implementation of the Workforce Investment Act Title I Youth program and the TANF Summer Youth Employment program, and

**WHEREAS**, the Summer Youth Employment Program (SYEP) runs from May 1, 2011 through September 30, 2011, and

**WHEREAS**, the Center for Workforce Development is able to serve additional youth in the 2011 Program, and

**WHEREAS**, the SYEP will provide paid work experience for twenty (20) additional eligible Sullivan County youth, and

**WHEREAS**, new participants will be paid between \$7.75 and \$8.25/hour, 25 hours per week for 8 weeks of work readiness and work experience.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of twenty (20) additional summer youth positions to be paid as stated for the Center for Workforce Development.

**BE IT FURTHER RESOLVED**, that all positions will be eliminated at the end of the program.

Moved by Mr. Sorensen, seconded by Mrs. Binder, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.

**RESOLUTION NO. 289-11 INTRODUCED BY EXECUTIVE COMMITTEE  
TO AUTHORIZE AWARD & EXECUTION OF CONTRACT**

**WHEREAS**, bids were received for the Resurfacing Portions of Approximately 13 Miles – Various County Road, and

**WHEREAS**, Sullivan county Paving & Construction, Inc., 420 Bernas Road, Cohecton, New York 12726, is the lowest responsible contractor for such work, and

**WHEREAS**, the Division of Public Works approved 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 Sullivan County Paving and Construction, Inc., at a contract price not to exceed \$ 1,147,040.91, and in accordance with the bid, B-11-33, dated May 27th, 2011, said contract to be in such form as the County Attorney shall approve.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

Mr. Hiatt stated one way to request people who do business down there, to limit to businesses and services offered by the County Clerk. He doesn't want an attorney moving in there and practicing law and using that as conference space, which they could. It should be used for people who provide service down there. County Clerk Briggs stated it is a public area and records are maintained there. Mr. Hiatt stated right and he thinks that it is broad enough. He would further limit it to give first priority to businesses and people within the county. Is that permissible? Mr. Briggs' comments could not be heard. Mr. Hiatt stated maybe true, but an RFP we can always not accept it before it comes a real problem.

Chairman Rouis asked Mr. Yasgur if we have to approve whatever the results of the RFP are? Mr. Yasgur stated yes. Chairman Rouis stated so then we get another discussion if we do get an RFP response that isn't consistent with what this board feels is appropriate. Broad is better than narrow.

#### **RESOLUTION NO. 290-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO LEASE SPACE WITHIN THE COUNTY CLERK'S OFFICE**

**WHEREAS**, Sullivan County, and specifically the Sullivan County Clerk's Office, has determined that there is space available for lease within the public records area of the Clerk's Office, and

**WHEREAS**, the County Attorney's Office has researched the viability of leasing said area and concluded that a lottery system would be needed, and the space could not be limited to a certain profession or occupation.

**NOW, THEREFORE BE IT RESOLVED**, that the Office of Purchasing and Central Services and the Sullivan County Clerk issue a Request for Proposals for the leasing of available space in the records area of the Clerk's Office.

**Moved by Mr. Sorensen, seconded by Mrs. Binder, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

**RESOLUTION NO. 291-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO IMPOSE AND RAISE FEES RELATIVE TO ISSUANCE OF PISTOL PERMITS**

**WHEREAS**, the Sullivan County Clerk's Office performs certain tasks relative to the issuance of pistol permits within said Sullivan County, and

**WHEREAS**, the Sullivan County Clerk's Office is desirous of maintaining a high level of service relative to the pistol permit application process, and that in order to do so, certain costs and services associated with the issuance of the permits can no longer be absorbed by the County of Sullivan and the Sullivan County Clerk's Office.

**NOW, THEREFORE BE IT RESOLVED**, that henceforth there will be imposed a \$5.00 charge for each pistol permit application packet; and that the fee for converting the "green paper" license to a plastic card be increased from \$8.00 to \$10.00; and that the current charge of \$3.00 for amendment and \$1.00 for each plastic card, be changed to \$3.00 charge for amendment and \$2.00 for the first plastic card and \$1.00 for each additional card; prospectively, all customers will be charged for copies of all supporting documents accompanying applications and amendments. Said fee will be \$0.25 per copy when performed by the customer at photocopy machine, or \$0.50 per copy when service is provided by County personnel.

All fee adjustments are to commence upon enactment of this resolution. In all other respects, fees shall remain the same.

**Moved by Mrs. LaBuda, seconded by Mrs. Binder, put to a vote with Mr. Armstrong opposed, resolution carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 292-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO IMPOSE FEES RELATIVE TO RETURNING DOCUMENTS BY MAIL AFTER THE RECORDING AND FILING PROCESS**

**WHEREAS**, Public Officers Law Section 68 allows for collections of the "expense of transmitting the paper, including postage, where the transmission is lawfully made through the post office," and

**WHEREAS**, the Sullivan County Clerk's Office is incurring increased and substantial postage costs relative to the mailing of documents to interested parties who have either not provided self-addressed stamped envelopes for return mailing, or not provided sufficient postage, and

**WHEREAS**, the increased postage fees are resulting in an unnecessary financial burden upon the County, and the Sullivan County Clerk's Office specifically.

**NOW, THEREFORE BE IT RESOLVED**, that it shall be the policy of the Sullivan County Clerk's Office to refuse to return documents for lack of being provided sufficient postage, and that the documents will remain on file at the Clerk's Office until such time as postage is remitted for said return in full.



**Moved by Mrs. Binder, seconded by Mr. Wood, put to a vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 293-11 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND RESOLUTION NO. 507 OF 1989 TO INCREASE THE SERVICE CHARGE ON CHECKS RETURNED FOR INSUFFICIENT FUNDS**

**WHEREAS**, section 85 of the General Municipal Law of the State of New York, permits a municipality to impose a service charge of up to \$20.00 on any account due the municipality where a check or other written instrument is returned for insufficient funds, and

**WHEREAS**, resolution 507 of 1989 had set the service charge at \$15.00.

**NOW, THEREFORE, BE IT RESOLVED**, that resolution 507 of 1989 is hereby amended and pursuant to section 85 of the General Municipal Law of the State of New York, the County of Sullivan will add a service charge of \$20.00 to any account owing the County of Sullivan, where a check or other written order tendered as payment of such account is returned for insufficient funds. Whenever the account owing to the County of Sullivan is for tax, special ad valorem levy or special assessment, the service charge must be included on whatever list or delinquent accounts is prepared for the enforcement of the lien and the service charge must be collected in the same manner prescribed by law for the collection of the account for which the check was tendered. The County of Sullivan or any of its departments and agencies may require future payments to be tendered in cash or by certified cashier's check.

**Moved by Mr. Sorensen, seconded by Mr. Sager, put to a vote and unanimously carried, declared duly adopted on motion** June 16, 2011.

**RESOLUTION NO. 294-11 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE AN AGREEMENT WITH WOODSTOCK AIRCRAFT SERVICES, INC.**

**WHEREAS**, the County of Sullivan ("County") had a Lease and Operating Agreement ("Lease") with Arcadia Aviation MSV, LLC ("Arcadia") to provide fixed based operation services at the Sullivan County International Airport ("Airport"), and

**WHEREAS**, uncertainty involving the Lease may leave the County without a vendor to perform fixed based operation services at the Airport and that vacancy in services, if it occurs, needs to be addressed immediately, and

**WHEREAS**, Woodstock Aircraft Services, Inc. ("Woodstock") has previously performed fixed based operation services for the County at the Airport and is prepared to immediately commence performing those services again, and

**WHEREAS**, the Commissioner of Public Works recommends, that in the event that the County is left without a vendor to perform fixed based operation services, that the County immediately enter into an agreement with Woodstock to provide the necessary fixed based operation services for the Airport, and

**WHEREAS**, if a vacancy in services occur, it would in the County's best interest to enter into an expedited agreement with Woodstock to perform fixed based operation services at the Airport for a term to expire on December 31, 2011.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute an agreement with Woodstock to perform fixed based operation services at the Airport for a term to expire on December 31, 2011, said agreement to be in such form as approved by the County Attorney's Office, and

**BE IT FURTHER RESOLVED**, that exigent circumstances require the County to immediately enter into the agreement for the remaining portion of 2011 without complying with the normal procurement procedures.

**Moved by Mr. Sorensen, seconded by Mr. Hiatt, put to a roll call vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

Mr. Hiatt moved to waive the Rules, seconded by Mrs. Binder, put to a vote and carried.

Mr. Hiatt stated that this position will be for two days at \$18,000 per year with no benefits.

**RESOLUTION NO. 295-11 INTRODUCED BY LEGISLATORS FRANK ARMSTRONG AND RON HIATT TO CREATE A PART-TIME VETERANS SERVICE OFFICER POSITION IN THE VETERANS SERVICES AGENCY**

**WHEREAS**, the Director of the Veterans Services Agency has cited the need to create a part-time Veterans Service Officer position in the Veterans Services Agency, and

**WHEREAS**, the County Manager concurs with the need and recommends the creation thereof,

**WHEREAS**, this position would be for 14 hours per week flex time at salary of \$18,000.

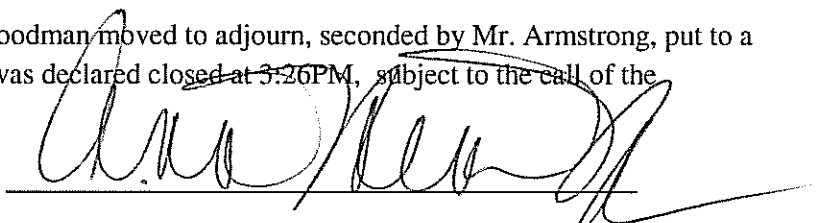
**WHEREAS**, once the position is vacated, the terms of this position must be reviewed.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby creates the following position:

**A-6510 VETERANS SERVICE OFFICER – PART-TIME**

**Moved by Mr. Sorensen, seconded by Mr. Hiatt, put to a vote and unanimously carried, declared duly adopted on motion June 16, 2011.**

There being no further business, Mrs. Goodman moved to adjourn, seconded by Mr. Armstrong, put to a vote and carried. The Regular Meeting was declared closed at 3:26PM, subject to the call of the Chairman.



ANNMARIE MARTIN, Clerk to the Legislature

June 2011  
 Modifications to the 2011 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-1420-47-4704	DEPT STENOGRAPHIC SERVICES			800	
A-1490-41-4105	AUTO/TRAVEL REGISTRATION FEES			100	
A-1490-47-4703	DEPT DUES				100
A-1620-20-44-4404	UTILITY PROPANE			31	
A-1620-20-47-4717	DEPT BLDG/PROP REPAIRS				31
A-1620-21-45-4527	SPEC DEPT SUPPLY MISC STONE			160	
A-1620-21-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			200	
A-1620-21-45-4549	SPEC DEPT SUPPLY SAFETY			750	
A-1620-21-47-4717	DEPT BLDG/PROP REPAIRS				1,110
A-1620-21-47-4717	DEPT BLDG/PROP REPAIRS				1,600
A-1620-22-44-4402	UTILITY FUEL OIL				
A-1620-22-45-4526	SPEC DEPT SUPPLY PAINT			50	
A-1620-22-47-4717	DEPT BLDG/PROP REPAIRS				50
A-1620-23-44-4402	UTILITY FUEL OIL				2,000
A-1620-23-44-4403	UTILITY KEROSENE				500
A-1620-23-44-4404	UTILITY PROPANE			3,000	
A-1620-23-44-4406	UTILITY WIRELESS COMMUNICATIONS				500
A-1620-23-44-4407	UTILITY OTHER			1,600	
A-1620-23-45-4542	SPEC DEPT SUPPLY WELDING			1,300	
A-1620-23-47-4717	DEPT BLDG/PROP REPAIRS			225	
A-1620-24-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			500	
A-1620-24-45-4541	SPEC DEPT SUPPLY TOOLS			25	
A-1620-24-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			1,000	
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				250
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				1,000
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				500
A-1620-25-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			200	
A-1620-25-47-4717	DEPT BLDG/PROP REPAIRS				200
A-1620-25-47-4717	DEPT BLDG/PROP REPAIRS				200
A-1620-27-45-4526	SPEC DEPT SUPPLY PAINT			100	
A-1620-27-47-4717	DEPT BLDG/PROP REPAIRS				100
A-1620-28-40-4015	CONTRACT PROPERTY MAINTENANCE				275
A-1620-28-44-4402	UTILITY FUEL OIL			125	
A-1620-28-45-4526	SPEC DEPT SUPPLY PAINT			43	
A-1620-28-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING				43

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Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-1620-28-47-4717	DEPT BLDG/PROP REPAIRS			150	
A-1989-99-47-4736	DEPT CONTINGENT				2,800
A-3110-29-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS			650	
A-3110-29-47-4717	DEPT BLDG/PROP REPAIRS				650
A-3150-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER			1,000	
A-3150-20-2005	TRACKED EQUIP OTHER			800	
A-3150-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				800
A-3150-45-4508	SPEC DEPT SUPPLY PRISONER RELATED			4,000	
A-3150-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS				3,000
A-3150-47-4717	DEPT BLDG/PROP REPAIRS				2,000
A-4010-33-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER			1,000	
A-4010-33-21-2105	FIXED AUTOMOTIVE EQUIP				2,000
A-4010-33-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			1,000	
A-4050-10-1011	PERSONAL SERV REGULAR PAY				5,000
A-4050-10-1012	PERSONAL SERV OVERTIME PAY			5,000	
A-4082-10-1011	PERSONAL SERV REGULAR PAY				4,203
A-4082-43-4308	COMPUTER MIS CHARGEBACKS			778	
A-4082-44-4406	UTILITY WIRELESS COMMUNICATIONS			225	
A-4082-45-4501	SPEC DEPT SUPPLY MISC/OTHER			3,000	
A-4082-47-4729	DEPT SPECIAL PROJECTS			200	
A-5610-20-2003	TRACKED EQUIP PUBLIC SAFETY			78	
A-5610-44-4402	UTILITY FUEL OIL			1,300	
A-5610-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				1,378
A-6293-40-4013	CONTRACT OTHER			27,212	
A-6293-40-4013	CONTRACT OTHER			40,000	
A-6293-43-4311	COMPUTER WEBINAR AND RELATED EXPENSES			142	
A-6293-47-4760	DEPT CLIENT EXPENSES				142
A-6293-R4791-R178	FED AID W/IA DISLOCATED WORKER	20,401			
A-6293-R4791-R221	FED AID W/IA INCENTIVE	6,811			
A-6610-41-4102	AUTO/TRAVEL LODGING			112	
A-6610-45-4501	SPEC DEPT SUPPLY MISC/OTHER				112
A-6610-45-4501	SPEC DEPT SUPPLY MISC/OTHER			200	
A-6610-45-4549	SPEC DEPT SUPPLY SAFETY				200

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		Increase	Decrease	Increase	Decrease
A-7110-39-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				150
A-7110-39-41-4105	AUTO/TRAVEL REGISTRATION FEES			150	
A-7110-82-21-2102	FIXED BUILDINGS			860	
A-7110-82-45-4501	SPEC DEPT SUPPLY MISC/OTHER				200
A-7110-82-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			25	
A-7110-82-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS			300	
A-7110-82-47-4710	DEPT MISC/OTHER				100
A-7110-82-47-4717	DEPT BLDG/PROP REPAIRS				25
A-7110-86-42-4201	OFFICE ADVERTISING			20	
A-7110-86-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				20
A-7110-86-47-4717	DEPT BLDG/PROP REPAIRS				65
A-7110-86-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				221
A-7450-203-20-2001	TRACKED EQUIP FURNITURE			3	
A-7450-203-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			20	
A-7450-203-47-4717	DEPT BLDG/PROP REPAIRS				241
A-7450-203-47-4717	DEPT BLDG/PROP REPAIRS				3
A-7520-46-4609	MISC SERV/EXP SPECIAL SERV/OTHER				45
A-7520-47-4702	DEPT EQUIP SERVICE/REPAIRS			45	
A-7610-87-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				500
A-7610-87-41-4107	AUTO/TRAVEL VOLUNTEER/CLIENT			500	
A-8020-90-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER			1,285	
A-8020-90-47-4763	DEPT NEW INITIATIVES				1,285
A-8020-90-R2210-R134	GEN SERV OTHR GOV CHARGBK - INTERDEPARTMNTL	40,000			
A-8720-40-4013	CONTRACT OTHER			2,000	
A-9901-90-9001	TRANSFERS COUNTY ROAD				1,300
A-9901-90-9001	TRANSFERS COUNTY ROAD				860
A-9901-90-9001	TRANSFERS COUNTY ROAD				860
	<b>Total General Fund</b>	<b>67,212</b>	<b>-</b>	<b>102,550</b>	<b>35,338</b>
CL-8160-44-4406	UTILITY WIRELESS COMMUNICATIONS			10	
CL-8160-47-4702	DEPT EQUIP SERVICE/REPAIRS				10
	<b>Total Solid Waste Fund</b>	<b>-</b>	<b>-</b>	<b>10</b>	<b>10</b>

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Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
D-3310-45-4513	SPEC DEPT SUPPLY ALUMINUM SIGN MATERIAL				125
D-3310-45-4515	SPEC DEPT SUPPLY REFLECTIVE SHEETS			125	
D-5020-42-4204	OFFICE POSTAGE			11	
D-5020-42-4205	OFFICE PRINTING				11
D-5110-46-45-4501	SPEC DEPT SUPPLY MISC/OTHER				860
D-5110-46-45-4522	SPEC DEPT SUPPLY GUIDERAIL				1,300
D-5110-46-45-4523	SPEC DEPT SUPPLY REINFORCING STEEL				2,000
D-5110-46-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			2,000	
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND		1,300		
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND		860		
	<b>Total County Road Fund</b>		<b>2,160</b>	<b>2,136</b>	<b>4,296</b>
DM-5130-48-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE			1,500	
DM-5130-48-44-4402	UTILITY FUEL OIL			850	
DM-5130-48-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			3,000	
DM-5130-48-45-4539	SPEC DEPT SUPPLY BATTERIES				900
DM-5130-48-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			50	
DM-5130-48-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				1,500
DM-5130-49-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				3,000
	<b>Total Road Machinery Fund</b>			<b>5,400</b>	<b>5,400</b>