

Sullivan County Legislature
Regular Meeting
February 16, 2012 at 2:00PM

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

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Copies of resolutions regarding a proposal to allocate portions of NYS Land Acquisition Program for flood mitigation watershed affairs:
 - Town of Lexington Supervisor
 - County of Delaware
 - Lewis County Legislature
 - Town of Shandaken
 - Town of Olive
2. October 2011- December 2011 NYS Mortgage Tax Semi Annual Quarterly Report from Dan Briggs, County Clerk.
3. Records Destruction Notification filed by OFA on January 31, 2012.
4. Received from Chautauqua County on February 3, 2012 motion #15-11 urging passage of Senate Bill S.5889-B and Assembly Bill A.8644 that Would implement a Multi-Year State Takeover of the Local Share of Medicaid.
5. Letter of Resignation dated February 15, 2012 from James Galligan, Sullivan County Adult Care Center Administrator effective March 1, 2012.

Chairman Samuelson recognized the following speakers:

1. Darlene Fedun read a letter in support of the Sullivan County Visitor's Association and extending their contract until December 31, 2012.
2. Gary Matises thanked the legislature for extending their contract until December 31, 2012.
3. Sandy Shaddock spoke about the Security Officer position at the Department of Family Services building, Liberty, NY 12754.

RESOLUTION NO. 32-12 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO SET A PUBLIC HEARING FOR PROPOSED LOCAL LAW OF 2012.

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on February 16, 2012, a proposed Local Law entitled "A Local Law to Regulating Secondhand Precious Metal or Gem Dealers for the County of Sullivan".

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on March 15, 2012 at 1:50 p.m., in the Legislative Chambers, County Government Center, Monticello, New York, and at least six (6) days' notice of public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspaper of said County.

Moved by Mr. Benson, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on February 16, 2012, a proposed Local Law

of 2011, entitled "A Local Law to Regulating Secondhand Precious Metal or Gem Dealers for the County of Sullivan".

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Meeting Room, County Government Center, Monticello, New York, 12701, on March 15, 2012 at 1:50 p.m. at which time all persons interested will be heard.

DATED: February 16, 2012

ANNMARIE MARTIN

Clerk of the Legislature

County of Sullivan, New York

RESOLUTION NO. 33-12 INTRODUCED BY EXECUTIVE COMMITTEE

RESOLUTION TO APPOINT ONE MEMBER TO THE RSVP ADVISORY COMMITTEE

WHEREAS, there is a need to appoint one (1) members to the Retired Senior Volunteer Program Advisory Committee (RSVP), and

WHEREAS, there are currently two vacancies on the board, and

WHEREAS, it is the desire to appoint Sabina Toomey to one of those vacancies, and

WHEREAS, the above appointment is to commence on the date this resolution is adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby appoint the following member to the RSVP Advisory Committee (Kelly slot) for the term to expire on the date opposite of her name.

RSVP APPOINTMENT:

TERM:

Sabina Toomey

3/1/2014

187 Route 48

Forestburgh, NY 12777

Moved by Mrs. LaBuda, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

**RESOLUTION NO. 34-12 INTRODUCED BY HEALTH AND FAMILY SERVICES
COMMITTEE TO REAPPOINT ONE MEMBER TO THE COMMUNITY SERVICES BOARD**

WHEREAS, there is a need to re-appoint (1) member to the Community Services Board, and

WHEREAS, the appointment is to commence on January 1, 2012, and

WHEREAS, the appointment shall be for a four (4) year term ending on December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, the following individual be reappointed to the Sullivan County Community Services Board to reflect a four (4) year term.

RE-APPOINTMENT TO THE CSB

TERM

Edith "Edie" Mustavs

1/2/2012-12/31/2015

Moved by Mr. Rouis, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 35-12 INTRODUCED BY EXECUTIVE COMMITTEE

**TO APPOINT A MEMBER TO THE LONG TERM CARE COUNCIL FOR SULLIVAN
NYCONNECTS (FORMERLY CALLED THE POINT OF ENTRY SYSTEM).**

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

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

WHEREAS, the appointment of a member shall be for either a term to end 12/31/12 or a term to end 12/31/13, and

WHEREAS, the appointment is to commence on February 9, 2012.

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

Representative Member

Nora Shepard

12/31/2013

Independent Living, Inc.

Advocacy Group

Moved by Mrs. Gieger, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 36-12 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO AMEND RESOLUTION NO. 30-12 WITH RESPECT TO 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, on January 26, 2012 the County Legislature passed Resolution No. 30-12 directing that a Request for Proposals be issued seeking submissions from qualified entities to perform tourism promotion services for the County, and

WHEREAS, said Resolution stated that it was the intention of the Legislature that such contract will be awarded during the March, 2012 legislative meeting, and

WHEREAS, the County Legislature desires to assure a smooth and uninterrupted flow of tourism promotion services while also providing an opportunity for the Legislature to receive proposals from qualified entities for a continuation of such services into the future, and

WHEREAS, the County Legislature has determined that, as a result of New York State Tax Law, Section 1202-j(9), which provides that not less than eighty five (85%) per cent of the revenue from the imposition of the hotel and motel room tax must be used to employ a not-for-profit corporation to promote tourism in Sullivan County, such an entity is a service with "predetermined rates" as referenced in the County's current Procurement Policy, and

WHEREAS, the County Legislature believes that it would be in the best interest of the County to amend Resolution No. 30-12 so as to assure a continuation of tourism promotion services during 2012

and to also provide the Legislature with timely proposals on which to base a contract for such services in 2013 and beyond.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

Resolution No. 30-12 enacted January 26, 2012, is hereby amended as follows:

- A. The current contract between the County and the Sullivan County Visitors' Association is hereby extended to December 31, 2012, it being provided that the County shall, during such period, in accordance with the schedules set forth in the contract, pay the Visitors' Association eighty five (85%) per cent of the revenues derived by the County by the imposition of its five (5%) per cent hotel and motel room tax.
- B. 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 commencing January 1, 2013.
- C. Said Requests for Proposals shall be issued no later than August 31, 2012.
- D. Said Requests for Proposals shall permit the submission of proposals for either a single year or a multi-year contract.

Moved by Mr. Steingart, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION 37-12 OF THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID WASTE/RECYCLING FEE GRIEVANCE COMMITTEE.

WHEREAS, the Sullivan County Legislature ("Legislature") Amended Local Law No. 7 of 2009 to Add a New Article VIII Establishing a Solid Waste Recycling Fee, and

WHEREAS, Local Law No. 7 of 2009 as amended provides for a Sullivan County Solid Waste/Recycling Fee Appeals Committee ("Committee") to review written appeals from property owners, and

WHEREAS, the Committee wishes to report its recommendations to the Legislature, and

WHEREAS, the Committee has reviewed appeals and it recommends approving reduction/elimination of the user fee for properties detailed on the Recommended Approval List attached hereto as Appendix "A" and made a part hereof, and

WHEREAS, the Committee has reviewed appeals and it recommends denying reduction/elimination of the user fee for properties detailed on the Recommended Denial List attached hereto as Appendix "B" and made as part hereof.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature acknowledges receipt of the Committee's recommendations detailed on Appendix "A" and Appendix "B" and hereby ratifies said recommendations contained on Appendix A and B.

BE IT FURTHER RESOLVED, that the Legislature hereby authorizes the Sullivan County Treasurer, on behalf of the Committee to notify the property owners regarding approval/denial of their respective appeals.

Moved by Mr. Rouis, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 38-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO APPORTION MORTGAGE TAX

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

WHEREAS, the County Clerk and the County Treasurer have submitted a quarterly report, for the period of October 2011 to December 2011, to the Clerk of the Legislature, and

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

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

TOWNS	
Bethel	23,457.63
Callicoon	10,931.39
Cochecton	8,468.56
Delaware	9,361.37

Fallsburg	22,705.63
Forestburgh	2,644.28
Fremont	2,233.69
Highland	14,602.76
Liberty	8,173.03
Lumberland	26,457.74
Mamakating	37,547.65
Neversink	11,695.63
Rockland	9,758.91
Thompson	30,411.54
Tusten	9,918.60

VILLAGES

Bloomington	478.82
Jeffersonville	535.91
Liberty	1,429.98
Monticello	3,171.61
Woodridge	1,053.15
Wurtsboro	1,591.20
TOTAL	236,629.08

Moved by Mr. Rouis, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 39-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2012 COUNTY BUDGET

WHEREAS, the County of Sullivan 2012 Budget requires modification,

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

Moved by Mr. Rouis, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 40-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AMEND PROCUREMENT POLICY

WHEREAS, the New York Legislature has amended the General Municipal Law Section 103 (1), and

WHEREAS, those above referenced amendment to the General Municipal Law requires the County to amend its Procurement Policy that was adopted August 20, 2009, pursuant to Resolution No. 333-09, and

WHEREAS, the amendment to the General Municipal Law 103(1) increased the bidding threshold from \$10,000 to \$20,000 for commodity purchases and all references in the Procurement Policy inconsistent with the increased amount must be changed, and

WHEREAS, the above referenced amendment is recommended by the Director of Purchasing and Central Services and is in compliance with the above amendment to the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the above referenced amendment to the Procurement Policy, said changes to be in such form as the County Attorney shall approve and should take effect immediately.

Moved by Mrs. LaBuda, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION 41-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-39.16

WHEREAS, an application dated January 12, 2012 having been filed by Kenoza Lake Development, LLC. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-39.16 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of assessed valuation on the tax roll which because of a mistake in transcription does not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 23, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 42-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-39.17

WHEREAS, an application dated January 12, 2012 having been filed by Kenoza Lake Development, LLC. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-39.17 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of assessed valuation on the tax roll which because of a mistake in transcription does not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 23, 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

RESOLUTION 44-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-39.20

WHEREAS, an application dated January 12, 2012 having been filed by Kenoza Lake Development, LLC. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-39.20 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of assessed valuation on the tax roll which because of a mistake in transcription does not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 23, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 45-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-39.21

WHEREAS, an application dated January 12, 2012 having been filed by Kenoza Lake Development, LLC. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-39.21 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of assessed valuation on the tax roll which

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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 47-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-39.28

WHEREAS, an application dated January 12, 2012 having been filed by Kenoza Lake Development, LLC. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-39.28 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of assessed valuation on the tax roll which because of a mistake in transcription does not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 23, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 48-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-39.29

WHEREAS, an application dated January 12, 2012 having been filed by Kenoza Lake Development, LLC. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-39.29 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of assessed valuation on the tax roll which because of a mistake in transcription does not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 23, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 49-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-39.30

WHEREAS, an application dated January 12, 2012 having been filed by Kenoza Lake Development, LLC. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-39.30 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of assessed valuation on the tax roll which because of a mistake in transcription does not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 23, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION 50-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-59

WHEREAS, an application dated January 10, 2012 having been filed by Barbara C. Warren with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-59 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll

resulting from the failure of the assessor to enter the Aged exemption to which property owner was entitled; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 20, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION 51-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #11.A-1-11.2

WHEREAS, an application dated January 4, 2012 having been filed by Janet L. Threshman with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #11.A-1-11.2 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the property having been split and the assessor failed to update the assessed value in the computer; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 17, 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

because of a mistake in transcription does not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 23, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION 46-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF DELAWARE FOR TAX MAP #28.-1-39.25

WHEREAS, an application dated January 12, 2012 having been filed by Kenoza Lake Development, LLC. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Delaware Tax Map #28.-1-39.25 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of assessed valuation on the tax roll which because of a mistake in transcription does not conform to the entry for the same parcel which appears on the final verified statement of the Board of Assessment Review; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 23, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION 52-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF FREMONT FOR TAX MAP #18.-1-1.5

WHEREAS, an application dated January 25, 2012 having been filed by Gloria Applegate and Dean Roosevelt with respect to property assessed to said applicant on the 2012 tax roll of the Town of Fremont Tax Map #18.-1-1.5 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 was present on another parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 1, 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 relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 53-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF CALLICOON FOR TAX MAP #24.-5-4

WHEREAS, an application dated January 10, 2012 having been filed by Grace Luthern Church with respect to property assessed to said applicant on the 2012 tax roll of the Town of Callicoon Tax Map #24.-5-4 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 for 8 residential units when the assessor's property record card indicates that it should have been charged as a mixed use commercial property; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 17, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION 54-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2010 TAX ROLL OF THE TOWN OF BETHEL FOR TAX MAP #11.-1-23.1

WHEREAS, an application dated January 17, 2012 having been filed by Vincent Vero with respect to property assessed to said applicant on the 2010 tax roll of the Town of Bethel Tax Map #11.-1-23.1 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from incorrect entry of acreage on the taxable portion of the assessment and tax roll, which acreage was considered by the Assessor for the Town of Bethel in the valuation of the parcel, and which resulted in an incorrect assessed valuation, where such acreage was shown to be incorrect on a survey submitted by applicant; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 27, 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 relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 55-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2011 TAX ROLL OF THE TOWN OF BETHEL FOR TAX MAP #11.-1-23.1

WHEREAS, an application dated January 17, 2012 having been filed by Vincent Vero with respect to property assessed to said applicant on the 2011 tax roll of the Town of Bethel Tax Map #11.-1-23.1 pursuant to Section 556 of the Real Property Tax Law, to correct an error in essential fact on said tax

roll resulting from incorrect entry of acreage on the taxable portion of the assessment and tax roll, which acreage was considered by the Assessor for the Town of Bethel in the valuation of the parcel, and which resulted in an incorrect assessed valuation, where such acreage was shown to be incorrect on a survey submitted by applicant; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 27, 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 relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 56-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF BETHEL FOR TAX MAP #11.-1-23.1

WHEREAS, an application dated January 17, 2012 having been filed by Vincent Vero with respect to property assessed to said applicant on the 2012 tax roll of the Town of Bethel Tax Map #11.-1-23.1 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from incorrect entry of acreage on the taxable portion of the assessment and tax roll, which acreage was considered by the Assessor for the Town of Bethel in the valuation of the parcel, and which resulted in an incorrect assessed valuation, where such acreage was shown to be incorrect on a survey submitted by applicant; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 27, 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 relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 57-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #8.A-1-25

WHEREAS, an application dated January 12, 2012 having been filed by Harris Woods Homeowners Association, Inc. with respect to property assessed to said applicant on the 2012 tax roll of the Town of Thompson Tax Map #8.A-1-25 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from vacant property being charged sewer district operation and maintenance charges in error; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated January 30, 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. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 58-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE CONTRACT

WHEREAS, quote was received for Speech Language Pathologist, and

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

WHEREAS, Sullivan County provides and is mandated to pay for Early Intervention and Developmental Educational Services to eligible children from Sullivan County, and

WHEREAS, Jean Druse, Speech Language Pathologist, will provide said services and has been accepted and approved by the NYS Department of Health Early Intervention Services and the NYS Education Department (SED), the authorized state agencies for delivery of said services, and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to enter into a contract with Jean Druse at a rate of \$80.00 per visit to patients of the Certified Home Health Agency and the Long Term Home Health Care Program and at the state set rates for the Early Intervention Program and for the period January 1, 2012 through December 31, 2014, to be in such form as the County Attorney shall approve.

Moved by Ms. Vetter, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 59-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE FOR AUTHORIZATION TO ENTER INTO A MICROWAVE PATH RELOCATION AGREEMENT WITH T-MOBILE USA, Inc.

WHEREAS, T-Mobile USA, Inc has acquired a block of frequencies from the FCC to broaden wireless communications, and

WHEREAS, several of those frequencies are currently being utilized as interconnects between tower sites for Sullivan County's 911 Communication system, and

WHEREAS, as part of their frequency acquisition T-Mobile USA, Inc. is to cover certain costs associated with the relocation of existing microwave paths, and

WHEREAS, T-Mobile USA, Inc. and Sullivan County have reached a fair agreement by which T-Mobile USA, Inc. will reimburse Sullivan County for updated equipment to continue this critical communication link;

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to enter into an agreement with T-Mobile USA, Inc., in such form as the County Attorney shall approve, in order to accept the relocation reimbursement and commence steps necessary for said relocation.

Moved by Mrs. Gieger, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 60-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE MODIFICATION AGREEMENT

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

WHEREAS, award was made to Care Environmental, 10 Orben Drive, Landing, NJ 07850, pursuant to Resolution No. 175-10, adopted by the Sullivan County Legislature on March 18, 2010, and

WHEREAS, the above Resolution stated the total contract price shall not exceed \$9,950.00/event and the last event exceeded that total and is \$11,324.63. The not to exceed amount is not practical as it is in the County's best interest to dispose of all of the household hazardous waste in its possession.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to modify the contract price to read, "to be in accordance with the per unit price", contained in Bid #B-10-13 and the not to exceed amount shall be eliminated, said modification to be in such form as the County Attorney shall approve.

Moved by Mr. Benson, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 61-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE A MODIFICATION TO THE AGREEMENT FOR CONSULTANT INSPECTION SERVICES FOR THE COUNTY BRIDGE 80 REHABILITATION PROJECT

WHEREAS, Resolution 155-11 authorized an agreement with Delta Engineers, Architects, and Land Surveyors, P.C. for providing engineering inspection services for the rehabilitation of County Bridge No. 80 on C.R. 43, Forestburgh Road, over the Mongaup River, located in the Towns of Lumberland and Forestburgh at a cost not to exceed \$148,000.00; and

WHEREAS, Modification Agreement #1 authorized the increase of the Maximum Amount payable per the agreement from \$145,662.00 to \$159,591.51 including fixed fee; and

WHEREAS, additional consultant inspection services/construction support is required to make certain the project is constructed by the contractor in accordance with the County's plans and specifications; and

WHEREAS, the Division of Public Works has reviewed the need for additional inspections services/construction support and recommends the approval of Modification Agreement #2 for additional work.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute Modification Agreement #2 which is an increase of \$5,408.49 for consulting inspection services with Delta Engineers, Architects, and Land Surveyors, P.C. for a total cost not to exceed \$ 165,000.00, said Modification Agreement #2 to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mr. Rouis , put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 62-12 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH PASSERO ASSOCIATES

WHEREAS, the County entered into a contract with Passero Associates for Construction Inspection Services for the General Aviation (GA) Apron Rehabilitation Project at the Sullivan County International Airport (SCIA) by Resolution 408-10 in the amount of \$98,300.00; and

WHEREAS, a modification to the agreement is required due to costs for additional engineering inspection services in the amount of \$17,200.00; and

WHEREAS, a request for the additional costs was submitted to the Federal Aviation Administration (FAA) for additional engineering services; and

WHEREAS, the FAA has approved the additional engineering inspection costs and indicated that they will allocate funding for 95% of the increase in costs subject to the monies available under the grant; and

WHEREAS, the New York State Department of Transportation's share of the increase in costs would be 2.5%.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager to execute a contract modification with Passero Associates at a cost not to exceed \$17,200.00, said contract to be in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, in the event that the County does not receive the above referenced funding the County shall have no obligation to proceed forward with the contract modification with Passero Associates.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 63-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE EXECUTION OF CONTRACT

WHEREAS, pursuant to Section 12 of the Highway Law relating to control of snow and ice on state highways in towns and incorporated villages, the County of Sullivan has previously entered into an agreement with the State of New York for such purposes; and

WHEREAS, the State of New York has prepared an agreement to extend the previous fixed lump sum municipal snow and ice agreement with maps of affected state highways for the season July 1, 2011 through June 30, 2012; and

WHEREAS, the Public Works Committee has discussed and the Commissioner of Public Works has recommended the acceptance of this extension agreement for contract price of \$146,618.07, plus any adjustments increasing this amount.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized and directed on behalf of the County of Sullivan to execute the extension of the Snow and Ice Agreement between New York State Department of Transportation and the "County of Sullivan" for the period commencing July 1, 2011 through June 30, 2012 said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 64-12 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE EXECUTION OF AMENDMENT TO ALTERNATIVES TO INCARCERATION CONTRACT EXTENDING CONTRACT THROUGH JUNE 30, 2012.

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. 267-11 authorized the execution of the Alternatives to Incarceration contract through December 31, 2011, and,

WHEREAS, State funding for the Alternatives to Incarceration (ATI) Community Service Program for the contract year January 01, 2011, through June 30, 2012, is amended to \$18,463.00, and,

WHEREAS, State funding for the Alternatives to Incarceration (ATI) Pretrial Release Program for the contract year January 01, 2011, through June 30, 2012, is amended to \$25,493.00;

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute an amendment to the contracts for the ATI Community Service Program and Pretrial Release Program to

continue operations for the term of January 01, 2011, through June 30, 2012, said contract to be in such form as the County Attorney shall approve, and

BE IT FURTHER RESOLVED, that should the ATI Community Service Program and Pretrial Release Program funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by Mrs. Edwards, seconded by Mr. Rouis, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 65-12 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF SULLIVAN COUNTY FOR THE PROVISION OF REGISTERED DIETICIAN SERVICES FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2013.

WHEREAS, the Sullivan County Office for the Aging has a need for nutrition related services of a Registered Dietician for aging and other program areas; and

WHEREAS, Cornell Cooperative Extension of Sullivan County has a Registered Dietician on staff who is capable of providing such services; and

WHEREAS, Cornell Cooperative Extension of Sullivan County is willing to provide such services at a cost not to exceed \$ 18,500.00 for the period 01/01/2012-12/31/2012 and not to exceed 18,500.00 for the period 01/01/2013-12/31/2013.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into agreement with Cornell Cooperative Extension of Sullivan County for provision of Registered Dietician services; and

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

Moved by Mrs. Gieger, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 66-12 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE

RESOLUTION TO AUTHORIZE ELECTRICAL LICENSING RECIPROCITY**WHEREAS**, the Electrical Licensing Board has recommended reciprocal electrical licensing with Greene County, and

WHEREAS, the Sullivan County Legislature must authorize such reciprocity.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to 103-25A of the Sullivan County Code, the County Manager is authorized to execute reciprocity agreements with Greene County, N.Y. until further resolution by the Legislature.

Moved by Mrs. Edwards, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 67-12 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE EXECUTION OF 2012-2013 CONTRACT BETWEEN SULLIVAN COUNTY OFFICE FOR THE AGING AND FRANCES S. CLEMENTE, ATTORNEY AT LAW.

WHEREAS, the County of Sullivan, through the Office for the Aging, provides mandated Legal Services for senior citizens in Sullivan County, and

WHEREAS, Frances S. Clemente, Attorney at Law can provide said Legal Services.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with Frances S. Clemente, Attorney at Law for provision of mandated legal services for senior citizens not to exceed \$7,883.00 per contract per year for the period 01/01/12-12/31/13; and

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

Moved by Ms. Vetter, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 68-12 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO ACCEPT THE AWARD AND ACCESS THE FUNDING FOR THE IGNITION INTERLOCK DEVICE MONITORING PROGRAM.

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) projected award for the Ignition Interlock Device Monitoring Program allocation is **\$25,913.00** for the 2011-2012 contract year, and

WHEREAS, based upon the 2011-2012 award for the Ignition Interlock Device Monitoring Program appropriation, DCJS will reimburse eligible expenditures at a rate of \$114.66 for each sentencing order received which requires Ignition Interlock Device installation and monitoring up to the projected allocation,

WHEREAS, in order to access said funds it will be necessary for the County to file documents with the New York State Division of Criminal Justice Services,

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

Moved by Mrs. Edwards, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 69-12 INTRODUCED BY EXECUTIVE COMMITTEE TO ACCEPT THE RURAL MINORITY HEALTH GRANT WITH NEW YORK STATE DEPARTMENT OF HEALTH

WHEREAS, an application was submitted for a Rural Minority Health Grant for the purpose of identifying minority health needs in Sullivan County and for planning strategies to address them, and

WHEREAS, New York State Department of Health Office of Minority Health has the authority to regulate and provide funding for the establishment and operation of program services, and

WHEREAS, New York State Department of Health Office of Minority Health awarded a Rural Minority Health Grant to Sullivan County Public Health Services for funding in the amount of \$12,000 for the period September 1, 2011 to July 31, 2012 and in the amount of \$11,000 for the period September 1, 2012 to July 31, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute all documents necessary to accept the funding for a Rural Minority Health Grant, and

BE IT FURTHER RESOLVED, that in the event funding ceases, the County will not be obligated to continue providing services, which were to be funded by the grant.

Moved by Mrs. Gieger, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 70-12 INTRODUCED BY PUBLIC WORKS COMMITTEE

TO OBTAIN LEGISLATIVE APPROVAL TO APPLY FOR FUNDING FROM THE HAZARD MITIGATION GRANT PROGRAM (HMGP)

WHEREAS, New York State Office of Emergency Management (SOEM) has indicated that 75% Federal funding from the Federal Emergency Management Agency (FEMA) is available for hazard mitigation projects; and

WHEREAS, the Division of Public Works (DPW) has completed a Flood Study for the evaluation of measures to relieve flooding along County Road 164 in Kohlertown, and recommends the installation of a storm water bypass culvert to reduce flooding; and

WHEREAS, \$1,000,000 is estimated to be necessary for the design and construction of a storm water culvert by County Forces to divert flood waters in the vicinity of Bridge 240 (DEL) to reduce flood impacts; and

WHEREAS, the 25% County share of the project is anticipated to be funded by in-kind engineering and construction work provided by DPW.

NOW, THEREFORE, BE IT RESOLVED, the Legislature approves the flood mitigation project; and

BE IT FURTHER RESOLVED, that the Division of Public Works is authorized to apply for HMGP funding whenever such is being made available; and

BE IT FURTHER RESOLVED, that the County Manager is authorized to execute a grant application and any other associated documents if needed for the submission of an application for HMGP funding, in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 71-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AMEND RESOLUTION NO. 8-12 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, resolution no. 8-12 appointed Cindy Kurpil Gieger and Gene Benson to fill the vacancies of Elwin Wood and David Sager, and

WHEREAS, it is the desire of the Legislature to amend Resolution No. 8-12 to appoint **Kitty Vetter and Gene Benson** to fill the vacancies of Elwin Wood and David Sager.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 8-12 is hereby amended, and that **Ms. Vetter and Mr. Benson** are hereby 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. Rouis, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

RESOLUTION NO. 72-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER EXECUTE AN AGREEMENT WITH CATHERINE M. RAUSCHENDORFER.

WHEREAS, the County of Sullivan ("County") had entered into an Agreement with Catherine Rauschendorfer on December 30, 2010, pursuant to Resolution No. 579-10 adopted by the Sullivan County Legislature on the 29th day of December, 2010 ("Agreement"), and

WHEREAS, the term of the Agreement is to expire on October 31, 2013, and

WHEREAS, in order to effectuate the intent of the Agreement requiring Ms. Rauschendorfer to commit to a two year term of employment with the County as Administrator of the Adult Care Center in

return for money expended on her behalf for educational expenses, the term of said Agreement must be extended until March 31, 2014, and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a modification agreement with Catherine M. Rauschendorfer to extend the term of the Agreement entered into on December 30, 2010 to an expiration date of March 31, 2014, and that Agreement shall be in a form approved by the County Attorney.

Moved by Mrs. LaBuda, seconded by Mrs. Edwards, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

**RESOLUTION NO. 73-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE THE SUBMISSION OF A NEW YORK STATE ARCHIVES GRANT, OFFERING
LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUNDS,
APPLICATION FOR SULLIVAN COUNTY**

WHEREAS, the New York State Education Department / New York State Archives has made available 2012-2013 Local Government Records Management Improvement Funding (LGRMIF), which can be utilized to help local governments establish records management programs or develop new program components; and

WHEREAS, an objective of the funding is for county land records initiatives; and

WHEREAS, the maximum reimbursable grant award may be up to \$75,000.00 subject to no matching requirement; and

WHEREAS, the Sullivan County Clerk's Office, requests to submit an application requesting LGRMIF for use in conducting a back file conversion of the County Land Records, specifically the County's land records and map /deed books.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Clerk's Office is hereby authorized to prepare an application seeking funding from the LGRMIF program; and

BE IT FURTHER RESOLVED, that should a grant application be prepared by the Sullivan County Clerk's Office seeking funding assistance from the LGRMIF program, the County Manager shall be authorized to execute any and all necessary documents to apply for and accept the grant award, in such form as the County Attorney shall approve; and

BE IT FURTHER RESOLVED, that if a LGRMIF award is secured, the Sullivan County Clerk's Office shall administer the fund, and the program, with technical assistance from the Sullivan County Department of Grants Administration; 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. Steingart, seconded by Ms.Vetter, put to a vote, unanimously carried and declared duly adopted on motion February 16, 2012.

Recognition of Legislators

Mr. Rouis requested that a letter be sent to Jim Galligan thanking him for all of his hard work at the Adult Care Center. All legislators concurred.

There being no further business, Mrs. LaBuda moved to adjourn, seconded by Mr. Rouis. The meeting was declared closed at 2:21PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature

February 2012
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1010-40-4013	CONTRACT OTHER				1,619
A-1010-41-4102	AUTO/TRAVEL LODGING			744	
A-1010-41-4105	AUTO/TRAVEL REGISTRATION FEES			775	
A-1010-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			61	
A-1010-42-4206	OFFICE PUBLICATIONS			39	
A-1010-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE			22,022	
A-1165-42-4201	OFFICE ADVERTISING				223
A-1165-44-4406	UTILITY WIRELESS COMMUNICATIONS			2,100	
A-1165-44-4408	UTILITY CABLE/SATELLITE				1,140
A-1165-45-4501	SPEC DEPT SUPPLY MISC/OTHER			240	
A-1165-46-4602	MISC SERV/EXP EMPL MEAL ALLOWANCE				1,200
A-1165-47-4724	DEPT DRUG FORFEITURE PROCEEDS NYS			2,500	
A-1165-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				3,429
A-1165-R2626-R307	FORFEITR CRIME PROCDs STATE				
A-1185-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE	2,500			1,006
A-1230-41-4103	AUTO/TRAVEL MEALS			25	
A-1230-41-4104	AUTO/TRAVEL MILEAGE/TOLLS			20	
A-1230-43-4311	WEBINAR AND RELATED EXPENSES				45
A-1230-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				648
A-1320-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				
A-1325-14-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE			17,991	
A-1325-15-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				5,054
A-1330-204-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				1,369
A-1330-205-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				5,943
A-1340-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				1,437
A-1341-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				504
A-1343-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				210
A-1344-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				930
A-1345-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				999
A-1355-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				1,009
A-1410-10-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE			7,445	
A-1410-11-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				3,015
A-1420-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				2,235
A-1430-42-4201	OFFICE ADVERTISING			223	
A-1430-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				1,765
A-1450-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				1,958
A-1460-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				358
A-1490-10-1011	PERSONAL SERV REGULAR PAY			50,000	

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Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1490-80-8001	EMPL BENFTS FICA AND MEDICARE			3,825	
A-1490-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			12,250	
A-1490-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				760
A-1490-80-8007	EMPL BENFTS DISABILITY			140	
A-1620-19-44-4402	UTILITY FUEL OIL			2,070	
A-1620-19-44-4403	UTILITY KEROSENE				2,070
A-1620-197-44-4404	UTILITY PROPANE				210
A-1620-197-44-4404	UTILITY PROPANE				200
A-1620-197-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			210	
A-1620-197-47-4717	DEPT BLDG/PROP REPAIRS			200	
A-1620-21-44-4402	UTILITY FUEL OIL			10,350	
A-1620-21-44-4403	UTILITY KEROSENE				10,350
A-1620-21-45-4541	SPEC DEPT SUPPLY TOOLS			250	
A-1620-21-47-4717	DEPT BLDG/PROP REPAIRS				250
A-1620-21-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				250
A-1620-22-44-4402	UTILITY FUEL OIL			7,348	
A-1620-22-44-4403	UTILITY KEROSENE				438
A-1620-22-47-4717	DEPT BLDG/PROP REPAIRS				7,348
A-1620-22-47-4720	DEPT LABORATORY/XRAY EXPENSE			250	
A-1620-22-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			1,305	
A-1620-23-47-4703	DEPT DUES			5	
A-1620-23-47-4720	DEPT LABORATORY/XRAY EXPENSE			25	
A-1620-23-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			128	
A-1620-23-47-4766	DEPT CLEAN UP/BEAUTIFICATION				30
A-1620-23-47-4766	DEPT CLEAN UP/BEAUTIFICATION				128
A-1620-23-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				2,504
A-1620-24-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				128
A-1620-25-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				516
A-1620-27-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			2,413	
A-1680-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				258
A-1989-98-80-8003	EMPL BENFTS HLTH INSUR RETIREES				216
A-1989-99-47-4736	DEPT CONTINGENT			66,487	
A-3010-10-1011	PERSONAL SERV REGULAR PAY				89,717
A-3010-47-4702	DEPT EQUIP SERVICE/REPAIRS				50,000
A-3010-47-4732	DEPT BLDG/PROP ELECTRONIC MONITORING			170	
A-3010-80-8001	EMPL BENFTS FICA AND MEDICARE				170
A-3010-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				3,825
A-3010-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				16,250
A-3010-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				16,224

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 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-3010-80-8007	EMPL BENFTS DISABILITY				140
A-3020-10-1011	PERSONAL SERV REGULAR PAY			47,462	
A-3020-80-8001	EMPL BENFTS FICA AND MEDICARE			3,631	
A-3020-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			18,754	
A-3020-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				3,715
A-3020-80-8005	EMPL BENFTS RETIREMENT			5,695	
A-3020-80-8007	EMPL BENFTS DISABILITY			140	
A-3020-R1589-R247	PUBLIC SAFETY FEE MISC FEE/REIMBURSMNT	75,682			
A-3110-29-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				11,804
A-3110-30-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				1,731
A-3110-31-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			1,126	
A-3140-16-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				5,497
A-3140-16-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			18,004	
A-3140-17-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				185
A-3140-17-R3310-R167	ST AID PROBATION SERV DEPARTMENTAL AID	8,000			
A-3150-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			21,547	
A-3989-98-80-8003	EMPL BENFTS HLTH INSUR RETIREES			4,389	
A-4010-33-10-1011	PERSONAL SERV REGULAR PAY				8,788
A-4010-33-46-4603	MISC SERV/EXP EMPL UNIFORM ALLOWANCE			388	
A-4010-33-80-8001	EMPL BENFTS FICA AND MEDICARE				643
A-4010-33-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				667
A-4010-33-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				2,942
A-4010-33-80-8005	EMPL BENFTS RETIREMENT				1,008
A-4010-33-80-8007	EMPL BENFTS DISABILITY				420
A-4010-33-80-8007	EMPL BENFTS DISABILITY				140
A-4010-34-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			3,641	
A-4010-36-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				1,097
A-4010-37-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				871
A-4010-44-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			2,504	
A-4050-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				505
A-4059-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				1,502
A-4082-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			6,112	
A-4220-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				2,350
A-4310-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE			1,470	
A-4320-40-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				16,443
A-4320-41-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				572
A-4320-42-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				3,088
A-4320-43-80-8002	EMPL BENFTS HLTH INSUR ACTIVE EMPLOYEE				1,742

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Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-4989-98-80-8003	EMPL BENFTH HLTH INSUR RETIREES			45,220	
A-5610-44-4402	UTILITY FUEL OIL			8,280	
A-5610-44-4403	UTILITY KEROSENE				8,280
A-5610-47-4708	DEPT INSURANCE				
A-5610-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			177	
A-5610-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				177
A-5680-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				773
A-5989-98-80-8003	EMPL BENFTH HLTH INSUR RETIREES			2,939	1,564
A-6010-38-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				20,800
A-6010-50-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				2,141
A-6010-51-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				2,316
A-6010-52-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				9,925
A-6010-53-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				6,973
A-6010-54-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				1,020
A-6010-55-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				1,057
A-6010-56-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				2,913
A-6010-57-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE			16,012	14,522
A-6293-47-4781	DEPT FED ARRA (STIMULUS) TRAINING				
A-6293-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				3,158
A-6510-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				640
A-6610-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				283
A-6989-40-4013	CONTRACT OTHER			301	
A-6989-40-4013	CONTRACT OTHER			4,000	
A-6989-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				290
A-6989-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				258
A-6989-80-8007	EMPL BENFTH DISABILITY				11
A-6990-98-80-8003	EMPL BENFTH HLTH INSUR RETIREES			15,408	
A-7110-39-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				577
A-7310-42-4205	OFFICE PRINTING				1,858
A-7310-47-4707	DEPT MAINTENANCE IN LIEU OF RENT			1,627	
A-7310-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				258
A-7610-87-40-4008	CONTRACT LEGAL SERVICES			24	
A-7610-87-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				258
A-7610-87-R4772-R216	FED AID AGING PROGRAM IIIB				
A-7610-88-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				2,605
A-7610-89-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				2,485
A-7989-98-80-8003	EMPL BENFTH HLTH INSUR RETIREES			4,898	543
A-8020-90-47-4763	DEPT NEW INITIATIVES			2,100	

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Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-8020-90-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				1,569
A-8020-90-R2189-R279	HOME/COMMINTY ASSIST REIMBURSE - COMM DEVELPMNT ADMIN	2,100			
A-8040-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				2
A-8989-98-80-8003	EMPL BENFTH HLTH INSUR RETIREES			865	
A-9901-90-9001	TRANSFERS COUNTY ROAD				18,837
A-9901-90-9002	TRANSFERS ROAD MACHINERY			4,480	
A-9901-90-9003	TRANSFERS ADULT CARE CENTER			45,741	
	TOTAL GENERAL FUND	88,306	0	498,546	410,240
CL-8160-46-4607	MISC SERV/EXP ANSWERING SERVICE				
CL-8160-47-4702	DEPT EQUIP SERVICE/REPAIRS			102	
CL-8160-47-4717	DEPT BLDG/PROP REPAIRS			1,500	
CL-8160-47-4767	DEPT NYS/US REGISTRY FEES/FINES/ASSESS				1,500
CL-8160-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				102
CL-8989-98-80-8003	EMPL BENFTH HLTH INSUR RETIREES				1,535
	TOTAL SOLID WASTE FUND	0	0	1,602	12,185
D-3310-42-4203	OFFICE OFFICE SUPPLIES				
D-3310-43-4301	COMPUTER SUPPLIES			100	
D-3310-45-4513	SPEC DEPT SUPPLY ALUMINUM SIGN MATERIAL			475	
D-3310-45-4513	SPEC DEPT SUPPLY ALUMINUM SIGN MATERIAL			400	
D-3310-45-4515	SPEC DEPT SUPPLY REFLECTIVE SHEETS				400
D-3310-45-4515	SPEC DEPT SUPPLY REFLECTIVE SHEETS			50	
D-3310-45-4517	SPEC DEPT SUPPLY BARICADES, LIGHTS, CONES			1,800	
D-3310-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			350	
D-3310-45-4541	SPEC DEPT SUPPLY TOOLS				100
D-3310-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE			325	
D-3989-98-80-8003	EMPL BENFTH HLTH INSUR RETIREES				1,607
D-5020-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				3,795
D-5110-45-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				2,590
D-5110-45-80-8002	EMPL BENFTH HLTH INSUR ACTIVE EMPLOYEE				3,000
D-5142-45-4533	SPEC DEPT SUPPLY LIQUID ICE CNTRL MATERIAL				12,339
D-5142-45-4534	SPEC DEPT SUPPLY SAND ICE CONTROL			3,500	
D-5989-98-80-8003	EMP BENEFITS - HEALTH INSURANCE RETIREES			1,494	
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND		18,837		
	TOTAL COUNTY ROAD FUND	0	18,837	8,494	27,331

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Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
DM-5130-48-42-4206	OFFICE PUBLICATIONS				
DM-5130-48-43-4301	COMPUTER SUPPLIES	25			
DM-5130-48-44-4402	UTILITY FUEL OIL	95			
DM-5130-48-44-4403	UTILITY KEROSENE	9,108			
DM-5130-48-45-4524	SPEC DEPT SUPPLY LUMBER				9,108
DM-5130-48-47-4702	DEPT EQUIP SERVICE/REPAIRS			650	
DM-5130-48-47-4708	DEPT INSURANCE			500	
DM-5130-48-80-8002	EMP BENEFITS - HEALTH INSURANCE ACTIVE EMPLOYEES				500
DM-5130-49-45-4542	SPEC DEPT SUPPLY WELDING				1,820
DM-5989-98-80-8003	EMPL BENEFITS HLTH INSUR RETIREES				770
DM-9997-R5031-R209	INTERFUND TRANSFER - GENERAL FUND	4,480		6,300	
	TOTAL ROAD MACHINERY FUND	4,480	0	16,678	12,198
EI-4989-98-80-8003	EMPL BENEFITS HLTH INSUR RETIREES				
EI-6020-60-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE			17,688	
EI-6020-62-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE			2,246	
EI-6020-63-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE			23,405	
EI-6020-64-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE				532
EI-6020-65-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE				541
EI-6020-68-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE			6,761	
EI-6020-71-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE				258
EI-6020-74-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE			1,681	
EI-6020-75-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE				788
EI-6020-76-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE				2,820
EI-6020-77-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE				504
EI-6020-78-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE			1,716	
EI-6020-79-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE				1,046
EI-6020-80-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE			455	389
EI-6020-81-80-8002	EMPL BENEFITS HLTH INSUR ACTIVE EMPLOYEE				1,333
EI-6020-81-R5031-R209	INTERFUND TRANSFER - GENERAL FUND	45,741			
	TOTAL ADULT CARE CENTER FUND	45,741	0	53,952	8,211

APPENDIX "B" Recommended Denial

TOWN	SBL	CLASS CC PRIMARY OWNER	ADDRESS
BETHEL	25.-1-13	433 Jakubowski, Jese & Irene	555 St. Rt 55
BETHEL	37.-1-53	312 Weiss, Debbie Ann & Jean	PO Box 188
BETHEL	40.-1-42	280 Barber, Cindy	PO Box 53
BETHEL	40.-1-44	260 Barber, Cindy	PO Box 53
BETHEL	47.-5-3	210 Tychanski, Bogdan & Anna	58-01 76th St
BETHEL	13.-1-35.2	620 Gan Emunah Torah; Attn Rabbi Rosen	461 Bedford Ave
BETHEL	13.-1-35.3	620 Gan Emunah Torah; Attn Rabbi Rosen	461 Bedford Ave
Callicoon	20.-1-35.2	283 Bernitt, Michael & Elizabeth	431 Bayer Road
Fallsburg	34.-6-4	484 Hurleyville Sullivan First	PO Box 372
Liberty	12.-1-13.10	620 Panyia of the Mountainsc/o Fr Shyvetsov Oleg	387 Benton Hollow Rd
Liberty	8.-1-13	311 Tanzman C. & Mclaughlin E.	34 Beechwood Way
Liberty	108.-9-5	411 MHIN Street Liberty LLC	PO Box 612
Lumberland	20.-1-2.1	581 Cong Machne Chain	6101 16th Ave
Lumberland	8.-1-110	210 Obrycki, Marek & Mariana	PO Box 181
Lumberland	11.-1-60	240 Donahue, Josephine	163 Ogden Road
Mamakating	12.-1-45	210 Maresca, Frank & Letitia	PO Box 12
Mamakating	3.-4-1.2	210 Feerick, Maria	PO Box 712
Mamakating	12.-1-5	210 Ruggiero, Louise	340 Walker Vallet Rd
Mamakating	43.-6-4	210 Borash, Alicemarie & Donald	35 Sunrise Trul
Mamakating	17.-6-1	681 Town of Mamakating	2948 Rt 209
Mamakating	49.-1-3.4	652 Town of Mamakating	2948 Rt 209
Mamakating	12.-1-1.1	692 Town of Mamakating	2948 Rt 209
Mamakating	23.-1-33.1	692 Town of Mamakating	2948 Rt 209
Mamakating	201.-4-23	681 Town of Mamakating	2948 Rt 209
Mamakating	107.-1-8.1	680 Town of Mamakating	2948 Rt 209
Rockland	50.-1-9.2	210 Reynolds, James	PO Box 496
Rockland	26.-1-41.3	620 Grooville Free Meth. Church	2 Grooville Road
Rockland	34.-10-12.2	270 Wood, Shirley	PO Box 9
Rockland	47.-3-2	593 Goldstein, Linda	344 Myers Road
Thompson	4.-1-28.3	425 Peng, Lee Dah	21 Cross Road
Thompson	25.-1-1.5	425 Peng, Lee Dah	21 Cross Road
Thompson	33.-1-27	270 Rescigno, Dorothy	176 Wild Turnpike
Thompson	13.-1-1.1	417 Goldfarb, Paul	21 Lansdale Dr

TWN ST ZIP	FEE
Eldred, NY 12732	\$ 300.00
White Lake, NY 12786	\$ 120.00
White Lake, NY 12786	\$ 120.00
White Lake, NY 12786	\$ 120.00
Middle Village, NY 11379	\$ 120.00
Brooklyn, NY 11211	\$ 120.00
Brooklyn, NY 11211	\$ 120.00
North Branch, NY 12766	\$ 300.00
Hurleyville, NY 12747	\$ 120.00
Livingston Manor, NY 12758	\$ 120.00
Baircliff Manor, NY 10510	\$ 120.00
Liberty, NY 12754	\$ 480.00
Brooklyn, NY 11204	\$ 1,800.00
Glen Spey, NY 12737	\$ 120.00
Glen Spey, NY 12737	\$ 120.00
Burlingham, NY 12722	\$ 120.00
Phillipsport, NY 12769	\$ 120.00
Pine Bush, NY 12566	\$ 108.00
Wurtsboro, NY 12790	\$ 108.00
Wurtsboro, NY 12790	\$ 120.00
Wurtsboro, NY 12790	\$ 350.00
Wurtsboro, NY 12790	\$ -
Wurtsboro, NY 12790	\$ -
Wurtsboro, NY 12790	\$ 300.00
Wurtsboro, NY 12790	\$ 120.00
Livingston Manor, NY 12758	\$ 120.00
Livingston Manor, NY 12758	\$ 120.00
Roscoe, NY 12776	\$ 120.00
Neversink, NY 12765	\$ 300.00
Middletown, NY 10940	\$ 300.00
Middletown, NY 10940	\$ 300.00
Rock Hill, NY 12775	\$ 120.00
Marlboro, NJ 07746	<u>\$ 1,800.00</u>
	\$ 8,726.00



February 16, 2012

via email transmission

Kathleen LaBuda - Kathy.labuda@co.sullivan.ny.us
Jonathan Rouis - jonathan.rouis@co.sullivan.ny.us jrouis@citlink.net
Gene Benson - gene.benson@co.sullivan.ny.us arbenson@localnet.com
Cora Edwards - cora.edwards@co.sullivan.ny.us edwardscora@aol.com
Cindy Gieger - cindy.gieger@co.sullivan.ny.us cindygieger@gmail.com
Scott Samuelson - scott.samuelson@co.sullivan.ny.us brad57@aol.com
Alan Sorensen - alan.sorensen@co.sullivan.ny.us alansorensen@legislatorsorensen.com
Ira Steingart - ira.steingart@co.sullivan.ny.us isteingart@steingartprinting.com
Kathryn Vetter - kathleen.vetter@co.sullivan.ny.us kittyrn@wildblue.net

Re: Sullivan County Tourism

During our 12 years in business we have worked with the Sullivan County Visitors Association on several successful tourism projects. Roberta Lockwood, Herb Clark and their staff have always shown a phenomenal commitment to the county tourism initiatives. They have helped businesses such as ours create tourism business and travel marketing strategies that help us stand out from the crowd and increase visits to our door. Their experience in both the New York State and International tourism arenas is immeasurable.

We personally benefited from the co-operative effort of the Sullivan County Antiques Trail Map and the SCVA website. The brochure has evolved under Roberta and Herb's guidance over the years to become an invaluable tool for visitors seeking out a destination for antiques treasure hunting trips. Many of our customers have told us that because they found the brochure so informative and extremely accessible on the internet or through review of a mailed copy, they made the decision to come to Sullivan County, NY as opposed to another area.

Although we unfortunately closed our doors last September, we have no doubt that we enjoyed a successful 12 year run in part through the efforts of Roberta, Herb and the SCVA. We hope you keep this in mind as you consider the future of this group and tourism marketing for Sullivan County.

Respectfully yours,

Ron Greco and Richard Delia

cc: Roberta Lockwood, Herb Clark - SCVA

RECEIVED
FEB 21 2012
SULLIVAN COUNTY LEGISLATIVE

Letter to Legislators of Sullivan County

Why should tax payers help subsidize a not for profit organization that will take over a part of a project that was supposed to be developed to help the tax base?

Why should a not for profit be given a subsidized entity in direct competition with a for profit business?

The YMCA has three foot prints in the town of Thompson already.

① low rent \$150 per month that competes with the Fitness Factory and Curves.
no insurance, no heat and light bill,
no water bill, no paper or soap bill etc.

② YMCA Camp at the town of Thompson park.
New building being built which they will have access to.

③ Lake front and walking trails in Rock Hill.

RECEIVED
FEB 15 2012
SULLIVAN COUNTY LEGISLATURE

4. \$500,000.00 from Senator Waverly offered to YMCA building at Cepello Mall before any decision was made by the Village, Town or County.

5. On Town of Thompson Budget Preparation Report YMCA Contract \$93,000.00 for 2012.

Respectfully Submitted

Ann A. Pellegrini

Apollo; discuss Sheriff

BY DAN HUST

MONTICELLO—One of two lawsuits holding up the redevelopment of the former Apollo Mall has now been settled.

On Thursday, the County Legislature unanimously approved an offer by the Village of Monticello to resolve the village's suit over back taxes it said it was owed on the now-county-owned property.

Monticello had sued the county in October for \$869,309 in outstanding village taxes owed on the Apollo property dating back to 2004, plus a pro-rated portion of whatever the county had recovered for 2002 and 2003 when it fore-

closed on the involved parcels. The county initially refused, and the matter seemed destined for court.

But earlier this month, the village proposed a settlement, which this past Thursday legislators unanimously approved.

The village board is expected to ratify the agreement tonight.

It calls for an immediate payment of \$96,037 from the county to the village for 2009-2011 taxes, followed by another \$330,000 when the county sells the property.

According to the resolution, County Attorney Sam Vasgar considers the settlement "fair and equitable ... and avoids exposing the county to potential liability for a possibly amount in litigation."

Monticello's lawsuit on the developer's plan to redevelop the Apollo is hoping for a lease instead of an outright sale, but the terms have yet to be set.

"We're still trying to get our development agreement together," explained one of the village's principals, Henry

through which the Apollo's main entrances pass.

ANOTHER SETTLEMENT

Legislators also unanimously approved a settlement arising from mediation between the county and the builder of its new transfer station and materials recovery facility (MRF) near the landfill in Monticello.

The work was not done on time, though the county and Verticon, the contractor, disputed the reasons why.

In the end, the county agreed to pay \$699,000 of the \$770,000 still outstanding in the contract.

MORE CAMERAS AT JAIL

Sullivan County Jail Administrator Hal Smith told legislators Thursday that a \$43,020 contract with P.N. Fire and Burglar Alarm Co. in Monticello will significantly increase the amount of cameras in the jail.

"We're putting in these camera systems so we can keep track of our staff and inmates," he explained.

The 32 new cameras come with sophisticated monitoring software that can identify and alert deputies to weapons carried or dropped by inmates.

"It records 24/7," Smith said. "We'll have staff watching it live also."

Legislators unanimously agreed to the contract with Smith's support abstaining.

RAISES PASSED

While the tentative 2012 county budget didn't muster enough votes to pass, legislators did unanimously agree to \$1,000 raises for them and/or their successors.

"I think the raise is a modest raise," observed Legislator David Sager, who won't be on the new Legislature when it convenes in January. "I think it's a very equitable and necessary raise for our legislators."

Legislators also passed a resolution to support the village's request for a lease on the Apollo property.

The village's request for a lease on the Apollo property is still pending. The village is hoping for a lease instead of an outright sale, but the terms have yet to be set.

SULL. CO. News

12/20/11



DEMOCRAT
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Dr. John B.

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Legislature has full agenda

BY DAN HUST

MONTICELLO — A split Legislature last Thursday ended up almost tabling, then passing a resolution to purchase accident/crime reconstruction equipment.

The Total Workstation desired by the Sheriff's Office had been briefly discussed the week before, and Legislator David Sager thought the matter would be tabled to allow the sheriff to explain the necessity of the equipment.

Though its \$12,540 purchase price is covered by a federal Homeland Security grant, Sager and Legislator Frank Armstrong shared the concern that it could cost the county more in manpower and maintenance.

"There's a huge back-end cost to this that I don't agree with," Sager explained.

"There's no need for us to take on an extra cost," added Armstrong, agreeing with Sager that the State Police already have such equipment, which they can share as needed with the Sheriff's Office.

Legislator Kathy LaBuda moved to table the matter, which garnered support from Sager, Armstrong and Ron Hiatt. But that was insufficient, and when the vote on the resolution came up seconds later, only LaBuda, Sager and Armstrong registered "no" votes.

NEW POLICIES PASSED

Two subsequent votes earned unanimous support from all nine legislators and brought about a day Rock Hill's Dave Colavito had long hoped for.

The Legislature agreed to both a new financial disclosures policy and term limits on boards to which they appoint members, drawing praise from Colavito.

"I think this is a very, very important step," he said.

He had only one remaining recommendation: publish the disclosures on the county's website rather than

Whether that will happen remains uncertain, but now the public will have a way to see how much business legislators and other county officials do with clients who have matters to be decided by those officials.

For more information on the policy and how to obtain the disclosures, contact the clerk's office at 807-0435.

APOLLO YMCA ISSUES

Two speakers at Thursday's meeting joined several legislators in concerns over the YMCA's desire to site a facility at the former theater on the old Apollo Mall property in Monticello.

Mike Dollard, who runs the Fitness Factory in Monticello, read a letter he had written to legislators last week, urging them not to let the plan happen.

He cited two main reasons: the non-profit nature of the YMCA and its potential competition with his and similar existing for-profit fitness centers.

"Have any of you been in a major shopping center or mall anywhere and seen an organization like the YMCA located there?" he asked legislators. "The answer, of course, is no, because it does not fit the model, and it does not fit the original proposal by this firm [developer Chancellor-Livingston]."

Referring to the YMCA's current presence at the Monticello High School, "there is absolutely no need for them to expand and move to Apollo," Dollard continued. "The only reason they would want to leave the high school is to get a bigger share of the very limited adult fitness market in this area."

And if that were to happen, he told legislators, the Fitness Factory would be unable to compete.

Dollard argued that the real need is for youth services, and he would support a YMCA youth center.

Dollard thought \$500,000 in state money the Y got from NYS Senator John Bonacic to develop Sullivan County YMCA initiatives would be better spent for such a youth center, but Monticello resident Jim Culligan questioned the propriety of allocating any money to a project that has yet to be approved.

"It really boggles the mind," Culligan observed.

Though legislators stayed silent on Thursday, at past meetings they've expressed similar discomfort with the potential of the facility to hurt for-profits, the inclusion of a not-for-profit in the middle of a development the county wants to be a major sales tax revenue-generator, and the involvement of the Cellini family.

YMCA Development Director
PLEASE SEE LEGISLATURE, 11B

Lost Dog Parksville Area

Female - Brown with
white paws & snout.
Answers to Cassidy.

Please call with information.

Kirk Orseck

5 WLL Co. Demo 10/28/11

RAT

istrict 1

Polling Places

TOWN & DISTRICT	LOCATION
Tusten 1	Tusten Town Hall, 210 Bridge St, Narrowsburg

9
SUPERINTENDENT OF HIGHWAYS
(Vote for ONE)

DEMOCRATIC 9A

George Kinch

REPUBLICAN 9B

George Kinch

CONSERVATIVE 9C

George Kinch

RURAL HERITAGE 9F

Glenn Swendsen

LEGISLATURE: Full plate

FROM PAGE 3A

tor Linda Cellini, who has started a capital campaign to raise funds for this project, also works for Bonacic - source of the \$500,000.

Her husband, Thompson Supervisor Tony Cellini, was on the county's Apollo visioning committee and has strongly supported Chancellor-Livingston, which this year earned the Legislature majority's approval to redevelop the Apollo into a modern retail mall.

The agreement between Chancellor-Livingston and the county has yet to be finalized. Legislators have indicated they may (through the agreement with Chancellor) restrict the YMCA from occupying the site, but they took no action at Thursday's meeting.

MOVING TO SELF-PLAN

Earlier in the day at the Management and Budget Committee meeting, County Manager David Fanslau told legislators that even if NYSHIP (NYS Health Insurance Program) features a 5-6.5 percent increase for 2012 rather than the 10 percent it has officially projected, the county will still save close to \$2 million if it switches to a self-funded health insurance plan.

That switch was already approved by the Legislature but hasn't yet taken effect, and Legislator Sager asked his colleagues to have more in-

blamed on NYSHIP's refusal to reveal the county's claims figures.

Sager said some of his predecessors recall the first time the county attempted a self-funded health insurance program that ultimately did not work out. Legislator Jodi Goodman replied that it was a plan different from the one now coming into place.

Teamsters union rep Sandy Shaddock later cautioned the Legislature as well, calling the move "shortsighted," but ultimately no further discussion was had.

Have a say in Delaware's tax cap override

BY DAN HUST

HORTONVILLE
Delaware's town board is positioning itself to be ready to override the state's two-percent property tax increase cap.

Supervisor Jim Scheutzow said that will occur only "if it's necessary," and Town Attorney Ken Klein confirmed that the town isn't yet far enough along in the 2012 budget process to know whether it will be necessary.

Such an override would also require majority approval by the town board.

got no past political experience, but he does have an outlet that.
ected, Lundgren plans retiring Supervisor Jim zow's "intern" for November and December, breaking the reins in y.
onsiders himself "a ret candidate" but adds, "I feel strongly about the things are going, you probably have to step up and do what you feel is right."
ed: he's convinced that,

Sullivan County Democrat

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October 14, 2011 Issue Established 1891 info@sc-democrat.com

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Today is Saturday, October 15th, 2011

Weather

Current Weather

for Callicoon



Cloudy
51

[More](#)

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Community

"The Wild Gardener"

[Peter Loewer's Weekly Column in the Democrat](#)

"The Mouth That Roars"

[Bill Liblick's Weekly Column in the Democrat](#)

["Inside Out" Weekly Column in the Democrat](#)



Dan Hust | Democrat

Once a popular movie theater in Monticello, this now-vacant building next to the former Apollo Mall is being considered for a full-scale YMCA facility.

Apollo's theater may become 'Y'

By Dan Hust
MONTICELLO — The Middletown YMCA is eyeing the

"Give Us Paws"
Ruth Huggler's
Weekly
Column in the
Democrat

"Retrospect"
John Conway's
Look Back at the
History of Sullivan
County

Sullivan
Renaissance

Sullivan County
Chamber
Of Commerce &
Industry

Sullivan County
Visitor's Association

Sullivan County
Government Center

Sullivan County
Partnership for
Economic
Development

Please visit our
Community Links
section for other
Sullivan County
Organizations

former movie theater on the Apollo Mall property, and the mall's developer is eager to work out a deal.

"It's really a pretty good building," YMCA Development Director Linda Cellini said this week. "Good spacing, floor plan - it would be a good location."

"I think it's a great location and would be good to have a Y there," agreed Henry Zabatta, a partner in Chancellor-Livingston, which is working out a deal with Sullivan County officials to develop the county-owned property.

"We're just waiting for the county and the developers to finalize their agreement," said Cellini.

She's eager to use half a million dollars from NYS Senator John Bonacic towards what she anticipated will be a \$700,000 renovation of the structure.

In fact, she's been going over room plans in preparation of a capital fundraising campaign that will kick off September 28.

The planned facility would include fitness and meeting rooms, a gym, classrooms and offices - "an actual Y," said Cellini. It would boost existing YMCA offerings in Monticello and a coming environmental preserve in Rock Hill, she added.

Zabatta said he and partner Michael Kaplan have given the YMCA a "verbal commitment" and will draw up a long-term lease as soon as they have the legal authority to do so.

"We're virtually going to give up our profit on the lease so we can get the YMCA in there and make it affordable for them," he affirmed.

"It will be very, very reasonable [terms]," agreed Cellini.

"They want the Y to come, too."



LEASE NOTE:
If you bookmark
a particular link
from the current
news, sports or
obituaries
offered on our
Website, be
aware that the

find. That meeting evidenced swaths sometimes deep differences — within the county — about the preferred path Sullivan should take.

Now multiply that by six other counties, and on Thursday, the council itself illustrated the challenges such a diverse group of people faces — representing not just Sullivan but Orange, Ulster, Rockland, Westchester, Putnam and Dutchess counties.

The council will have to distill sometimes-competing SUNNY PLEASE SEE ED, 2A

These trees along County Route 154 between Woodbourne and Gransville shone gloriously in the midmorning sun this past warm weekend. But depending on where you go in Sullivan County, our typically gorgeous fall colors might be somewhat muted, supposedly due to the enormous amount of rain this summer. Still, avid leaf-peepers should find plenty to ogle whilst driving our scenic back roads. For the latest fall foliage reports, check out the Sullivan County Visitors Association's website at www.scvsa.net.



Color me pretty

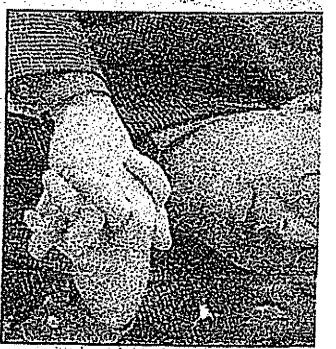
DAN HUST | DEMOCRAT

nonetheless, "this is very limited in scope," Hant remarked on Thursday. "I think it's fair."

The term limits policy would apply to board and commission members appointed by the Legislature (such as the Industrial Development Agency).

If would limit members to serving two consecutive four-year terms, though after waiting another four years, those members could be reappointed for up to another eight years.

PLEASE SEE AGENDA, 10A



DAN HUST | DEMOCRAT

Health and Family Services Commissioner Chris Cunningham warned legislators on Thursday that the coming heating season will be a tough one.

YMCA at Apollo stirs controversy among legislators

BY DAN HUST

MONTICELLO — Whether or not the old theater at the Apollo Plaza in Monticello should be used by the YMCA suddenly became the focus of the Legislature on Thursday.

Legislator David Sager broached the issue, expressing concern over the Democrat's recent report that the Middletown YMCA — which operates facilities in Monticello and Rock Hill — is interested in leasing the former theater building, which sits apart from the rest of the mall complex.

Sager thought the county's yet-to-be-finalized lease of the

entire property to Chancellor Livingston (C-L) was predicated on bringing retail — and its accompanying sales tax generation — to the long-empty site.

"If they're doing retail," he wondered, "why are they giving the farm away?"

The YMCA, as a non-profit, would not generate the kind of tax revenue a for-profit would at that site.

"And the YMCA already has a sweetheart deal in the Town of Thompson with the Monticello School District," Sager charged.

Legislators Ron Hant and Jodi Goodman agreed it was of concern, with Hant worrying a non-profit fitness center there would compete with similar for-profit ventures.

But Industrial Development Agency (IDA) CEO Allan Scott urged them to consult with County Attorney Sam Yasgur to avoid delaying the deal now in the works with C-L.

"Rather than revisit that issue and stage public meetings," Scott remarked, "let us keep moving forward."

When asked by legislators, Yasgur confirmed that "there are apparently feelers out there, but we can deal with that."

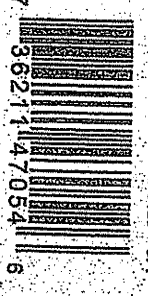
He didn't elaborate, but C-L partner Henry Zabatta and YMCA Development Director Linda Cellini had already told the Democrat that the two entities are interested in working out an inexpensive way to establish the YMCA's main Sullivan County facility at the old theater — "without controversy."

Upset with what he considered a backroom political deal, Sager insisted the matter should be investigated further in order to secure the public's trust and make good on the promises made.

"This kind of stuff is ongoing to happen," he stated. "It's not good for business. It's good for a few people, but not the whole county.... The end result was to

PLEASE SEE YMCA, 10A

- ALMANAC 4A
- CLASSIFIED 3B
- COMING UP 7A
- DOWN THE DECADES 5B
- EDITORIAL 8A
- GIVE US PAWS 2B
- HERE AND THERE 8A
- INSIDE OUT 8A
- LETTERS 9A
- LONG AGO 8A
- OBITUARIES 2B
- SPORTS 8B
- WEATHER 2A
- WHILE THE KETTLE BOILS 8A



6

Handwritten note: Sell Co. Moved

Jeter pleads guilty

MONTICELLO — District Attorney Jim Farrell announced that Jason Jeter, 29, of Ellenville, entered a plea of guilty in Sullivan County Court on September 28 to the charge of assault in the second degree, a class D violent felony, for the assault of a New York State Trooper that occurred during a traffic stop last year. Under the terms of agreement, Jeter is expected to receive a sentence of 5½ years in state prison and 5 years of post release supervision.

According to Farrell, Jeter was stopped by a marked New York State Police cruiser for a traffic violation at about 11 a.m. on September 29, 2010 on State Route 17 near Wurtsboro. During the investigation into the validity of the registration of Jeter's vehicle, Jeter abruptly fled the scene in his vehicle while Trooper Kenneth Boris was standing in between the open vehicle door, dragging Trooper Boris up the roadway approximately 70 feet, causing Boris physical injury, including injury to his neck and shoulder. While he was being dragged, Trooper Boris was able to fire a shot from his service weapon striking Jeter in the abdomen and leg. A grand jury found that Trooper Boris was justified in his use of deadly physical force against Jeter. Jeter was apprehended a short time later by other Troopers after he crashed his vehicle in a lightly wooded area off of Exit 115. Jeter sustained a gunshot wound to his leg and was treated and released from CRMC. Jeter will be sentenced on October 28 by acting Sullivan County Court Judge Hon. George Bartlett.

FROM FRONT PAGE

county so he could confidently solicit financial backers for the project.

Legislator Leni Binder reiterated her belief that the county doesn't currently generate the 160,000 tons of trash needed to make the process — which turns garbage into cellulose fiber and fuel — economical, but Gorman replied that his research indicated that number could be achieved.

However, Legislator David Sager and others want the

NYS Dept. of Environmental Conservation's opinion first.

"We need to hear assurances from them that it's bona fide," Sager explained.

Legislator Alan Sorensen noted that the landfill/Apollo area already has interested developers who are negotiating leases with the county, advising legislators to obtain County Attorney Sam Yasgur's input first.

But in the end, the Sustainability Policy Committee unanimously endorsed Re3 drawing up a sample contract for them to review.

Shooting suspect

nabbed in the Manor

MONTICELLO — Monticello Police arrested Messiah Lockhart, 31, of Livingston Manor on September 29 and



Messiah Lockhart

charged him with felonies of assault, criminal use of a firearm, criminal possession of a weapon and gang assault in connection with the August 21 shooting of Christopher Santiago in Monticello.

Santiago remains in the Westchester Medical Center.

Two other subjects, Isaiah Blach aka "Tallblood" and Daquan Gray aka "Day Day" have already been arrested on the same charges as Lockhart and are currently in the Sullivan County Jail.

Lockhart was arrested with the assistance of the Sullivan County Sheriff's Office and New York State Police. Lockhart was found to be in possession of six rocks of crack cocaine, two ziplock baggies of marijuana and packaging materials at his residence and faces those additional charges through the Sheriff's Office. The investigation into the August 21 shooting is continuing.

YMCA: Questioning plans

FROM FRONT PAGE

broaden our [tax] base, not shrink it."

Nevertheless, he and other legislators expressed support for C-Ls plan to resurrect the Apollo.

"I think we are steadfastly in support," noted Legislator Alan Sorensen. "... It's our best opportunity to maximize public investment. ... The last thing they need is a message out there that the county's having second thoughts, because I'm not having any second thoughts."

"We're doing everything we can to make this work," assured Yasgur.

C-L, YMCA RESPOND

No officials from C-L or the YMCA were present at Thursday's Legislature meeting, but when contacted afterwards, both Zabatta and Cellini expressed disappointment with the comments.

"We're the ones who are foregoing the potential profit," Zabatta explained, referring to the low rent C-L plans to charge the YMCA — while still paying the \$1-per-square-foot the county is expected to charge C-L on every occupied space.

"We always thought, 'Wouldn't it be nice to do something for the community?'" Zabatta recalled. "[With the YMCA] at the same time, the county gets their money, and so we can't

get a facility they can use."

And local workers get a day-care center that's part of the YMCA's plan, he said.

Zabatta added that the former director of the YMCA, not Cellini herself, approached him about the idea.

"It's very discouraging," said Cellini, who's spearheading a capital campaign to raise the estimated \$700,000 to renovate the structure. "We've lost so many wonderful things that could have happened in Sullivan County because of these types of comments."

Cellini's husband, Tony, is Thompson's supervisor, but she denied this potential deal had any political connotations. (Zabatta added that the Apollo project falls under the authority of the county and the Village of Monticello.)

"I've been trying to bring a YMCA to Monticello before I even met Tony," she explained. "There really isn't anything for families here to do together."

The Monticello School District, she said, only has a small wellness center, while the Rock Hill nature preserve isn't yet operational.

She theorized that Sager's comments might stem from "sour grapes" about his unsuccessful run against NYS Senator John Bonacic, for whom she works on occasion.

As for Hiatt's concerns, "we're not putting anybody out of business," Cellini ex-

BRIEFS

Liberty CS unveils expansion Oct. 14

LIBERTY — The Liberty Central School District will hold a ribbon cutting ceremony to celebrate the completion of the \$35.8 million capital project. The project encompassed many improvements at both Liberty Elementary and High Schools.

The public is invited to attend, and the ceremony will begin at 9 a.m. with a breakfast reception at the new Liberty High School Library/Media center.

State Assemblywoman Aileen Gunther and State Senator John J. Bonacic are both scheduled to attend, as well as County Legislator Jodi Goodman. The cutting of the ribbon will commence at 9:30 a.m. under the new covered walkway in front of the high school.

To learn more about the project, visit the website. The high school is located

MINARS

November 3

Cover Health

W. City, NY

6PM

HEALTHY

EXPLAINED IT IS NOT A 94M ← Seelet Memo 10/11/10

nity?" Zabatta recalled. "... [With the YMCA,] at the same time, the county gets their money, and the community

As for Hiatt's concerns, "we're not putting anybody out of business," Cellini explained. "It's not a gym."

Plus the facility remains only a dream.

"Nothing's been signed," she remarked. "We've only had conversations at this point."

Cellini's worried this issue could derail plans for any YMCA in Sullivan County, fearing her board will take the comments as indicative of a lack of local support.

Meanwhile with the Apollo Mall itself, Zabatta is wooing potential retailers but said C-L still awaits action on the lease.

"The county is negotiating the agreement to develop with the IDA," he explained. "So it's between them. It hasn't gotten to us yet."

school.

To learn more about the project, The high school is located at 125 Buckley Street in Liberty. For more information contact Allison Ruef, at 292-5400 ext. 2055 or e-mail at aruef@libertyk12.org.

Mamakating GOP elects new leaders

WURTSBORO — The Mamakating Republican Committee has recently elected a new leadership team whose goal is to help guide the 2011 Republican slate of local candidates to victory on Nov. 8.

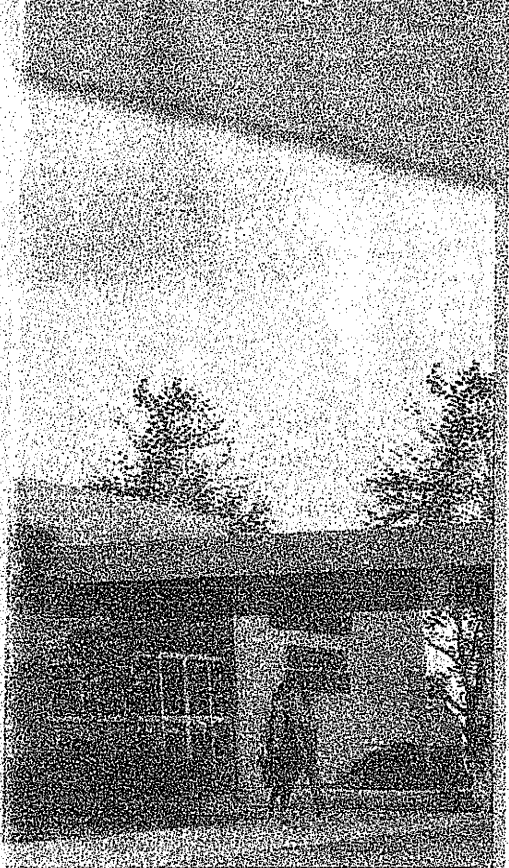
Those elected include Mark Berensten as chairman, Robert Justus as vice chairman, Duane Roe as treasurer, and Janet Evans as secretary.

In addition, the Mamakating Republican Committee has recently launched a Facebook page and a new website — www.mamakatingrepublicans.com — as up-to-date vehicles to educate residents regarding Republican candidates, issues relevant to the community, and progress made thus far by those currently holding office.

Berensten said, "Our Republican incumbents have accomplished a great deal over the last several years, and we are excited to support their efforts as we head toward Nov. 8th."

For information, call 430-1396, visit www.mamakatingrepublicans.com or e-mail info@mamakatingrepublicans.com.

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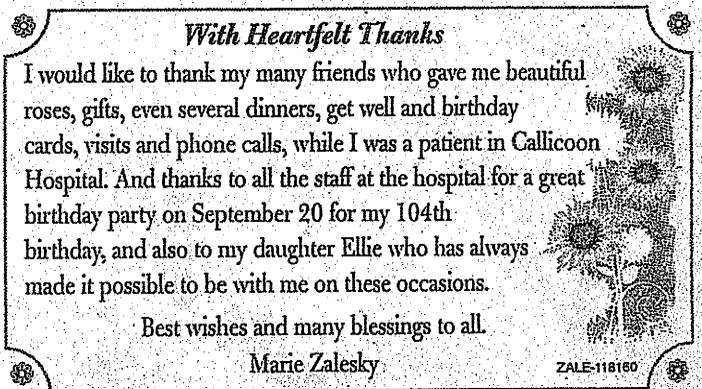
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With Heartfelt Thanks

I would like to thank my many friends who gave me beautiful roses, gifts, even several dinners, get well and birthday cards, visits and phone calls, while I was a patient in Callicoon Hospital. And thanks to all the staff at the hospital for a great birthday party on September 20 for my 104th birthday, and also to my daughter Ellie who has always made it possible to be with me on these occasions.

Best wishes and many blessings to all.

Marie Zalesky

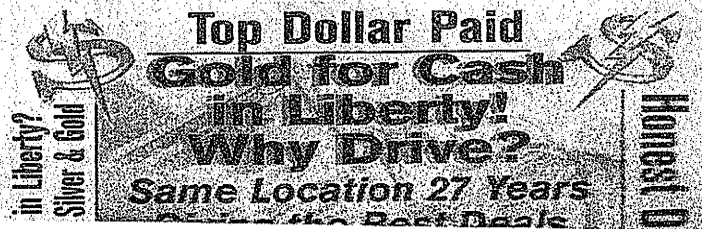


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Fanslau, David P.

From: Mike Dollard [mike.dollard@yahoo.com]
Sent: Tuesday, October 11, 2011 10:19 AM
To: Sorensen, Alan J.; Sager, David A.; Wood, Elwin M.; Frank Armstrong; Goodman, Jodi I.; Rouis, Jonathan F.; LaBuda, Kathy; Binder, Leni C.; Hiatt, Ron G.
Cc: Fanslau, David P.
Subject: Opposition to YMCA being located at Apollo Plaza
Attachments: YMCA article.pdf

Dear Legislators,

My name is Mike Dollard. My brother Vince and I own the Fitness Factory Health Club in Monticello. We have operated this business for 22 years. I am writing to express my strong opposition to the YMCA being located at the Apollo Plaza. I have attached an article that was recently published on the front page of the Sullivan County Democrat. As the article states, the firm of Chancellor-Livingston, who you selected to develop the property, are ready to offer the YMCA a long-term lease as soon as you give them your approval. They go on to state that they are going to give up their profit on the lease to make it as affordable as possible for the YMCA.

I know you received multiple proposals to develop the Apollo Plaza property. You selected Chancellor-Livingston because they proposed an upscale retail shopping center with possible big name retailers like Lowe's, TJ Maxx and Kohl's. I am quite sure the proposal did not include a tax exempt YMCA in the middle of their parking lot. Have any of you been in a major shopping center or mall anywhere and seen an organization like the YMCA located there? The answer of course, is no, because it does not fit the model and it does not fit the original proposal by this firm.

Sullivan County assumed ownership of Apollo Plaza because the previous owner failed to pay their taxes. The non-taxpaying YMCA should not be part of this development that, I am sure, will become a successful, booming shopping plaza.

The YMCA is a great organization that provides many valuable services. They are also a tax exempt organization that is in the business of running adult fitness centers. Unlike other tax exempt organizations who generate most of their funds from donations, the YMCAs get over 80% of their money from fitness center membership fees. Because they don't pay taxes and have other benefits like reduced postage rates, it cost them about 35% less to run their fitness centers than tax paying fitness providers. This unfair advantage they have is prevalent across the country. To read more about this problem, search "unfair competition YMCA" on the internet. You will see this is not a problem unique to Sullivan County.

As you may be aware, the YMCA already runs an adult fitness center at Monticello High School. They use the school's fitness equipment, gym and dance studios, and all utilities are provided at basically no cost. They are charged a monthly user fee of \$150. To say the least, they have a very good deal and the taxpayers in Monticello are picking up the cost. There is absolutely no need for them to expand and move to Apollo. The only reason they would want to leave the high school is to get a bigger share of the very limited adult fitness market in this area.

The gap in services in this County is not adult fitness. Our real need is for more youth services. In a recent report from New York State, Sullivan County rates well above the state average in categories such as youth violent crime arrests, youth vandalism arrests, Family Court referrals for youths that require supervision (PINS Cases), teen pregnancy, youth DWI arrests, youth drug arrests, and gang related arrests. The list goes on and on. The cry from many community members is "our youth have nothing to do, that is why they get into so

ch trouble". You only need to drive down Broadway in Monticello any afternoon or evening to see the groups of youths (mainly boys) hanging out in front of various stores with nothing constructive to do. This is unfortunate for our young people and can have a very negative affect on the business community when perspective customers feel intimidated by the groups.

If the YMCA or a similar organization like the Boys and Girls Club want to come to Monticello and open a youth center and focus their efforts on providing worthwhile, healthy activities for our youth, I think we should all go out of our way to assist them. They would be helping us solve a very severe problem. The newspaper article I attached also mentions that the YMCA received a \$500,000.00 grant through Senator John Bonacic's office. What better way to spend this money then creating a Youth Center in Monticello.

I know I don't have to tell you how difficult it is to run a business in Sullivan County. You are faced with difficult decisions every day like reducing the county workforce, and cutting much needed services because of our shrinking tax base, and very poor local economy. Because population growth is stagnant, and people are leaving the area because of the lack of employment opportunities, it becomes tougher each day to run a viable business.

I cannot emphasize enough how important it is for you to not allow, as the newspaper article states, a "full-scale YMCA" at Apollo Plaza. The YMCA might say there is enough of a customer base for both a YMCA fitness facility and taxpaying health clubs to survive. Our demographics do not support this claim. A fitness center draws 75% of their customers from a 6 mile radius. In Orange County where the Middletown YMCA is located there is enough of a population base for the "Y" and taxpaying clubs to survive. This is surely not the case in Sullivan County.

I already cited all the advantages the YMCA has over taxpaying fitness facilities because of their tax exempt status. Add to that poor demographics, the low cost lease they are being offered by the developer, and, most importantly, you would be allowing them to have a prime location right off a major highway in a major shopping plaza. This would spell disaster for every business in this County that provides fitness services. It would be impossible for us to compete with a business that markets to the same people we do and has numerous advantages that are not available to us. I urge you to review what is going on at the Apollo Plaza and not allow the YMCA to be located there.

I really appreciate your assistance with this matter. If you have any questions or would like to discuss this issue in more detail, please give me a call (845 701 0868).

Sincerely,

MICHAEL DOLLARD
FITNESS FACTORY HEALTH CLUB

Fallsburg gets \$1.5M grant to revamp physical education

BY LEONARD SPARKS
Times Herald-Record

FALLSBURG — The Fallsburg School District is receiving nearly \$1.5 million federal grant that school officials say will allow them to remake the school's physical education program and possibly outfit a gym also open to residents. The district is one of 76 school districts and organizations nationwide sharing \$35 million in funding under the Department of Education's Carol M. White

Physical Education Program, the DOE announced Sept. 29.

The funding will allow Fallsburg to expand its physical education program by buying equipment such as mountain bikes, said Superintendent Ivan Katz.

"It's going to mean a revitalization of physical education as we know it at Fallsburg," he said.

Fallsburg will receive \$479,000 the first year, under the grant. The final two years

call for awards of \$484,000 and \$488,000.

The program allows recipients to purchase equipment, including exercise machines and electronic health-monitoring equipment. It also pays for training staff and teachers.

Eldred, Liberty and Monticello shared a \$1 million grant awarded under the Carol White program in 2004, said Katz, who was then Eldred's superintendent.

Monticello used the grant to

buy equipment used by members of the Sullivan County YMCA, said Katz. Eldred filled an unused modular building with treadmills, free weights and other equipment, and opened it to district residents, he said.

"In a few short weeks, there were over 100 members of that gym," said Katz. "I envision doing something like that on a larger scale."

Liberty converted a storage room into a weight room, said

Fallsburg athletic director Tim Bult, who was then Liberty's athletic director. The school district also bought a climbing wall and mountain bikes.

"They're going to get opportunities to experience things that they never would have had prior to this funding," Bult said of Fallsburg's students.

"Activities that they can play and enjoy for the rest of their lives."

lsparks@th-record.com

T.H.R. 10/18/11

434-6800 Mr. Katz



Sunday, October 16, 2011
7:35 pm EDT



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Sullivan mall plans move ahead County ready to sign lease with developer

Photo 1 of 1 | Zoom Photo +



The long-defunct Apollo mall in Monticello could soon be the site of a new shopping center.

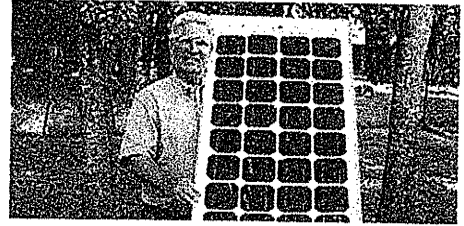
MICHELE HASKELL/Times Herald-Record

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By Victor Whitman

Times Herald-Record

Published: 2:00 AM - 07/26/11

Last updated: 7:04 AM - 07/26/11

MONTICELLO — Sullivan County legislators have cleared the way for a long-term lease with developers of a big-box retail shopping mall at the Apollo mall site on lower Broadway in Monticello.

Lawmakers agreed to transfer 101.65 acres of county-owned property into a funding corporation to be controlled by the Sullivan County Industrial Development Agency.

That will allow the developer, Chancellor Livingston, to complete a 99-year-lease deal.

The county and Chancellor Livingston have been negotiating since February, when the county picked the developer over a competing plan to renovate the defunct mall.

The county opted to create a corporation; otherwise it would have had to amend the county charter to allow for a lengthy lease. The corporation will channel back the rent payments and taxes to the county coffers.

A lease is expected to be completed within 60 days, County Manager David Fanslau said.

Retailers express interest

Chancellor Livingston is a partnership between Monticello Motor Club developers Michael Kaplan and Henry Zabatta and shopping center developer Simon Konover Development.

Their preliminary plan is for up to 500,000 square feet, including potentially two anchor stores such as a Lowe's or Target, three or four medium-sized stores, like a T.J. Maxx or Petco, and three or four pads that could be taken by chain restaurants or a bank.

Zabatta said the group has letters of interest from one major anchor and three smaller stores, but no signed contracts.

The developer must lock down commitments from several retailers before anyone will sign.

He wouldn't disclose the retailers' names on Monday.

The group previously announced they were negotiating with T.J. Maxx and Kohl's and had interest from Target and Lowe's. The group is also attempting to woo a movie theater.

When the lease is signed, Chancellor Livingston will submit plans to the village Planning Board and do an environmental review.

The Apollo will be torn down. The goal is to begin site work next spring and open the shopping center

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Risa Foster

This would be EXCELLENT for our community!!! I hope obtaining stores like TJ Maxx and Kohl's will happen! It'd be SO nice to not travel so far just to get clothes!!!

I'd love to see a 24 hour pharmacy and a Barnes and Nobles too, but only time will tell whether that's a possibility or not :)

July 26, 2011, 5:32:35 PM EDT - [Flag](#)

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Big retailers eye Apollo Plaza in Monticello

By Victor Whitman

Times Herald-Record

Published: 2:00 AM, 05/21/11

MONTICELLO — Developers of the now-empty Apollo Mall on lower Broadway say they have a verbal agreement with a shopping center developer to come in as a partner in the project and are talking with T.J. Maxx and Kohl's about locating stores there.

The Chancellor Livingston team of Michael Kaplan and Henry Zabatta is bringing in Simon Konover Development, a Hartford, Conn.-based company that has developed several shopping centers in Eastern states.

It owns the 112,584-square-foot Liberty Plaza anchored by ShopRite.

The partnership will be announced during an international shopping center convention next week in Las Vegas.

"They bring decades of experience in building and developing shopping centers," Zabatta said Friday. "They create instant credibility with the national retail markets. Basically, we have taken on a partner. Chancellor Livingston and Simon Konover are going to develop it together. It is a joint venture between the two companies."

Simon Konover confirmed it is talking with the developers.

It is an exciting opportunity that is worth exploring in more detail and in more depth," spokesman Jay Fisher said. He declined to provide other details, as no deal has yet been signed.

Zabatta said major chain stores require developers to lock up leases with several stores before going forward. Talks with T.J. Maxx for a roughly 24,000-square-foot store are the most advanced. Kohl's, which typically builds stores in the 100,000-square-foot range, also sent a letter of interest.

Target, Price Chopper, PetSmart, Sports Authority, Dick's Sporting Goods, Lowe's and AMC Theatres have also agreed to visit the site.

The informal site plan calls for 530,000 square feet of retail space and 2,600 parking spaces, but that plan is subject to change. Zabatta said the final version will depend on the approvals and lease agreements.

The existing Apollo Mall will be torn down. Zabatta said the plan includes two or three restaurant pads.

The YMCA, which is scoping out locations for a fitness center in Sullivan, is interested in taking over a building on the site that was once a movie theater.

"We would like it to be an entertainment center as well as a shopping center," Zabatta said. "It would be a place where Sullivan County goes for a lot of their needs and keeps the money in Sullivan County instead of going to Middletown."

County Attorney Sam Yasgur told legislators Thursday that the lease negotiations were going well with the developer, and the Legislature extended the period to negotiate.

Zabatta said Chancellor Livingston is seeking a 99-year lease from the county.

Once signed, Chancellor Livingston can then file plans with the village Planning Board.

"We're anticipating having the approvals by this time next year, hopefully around May or June 2012," Zabatta said. "We can then open the center in 2013."

vwhitman@th-record.com

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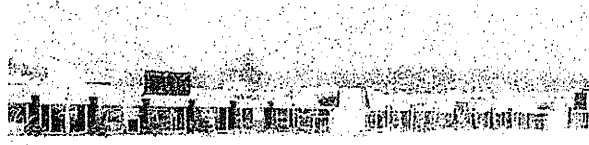
Motor-club pair picked for former Apollo Plaza site

Photo 1 of 1 | Zoom Photo +

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Tearing down the buildings and attracting big-box stores in their place is the stated goal of Michael Kaplan and Henry Zabatta, who won the vote of county legislators to develop the former Apollo Plaza.

MICHELE HASKELL/Times Herald-Record

By Victor Whitman

Times Herald-Record

Published: 2:00 AM - 10/24/11

MONTICELLO — A team that developed a high-end race club in Sullivan County has the first crack at developing the former Apollo Plaza site on lower Broadway.

County legislators on Wednesday authorized staff to begin negotiations with the Chancellor Livingston team of Michael Kaplan and Henry Zabatta, who plan to tear down the former indoor mall and attract big-box stores. That was selected over Butch Resnick's proposal to renovate the mall for a supermarket, discount retail and a future truck stop.

Legislature Chairman Jonathan Rouis called the project "transformative" but acknowledged Resnick's smaller-scale plan could have come quicker and carried less risk of failure.

He said the county has a recent history of disappointments.

"It is very difficult," Rouis said. "We did deliberate, but we have to move forward."

Kaplan and Zabatta put a group together that build the Monticello Motor Club, a private race track on Cantrell Road in the Town of Thompson. Town officials led by Supervisor Tony Cellini favored Kaplan and Zabatta, but the Village of Monticello, where the planning review will take place, took no position.

Jacob Billig, Resnick's attorney, made a final pitch on Wednesday. "We hope they are willing to keep a tight deadline, and it is unfortunate that politics may have guided part of their decision," Billig said afterwards.

"We believe our project is better on the merits, and if he can't reach an agreement, our client might be there to pick up the pieces."

Kaplan left before the vote. He is meeting with a major chain retailer.

Kaplan said on Tuesday that he believes the land could hold buildings of 500,000 to 750,000 square feet, or roughly three or four chain retailers and possibly a movie theater. Negotiations, permitting and construction will likely take three years.

Legislators Kathy LaBuda, Leni Binder and Frank Armstrong voted Wednesday against the resolution after failing to get the issue tabled for more study.

Earlier in the day, legislators were leaning toward putting off the decision, which comes after a nearly year-long process. Some wanted assurances about the developer's ability to finance the projects, and a willingness to solve expensive drainage issues.

After meeting behind closed doors for roughly an hour, legislators separately called in Kaplan and Billig and asked questions. Chancellor Livingston has a 90-day window to negotiate a long-term lease acceptable to the county.

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Kaplan will have to pay the county's fee for an outside attorney. County legislators previously approved negotiations with Carbon Harvest to build a gas-to-electricity plant, greenhouse and large food distribution facility on property near the Apollo site.

vwhitman@th-record.com

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Echo 1 Items



Kevin Leland

It would great if this project went ahead and let the Carbon Harvest gas to electricity plant, greenhouse, and large food distribution plant facility go in different locations near the former Apollo Mall. Any developer that knows anything will hire a contractor that knows what to do with the drainage situation. The new exits that are under construction right now should be able to support all of these proposals. There are certainly enough residents in Sullivan County right now that could use a job that these proposals would create.

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Sunday, November 6, 2011
9:38 am EDT



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New uses for Sullivan County's old Apollo Plaza site offered

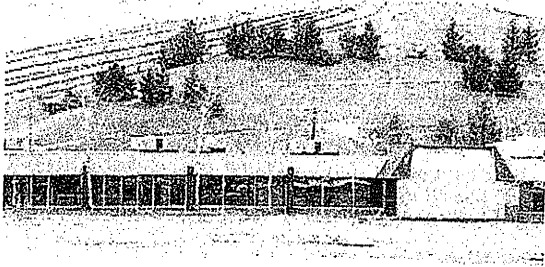
Panel to review proposals

Photo 1 of 1 | Zoom Photo +

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The former Apollo Plaza shopping center is seen with the Sullivan County Landfill in the background. Five development proposals have been submitted that would renovate the properties.

Times Herald-Record/TOM BUSHEY

By Victor Whitman

Times Herald-Record

Published: 2:00 AM - 12/26/10

MONTICELLO — Sullivan County officials have asked a committee to start reviewing proposals to develop the defunct Apollo Plaza and two county parcels on lower Broadway in Monticello and the town of Thompson.

Five developers have submitted plans that include everything from a truck stop and hotel to retail stores, a multi-plex cinema and International Entertainment Hall of Fame.

The county owns 170 acres next to the county landfill, including the former indoor mall, the Apollo, property next to it and land behind the Apollo once slated for landfill expansion.

Monticello developer Tommy Ting of the Catalyst Group submitted a proposal for the Apollo site. Also making proposals are developer Butch Resnick, a Mountandale-based equipment supplier and the Chancellor Livingston team of Michael Kaplan, who started the racetrack that eventually became the Monticello Motor Club and Henry Zabatta, general manager for Concord Resort and Golf Club of Kiamesha Lake.

Some are skeptical anything will come of their proposals.

"It is not a beautiful section of town," Monticello Village Manager John Barbarite said. "It was a landfill. No one is going to go there to hike. With all the vacant land in Sullivan County, I can't picture someone transforming it into virgin forest. What I think it is suitable for is light industry and manufacturing."

The properties do have something going for them. The state is reconfiguring the exit. This will make it much easier to get to lower Broadway traveling on both sides of Route 17.

County Legislature Chairman Jonathan Rouls has said he favors a project that would incorporate some level of sales tax generating retail.

Proposals for

Apollo Plaza

1. Carbon Harvest Energy

Construct a commercial greenhouse, integrated aquaponic growing system and a food storage and distribution center on the landfill Phase II parcel. Proposes to undertake this project in conjunction with a combined heat and power plant for recovery and utilization of landfill gas.

2. Chancellor Livingston LLC

Develop a retail/ entertainment complex on the Apollo Plaza and Landfill Phase II parcels. This will include retail stores, a multi-plex cinema, and mixed retail, to attract commercial and recreational businesses relating to automobiles.

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Andrew R Resler DPM

Sullivan County's old Apollo Plaza
 County Manager David Fanslau said he is hoping for preliminary recommendations in January but the process could take some time.

Fanslau envisions ultimately transferring the land to a corporation and doing a long-term land lease with the developers.

Committee members include Thompson Supervisor Tony Cellini, Monticello Mayor Gordon Jenkins, legislators Alan Sorensen and Ron Hiatt, and some community leaders.

"We are not going to rush the decision," Fanslau said.

vwhitman@th-record.com

motorcycles and bicycles.

3. Resnick Supermarket

Equipment Corporation

Rehabilitate the Apollo Plaza for development of a supermarket and other retail, as well as a farmers market and local craft market. For the Landfill Phase II parcel, Resnick proposes to develop a truck stop and motel, as well as a youth and community center.

4. The Catalyst Group

Develop an Entertainment Hall of Fame and Healthy Living Campus, utilizing the entire project site. This includes an entertainment hall of fame, food packaging, preparation and distribution facilities, and eateries on the Apollo Plaza parcel; a hotel, convention center, senior living center, fitness and health center, and light industrial space on the Landfill Phase II parcel; recycling facilities, greenhouses and a solar array on the current Landfill parcel; an agriculture museum, agricultural operations center and greenhouses on the recently acquired 45-acre parcel.

5. The Re3 Group

Develop a steam autoclave facility, which will use high pressure steam to break down municipal, commercial and industrial waste into cellulose-fiber and other recyclables. The cellulose fiber is a biomass fuel that can be used for the generation of electricity.

Source: Sullivan County Office of Management and Budget

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Through the years ...

1983: Apollo Plaza opens. It is the idea of Alfred Ingber of Fallsburg to turn a rundown shopping center, the former Monteco Mall at the eastern end of Monticello, which had once housed a supermarket, into a warehouse and light industrial center. He later revised the idea into a shopping mall of factory outlet stores.

April 1987: Plaza managers obtain a \$3.6 million mortgage from the United National Bank of Kuwait for improvements and consolidation of debts.

October 1994: Apollo Plaza loses American Tourister, Olga-Warner, Catskill Corner and Damon Factory Outlet. It has 33 stores.

June 1995: Leo S. Ullman, president of Clifford Corp. of Port Washington, is the lone bidder at a public auction for the 169,000-square-foot factory outlet mall. Ullman's bid is \$100,000 plus assumption of \$3.6 million in debt plus interest and penalties.

Dec. 1999: Mostly Books, the only book store in Sullivan County and an initial tenant at Apollo Plaza, closes for business. There are 16 stores in the mall.

August 2000: Sullivan County Industrial Agency makes \$50,000 tax payment to Village of Monticello, after Apollo Plaza fails to make payments in lieu of taxes.

Feb. 18, 2001: Fieldcrest Cannon bath and linen store closes, taking with it seven jobs. There are 13 stores in the mall.

March 2001: Flaum Management Co. and a group of investors, including Liberty Realtor Gene Barbanti, purchase Apollo Plaza from mall owner Leo Ullman. Flaum is a Rochester-based developer who has

New uses for Sullivan County's old Apollo Plaza site offered

Panel to review proposals

By Victor Whitman

Times Herald-Record

Published: 2:00 AM 12/26/10

MONTICELLO — Sullivan County officials have asked a committee to start reviewing proposals to develop the defunct Apollo Plaza and two county parcels on lower Broadway in Monticello and the town of Thompson.

Five developers have submitted plans that include everything from a truck stop and hotel to retail stores, a multi-plex cinema and International Entertainment Hall of Fame.

The county owns 170 acres next to the county landfill, including the former indoor mall, the Apollo, property next to it and land behind the Apollo once slated for landfill expansion.

Monticello developer Tommy Ting of the Catalyst Group submitted a proposal for the Apollo site. Also making proposals are developer Butch Resnick, a Mountandale-based equipment supplier and the Chancellor Livingston team of Michael Kaplan, who started the racetrack that eventually became the Monticello Motor Club and Henry Zabatta, general manager for Concord Resort and Golf Club of Kiamesha Lake.

Some are skeptical anything will come of their proposals.

"It is not a beautiful section of town," Monticello Village Manager John Barbarite said. "It was a landfill. No one is going to go there to hike. With all the vacant land in Sullivan County, I can't picture someone transforming it into virgin forest. What I think it is suitable for is light industry and manufacturing."

The properties do have something going for them. The state is reconfiguring the exit. This will make it much easier to get to lower Broadway traveling on both sides of Route 17.

County Legislature Chairman Jonathan Rouis has said he favors a project that would incorporate some level of sales tax-generating retail.



County Manager David Fanslau said he is hoping for preliminary recommendations in January but the process could take some time.

Fanslau envisions ultimately transferring the land to a corporation and doing a long-term land lease with the developers.

Committee members include Thompson Supervisor Tony Cellini, Monticello Mayor Gordon Jenkins, legislators Alan Sorensen and Ron Hiatt, and some community leaders.

"We are not going to rush the decision," Fanslau said.

vwhitman@th-record.com

Proposals for

Apollo Plaza

1. Carbon Harvest Energy

Construct a commercial greenhouse, integrated aquaponic growing system and a food storage and distribution center on the Landfill Phase II parcel. Proposes to undertake this project in conjunction with a combined heat and power plant for recovery and utilization of landfill gas.

2. Chancellor Livingston LLC

Develop a retail/ entertainment complex on the Apollo Plaza and Landfill Phase II parcels. This will include retail stores, a multi-plex cinema, and mixed retail, to attract commercial and recreational businesses relating to automobiles, motorcycles and bicycles. ~~XXXXXXXXXX~~

3. Resnick Supermarket

Equipment Corporation

Rehabilitate the Apollo Plaza for development of a supermarket and other retail, as well as a farmers market and local craft market. For the Landfill Phase II parcel, Resnick proposes

to develop a truck stop and motel, as well as a youth and community center.

4. The Catalyst Group

Develop an Entertainment Hall of Fame and Healthy Living Campus, utilizing the entire project site. This includes an entertainment hall of fame, food packaging, preparation and distribution facilities, and eateries on the Apollo Plaza parcel; a hotel, convention center, senior living center, fitness and health center, and light industrial space on the Landfill Phase II parcel; recycling facilities, greenhouses and a solar array on the current Landfill parcel; an agriculture museum, agricultural operations center and greenhouses on the recently acquired 45-acre parcel.

5. The Re3 Group

Develop a steam autoclave facility, which will use high pressure steam to break down municipal, commercial and industrial waste into cellulose fiber and other recyclables. The cellulose fiber is a biomass fuel that can be used for the generation of electricity.

Source: Sullivan County Office of Management and Budget

Undated

Plans floated for Apollo Plaza

Sullivan eyesore draws variety of proposals

BY LEONARD SPARKS
Times Herald-Record

MONTECELLO — Sullivan County's quest to bring life, and paying customers, back to the long-dormant Apollo Plaza site in Monticello has drawn some radical ideas and some old names.

Resnick Supermarket Corp., a Mountaindale-based equipment supplier, and longtime local developers Michael Kaplan and Henry Zabatta proposed ideas for remaking the 350-acre site, which includes the county landfill.

Submitted what ideas, but the four proposals are baseball and hockey stadiums; a theater complex; businesses built around ATVs, motorcycles and bikes; and a food-themed retail park anchored by a major supermarket.

The Concord is the site of a planned hotel and racino by developer Louis Cappelli, but construction stalled more than a year ago. Neither Kaplan or Zabatta responded to requests for comment.

Aragon said he was not disappointed that more developers did not submit ideas. "It takes a lot to disappoint me," he said.

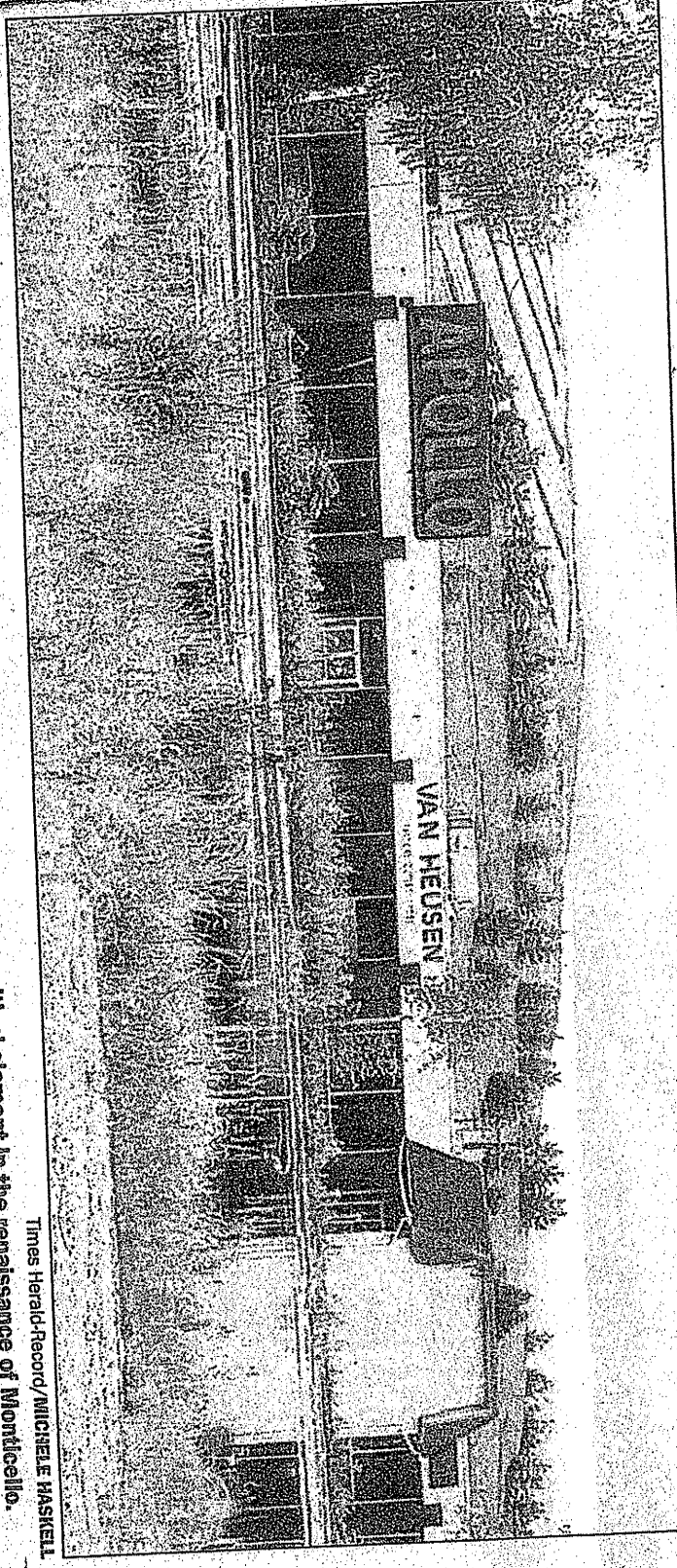
County officials consider a revamped Apollo critical to Monticello's economic renaissance and say projects such as Staten Island's Freshkills Park prove that landfills can be transformed into commercial and recreational uses.

The site's proximity to Route 17, the Catskills and the Delaware River makes it ideal for a large-scale project, officials say, and the right project could draw visitors to other attractions such as Bethel Woods Center for the Arts.

County Legislature Chairman Jonathan Rouis favors a project that would incorporate some level of sales tax generating retail.

"I think we have enough acreage to have mixed development," he said. "We just want to try and develop something with our eye on the future."

lsparks@th-record.com



Redevelopment of the long-defunct Apollo Plaza, pictured in 2006, is widely seen as a critical element in the renaissance of Monticello. Developers have submitted four proposals for the 350-acre site, which includes the county landfill.

Times Herald-Record/MICHELE HASKELL

A GOOD STORY OR PHOTO?

Call or e-mail Eric Stutz
Community News Editor
346-3132
estutz@th-record.com

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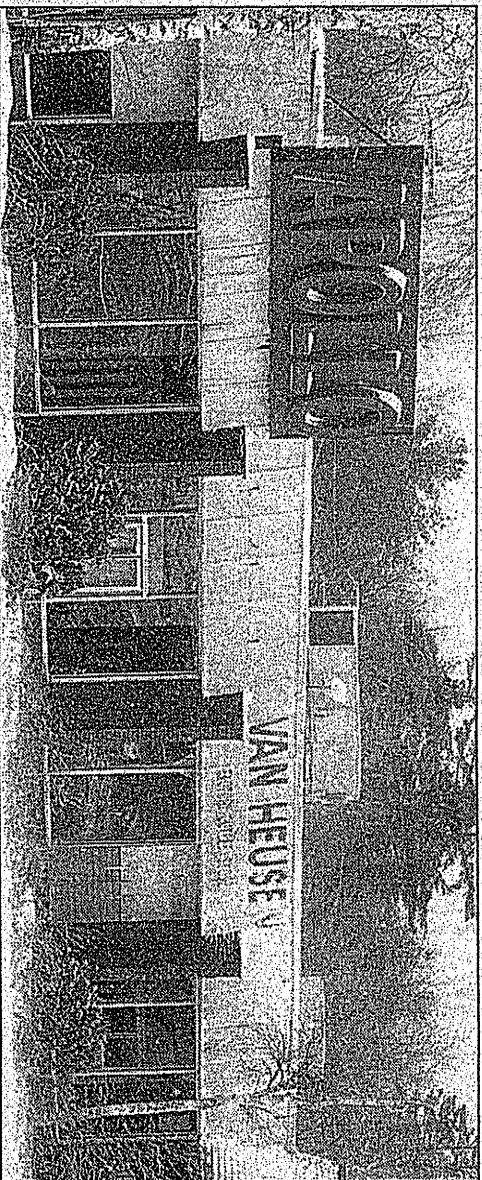
Interest runs high in old mall

BY ADAM BOSCH
Times Herald-Record

MONTICELLO — Several companies have asked about buying the Apollo Plaza on East Broadway, but county officials said serious talks can't start until lawsuits involving its former owner are settled.

Tim McCausland, CEO of the county's Partnership for Economic Development, told lawmakers on Thursday that at least four companies have expressed interest in Sullivan's only mall, which closed in 2003. One was a short-track drag racing company. Another wanted to use the space to develop alternative energy fuels. But the most promising proposal was from a group that wanted to build a farm distillery, McCausland said. The company would plant crops on the site, make liquor from them and sell it at an on-site shop.

The Monticello location is attractive because of its proximity to an upscale car racetrack and Louis Cappelli's billion-



Several plans have been proposed for the Apollo Plaza in Monticello. Sullivan's only mall closed in 2003.

Times Herald-Record/MICHELE HASKELL

Several plans have been looking at the site.

My pitch here today is that the county should consider marketing the plaza privately rather than selling it at auction, McCausland said.

es. The county won two court challenges by the company that held the mall's mortgage, and County Attorney Sam Yasgur is expecting a final decision from the state Court of Appeals next week.

entertain companies and their master plans for the site.

The Apollo Plaza opened with more than 30 stores in 1983. But its recent past has been littered with controversy, including a failed attempt by the Unkechaug Indian National to install high-stakes bingo at the mall in 2002.

Sullivan County took possession of the plaza in 2007 after the former owners, led by de-

If Sullivan takes formal ownership of the mall, Legislator Alan Sorensen, whose dis-

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