

Sullivan County Legislature

Regular Meeting

January 26, 2012 at 2:00PM

The Regular Meeting of the County Legislature was called to order at 2:22PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. All nine Sullivan County Legislators have signed a letter requesting that their salary be reduced to the 2011 level
2. 2012 Legislative Standing Committees
3. 2012 Legislative Meeting Schedule
4. Chairman Samuelson's appointments to the Cornell Cooperative Extension Board
5. Chairman Samuelson's appointments to the 2012 Fire Advisory Board
6. 2011 Motor Vehicle Account report filed by Dan Briggs, County Clerk
7. 2011 Division of Public Works & Solid Waste Annual Report filed by Commissioner Meyer
8. 2011 E911 Center Annual Report filed by Alex Rau

Chairman Samuelson recognized the following speakers who spoke in opposition of the issuance for RFP resolution for tourism services which is currently being delivered by the Sullivan County Visitor's Association, fracking and the union slot on the Sullivan County IDA Board:

1. Elizabeth Bernitt
2. Sondra Bauerfeind
3. Stacey Cohen
4. Jill Wiener
5. Elizabeth Soto, HVALF
6. Sandy Shaddock
7. Sandra Oxford
8. Paul Carlucci
9. Rick Lander
10. Howard Braunstein
11. Rosie Decristofaro
12. Laurie Stuart Jane Luchsinger
13. Terri Ward

RESOLUTION NO. 8-12 INTRODUCED BY SCOTT B. SAMUELSON, CHAIRMAN OF THE LEGISLATURE TO APPOINT TWO MEMBERS TO THE SULLIVAN COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

WHEREAS, the terms of Elwin Wood and David Sager expired on December 31, 2011, creating two vacancies and

WHEREAS, it is the desire of the Legislature to appoint Cindy Kurpil Gieger and Gene Benson to fill these two slots.

NOW, THEREFORE, BE IT RESOLVED, that Mrs. Gieger and Mr. Benson will be appointed to the Sullivan County Soil and Water Conservation Board of Directors with the terms to expire on December 31, 2013.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mr. Benson and Mrs. Gieger abstaining, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 9-12 INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT IRA STEINGART TO THE SULLIVAN COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA) BOARD

WHEREAS, Mr. Elwin Wood is not a member of the Sullivan County Legislature as of January 1, 2012, which leaves a vacancy on the Sullivan County IDA Board; and

WHEREAS, Mr. Ira Steingart has been nominated to fill the vacancy left by Elwin Wood's departure; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint Ira Steingart to the Sullivan County IDA Board.

Moved by Mr. Sorensen, seconded by Mrs. LaBuda, put to a vote with Mr. Steingart abstaining, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 10-12 INTRODUCED BY EXECUTIVE COMMITTEE TO MAKE AN APPOINTMENT TO THE SULLIVAN COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

WHEREAS, Legislator Kathleen LaBuda has resigned as the County Legislature representative on the Sullivan County Agricultural and Protection Board; and

WHEREAS, Legislator Cindy Kurpil Gieger, Vice-Chair of the Planning, Environmental Management and Real Property Committee, has offered to serve as the County Legislature representative; and

WHEREAS, the Planning, Environmental Management and Real Property Committee has relevant jurisdiction as in accordance with the Administrative Code of the County of Sullivan.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby makes the following appointment to the Sullivan County Agricultural and Farmland Protection Board:

Cindy Kurpil Gieger, County Legislator

For a term to commence on January 13, 2012 and expire on December 31, 2015

BE IT FURTHER RESOLVED, that the Clerk of the County Legislature is hereby directed to transmit a copy of this resolution to the Sullivan County Agricultural and Farmland Protection Board, and said resolution shall be filed with any appropriate agency.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Mrs. Gieger abstaining, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 11-12 INTRODUCED BY ALAN J. SORENSEN AND SCOTT B. SAMUELSON TO REAPPOINT JOHN CONWAY AS THE SULLIVAN COUNTY HISTORIAN.

WHEREAS, John Conway was born and raised in Monticello, New York, educated at the Georgia Institute of Technology in Atlanta, Georgia, and has been in the vanguard of the movement to chronicle and preserve Sullivan County history for more than twenty years; and

WHEREAS, he has served as the Sullivan County Historian since 1993; and

WHEREAS, as County Historian, he regularly provides historical context for Sullivan County news events for the New York Times, Associated Press, and Fox News, among others; and

WHEREAS, Mr. Conway writes "Retrospect," a weekly column on Sullivan County history, which runs in the Times Herald-Record and the Sullivan County Democrat; and

WHEREAS, Mr. Conway's in depth knowledge of Sullivan County's history and the historical context he provides as County Historian at Sullivan County events and celebrations is priceless.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint John Conway as Sullivan County Historian.

Moved by Ms. Vetter, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 12-12 INTRODUCED BY THE EXECUTIVE

COMMITTEE TO FILL THE VACANT INVESTIGATOR POSITION IN THE SULLIVAN COUNTY DISTRICT ATTORNEY'S OFFICE

WHEREAS, the County of Sullivan currently has a hiring freeze in place and filling this position must be critical to the operations of the District Attorney's office; and

WHEREAS, the Sullivan County District Attorney's Office recently has a retirement for Position #2259, District Attorney Investigator; and

WHEREAS, the Sullivan County District Attorney's Office has requested the Executive Committee's permission to fill Position #2259, District Attorney Investigator; and

WHEREAS, the Sullivan County District Attorney indicates that filling this position is critical to the public safety needs and operational efficiency of the Sullivan County District Attorney's Office

WHEREAS, the Executive Committee agrees that filling this position is critical to the public safety needs and operational efficiency of the Sullivan County District Attorney's Office; and

WHEREAS, the District Attorney and the Commissioner of Personnel make the following salary recommendations for Position #2259, District Attorney Investigator:

District Attorney Investigator - \$50,000 p/yr

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby finds that filling this position is critical to the primary function of the District Attorney's office and authorizes the immediate filling of the investigator position within the District Attorney's Office at the aforesaid salary.

Moved by Mr. Sorensen, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 13-12 INTRODUCED BY PERSONNEL COMMITTEE TO SUPPORT SPECIAL NEW YORK STATE LEGISLATION TO REOPEN SECTION 511 OF THE RETIREMENT AND SOCIAL SECURITY LAW FOR SULLIVAN COUNTY DEPUTY SHERIFFS

WHEREAS, the County agreed in 1996 to provide an improved retirement plan, known as Article 14-b of the Retirement and Social Security Law, specifically that provision of law known as the "Twenty-five Year Special Retirement Plan for Sheriffs, Undersheriffs and Deputy Sheriffs Directly Engaged in Criminal Law Enforcement Activities," to members of the Sullivan County Patrolmen's Benevolent Association who meet the criteria for this retirement plan, and

WHEREAS, Sheriff Deputies have to elect coverage within one year of joining the Retirement System or being appointed to the position of deputy sheriff for Sullivan County, and

WHEREAS, there are three (3) deputy sheriffs, Scott Galligan, Sean Grady and Rose Ionta-Tocco, who did not elect this coverage within the one-year time period, and as a result special legislation must be enacted by the New York State Legislature for them to be covered by this special plan, and

WHEREAS, due to the 1996 agreement in the Collective Bargaining Agreement, the County is required to provide its deputy sheriffs with this special retirement plan, and

WHEREAS, the New York State Legislature requires that the local affected jurisdiction provide a resolution in support of this special legislation, and

WHEREAS, the estimated cost of moving these three individuals to the improved plan will be an immediate past service cost of approximately \$7,650 and an increase of approximately \$4,500 in the annual contributions for the fiscal year ending March 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby provides its support of special legislation of the New York State Legislature, which will cover the above three (3) named individuals to become members of the special retirement plan 14-b or 551, the 25-year Retirement Plan, and

BE IT FURTHER RESOLVED, that Sullivan County assumes the additional cost required to provide the reopening of Section 551 of the Retirement and Social Security Law, pursuant to Chapter 21 of the Laws of 2007.

Moved by Mr. Benson, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 14-12 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE FUNDING IN THE FIRST INSTANCE OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A FEDERAL-AID TRANSPORTATION PROJECT.

WHEREAS, a Project for Main Street, Village of Bloomingburg, Sullivan County, P.I.N. 9752.92 (the Project) 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 a ratio of 90% Federal funds and 10% non-Federal Funds for Design, and 80% Federal funds and 20% non-Federal funds for Construction, Construction Supervision and Inspection; and

WHEREAS, the County of Sullivan desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the cost of Design work and the Construction, Construction Supervision and Inspection work; and

WHEREAS, Resolution 486-04 provided Legislative approval for Preliminary Engineering and Right-of-Way Incidentals work; and

WHEREAS, Resolution 487-09 provided Legislative approval for Construction, Construction Supervision and Inspection work.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby approves of the Project and authorizes the County Treasurer to pay in the first instance 100% of the Federal and non-Federal share of the cost of Design work and Construction, Construction Supervision and Inspection work for the project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of \$ 97,807 is hereby appropriated in budget and made available to cover the cost increase of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED, that in the event the full Federal and non-Federal share of the cost of the project exceeds the amount appropriated above, the Sullivan County Legislature shall convene as soon as possible to appropriate said excess amount upon notification by the New York State Department of Transportation thereof; and

BE IT FURTHER RESOLVED, that the County Manager be hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal-Aid and/or Marchiselli Aid on behalf of the County with the New York State Department of Transportation, in such forms as approved by the County Attorney, to advance, approve, and administer the Project; and

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

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

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 15-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE

TO AUTHORIZE THE AWARD OF ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE REPLACEMENT OF THE COUNTY OWNED HANGAR AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)

WHEREAS, Resolution No. 366-09 authorized the County Manager to apply for and execute an Airport Improvement and Revitalization Program Grant with the New York State Department of Transportation; and

WHEREAS, a grant has been fully executed in the amount of \$210,000.00 inclusive of \$24,600.00 for the design and construction administrative services and \$185,400.00 for the construction costs; and

WHEREAS, the grant is issued at 90% participation rate from the New York State Transportation Bond Act Air 99 Grant funded by the Rebuild and Renew New York State Transportation Bond Act of 2005; and

WHEREAS, the County has completed a qualifications-based selection process for an Airport Consultant and has selected Passero Associates and recommends the award of the engineering services to the firm Passero Associates.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager to sign the necessary agreements, contracts and documentation, in such form as the County Attorney shall approve, to retain the services of Passero Associates for a contract amount not to exceed \$24,600.00 for Engineering services; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the NYSDOT by attaching it to any necessary agreements in connection with this project: and

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

Moved by Mrs. LaBuda, seconded by Mr. .Sorensen, put to a vote with Ms. Vetter opposed, resolution carried and declared duly adopted on motion January 26, 2012.

**RESOLUTION NO. 16-12 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE THE CHAIRMAN
OF THE LEGISLATURE TO EXECUTE A CONTRACT WITH THE AUCTION FIRM FOR
THE PURPOSE OF CONDUCTING PUBLIC AUCTIONS**

WHEREAS, Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. were hired as the auctioneers o/b/o the County of Sullivan for the 1999 & 2000 public auctions, and

WHEREAS, the County of Sullivan was satisfied with the manner in which the Public Auctions were performed and with the professionalism of the Auctioneers, and

WHEREAS, Resolution No. 254-02 adopted on the 16th day of May, 2002 authorized the County of Sullivan to enter into an agreement with Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. to conduct public auctions for those properties acquired by the County through tax foreclosures for delinquent taxes for the 1998, 1999, 2000, 2001, 2002, 2003, 2004 lien years and prior lien years as necessary, and

WHEREAS, Resolution No. 361-06 adopted on the 21st day of September, 2006 authorized the County of Sullivan to enter into an agreement with Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. to conduct public auctions for those properties acquired by the County through tax foreclosures for delinquent taxes for the 2005, 2006, 2007, 2008, 2009 lien years and prior lien years as necessary,

WHEREAS, the Real Property Advisory Board has recommended that this contract should be renewed to permit Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. to conduct public auctions for those properties acquired by the County through tax foreclosure for delinquent taxes for the 2010 lien year and prior lien years as necessary

NOW, THEREFORE, BE IT RESOLVED, the County of Sullivan enter into an Agreement to be prepared and approved by the County Attorney and executed by the Chairman of the Legislature, between the County of Sullivan with Haroff Auction & Realty, Inc. and Absolute Auction & Realty, Inc. to provide auction services for those properties acquired by the County through tax foreclosure for delinquent taxes for the 2010 tax year lien, in addition to properties the County acquires title to for prior tax lien year(s).

Moved by Mr. Rouis, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 17-12 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO WITHDRAW PARCELS FROM THE 2009 TAX FORECLOSURE PROCEEDING AND TO CANCEL CERTAIN TAXES

WHEREAS, the County Treasurer is the real property tax Enforcement Officer for the County of Sullivan pursuant to the Real Property Tax Law of the State of New York, and

WHEREAS, the County Treasurer has consummated the 2009 tax foreclosure proceeding, and

WHEREAS, certain parcels meet one or more of the criteria and were withdrawn from the foreclosure proceeding pursuant to Section 1138 of the Real Property Tax Law, and

WHEREAS, said parcels are more specifically identified on the Schedule "A" attached hereto and made a part of hereof, and

WHEREAS, with regard to said parcels, the County Treasurer has determined that the commencement of supplementary proceedings pursuant to Section 1138 (5) of the Real Property Tax Law in the manner provided by Section 990 of the Real Property Tax Law would not be an effective means to enforce collection of the delinquent tax liens at the present time, and

WHEREAS, there is no practical method to enforce the collection of the delinquent tax liens regarding said parcels and that a supplementary proceeding to enforce collection of the taxes would not be effective, and

WHEREAS, there is no practical method to collect delinquent tax liens arising hereafter against said parcels, and

WHEREAS, it would be in the best interest of the County to have the County Treasurer issue a Certificate of Cancellation and a Certificate of Prospective Cancellation affecting said parcels, and

WHEREAS, the County to charge back to the various municipal corporations the amount so credited or guaranteed.

NOW, THEREFORE BE IT RESOLVED, the Sullivan County Treasurer is hereby authorized regarding said specific parcels to issue Certificates of Cancellation pursuant to Section 1138 (6) (b) of the

Real Property Tax Law and to charge back to the affected municipal corporations the Cancellation and to file a copy of same with the Assessor of the assessing unit in which each parcel is located and with the County Director of Real Property Tax Services pursuant to Section 1138 (6) (d) of the Real Property Tax Law, thereby making said parcels exempt until this governing body shall determine that one or more of said parcels should be restored to the taxable portion of the assessment roll, and until the Enforcement Officer files a Certificate of Restoration pursuant to Section 1138 (4) of the Real Property Tax Law.

Moved by Mr. Benson, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

Schedule "A"

MA38.-14-1 WURTSBORO HILLS COMMUNITY ASSOCIATION

RESOLUTION NO. 18-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF CALLICOON FOR TAX MAP #24.-3-19

WHEREAS, an application dated January 3, 2012 having been filed by Kevin and Kathleen Zieres with respect to property assessed to said applicant on the 2012 tax roll of the Town of Callicoon Tax Map #24.-3-19 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property being incorrectly charged the solid waste fee at the commercial rate when in fact the property is classified as a rural residential property and should have been charged the residential rate; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 9, 2012 recommending this Board approve said application; and

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

(a) That the application be approved because of a clerical error

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

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an 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. Rouis,, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 19-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF FREMONT FOR TAX MAP #22.-1-47.1

WHEREAS, an application dated January 7, 2012 having been filed by Michael and Jeanne Leewe with respect to property assessed to said applicant on the 2012 tax roll of the Town of Fremont Tax Map #22.-1-47.1 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact that was caused by an incorrect entry on the tax roll of the value of an improvement that had been removed prior to taxable status date; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 10, 2012 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 an 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 relevied school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mr. Rouis,, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION 20-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #111.-1-3.8/5701

WHEREAS, an application dated November 16, 2011 having been filed by Shimen and Francine Simon with respect to property assessed to said applicant on the 2011 tax roll of the Town of Fallsburg Tax Map #111.-1-3.8/5701 pursuant to Section 556 of the Real Property Tax Law, to correct a claimed clerical error on said tax roll resulting from an incorrect assessed valuation of an improvement to applicants' real property.

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated December 13, 2011 recommending this Board deny said application; and

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

(a) That the application be denied because the reason given for the Correction of Error does not meet the definition of error authorized to be corrected pursuant to Sections 550 and 556 of the Real Property Tax Law. This alleged error is a valuation issue that could only have been resolved through the

4. The 2012 Operating Budget is amended to increase expense account A-6989-40-4013 by \$25,000 & decrease expense account A-1989-99-47-4736 by \$25,000.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 22-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT

WHEREAS, proposals were received to purchase and install a fuel canopy at the Division of Public Work's Maplewood Facility, and

WHEREAS, Industrial Petroleum Incorporated, is the most responsible firm for such work, and

WHEREAS, the Sullivan County Division of Public Works has approved said proposal and recommends that a an agreement be executed, and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Industrial Petroleum Incorporated, at a total price not to exceed \$25,936.00, in accordance with Quote #Q-11-30, dated December 20, 2011 said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs.Gieger, put to a vote unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 23-12 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE FOR A CONTRACT FOR 2012 WITH QUAZI S. AL-TARIQ, MD AS A PROFESSIONAL SERVICE CONSULTANT IN THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has Professional Service Contract with Quazi S. Al-Tariq, MD.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute a contract for the period of February 1, 2012 to December 31, 2012, and renewal up to three years with the following individual at the rate set opposite his/her name:

Dr. Quazi S. Al-Tariq, Psychiatrist

up to \$120.00 per hour

BE IT FURTHER RESOLVED, this 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 2012 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. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 24-12 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE PUBLIC HEALTH SERVICES TO APPLY, ACCEPT AND CONTRACT WITH THE NATIONAL NETWORK OF PUBLIC HEALTH INSTITUTES FOR A QUALITY IMPROVEMENT GRANT

WHEREAS, the National Network of Public Health Institutes (NNPHI) has called for proposals to support health departments with a Quality Improvement(QI) Project award, and

WHEREAS, the NNPHI will provide health departments with a \$5,000 award to conduct a QI Project for the period April 1, 2012 to November 30, 2012, and

WHEREAS, in the event that funding is awarded, Sullivan County Public Health Services wishes to enter into an agreement with the NNPHI to make improvements with the guidance of an experienced QI coach,

NOW, THEREFORE, BE IT RESOLVED, that Sullivan County Public Health Services be authorized to apply, and if funding is awarded, accept and sign agreement with the National Network of Public Health Institutes to conduct Quality Improvement Projects.

Moved by Ms. Vetter, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 25-12 INTRODUCED BY SUSTAINABILITY POLICY COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN INTERMUNICIPAL AGREEMENT TO FORM THE MID HUDSON SUSTAINABILITY PLANNING CONSORTIUM

WHEREAS, the counties of Dutchess, Orange, Putnam, Sullivan, and Ulster, the Town of Greenburgh, and the Northern Westchester Energy Action Coalition (NWEAC), hereby referred to as the "Cooperating Municipalities," have partnered in the development of a grant application for NYSERDA's Cleaner Greener Communities Regional Sustainability Planning Program ("Program"); and

WHEREAS, the County of Orange, as applicant, was awarded funding through the Program for the development of a Regional Sustainability Plan; and

WHEREAS, General Municipal Law §239-n authorizes counties, cities, towns and villages in New York to create intergovernmental relations councils to conduct surveys and research, to provide for the distribution of information, to cooperate with county, state and federal agencies, to conduct local and intercommunity planning and to provide a forum for local municipalities to explore and develop areas for municipal cooperative activities as further authorized under Article 5-G of the General Municipal Law; and

WHEREAS, the Cooperating Municipalities share the goal of preparing and implementing a regional sustainability plan for their shared region, as well as taking action toward reducing greenhouse gas emissions and increasing energy efficiency throughout their communities, and reducing energy costs for municipal, educational, not-for-profit, commercial, and residential entities; and

WHEREAS, the Cooperating Municipalities are seeking to form an intergovernmental relations council entitled, the "Mid Hudson Sustainability Planning Consortium," for the purpose of developing a regional sustainability plan.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an intermunicipal agreement on behalf of the County of Sullivan in order to form the Mid Hudson Sustainability Planning Consortium; and

BE IT FURTHER RESOLVED, that said agreement shall be in a form that is approved by the County Attorney's Office.

Moved by Mr. Rouis, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

**RESOLUTION NO. 26-12 INTRODUCED BY PLANNING AND ENVIRONMENTAL
MANAGEMENT COMMITTEE TO ENTER INTO AN AGREEMENT WITH HOME-TEK
INSPECTION SERVICES AND LEAD-TEK INSPECTIONS, LLC TO PERFORM
CONSTRUCTION AND LEAD INSPECTIONS FOR THE COUNTY'S HOME RENTAL
HOUSING REHABILITATION PROGRAM**

WHEREAS, the County of Sullivan ("County") had applied for and successfully obtained a \$400,000.00 ("Funds") grant under the New York State Housing Trust Fund's HOME Program; and

WHEREAS, the County intends to administer this grant for the purposes of improving the condition of affordable rental housing; and

WHEREAS, the County proposes to implement the Rental Rehabilitation Program on a county-wide basis, wherein qualified applicants are able to renovate rental housing units and raise the quality of housing available to lower income residents; and

WHEREAS, a portion of the Funds may be used to pay for Construction Inspection and Specifications for Renovations including Lead Inspections ("Services"); and

WHEREAS, Home-Tek Inspection Services and Lead-Tek Inspections LLC have the experience and expertise to perform the Services and the Division of Planning and Environmental Management recommends entering into contracts with Home-Tek Inspection Services and Lead-Tek Inspections LLC.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute any and all necessary documents to enter into an agreement with Home-Tek Inspection Services and Lead-Tek Inspections LLC in an amount not to exceed \$12,000.00 and \$15,000.00 respectively, in such form as the County Attorney shall approve.

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

**RESOLUTION NO. 27-12 INTRODUCED BY PLANNING AND ENVIRONMENTAL
MANAGEMENT COMMITTEE TO ENTER INTO AN AGREEMENT WITH MILLHOUSE
PROPERTIES, LLC TO PERFORM HAZARDOUS MATERIALS INSPECTIONS FOR THE
COUNTY'S HOME RENTAL HOUSING REHABILITATION PROGRAM**

WHEREAS, the County of Sullivan ("County") had applied for and successfully obtained a \$400,000.00 ("Funds") grant under the New York State Housing Trust Fund's HOME Program; and

WHEREAS, the County intends to administer this grant for the purposes of improving the condition of affordable rental housing; and

WHEREAS, the County proposes to implement the Rental Rehabilitation Program on a county-wide basis, wherein qualified applicants are able to renovate rental housing units and raise the quality of housing available to lower income residents; and

WHEREAS, a portion of the Funds may be used to pay for Hazardous Materials Inspections ("Services"); and

WHEREAS, Millhouse Properties, LLC. has the experience and expertise to perform the Services and the Division of Planning and Environmental Management recommends entering into contracts with Millhouse Properties, LLC.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute any and all necessary documents to enter into an agreement with Millhouse Properties, LLC in an amount not to exceed \$5,000, in such form as the County Attorney shall approve.

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

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION 28-12 INTRODUCED BY THE KATHLEEN LABUDA, CHAIRMAN OF THE PUBLIC WORKS COMMITTEE TO THE TRANSPORTATION LOGISITICS COORINDATOR POSITION FROM THE DIVISION OF PUBLIC SAFETY TO THE DIVISION OF PUBLIC WORKS

WHEREAS, the Transportation Logistics Coordinator position that was created with the adoption of Resolution No. 452-11 and through the 2012 County Budget, and

WHEREAS, the Transportation Logistics Coordinator position was erroneously placed in the Public Safety Administration, rather than the DPW Administration, and the County Manager has recommended that this position be transferred to the proper budget organization.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby transfers the Transportation Logistics Coordinator position as follows:

A-3010	TRANSPORTATION LOGISTICS COORDINATOR	\$50,000
--------	--------------------------------------	----------

TO

A-1490 TRANSPORTATION LOGISTICS COORDINATOR

\$50,000

Moved by Mr. Benson, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 29-12 INTRODUCED BY MAJORITY LEADER KATHLEEN LABUDA AND VICE CHAIR-PERSON GENE BENSON TO CALL FOR THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR A CONTRACT WITH A LABOR COUNSEL OR A LABOR RELATIONS SPECIALIST

WHEREAS, the County presently has a retainer agreement with the firm of Coughlin & Gerhart, LLP for the rendition of labor counsel services, and

WHEREAS, the aforesaid retainer agreement provides that Coughlin & Gerhart will provide certain services, including contract negotiations, the provision of advice and the like, for an all inclusive annual fixed fee and will also provide certain other services such as court appearances or participation in arbitrations before the Public Employment Relations Board at an additional hourly rate, and

WHEREAS, the aforesaid retainer agreement will expire in March 2012, and

WHEREAS, the County Legislature desires to have the County issue a Request for Proposals which will invite proposals from law firms and/or from non-attorney labor relations specialists to provide the County with required professional services.

NOW THEREFORE BE IT RESOLVED THAT:

The Sullivan County Legislature requests that the County Manager, utilizing such staff personnel as he may deem appropriate, cause a Request for Proposals to be issued seeking the following:

1. Submissions from attorneys and/or non-attorneys who specialize in the field of labor relations and who:
 - A. have extensive experience in representing governmental entities in New York, and
 - B. who are familiar with the Taylor Law, and
 - C. have extensive experience in negotiating collective bargaining agreements with municipal employee unions.
2. Such submissions shall provide the County with a flat annual fee for the provision of ALL services other than, in the case of attorneys, actual appearances at arbitration proceedings and actual appearances in court proceedings which may be required.
3. Such submissions shall provide:
 - A. A detailed statement of the services to be provided for the flat fee, and
 - B. If the submitter is not an attorney an estimate of the amount of time the submitter believes may be required on the part of an attorney to support the submitter's work for the County.
4. The Requests for Proposals shall be for a three year agreement with the County having the option to extend the Agreement for two additional one-year terms.

Moved by Mr. Rouis, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 30-12 INTRODUCED BY MAJORITY LEADER KATHLEEN LABUDA AND VICE CHAIR-PERSON GENE BENSON TO CALL FOR THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR A CONTRACT WITH A NOT-FOR-PROFIT CORPORATION TO PROVIDE TOURISM PROMOTION SERVICES FOR THE COUNTY

WHEREAS, pursuant to Section 1202-j of the New York State Tax Law applicable to Sullivan County the County is authorized to impose a hotel and motel room occupancy tax of up to five (5%) per cent, and

WHEREAS, the actual enabling language of section 1202-j reads as follows:

“(1) Notwithstanding any other provision of law to the contrary, the county of Sullivan is hereby authorized and empowered to adopt and amend local laws imposing in such county a tax, in addition to any other tax authorized and imposed pursuant to this article, such as the legislature has or would have the power and authority to impose upon persons occupying hotel or motel rooms in such county. For the purposes of this section, the term “hotel” or “motel” shall mean and include any facility providing lodging on an overnight basis and shall include those facilities designated and commonly known as “bed and breakfast” and “tourist” facilities. The rates of such tax shall not exceed five per cent of the per diem rental rate for each room, provided, however, such tax shall not be applicable to a permanent resident of such hotel or motel. For the purposes of this section the term “permanent resident” shall mean a person occupying any room or rooms in a hotel or motel for at least ninety consecutive days.” and

WHEREAS, the aforesaid Tax Law mandates that not less than eighty-five (85%) per cent of the revenue from the imposition of the hotel and motel room tax be used to employ a not-for-profit corporation to promote tourism in Sullivan County, and

WHEREAS, subsection 9 of Section 1202-j reads as follows:

“(9) All revenues resulting from the imposition of the tax authorized by this section shall be paid into the treasury of the county of Sullivan and shall be credited to and deposited in the general fund of the county; thereafter to be allocated and paid to a not-for-profit corporation under contract with the county for the promotion of tourism in the county. Provided, however, that such local law shall provide that the county shall be authorized to retain up to a maximum of fifteen percent of such revenue to defer the necessary expenses of the county in administering such tax.” and

WHEREAS, the County presently has a contract with the Sullivan County Visitors Association, a not-for-profit corporation to promote tourism in Sullivan County, and

WHEREAS, the present contract with the Sullivan County Visitors Association is in fact funded with the proceeds of the aforesaid hotel and motel room tax, and

WHEREAS, the present contract between the County and the Sullivan County Visitors Association for the promotion of tourism in Sullivan County will expire on March 31, 2012, and

WHEREAS, the County Legislature desires to put a contract in place by the end of March, 2012, with a qualified not-for-profit corporation, for the continuation of such services.

NOW THEREFORE BE IT RESOLVED THAT:

Pursuant to the County's Procurement Policy the Sullivan County Legislature hereby requests that the County Manager, utilizing such staff personnel as he may deem appropriate, cause a Request for Proposals to be issued seeking proposals from qualified entities to perform such tourism promotion services for the County, it being the intention of the Legislature that such contract will be awarded during the March legislative meeting.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Ms. Vetter, Mr. Rouis, Mr. Steingart and Mr. Sorensen opposed, resolution carried and declared duly adopted on motion January 26, 2012.

RESOLUTION NO. 31-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A SETTLEMENT WITH THE NEW YORK STATE DEPARTMENT OF LABOR

WHEREAS, in February, 2007, the Inspector General's Office (now the Office of Special Investigations) of the New York State Department of Labor (hereinafter "D.O.L.") commenced a compliance audit of Sullivan County's expenditure of federal Workforce Investment Act grant funds, funneled to the County through the State, and expended at the County through the County's Center for Workforce Development, and

WHEREAS, approximately two years after commencing the limited Audit the D.O.L. expanded the Audit to cover Program Years 2000 through 2007, the maximum period subject to such an audit, and

WHEREAS, during the expanded period covered by the Audit the County received in excess of \$5,500,000 in federal funds which were expended to support Center for Workforce Development projects and activities in an effort to assist persons in the County to attain the skills necessary to obtain employment and in an effort to assist potential employers in the County to recognize the potential of the under-utilized County workforce and to employ as many such individuals as possible, and

WHEREAS, on September 28, 2011 the D.O.L. issued a Final Report with regard to its Audit, and

WHEREAS, in the Final Report the D.O.L.'s Director of Audit recommended to the D.O.L. Commissioner that Sullivan County reimburse the D.O.L. \$197,875 with respect to thirty nine (39) vouchers paid to third party vendors for training and consulting based on the D.O.L.'s contention that there wasn't sufficient documentation for the expenditures of those sums, and

WHEREAS, while: (1) the contracts with the vendors had been approved by the County Legislature, and (2) the County Manager and the County Attorney had executed and approved the contracts with the vendors, and (3) the vendors had executed certifications attesting that they had performed all of the services required for payment, and (4) the Department Head had certified that the services had been provided, the D.O.L. auditors said that on certain dates additional documentation such as dated memos of each day's consulting, or sign-in sheets for each day's training, did not exist to support the vendor's certifications and that, as a result, payment for activities on those days should be disallowed, and

WHEREAS, pursuant to D.O.L. procedures the County challenged the aforesaid recommendation, and

WHEREAS, as a result a hearing was held in Albany, N.Y., before a Hearing Officer designated by the D.O.L., on January 18 & 19, 2012 and a number of witnesses were called and examined, and

WHEREAS, at said hearing both the D.O.L. and the County presented witnesses and documentary evidence, and

WHEREAS, if the hearing runs its full course the Hearing Officer will make findings and recommendations and will submit them to the Commissioner for a final determination, and

WHEREAS, if the County is aggrieved by the final determination it will have the right to commence an Article 78 proceeding, and

WHEREAS, on January 20, 2012, prior to the continuation of the hearing and the cross-examination of the D.O.L.'s Director of Audit, discussions took place between the D.O.L. and the County, not including the Hearing Officer, in an attempt to determine whether the matter can be resolved amicably, and

WHEREAS, the County Auditor, the County's Director of Workforce Development and representatives of the County Attorney's Office, all of whom were at the aforesaid hearing, believe it might be possible to settle the matter in a manner that is in the best interests of the County,

NOW THEREFORE BE IT RESOLVED THAT:

1. The Sullivan County Legislature hereby authorizes the County Manager and the County Attorney to jointly execute a settlement of the aforesaid Audit with the D.O.L. provided that the County Manager, the County Auditor, the Director of Workforce Development and the County Attorney immediately thereafter certify in writing to the County Legislature that said settlement was, in their collective judgment, in the best interests of the County of Sullivan.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion January 26, 2012.

There being no further business, Mrs. Gieger moved to adjourn at 2:01PM seconded by Mr. Benson. The meeting was declared closed at 3:33PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature

Martin, AnnMarie

From: Anne Hart [ahart@hvc.rr.com]
Sent: Tuesday, January 31, 2012 8:33 PM
To: Martin, AnnMarie
Subject: Comments for The Record

Dear Ms Martin:

I understand that some emails sent to the legislators last week were bounced back because the legislators' emails were not



RFP Tourism.doc

functional at the time. I've attached and pasted the contents of the letter I sent last Thursday morning so that it may be included in the record. Thanks very much.

Anne Hart
Board Member, Sullivan County Visitors Association

Owner,
Domesticities & The Cutting Garden
4055 State Rte 52
Youngsville, NY 12791
845/482-3333
www.thecuttinggarden.org

January 26, 2012

Dear Members of the Sullivan County Legislature:

The tasks ahead of you are enormous and many difficult decisions need to be made over the next few years. Many of you were elected in part because of the desire for change and increased scrutiny over how our County Government has operated. I've applauded that platform. I am very troubled to have learned that in one of your very first actions, and with virtually no notice or opportunity for public input, the legislature has brought forth the idea that the tourism agency be put out for RFP. While I absolutely agree that procedures for any contract with any agency should be level, fair and decided on an equal and rational basis, the timing of this couldn't be worse. Now is the time to prepare for the upcoming tourist season. Contracts need to be signed and plans need to be made for all of the marketing efforts for Sullivan County. To delay that process as an RFP is prepared and then decided upon will effectively stop all marketing efforts for Sullivan County tourism in 2012. There simply isn't time. As a Board Member of the Sullivan County Visitors Association, I would have to urge Roberta and Herb not to incur any financial liability without certainty of funding. It isn't good business. As a long time member of the Visitors Association, I have been a direct beneficiary of the marketing efforts made by this very capable organization. Most of the members are small businesses who cannot in any way afford to market at that scale. The work of the Visitors Association is quantifiable and the numbers prove their

effectiveness. This is an organization which works for tourism businesses without regard to their size. It constantly works to improve its efforts to benefit Sullivan County and every member. To put any kind of hurdle in the preparation for the season will harm Sullivan County Tourism and the many small businesses who operate here, create jobs and pay taxes. Operating in this economy is difficult enough.

I urge you to extend this contract through the season so that the work can go on. Set a reasonable time later in the year when an RFP can be issued without the potential for harming tourism in 2012.

Thank you for your consideration.

Anne Hart
Domesticities & The Cutting Garden
4055 State Route 52
Youngsville, NY 12791

845-482-3333

PC

Jill Wiener PO Box 198, 92 Bayer Road, Callicoon Center, NY 12724

Sullivan County Legislature

January 26, 2012

I am writing to express my concern about the proposed resolution to send tourism in Sullivan County out for a RFP. With very little time to gather information on this legislative proposal I am left questioning the wisdom and timing of this proposed resolution.

No one is more pleased than I am that Sullivan County will no longer be run "as usual" However, the timing of this proposition is more than inconvenient. As a member of the board of the SCVA I know that we are in the midst of preparing for the "season"- one that we strive to extend every year. We are putting the finishing touches on our award winning Travel Guide, this year expanded to include a section devoted to "Weddings and Celebrations" which will bring in new member businesses including caterers, party planners and rental companies. Also new this year, the SCVA is holding sector marketing meetings in every corner of the County to reach new members and strengthen relationships with municipalities. We are working on driving tours to be posted to our heavily trafficked website.

If the SCVA is forced to turn their energy at this critical time to bid for their existence I fear businesses in the county that depend on tourism will be the ones to suffer most.

The SCVA has been doing a great job, tourism in Sullivan County increased in 2011 by 10.7%, generating 21 million dollars in local Sullivan County taxes and another 21 million dollars in New York State taxes. That's forty-two million dollars generated by visitor spending of 345 million dollars.

Nineteen percent of Sullivan County workers are employed in this clean, sustainable and growing industry. These statistics come from the, industry standard and conservative Oxford studies. On a recent visit to Sullivan County, tourism consultant and expert, Dr. Peter Tarlow was questioned about the validity of the Oxford Study, he answered that Oxford provides the standard tourism statistics recognized nationally by the tourism industry. He also stated that in regards to the SCVA he has never seem an agency do so much with so little funding.

When I was first elected to the SCVA Board 7 years ago, monthly meetings were attended by Rodney Gabel. It was great to have a member of the legislature who was concerned with Tourism in the County. We are looking forward to have Ira Steingart and any other legislators continue in that tradition and attend SCVA Board meetings. If the legislature has concerns with the manner in which the SCVA operates those concerns should be voiced and appropriate actions should be taken by the SCVA. But dismissing

one of the premier agencies in the County in order to start of with a clean slate may not be in the best interest of our fragile economy and growing and vibrant tourism sector.

I first worked with the SCVA in 2005 developing the very successful Pottery Trail Map. The map has helped to draw visitors to our off the beaten path studios and to our small towns, Main Streets shops and restaurants and to our resorts. I was a lone potter when I walked into the SCVA office. I left with the support of the County for a project that has been a success. The SCVA supports grassroots, agriculture and larger attractions. Our larger businesses such as the Villa Roma and Bethelwoods deserve SCVA support as well. The Villa and Bethel are our anchors sending visitors around the County to shop, eat and explore.

The SCVA is member driven association, and our membership is diverse. Made up of 3.5% large businesses like Villa Roma, Landers River Trips and Bethelwoods, Medium businesses make 13.5% of our membership, exemplified by Forestburgh Playhouse and Rolling Stone Ranch. A whopping 83% of the SCVA membership is comprised of small businesses such as Gosling Pond B&B, Flour Power Bakery and NACL Theatre. These businesses depend on the continued support of the SCVA and the SCVA is counting on the continued support of our legislature.

Sincerely,

Jill Wiener


Earthgirl Pottery
Earthgirl Flowers

Dear Members of the Legislature,

It has come to my attention that the Sullivan County Legislature is giving consideration to revising the manner in which the county's tourism efforts are managed and funded. While I cannot speak to this process, I can speak to the excellent support that the Sullivan County Visitors Association has afforded to Roscoe over the last several years. Their matching funds process, knowledge of the industry, and the ability to open doors for us have made Roscoe's marketing efforts much more mature and successful than they would have been without that support.

As you think through this issue, I ask that you take into consideration the impact to the County's businesses and communities of sudden changes to the process and programs.

Our plans for 2012 Marketing efforts are well underway, and our key tourism season is fast approaching. This is not the time to be modifying something already in progress.

I trust that the Legislature will not be hasty and take any actions that will disrupt and negatively impact all of us. If this is something that needs to be looked at, then it deserves the appropriate time and analysis, and the involvement of the current provider.

Thank you in advance for your consideration.

**Elaine Fettig
President, Roscoe Rockland Chamber of Commerce**

New York State
**HOSPITALITY
& TOURISM**
Association



80 WOLF ROAD ALBANY, NY 12205

(518) 465-2300 FAX: (518) 465-4025 (800) 642-5313

www.nyshta.org

To whom it may concern:

As the statewide hospitality and tourism association I am commenting on behalf of our lodging and tourism-related businesses in Sullivan County.

Based on a recent independent study, Sullivan County had a very successful year for tourism in 2010 when it showed a 10.7% increase in tourism visitor spending over 2009 and an overall 5.9% increase over 2008. In addition, out of the 10 counties in the Catskill Region, Sullivan County ranked 5th in 2010 in generating tourism spending with \$345.1 million.

Those statistics speak to the successful efforts of the Sullivan County Visitors Association (SCVA) and its consistent management of marketing and promotion funds and its knowledge of what messages resonate with visitors to the Catskills region. The SCVA and the New York State Hospitality & Tourism Association (NYSH&TA) share a great number of lodging and tourism related members from the Villa Roma in Callicoon to the many hotels in Monticello, Liberty and Ferndale, among others.

We have valued our partnership with the SCVA since the 1980s and continue to be supportive with the county's tourism growth. The marketing and promotion programs they implement each year under the leadership of Executive Director Roberta-Byron Lockwood, a long-tenured New York State tourism marketer and advocate for tourism issues, have resulted in sustained tourism growth.

Respectfully yours,

Jan Marie Chesterton
President, New York State Hospitality & Tourism Association

● TRI-OWNER INTERNATIONAL HOTEL/MOTEL & RESTAURANT SHOW



I would like to use my time today, not so much to defend the work of the team at the Sullivan County Visitors Assn, but to address the timing of the resolution and the hasty manner in which this resolution appears to be moving.

The timing of this resolution could not be worse. The Association is right in the middle of planning for the crucial summer season. Work on the Travel Guide is more than 50% complete, ad buys and placements are being made in media outlets and more. Such a move would impact this work and these decisions and virtually cripple the process. The County businesses that make up the SCVA are the ones who will suffer.

Also, We were given no opportunity to present our work to the new Legislature or to participate in any dialogue with any members who may be dissatisfied with the Association's work. The topic of this resolution has not even been mentioned in any of the Economic Development Committee meetings held this month. After an eleven year relationship, would you expect anything less? We understand the need for fresh ideas and vision and have always reacted positively with any requests from County government.

Lastly, the opportunity has not been given to our members, who are primarily small business owners, to voice their opinions and thoughts. In effect, as dues paying members of the Association, they are being disenfranchised.

I've been told that by sending an email to our members informing them of the intent of the Legislature has put you in an untenable situation and that as a result you have no choice but to move forward with this resolution. That was not my intention and I apologize if it was taken in that way. As Chairman of this Association, I have an obligation to each and every member to keep them informed about such an important imminent change. My intention was not to back the Legislature into a corner but rather to give each of you an opportunity to hear what our members think and feel.

I would request that you not pass this resolution and that the SCVA be given the opportunity to make a presentation to the new Legislature and the opportunity to respond proactively to any suggestions or requests that the Legislature may make. I believe that this will be the best way for the Legislature to make an informed decision.

Thank you.

A handwritten signature in cursive script that reads "Paul Carlucci". The signature is written in dark ink and is positioned below the typed text "Thank you."

To: The Sullivan County Legislators
From: ECCE Bed & Breakfast

We are writing to you in support of the Sullivan County Visitors Association and our desire to have their current contract continued.

By way of background, we have been 2nd home owners in Sullivan County since 1985. In 2003, we purchased a private residence and converted it into a bed and breakfast in Barryville. We opened in July 2004.

From the very beginning, SCVA has been a tremendous asset for us. Roberta and Herb visited our property when we first opened and were instrumental in helping us understand the resources in the county to better market a new business in the area.

Over the years, through their extensive contacts, they have steered travel writers and organizations to our property. As a result, we, and Sullivan county, have been showcased in a number of travel articles, local, regional, national and international. To name a few: Kaatskill Life, Milford Magazine, the New York Times, the New York Post, The London Times Travel Magazine, Abroad Magazine (Ireland) and Tom on Tour Tour (Germany.) This type of advertising has been an incredible boost to our reputation and financial results.

Last Spring, through SCVA, we hosted travel scouts from Denmark. From that visit, they have included us and Sullivan County in their travel itineraries to the Northeast. Last season, and for this upcoming season, we have received numerous reservations through this effort.

SCVA continually thinks "out of the box" developing new ways to attract visitors to the county. The matching funds program has been extraordinarily helpful, particularly for small businesses such as ours which have very tight advertising budgets. Another cost effective marketing tool for us is participating in travel expos which are sponsored by SCVA. We always receive new reservations as a result of the Javits Center shows. In addition, the printed, and the on line Travel Guide has been another, invaluable resource for our business. This year, SCVA initiated an on line reservation tool for the Travel Guide which has already produced big dividends for us.

We are looking forward to some new initiatives this year, such as sector marketing, which we believe will be an additional, cost effective way for many of our tourism businesses to promote a variety of offerings in the county.

But SCVA's efforts are more than just efforts. They are a very results driven organization. We will let them tout their revenue success, particularly compared to other counties in NY State. And like them, it is critical for us to produce results as well. With their assistance, ECCE B&B has achieved the status of being the #1 B&B on Trip Advisor for the entire Catskills Region (not just Sullivan County.) Distinctions such as these are hard to come by, and we owe a tremendous debt of gratitude to SCVA for creating a synergy among the tourism businesses throughout the county to receive tangible results such as this.

We strongly urge the Legislators to continue the current contract, not only because SCVA has a proven track record of success, but because it would also be extremely disruptive to make changes at this critical time when preparations are well underway in anticipation of the peak tourism season.

Your consideration is greatly appreciated.

Very Truly Yours,

Alan Rosenblatt
Kurtis Kreider

www.eccebedandbreakfast.com

12
JW

January 26, 2012

Dear Members of the Sullivan County Legislature:

The tasks ahead of you are enormous and many difficult decisions need to be made over the next few years. Many of you were elected in part because of the desire for change and increased scrutiny over how our County Government has operated. I've applauded that platform.

I am very troubled to have learned that in one of your very first actions, and with virtually no notice or opportunity for public input, the legislature has brought forth the idea that the tourism agency be put out for RFP. While I absolutely agree that procedures for any contract with any agency should be level, fair and decided on an equal and rational basis, the timing of this couldn't be worse.

Now is the time to prepare for the upcoming tourist season. Contracts need to be signed and plans need to be made for all of the marketing efforts for Sullivan County.

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As a Board Member of the Sullivan County Visitors Association, I would have to urge Roberta and Herb not to incur any financial liability without certainty of funding. It isn't good business. As a long time member of the Visitors Association, I have been a direct beneficiary of the marketing efforts made by this vary capable organization. Most of the members are small businesses who cannot in any way afford to market at that scale. The work of the Visitors Association is quantifiable and the numbers prove their effectiveness. This is an organization which works for tourism businesses without regard to their size. It constantly works to improve its efforts to benefit Sullivan County and every member.

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I urge you to extend this contract through the season so that the work can go on. Set a reasonable time later in the year when an RFP can be issued without the potential for harming tourism in 2012.

Thank you for your consideration.

Anne Hart
Domesticities & The Cutting Garden
4055 State Route 52
Youngsville, NY 12791

845-482-3333

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Your consideration is greatly appreciated.

Very Truly Yours,

Alan Rosenblatt
Kurtis Kreider

www.eccebedandbreakfast.com

Herb Clark

From: eccebandb@frontiernet.net
Sent: Wednesday, January 25, 2012 6:42 PM
To: Roberta Byron Lockwood; Herb Clark
Subject: From Alan & Kurt

Attachments: SCVA Contract.doc



SCVA Contract.doc
(24 KB)

Dear Roberta & Herb-

We are very sorry we cannot be there tomorrow.
Hopefully, this letter will help. We sent it to all the legislators.
Feel free to forward onto Paul. We did not have his e-mail address.
If there is anything else, we do, just let us know...
From your biggest fans!
Alan & Kurt

----- Forwarded Message -----

From: eccebandb@frontiernet.net
To: "Kathy labuda" <Kathy.labuda@co.sullivan.ny.us>, "gene benson" <gene.benson@co.sullivan.ny.us>, arbenson@localnet.com, "jonathan rouis" <jonathan.rouis@co.sullivan.ny.us>, edwardscora@aol.com, "cora edwards" <cora.edwards@co.sullivan.ny.us>, jrouis@citlink.net, "cindy gieger" <cindy.gieger@co.sullivan.ny.us>, "scott samuelson" <scott.samuelson@co.sullivan.ny.us>, brad57@aol.com, "alan sorensen" <alan.sorensen@co.sullivan.ny.us>, "ira steingart" <ira.steingart@co.sullivan.ny.us>, isteingart@steingartprinting.com, "kathleen vetter" <kathleen.vetter@co.sullivan.ny.us>, kittyrn@wildblue.net
Cc: "Roberta Byron Lockwood" <rbl@scva.net>, "Herb Clark" <hcc@scva.net>, "Phyllis Andrews" <pla@scva.net>, "Rita Simon" <ras@scva.net>
Sent: Wednesday, January 25, 2012 6:11:56 PM
Subject: SCVA Contract/From ECCE B&B

Please see the attached letter.
Thank you for your consideration.
Alan Rosenblatt
Kurtis Kreider

Dear Gene:

Just a quick note to convey to you my concern over the Sullivan County Legislature's tourism request for proposals. As you may know, normally the legislature negotiates a contract directly with SCVA. I have worked with Sullivan County tourism for decades, and have worked directly with Roberta and Herb at SCVA for years. I have complete confidence in their professionalism and their ability to guide tourism in Sullivan County. I hope you will continue to support this existing structure, one which combined tourism industry leadership with tourism professionals.

Thank you for your attention.

Sincerely,
Michael Zalkin, Owner
Yogi Bear's Jellystone Park
Woodridge, New York
Tel. 845-434-4743
nyyogi@aol.com
www.nyjellystone.com

I'm writing to ask that you voice your support for the Sullivan County Visitors Association and reiterate that the Legislature continues with the current process of awarding them a contract. I rely heavily on the business they generate for me personally and the services they provide to visitors.

They are an extremely important and valued asset. Thank you for your time and support,

Amy Miller

Owner

the Golden Guernsey Barn & Breakfast

845.932.7994 | 718.208.0125

<http://www.thegoldenguernsey.com>

Dear Ira:

Just a quick note to convey to you my concern over the Sullivan County Legislature's tourism request for proposals. As you may know, normally the legislature negotiates a contract directly with SCVA. I have worked with Sullivan County tourism for decades, and have worked directly with Roberta and Herb at SCVA for years. I have complete confidence in their professionalism and their ability to guide tourism in Sullivan County. I hope you will continue to support this existing structure, one which combined tourism industry leadership with tourism professionals.

Thank you for your attention.

Sincerely,

Michael Zalkin, Owner
Yogi Bear's Jellystone Park
Woodridge, New York
Tel. 845-434-4743

Dear Kathleen:

For a long time,
the Sullivan County Visitors Association has been at the forefront
of promoting tourism in Sullivan County and therefore in bringing
business into the County.

Those of us who depend on tourism with our activities
have greatly benefited from the assistance provided by
the Sullivan County Visitors Association.

It is important that we keep the Association functioning
and properly funded.

I urge you to vote accordingly tomorrow.

Thank you!

With best regards,

Ivan Orisek
President
Rally New York, Ltd.
Phone 845-866-9971
Fax 845-877-8122
Eurorally@aol.com
Skype: Eurorally1
2488 Route 42
Forestburgh, New York 12777

Member of the Board of Directors & Secretary
United States Rally Championship, Inc.
www.unitedstatesrallychampionship.com

Rally New York USA
Rally Delaware
International Rally New York
Rally New York Rallysprints
New York Rally Championship
www.RallyNewYork.com

Dear Members of the Legislature,

It has come to my attention that the Sullivan County Legislature is giving consideration to revising the manner in which the county's tourism efforts are managed and funded. While I cannot speak to this process, I can speak to the excellent support that the Sullivan County Visitors Association has afforded to Roscoe over the last several years. Their matching funds process, knowledge of the industry, and the ability to open doors for us have made Roscoe's marketing efforts much more mature and successful than they would have been without that support.

As you think through this issue, I ask that you take into consideration the impact to the County's businesses and communities of sudden changes to the process and programs.

Our plans for 2012 Marketing efforts are well underway, and our key tourism season is fast approaching. This is not the time to be modifying something already in progress.

I trust that the Legislature will not be hasty and take any actions that will disrupt and negatively impact all of us. If this is something that needs to be looked at, then it deserves the appropriate time and analysis, and the involvement of the current provider.

Thank you in advance for your consideration.

**Elaine Fettig
President, Roscoe Rockland Chamber of Commerce**

January 26, 2012

Dear Members of the Sullivan County Legislature:

The tasks ahead of you are enormous and many difficult decisions need to be made over the next few years. Many of you were elected in part because of the desire for change and increased scrutiny over how our County Government has operated. I've applauded that platform.

I am very troubled to have learned that in one of your very first actions, and with virtually no notice or opportunity for public input, the legislature has brought forth the idea that the tourism agency be put out for RFP. While I absolutely agree that procedures for any contract with any agency should be level, fair and decided on an equal and rational basis, the timing of this couldn't be worse.

Now is the time to prepare for the upcoming tourist season. Contracts need to be signed and plans need to be made for all of the marketing efforts for Sullivan County. To delay that process as an RFP is prepared and then decided upon will effectively stop all marketing efforts for Sullivan County tourism in 2012. There simply isn't time.

As a Board Member of the Sullivan County Visitors Association, I would have to urge Roberta and Herb not to incur any financial liability without certainty of funding. It isn't good business. As a long time member of the Visitors Association, I have been a direct beneficiary of the marketing efforts made by this very capable organization. Most of the members are small businesses who cannot in any way afford to market at that scale. The work of the Visitors Association is quantifiable and the numbers prove their effectiveness. This is an organization which works for tourism businesses without regard to their size. It constantly works to improve its efforts to benefit Sullivan County and every member.

To put any kind of hurdle in the preparation for the season will harm Sullivan County Tourism and the many small businesses who operate here, create jobs and pay taxes. Operating in this economy is difficult enough.

I urge you to extend this contract through the season so that the work can go on. Set a reasonable time later in the year when an RFP can be issued without the potential for harming tourism in 2012.

Thank you for your consideration.

Anne Hart
Domesticities & The Cutting Garden
4055 State Route 52
Youngsville, NY 12791

845-482-3333

New York State
**HOSPITALITY
& TOURISM**
Association



80 WOLF ROAD ALBANY, NY 12205

(518) 465-2300 FAX: (518) 465-4025 (800) 642-5313

www.nyshta.org

To whom it may concern:

As the statewide hospitality and tourism association I am commenting on behalf of our lodging and tourism-related businesses in Sullivan County.

Based on a recent independent study, Sullivan County had a very successful year for tourism in 2010 when it showed a 10.7% increase in tourism visitor spending over 2009 and an overall 5.9% increase over 2008. In addition, out of the 10 counties in the Catskill Region, Sullivan County ranked 5th in 2010 in generating tourism spending with \$345.1 million.

Those statistics speak to the successful efforts of the Sullivan County Visitors Association (SCVA) and its consistent management of marketing and promotion funds and its knowledge of what messages resonate with visitors to the Catskills region. The SCVA and the New York State Hospitality & Tourism Association (NYSH&TA) share a great number of lodging and tourism related members from the Villa Roma in Callicoon to the many hotels in Monticello, Liberty and Ferndale, among others.

We have valued our partnership with the SCVA since the 1980s and continue to be supportive with the county's tourism growth. The marketing and promotion programs they implement each year under the leadership of Executive Director Roberta-Byron Lockwood, a long-tenured New York State tourism marketer and advocate for tourism issues, have resulted in sustained tourism growth.

Respectfully yours,

Jan Marie Chesterton
President, New York State Hospitality & Tourism Association

● TRI-OWNER INTERNATIONAL HOTEL/MOTEL & RESTAURANT SHOW



Herb Clark

From: Dancingcatsaloon [info@dancingcatsaloon.com]
Sent: Wednesday, January 25, 2012 10:41 PM
To: Kathy.labuda@co.sullivan.ny.us; jonathan.rouis@co.sullivan.ny.us;
gene.benson@co.sullivan.ny.us; [REDACTED] cora.edwards@co.sullivan.ny.us;
[REDACTED] cindy.gieger@co.sullivan.ny.us; scott.samuelson@co.sullivan.ny.us;
[REDACTED] alan.sorensen@co.sullivan.ny.us; ira.steingart@co.sullivan.ny.us;
[REDACTED] kathleen.vetter@co.sullivan.ny.us; [REDACTED]
Subject: SCVA - RFP

Hello All - It would be my style to write you all individual letters and call you in person, but because of the timing, I felt in this case that I would let the entire legislature know how I feel about the passing of the resolution for a RFP tomorrow. My first thought is: What in the world is going on. I respect every member on the board and know most of you personally and your commitment to the well being of our County. As a business owner, I have worked together with Herb & Roberta on everything that the SCVA was meant to do. This is one of the agencies within the County that we should be very proud of and very thankful for. Roberta & Herb get involved personally with the businesses here, old and new, and are constantly coming up with new programs and ideas to bring people into this County and help tourism thrive. They have put together and developed vital programs for the businesses ie the 50/50 advertising program. With out this, I would not have been able to market the Dancing Cat and the Catskill Distillery as effectively as I have. The creativity of the SCVA Guide is invaluable and informative and appreciated by our visitors and second home population and the on line web sites have been instrumental in bringing people into this County. I cannot think of a better run and more qualified group to run the SCVA. They have a proven track record - They have won awards for their work - They have been such an important partner with the local businesses and they are well known and respected throughout the State of NY.

Of all of the things that need to be fixed or changed in this County, the management of the SCVA is Not One of Them! For this to be one of the first things that you do, is simply puzzling! When you add in the timing of the passing of the resolution one day after you let the agency itself know - it does not look good and it does not look right. There is simply something wrong with this picture and I would like you to think of the reaction of the businesses that the SCVA has been involved with. All good things come from building relationships and hard work and and the current SCVA has done that . I can certainly attest to that as a business that has certainly been assisted by the experience and enthusiasm and help from current SCVA.

As you may or may not know, I am now on the Board. At my first meeting this month, I was truly amazed at the work in progress. It is - as is - a proven asset to this county. A resolution for a RFP would no doubt stop all of these very important things that we are working on and directly impact the placement of ads, the on line programs, the travel guide and all of the other things that are already in progress. This is the time of year that is crucial for these things to be done and it would certainly hurt us as a County that depends on tourism, not help us. This is not the right thing to do. The sudden decision , the rush to pass a resolution, and the lack of notification to the Board are all things that I would certainly not expect from our new legislature.

I would respectfully request that you re-evaluate this decision for the sake of the County and the businesses in the County that depend on tourism . We will all be affected in a negative way if this resolution is passed tomorrow. Thank you for your consideration,
Stacy Cohen

VP, Dancing Cat Saloon
VP, Marshall & Sterling Insurance
VP, Catskill Distilling Co.

Herb Clark

From: Sat Nam Yoga Spa [marilyn@satnamyogaspa.com]
Sent: Thursday, January 26, 2012 11:14 AM
To: 'Herb Clark'
Cc: pla@scva.net
Subject: about the emails and meeting today...

Hello Herb and Phillis and everyone at SCVA,
I just sent 14 email to all the addresses you' ve provided.
I hope to stop at the meeting as well.

Here is the email text I sent.....I hope it' s acceptable by you what I' ve sent.
Thanks, Marilyn

Dear _____,

I am a small business owner and a member of SCVA and I just heard that you are going to pass a resolution TODAY to ask for a Request for Proposals (RFP) to promote tourism in Sullivan County. This resolution is being passed without providing the SCVA the opportunity to present its body of work to the new Legislature in order for them to make an informed decision as to the effectiveness of the Visitors' Association. In addition, this resolution has not been discussed nor brought up in the Economic Development Committee meetings and the rush to pass this resolution has not afforded our members a voice to provide input into this very crucial tourism decision.

I have received a great help from SCVA and over the years we have developed, (it took some time and efforts), a great networking system and support system to help the business and the tourism in Sullivan County. We love SCVA and SCVA is doing a great job!!

I feel we, the members of SCVA, need to be included as well, in the decision making and we have to be given a chance to present our proposal and voice our opinion.

The Legislature must continue with the current process of awarding a contract.

I call upon you, you as our elected officials to give it more thought and more consideration and be more fair and inclusive. What you are planning to do today is unacceptable and not democratic at all.

I urge you to stop it, to give it more time.

Thank you.

Marilyn Valant

Sat Nam Yoga Spa
www.satnamyogaspa.com
Tel: 845-866-3063

1/26/2012
