

Sullivan County Legislature

Regular Meeting

March 15, 2012 at 2:00PM

The Regular Meeting of the County Legislature was called to order at 2:09PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Chairman Samuelson's designation for the following:
February 26, March 2 and March 3 as "Music in our Schools Month
March is Red Cross Month
March 4-10, 2012 as National Problem Gambling Awareness Week
April is Alcohol Awareness Month
2. Certificate of Appointment of Ira Steingart to the IDA
3. Letter dated March 8, 2012 from the Livingston Manor chamber of commerce urging the legislature to give the SCVA 100% level instead of 85%
4. Resolution No. 10-12 adopted by the Town of Warwasing to adopt a proposal to allocate portions of the NYC Land Acquisition Program Funds for Flood Mitigation Watershed Affairs
5. Order dated February 29, 2012 from New York State Electric and Gas requiring submittal of Semiannual Inventory Reports of PCB Equipment
6. Chairman Samuelson's appointments to the Labor Sub committee
7. Copy of Resolution No. 44-12 adopted by the Allegany County Board of Legislators requesting advanced funding and expediting completion of projects in Broome, Delaware, Sullivan and Orange Counties
8. Resolution No. 57-12 adopted by the Steuben County Legislature Memorializing the Governor and the State Legislature regarding Interstate 86
9. Resolution No. 73-12 from the Essex County Board of Supervisors calling on all counties to unite to bring about real and meaningful mandate relief in New York State
10. Resolution No. 48-12 adopted by the Delaware County Board of Supervisors requesting the state fulfill its commitment to upstate economic revitalization and the completion of Interstate 86
11. Resolution No. 56-12 adopted by the Chenago County Board of Supervisors calling on the Governor and State Legislature to maintain the current success of the NYS Child Support Enforcement Unit by maintaining a commitment to a strong state/local partnership
12. Record Destruction Notification submitted by Grants Administration dated March 1, 2012

Presentations:

Mrs. Gieger, Health and Family Services Committee Chair presented Jacqueline Dragone of the American Red Cross with “March is Red Cross Month” and Carol Ryan with Public Health Week Proclamation.

**SULLIVAN COUNTY LEGISLATIVE
PROCLAMATION**

Whereas: The American Red Cross fulfills a vital role in our community. It prevents and alleviates suffering in the face of disaster and is a true reflection of the humanitarian and volunteer spirit of the American people

Whereas: During the month of March, the American Red Cross asks all Americans to join its movement and help carry out its lifesaving mission, with a gift of time, money or blood. The Red Cross supplies almost half of the nation’s blood; teaches skills that save lives; provides international humanitarian aid; supports military members and their families; and feeds, shelters and gives emotional support to victims of disasters.

Whereas: For almost 100 years, Presidents have called on the American people to support the Red Cross and its humanitarian mission. In World War I, President Woodrow Wilson ordered the Red Cross to raise funds to support emergency aid to the military. At that time, the American Red Cross set a goal of \$125 million and in less than six weeks donations totaled nearly \$146 million – a tribute to the overwhelming generosity of the American public.

Whereas: In 1943, during World War II, President Franklin D. Roosevelt became the first president to proclaim March as Red Cross Month and called on Americans to “rededicate themselves to the splendid aims and activities of the Red Cross.” President Roosevelt’s call to action nearly 70 years ago started a tradition of designating March as Red Cross Month, a time to recognize and support the valuable work of the American Red Cross.

Whereas: Every day, through its employees and volunteers, the American Red Cross is there to save the day when disaster strikes or when a neighbor’s house burns down. It is there when someone needs life-saving blood, or the comfort of a helping hand. It connects military families with their loved ones in service, and provides training in CPR, aquatics safety, and first aid. It spreads humanitarian aid and goodwill to people around the world.

Whereas: Our community depends on the American Red Cross and because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially important in these challenging economic times for the Red Cross and all Americans.

Now Therefore, the Sullivan County Legislature, in recognition of the contributions of the American Red Cross in Greater New York to the safety and vitality of our County, do hereby proclaim in the County of Sullivan, March 2012 as:

“RED CROSS MONTH”

Dated: February 7, 2012

Scott B. Samuelson, Chairman

National Public Health Week in Sullivan County 2012

WHEREAS The American Public Health Association has declared April 2nd -8th, 2012 as National Public Health Week; and

WHEREAS the theme of National Public Health Week is “A Healthier America Begins Today: Join the Movement”; and

WHEREAS many of the illnesses that are caused by lifestyle choices and by environmental toxins in food, water, and air are potentially preventable; and

WHEREAS Community Health Assessments provide valuable data to shape public policy; and

WHEREAS, the use of tobacco, alcohol and other drugs are preventable and treatable; and

WHEREAS in order to protect Sullivan County residents, Sullivan County’s pristine air and water sources should be protected; and

WHEREAS by making changes in the individual communities, the health of the people in Sullivan County may improve; and

WHEREAS public health plays a major role in preventing disease and promoting good health; in protecting the food supply, protecting worker health and safety, and ensuring access to clean air and water;

THEREFORE BE IT RESOLVED that the Sullivan County Legislature proclaims April 2nd -8th, 2012 as National Public Health Week in Sullivan County, and encourages all community residents to take into consideration health implications of planning decisions to encourage changes which will increase access to exercise, healthy eating, and a substance free lifestyle, and to safeguard the air and water to enable all residents the right to a healthy environment.

Dated: March 15, 2010

Scott B. Samuelson, Chairman

Both Mrs. Edwards, Chair of the Public Safety Committee and Mr. Alex Rau , E911 Coordinator, presented George Schuler, E9-1-1 Dispatcher with a Certificate of Recognition

CERTIFICATE OF RECOGNITION

AWARDED TO E9-1-1 DISPATCHER

GEORGE SCHLUER

This 15th day of March 2012

In recognition of your professionalism and use of your Emergency Medical Dispatch training to calmly provide child birth instructions to a 9-1-1 Caller prior to EMS arrival, which resulted in the successful breech delivery of a healthy baby girl born January 9, 2012.

You are to be commended for helping to bring a new life into this world, take pride in your achievement.

Alex Rau, E911 Coordinator

Cora Edwards, Chair of the Public Safety Committee

Mrs. Edwards presented Certificates of Special Recognition to Cheryl Crumley and Moyer which were signed by all nine members of the Sullivan County Legislature:

Stacy

SULLIVAN COUNTY LEGISLATURE
CERTIFICATE OF SPECIAL RECOGNITION

PRESENTED TO

CHERYL CRUMLEY

IN RECOGNITION OF YOUR APPOINTMENT AS THE FIRST FEMALE SERGEANT
IN THE HISTORY OF THE SULLIVAN COUNTY SHERIFF PATROL

DATED: MARCH 15, 2012

SULLIVAN COUNTY
LEGISLATURE
CERTIFICATE OF SPECIAL
RECOGNITION

PRESENTED TO

STACEY MOYER

IN RECOGNITION OF YOUR APPOINTMENT AS
THE FIRST FEMALE SERGEANT IN THE HISTORY
OF THE SULLIVAN COUNTY JAIL

DATED: MARCH 15, 2012

Chairman Samuelson recognized the following speakers:

1. Dave Colavito
2. Mike Dollard
3. Ann Culligan
4. Ken Walter
5. Jim Culligan
6. Sondra Bauerfiend
7. Jim Farrell

RESOLUTION 74-12 INTRODUCED BY THE EXECUTIVE COMMITTEE REQUESTING THE ADOPTION OF NEW YORK STATE ASSEMBLY BILL A.9160 AND NEW YORK STATE SENATE BILL S.6399 WHICH BILLS DEFINE AND FIX THE EXACT AND PRECISE BOUNDARY LINE BETWEEN THE COUNTY OF SULLIVAN AND THE COUNTY OF ORANGE

WHEREAS, the Counties of Sullivan and Orange have been involved in litigation for many years over the exact boundary line between the Counties in the area between the Rio Reservoir and the Shawangunk Kill, and

WHEREAS, the Sullivan County Board of Supervisors on July 8, 1985 adopted Resolution No. 250-85 to enter into a Memorandum of Agreement between the County of Sullivan and the County of Orange fixing the boundary line between Counties, and

WHEREAS, on May 21, 1998 the Sullivan County Legislature adopted Resolution No. 274-98 authorizing the Sullivan County Attorney and the Director of Real Property Tax Services to negotiate and execute an agreement with Orange County on behalf of the County of Sullivan which would provide that both Counties mutually agree upon and hire a licensed land surveyor, equally divide the cost and be bound by the accurate results for the establishment of the Orange/Sullivan County boundary line, and

WHEREAS, on July 15, 1999 the Sullivan County Legislature adopted Resolution No. 362-99 amending Resolution 274-98 to have both Sullivan and Orange County each hire their own surveyor with the understanding that the two surveyors would work together to produce one metes and bounds description for the boundary line resolution, and

WHEREAS, on October 21, 1999 the Sullivan County Legislature adopted Resolution No. 533-99 authorizing the County Manager to enter into an agreement with George Fulton, Licensed Land Surveyor to provide land surveying services to assist in establishing the Sullivan County/Orange County boundary line, and

WHEREAS, on September 19, 2002 the Sullivan County Legislature adopted Resolution No. 495-02 authorizing the Sullivan County Attorney to execute a Stipulation of Settlement and/or any other document necessary to effectuate a settlement of the litigation and approval of the new boundary line, and that George Fulton, LLS is retained to continue the necessary survey work and the County Manager is authorized to enter into an agreement with a company to monument the location of the boundary line upon the recommendation of the County Attorney and George Fulton, LLS, and

WHEREAS, on August 16, 2007 the Sullivan County Legislature adopted Resolution No. 356-07 to amend Resolution No. 111-03 to allow a contract to be signed with George Fulton, LLS and the work to be commenced by the fall of 2007 and authorizing the County Manager to execute any and all agreements and contracts necessary to complete the Sullivan/Orange boundary line project, and

WHEREAS, on March 19, 2009 the Sullivan County Legislature adopted Resolution No. 85-09 to amend Resolution No. 356-07 to the extent that the County Manager was authorized to enter into a contact with Lanc and Tully, P.C. surveyors to re-establish the survey control, set the monuments for the Sullivan County portion of the boundary line and prepare a metes and bounds description of the boundary line, and

WHEREAS, the subject portion of the boundary line between Orange County and Sullivan County between the Rio Reservoir and Shawangunk Kill has been re-surveyed and adjusted, and

WHEREAS, Lanc and Tully has provided the attached description of the Orange-Sullivan County Line between Rio Reservoir and the Shawangunk Kill, between the Town of Deerpark and Town of Mount Hope in Orange County and the Town of Forestburgh and Town of Mamakating in Sullivan County, and

WHEREAS, George Fulton, LLS has reviewed the survey map and attached legal description as provided by Lanc and Tully and has approved both, and

WHEREAS, in order for Sullivan County to adopt the attached Orange County and Sullivan County boundary line description and map, Sullivan County requires that the New York State Legislature adopt same, and

WHEREAS, on December 16, 2010 the Sullivan County Legislature, by Resolution 538-10, requested that the New York State Legislature adopt the new boundary line description and map for the aforesaid portion of the boundary line between Orange County and Sullivan County, and

WHEREAS, State Senator John C. Bonacic has introduced S.6399 in the New York State Senate and State Assemblywoman Aileen M. Gunther has introduced A.9160 in the New York State Assembly, and

WHEREAS, S.6399 and A.9160 are identical bills which would define and fix the exact metes and bounds description of the boundary line between the County of Orange and the County of Sullivan as specified in Resolution 538-10 and in the map referenced therein provided by Lanc and Tully, and

WHEREAS, S.6399 and A.9160 having been introduced the New York State Constitution now requires a Home Rule request from the County of Sullivan and the County of Orange requesting that S.6399 and A.9160 be enacted into law.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby requests that the New York State Assembly adopt Bill No. A.9160 and the New York State Senate adopt Bill No. S.6399, which shall define and fix the exact boundary line between the County of Orange and the County of Sullivan in accordance with the request made by the Sullivan County Legislature in Resolution 538-10; and

BE IT FURTHER RESOLVED, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a certified copy of this resolution to the Honorable John J. Bonacic, State Senator representing the 42nd Senatorial District, the Honorable Aileen M. Gunther, Assemblywoman representing the 98th Assembly District, the Honorable Dean Skelos, Majority Leader of the Senate, the Honorable Sheldon Silver, Speaker of the General Assembly, and the Honorable Andrew M. Cuomo, Governor of the Great State of New York.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a roll call vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 75-12 INTRODUCED BY THE HEALTH AND FAMILY SERVICES COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED LOCAL LAW TO DESIGNATE TOBACCO FREE ZONES AT COUNTY PLAYGROUNDS AND PARKS

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on March 15, 2012 a proposed Local Law entitled **“A LOCAL LAW TO DESIGNATE TOBACCO FREE ZONES AT COUNTY PLAYGROUNDS AND PARKS.”**

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on April 26, 2012 at 4:20 p.m., in the Legislative Hearing Room, County Government Center, Monticello, New York, and at least six (6) days’ notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

Moved by Mrs. LaBuda, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion March 15, 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 March 15, 2012, a proposed Local Law entitled "A Local Law to designate tobacco free zones at county playgrounds and parks."

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 Hearing Room, County Government Center, Monticello, New York, 12701, on April 26, 2012 at 4:20 p.m. at which time all persons interested will be heard.

DATED: March 15, 2012

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

RESOLUTION NO. 76-12 INTRODUCED BY EXECUTIVE COMMITTEE TO ENACT A LOCAL LAW REGULATING SECONDHAND PRECIOUS METAL OR GEM DEALERS FOR THE COUNTY OF SULLIVAN

WHEREAS, proposed Local Law entitled "A Local Law Regulating Secondhand Previous Metal or Gem Dealers for the County of Sullivan" was presented to the Sullivan County Legislature at a meeting held on March 15, 2012, at the County Government Center, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard, and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby enact and adopt this Local Law entitled ""A Local Law Regulating Secondhand Previous Metal or Gem Dealers for the County of Sullivan" County of Sullivan, State of New York, which local law is annexed hereto and made a part hereof.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a roll call vote, unanimously carried and declared duly adopted on motion March 15, 2012.

LOCAL LAW NO. 1 OF 2012

A LOCAL LAW REGULATING SECONDHAND PRECIOUS METAL OR GEM DEALERS FOR THE COUNTY OF SULLIVAN.

BE IT ENACTED, by the Sullivan County Legislature, as follows:

Section 1. Legislative Intent.

It is hereby declared and found that, because of the increase of incidents of burglary, property theft, and theft of precious metal, the increase of the price of precious metals and gems, the ease with which some secondhand dealers buy and sell precious metals or gems without requiring identification or proof of ownership, these secondhand precious metal or gem dealers represent to persons involved in crime an opportunity to quickly dispose of stolen property. For business enterprises to be allowed to continue to operate without laws to control and regulate the purchase of such articles not only jeopardizes the property rights of many people but also extremely hampers law enforcement in their efforts to recover stolen property and identify suspects. If the law enforcement agencies are to efficiently and productively function in this area, a local law regulating secondhand precious metal or gem dealers is necessary. Thereby, the public health, morals and general welfare of the County of Sullivan will be protected and promoted and the best interest of the people would be served by the control and regulation of secondhand precious metal or gem dealers. It is the intention of the Legislature of Sullivan County that this Local Law be established and shall constitute the complete law in relation to the control and regulation of secondhand precious metal or gem dealers for the County of Sullivan.

Section 2. Definitions.

Unless the context specifically indicates otherwise, the meanings of terms used in this chapter shall be as follows:

Whenever used in this Local Law, the words “dealer in secondhand precious metals or gems” shall mean any person, corporation, partnership, association, joint-stock company, or other business entity, who, in any way or as a principal broker or agent:

1. Deals in the purchase or sale of secondhand metals or gems as defined herein; or
2. Accepts or receives secondhand precious metals or gems in exchange for credits on any other articles or merchandise; or
3. Deals in the purchase of secondhand precious metals or gems for the purpose of melting or refining; or
4. Engages in melting secondhand metal items for the purpose of selling; or
5. Engages in resetting secondhand precious gems for the purpose of selling; or
6. Deals in the purchase or sale of pawnbroker tickets or other evidence of pledged articles containing precious metals or gems; or
7. Not being a pawnbroker, deals in the redemption of sale of pledged articles made from precious metals or gems.

This Local Law shall not apply to the acceptance of merchandise which is not secondhand as a return, exchange, or for credit or refund if such merchandise was originally purchased as new merchandise from the person accepting or receiving same, nor to the resale of such merchandise.

The burden of proof that an article was originally purchased from the person accepting it or receiving it, that it was the first subsequent sale or exchange thereof to a person other than an ultimate consumer or that it was a first sale at retail of such factory rebuilt merchandise shall be upon the person asserting the same.

The term “gems” or “precious stones” as referred to herein shall include but is not limited to mean diamonds, alexandrite, cymophane, ruby, sapphire, opal, amethyst, smoky quartz, citrine, rose quartz, spinel, malachite, turquoise, emerald, aquamarine, morganite, garnet, lapis, lazuli, jadeite, kunzite, topaz, tourmaline, zircon, amber, jet, pearl, coral, tanzanite.

The term “precious metals” as referred to herein shall mean gold, silver, platinum, iridium, ruthenium, osmium or any alloys of any one or more of said metals.

Section 3. License required; display.

A. No person shall, within the County of Sullivan, establish, engage in or carry on, directly or indirectly, the business of dealing in secondhand precious metals or gems either separately or in conjunction with some other business, without first having obtained and having in full force and effect a license as provided herein.

B. Such license shall be displayed in a conspicuous place at the designated place of business of the licensee.

C. Such license shall not in any way supplant the licensing and display requirements of any applicable State or Federal laws.

Section 4. Application for license; fee; bond.

A. Applications for secondhand precious metal and gem dealer licenses shall be made to the County Clerk. The application shall contain the following information:

1. Name and description of the applicant's business enterprise. Individuals operating Under a trade name shall present a certified copy of the trade name certificate filed in the Sullivan County Clerk's office. A partnership conducting business, whether or not under a trade name, shall submit a certified copy of the partnership certificate which was filed in the Sullivan County Clerk's office when the partnership was formed. A corporation shall furnish a copy of its certificate of incorporation, as well as its certificate of Good Standing and, if a foreign corporation, its application for authority to do business in New York State.

2. The applicant's legal address and address of all places of business within Sullivan County and the address of a designated agent for service of process.

3. A description of the nature of the business to be conducted and/or being conducted by the applicant in Sullivan County.

4. The name and address of the owner or owners of the business premises and the nature of the right of occupancy of the applicant to the use of said premises.

5. A statement that the applicant is at least 18 years of age.

6. A statement as to whether or not the applicant has, within the past 10 years, been convicted of a crime or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefore and such other facts or evidence as is deemed necessary to establish that the applicant is a person fit and capable of properly conducting the activity or business for which the license is sought.

7. Two photographs of the applicant, taken not more than 60 days prior to the date of application, which clearly depict the head and shoulders of the applicant and which shall be 2 inches wide by 2 inches tall.

8. All applicants must submit fingerprints of: the individual owner, if the applicant is a sole proprietorship; the general partners if the applicant is a partnership; and the officers, principals, directors, and stockholders holding more than 5% of the outstanding stock if the applicant is a corporation. Fingerprints will be submitted in electronic form to the Division of Criminal Justice Services for a criminal background check. It shall be the responsibility of the applicant to obtain electronic fingerprints at an authorized civil fingerprint submission agency, at their own expense, for use by the County Clerk.

B. Such application for a secondhand precious metal or gem dealer's license shall be accompanied by a non-refundable application fee of \$200.

C. Every applicant shall submit a bond or other surety to the County of Sullivan in the sum of Two Thousand Dollars (\$2,000), or for a renewal license, evidence of bond issued in favor of the licensee. The bond shall be for the purpose of guaranteeing payments up to the face amount of the bond for bank drafts or other negotiable instruments issued by the licensee in exchange for all purchase of precious metals. All bonds must be conditioned so that the licensee will observe all laws thereto. Such bond shall remain in force during the entire period for which the license is valid. The County Clerk may establish rules and regulations concerning the amount of a bond to be posted, upon proper notice to the licensee.

Section 5. Issuance of license.

A. Upon receipt of the license application, criminal history record information received from the New York State Division of Criminal Justice Services (DCJS), fees and bonds required of the applicant, the County Clerk shall review the application and, if appropriate, issue a license to the applicant.

B. The County Clerk shall keep a record of all licenses issued, as well as any other matters herein described.

Section 6. Expiration of renewal of license.

Every license shall expire one year after its issuance. Every license may be renewed upon payment of the required renewal fee in the amount of \$100.00 and filing a renewal application with the County Clerk no earlier than 30 days, and no later than 15 days before the license is due to expire, certifying that no changes have occurred with respect to any of the fact or information required or supplied on the original application, or, if there have been any changes, the applicant shall furnish the facts and information relating to such changes and shall comply with the requirements of this law.

Section 7. Denial or revocation of license; appeals.

A. A license may be denied, suspended, or revoked when the applicant or licensee, or any of its principals, officers or directors, or any of its stockholders owning more than 5% of its outstanding stock of the corporation has been convicted of a crime which, in the judgment of the [County Clerk], has a direct relationship to such person's fitness or ability to perform any of the activities for which a license is required under this Local Law, or has been convicted of any other crime which, in accordance with Article 23a of the Correction Law, would provide a justification for the County Clerk to refuse to issue or renew, or to suspend or revoke, such license.

B. A license may be denied, suspended, or revoked when the applicant or licenses, or any of its principals, officers or directors, or any of its stockholders owning more than 5% of its outstanding corporate stock has omitted or misrepresented the facts or circumstances underlying any information contained in the license application.

C. A license may be denied or revoked when a person has been found by a court of any state to have practiced civil fraud, deceit, misrepresentation in conjunction with a secondhand dealer business or other business.

D. The initial determination to deny, suspend, or revoke a license under this subsection shall be made in writing by the County Clerk.

E. Within 60 days of the initial determination to deny or revoke a license under paragraphs A through D above, an aggrieved applicant or licensee may request a formal hearing. Such request shall be addressed via certified mail to the County Clerk. With a reasonable time thereafter, the County Clerk shall appoint an independent hearing officer with the authority to compel the attendance of witnesses, administer oaths, take the testimony of any person under oath and in connection therewith require the production of any evidence relating to any matters affecting the determination. The hearing officer shall render his/her Decision and Recommendation to the County Clerk within 30 days of the date of hearing. The County Clerk will notify the applicant/licensee within a reasonable time thereafter of his/her Final Determination with respect to the disposition of his license/application for license.

Any further appeal shall be to the court of this state with appropriate jurisdiction.

Section 8. Non-transferability of license.

No license under the provisions of this chapter shall be transferred or assigned to any person or used by any person other than the licensee to whom it was issued, his agents, employees or duly authorized representatives, said agents, employees or duly authorized representatives having been approved by the County Clerk.

Section 9. Restrictions.

A. It shall be unlawful for any dealer of a secondhand precious metals or gems to engage in buying activities in any place within Sullivan County other than the place of business designated in such license, except to meet with a customer at his home, bank or suitable place of business. A dealer in secondhand precious metals or gems, may, upon application to the County Clerk and receiving approval

of the County Clerk, temporarily extend his license to cover other locations, such as flea markets, fairs, bazaars or religious or charitable organization functions.

B. It shall be unlawful for any dealer of secondhand precious metals or gems to purchase any secondhand precious metals or gems from any person whom he knows to be, or has reason to believe to be, under the age of 18 years.

C. It shall be unlawful for a secondhand precious metal or gem dealer to purchase secondhand precious metals or gems from any person between the hours of 10:00 p.m. and 6:00 a.m.

D. It shall be unlawful for any dealer in secondhand precious metals or gems to sell or dispose of any secondhand precious metals or gems until the expiration of 15 days after the acquisition by such dealer of said precious metals or gems.

E. It shall be unlawful for a secondhand precious metal or gem dealer to continue to carry on business after his license is suspended, revoked or has expired and has not been renewed.

F. It shall be unlawful to cause, allow or approve of the blockage, obstruction or concealment from the view of the consumer any scale, machine, weighing device or part thereof used to weigh or calculate the value of precious metals or gems.

G. It shall be unlawful for any dealer of secondhand precious metals or gems to damage, destroy, alter or in any way change or direct or request anyone else to alter or change the structure or makeup of a precious metal or gem so as to make it unidentifiable within 15 days after the acquisition by said dealers of such precious metal or gem

Section 10. Display of daily price required

The price upon which the dealer bases his quotation for gold and silver shall be clearly and conspicuously displayed in Arabic numbers in such a manner that the public will be informed.

Section 11. Lost or stolen property.

If any articles composed wholly or in part of precious metals or gems shall be advertised in any newspaper printed in the County of Sullivan or reported by any law enforcement agency as having been lost or stolen, and if any articles answering such description or any part thereof shall be or come into the possession of any licensed dealer, such dealer, upon receiving actual written or oral notice of the similarity of description of such articles, shall immediately give information relating thereto the appropriate law enforcement agency. No disposition of such articles shall be effected until authorization to do so shall be given to such dealer by said law enforcement agency. The failure of the law enforcement agency within 30 days to give the dealer further written notice that the articles are actually lost or are believed to be stolen and are needed in connection with a pending investigation or prosecution shall constitute authorization to dispose of said articles.

Section 12. Records.

A. Every dealer in secondhand precious metals or gems by the close of the business day shall keep a record on a form prescribed by the Sullivan County District Attorney of consecutively numbered transactions, legibly written in English, which shall contain a complete, thorough description of every secondhand precious metal or gem article so purchased, utilizing accepted trade words and phrases such as, but not limited to, serpentine, herringbone, braided herringbone, rope, crosscut, woven link, cobra, basket weave, tricolor, Florentine, twist, beveled, gem names as listed, quantities of gems, number of numbers of said articles. The record shall also include the name, residence address and description of the person from whom such purchase was made, including the day and hour of the purchase and a copy of the form of identification provided and required to be obtained from the seller as set forth in Section 13, supra. The record shall also include a digital picture of the every secondhand precious metal or gem article so purchased, along with a description of any identifying marks or engravings. The dealer shall be required to inquire into the seller of how the seller obtained the item(s) sold and record that information. Within 48 hours of the close of business on the day of the purchase, the dealer in precious metals or gems shall forward by e-mail to the Sullivan County District Attorney's Office and municipal police department within whose jurisdiction the dealer's business is located a copy of the record of purchase, as provided above, of each transaction that took place on that day. The Sullivan County District Attorney's Office shall act as the central repository for such records.

B. Such record shall be kept on the business premises of the secondhand precious metal or gem dealership or at the place designated on the fully approved license, at all times during normal business hours. Such record shall be open to the inspection of any police officer or the Sullivan County District Attorney or any person duly authorized for such purposes by the County Clerk.

- C. The dealer is mandated to use the forms prescribed by the County Clerk and shall reimburse the County Clerk for the cost of said forms.

Section 13. Identity of person from who purchase is made.

A. It shall be the duty of every secondhand precious metal or gem dealer to verify the identify of every person from whom he makes a purchase and to make and keep a written record of the nature of the evidence submitted by such person to prove his identity and attach a copy of the identification taken to the reporting form.

B. Only the following shall be deemed acceptable evidence of identity:

1. Any official document, except a Social Security Account number card, issued by the United States Government, any state, County, municipality or subdivision thereof, any public agency or department thereof or any public or private employer, which requires and bears a photograph and signature of the person to whom issued.

2. Other identification documentation which, under the circumstances of any particular purchase, would lead a reasonable person to believe it to be accurate and reliable, when identification under Subsection B (1) is not available.

C. It shall be the duty of every dealer in secondhand precious metal or gem articles to require that every person from whom an article is purchased sign his or her name in the presence of the secondhand precious metal or gem dealer and to compare the signature on the identifying document, if any, and retain on said premises the person's signature, together with the number and description of the identifying document, if any.

Section 14. Reporting of records information.

Every secondhand precious metal or gem dealer shall furnish to the County Clerk or his agent or the appropriate law enforcement agency all information requested relative to all records required to be kept under this chapter.

Section 15. Duty to enforce.

It shall be the duty of the Sullivan County District Attorney or any police officer having jurisdiction at the site where a person is seen dealing in secondhand precious metals or gems to require such person seen so dealing and who is not known to the Sullivan County District Attorney or such police officer to be duly licensed to produce or display his secondhand precious metal dealer's license and to enforce the provisions of this chapter against any person found to be in violation of the same. It shall be the duty of the Sullivan County District Attorney or any police officer as described herein to require the immediate closure of any business dealing in the purchase of secondhand metals or gems as defined herein who is operating said business without a license as required by this Local Law.

Section 16. Disclaimer of liability.

This chapter shall not create any liability on the part of the County of Sullivan, its officers, agents or employees or any police officer for any act or damage caused as a result of reliance on this chapter or any administrative decision lawfully made thereunder.

Section 17. Penalties.

A. Failure to comply with any provision of this law shall constitute a Class A misdemeanor and exclusively prosecuted by the Sullivan County District Attorney's office and shall be subject to any sentence permitted for a class A misdemeanor under the Penal Law, including up to one (1) year in the Sullivan County Jail as provided in Section 60.01, Section 70.15 and Article 65 of the Penal Law of the State of New York.

B. In addition to the penalties provided in paragraph A above, any such offense against the provisions of this Local Law shall subject the person or business entity committing the offense to civil penalties, not to exceed \$500 for each offense and each day that the offense shall continue. Any such penalty shall be collectible by and in the name of the County of Sullivan.

Section 18. Effective Date.

This Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

**RESOLUTION NO. 77-12 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 Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

See Attached.

**RESOLUTION NO. 78-12 INTRODUCED BY EXECUTIVE COMMITTEE TO ADOPT THE
LIST OF THOSE PUBLIC OFFICIALS AND EMPLOYEES OF THE COUNTY OF SULLIVAN
WHO ARE REQUIRED TO FILE A FINANCIAL DISCLOSURE STATEMENT**

WHEREAS, pursuant to Section 12(a) of the Code of Ethics which became effective on August 10, 1998 the County Legislature shall determine who is required to file a Financial Disclosure Statement by Resolution, and

WHEREAS, the County Legislature has determined that persons with the following titles are required to file a Financial Disclosure Statement:

Accounts Payable Coordinator, Audit
Administrator, Adult Care Center
Administrator, Department of Motor Vehicles
Airport Superintendent
Assistant Commissioner to Planning and Environmental Management
Assistant County Attorney (2)
Assistant County Attorney Part time
Assistant Director of Aging Services
Assistant Director of Nursing Services/Patient Care
Assistant Director of Purchasing and Central Services
1st Assistant District Attorney
2nd Assistant District Attorney
3rd Assistant District Attorney

4th Assistant District Attorney
5th Assistant District Attorney
6th Assistant District Attorney
7th Assistant District Attorney
Assistant Director of Risk Management & Insurance
Attorneys, Department of Family Services (2)
Attorney, Industrial Development Agency
Attorney, Sullivan County Funding Corporation
Board of Trustees, Sullivan County Community College
Chairman of the Legislature
Chief Civil Officer
Chief Deputy Patrol Division/Internal Affairs
Chief Information Officer
Clerk to the Legislature
Commissioner, Board of Elections (2)
Commissioner, Division of Health and Family Services
Commissioner, Planning and Environmental Management
Commissioner, Division of Public Safety
Commissioner, Division of Public Works
Coordinator, Child Support Enforcement Unit
Coordinator, Children with Special Needs, Public Health
Coroner (4)
Correction Captain, Sullivan County Jail
Correction Lieutenant, Sullivan County Jail
County Attorney
County Auditor
County Clerk
County Legislator (8)
County Manager
County Treasurer
Deputy Clerk to the Legislature
Deputy Commissioner of Elections (2)
Deputy Commissioner of Public Works, Engineering
Deputy Commissioner of Management and Budget
Deputy County Manager/Commissioner Management and Budget

Deputy Director of Community Services
Deputy Public Health Director
Deputy County Clerk
Deputy County Treasurer
Deputy County Treasurer II
Director of Administration and Case Management
Director, Center for Workforce Development
Director of Development and Application Support, MIS
Director of Operations and Network Administration, MIS
Director, Community Services
Director, Department of Real Property Tax
Director of Family Services
Director, Human Resources
Director, Municipal Weights and Measures
Director, Nursing Services
Director, Office for the Aging
Director, Parks, Recreation and Beautification Programs,
Director, Probation II
Director, Public Health Services
Director, Purchasing and Central Services
Director, Rehabilitation Services, ACC Physical Therapy
Director, Risk Management & Insurance
Director of Services, Family Services
Director, Temporary Assistance – Department of Family Services
Director, Veterans Service Agency
Director, Youth Bureau
District Attorney
District Attorney Investigators
Division Contract Compliance Officer, Health and Family Services
E-911 Coordinator
Economic Development Programs Supervisor
Executive Assistant, County Manager
Executive Assistant, District Attorney
Executive Director, Human Rights
Facilities Bridge Superintendent

Fiscal Administrative Officer, Adult Care Center Fiscal Services
Fiscal Administrative Officer, Family Services
Fiscal Administrative Officer, Health Finance (2)
Fiscal Administrative Officer, Management and Budget
Garage Superintendent
Grants Administration Supervisor
Industrial Development Agency Members
Jail Administrator, Sheriff's Office
One Stop Manager, CWD
Payroll Coordinator /Software Support Technician
Personnel Officer
President, Sullivan County Community College
Road Maintenance Superintendent
Secretary, Industrial Development Agency
Sheriff
Special Counsel Workers Compensation part time
Sr. Accountant, Treasurer Accounting
Sr. Assistant County Attorney (part-time)
Sr. Family Services Attorney
Sr. Fiscal Administrative Officer, Sheriff Civil
Sr. Fiscal Administrative Officer, Treasurer Accounting part time
Staff Accountant, Treasurer Accounting
Sullivan County Funding Corporation Member
Treasurer, Industrial Development Agency
Trustee, Sullivan County Community College
Undersheriff
Vice Chair, Industrial Development Agency
Vice President for Administrative Services, SCCC

WHEREAS, Section 13(1)(a) of the Code of Ethics requires that all statements shall be filed on or before the fifteenth day of May of each year, and

WHEREAS, it is duly noted that some of the above positions are presently vacant.

NOW, THEREFORE, BE IT RESOLVED, that the above list of titles is the official list of titles set by the Sullivan County Legislature and said list contains all of those persons required to file a Financial Disclosure Statement to the Clerk of the Sullivan County Legislature on behalf of the Board on or before May 15, 2012.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 79-12 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 including the vacancy created from Lois Head's resignation, and

WHEREAS, it is the desire to appoint Betty Hubert 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:

Betty Hubert

3/31/15

Moved by Mr. Sorensen, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 80-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPOINT/ REAPPOINT MEMBERS OF THE SULLIVAN COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

WHEREAS, pursuant to Resolution No. 496 of 2010, the terms of two members of the Sullivan County Agricultural and Farmland Protection Board (Board), Robert Kaplan, an active farmer and Dennis Nearing, an agribusiness representative, have expired as of December 31, 2011; and

WHEREAS, the Board recommends that Robert Kaplan and Dennis Nearing be reappointed for four-year terms; and

WHEREAS, there is currently one vacant seat on the Board, left by Joe Walsh, formerly of Cooperative Extension Sullivan County; and

WHEREAS, Article 25AA of the Agriculture and Markets Law requires that one seat on the Board be held by a county cooperative extension agent; and

WHEREAS, the Board further recommends that Patricia Westenbroek of Cornell Cooperative Extension Sullivan County be appointed to the Board to replace Joe Walsh as a required member of the Board.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby makes the following appointments and reappointments to the Board, to commence and terminate on the dates listed below:

Robert Kaplan Active Farmer	January 1, 2012 – December 31, 2015
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Dennis Nearing Agribusiness Representative	January 1, 2012 – December 31, 2015
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Patricia Westenbroek County Cooperative Extension Agent	January 1, 2012- end of term as county cooperative extension agent
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Moved by Mr. Sorensen, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 81-12 INTRODUCED BY EXECUTIVE COMMITTEE TO APPOINT A MEMBER TO THE SULLIVAN COUNTY PUBLIC HEALTH SERVICES' HEALTH SERVICES ADVISORY BOARD

WHEREAS, Section 357 of the Public Health Law mandates that two members of the Health Services Advisory Board (HSAB) be licensed physicians, with the remaining seven to be known as public members selected on the basis of their interest and knowledge regarding health needs, resources and facilities of the community, and

WHEREAS, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members shall have fixed terms of four years, which shall be deemed to run from the first day of the year in which the appointment was made, and

WHEREAS, pursuant to Section 357 of the Public Health Law, Health Services Advisory Board members may not serve for more than two terms consecutively.

NOW, THEREFORE, BE IT RESOLVED, that the individual listed below be *appointed* to the Health Services Advisory Board for a four-year term (1/1/12-12/31/15) per Public Health Law.

Dr. Regina F Olatin

606 Old Route 17

Monticello, NY 12701

Moved by Mr. Sorensen, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

**RESOLUTION NO. 82-12 INTRODUCED BY EXECUTIVE COMMITTEE
TO REAPPOINT MEMBERS TO THE SULLIVAN COUNTY COMMISSION ON
HUMAN RIGHTS**

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

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

WHEREAS, three of the members’ appointments expired on December 31, 2011; and

WHEREAS, the Commission has recommended the reappointment of Paul Austin, Roland Ward and Samuel Encarnacion whose terms expired on December 31, 2011 for an additional three year term; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following members to the Sullivan County Commission on Human Rights for the following terms:

<u>Member</u>	<u>Term Expires</u>
Paul Austin	January 1, 2012 thru December 31, 2014
Roland Ward	January 1, 2012 thru December 31, 2014
Samuel Encarnacion	January 1, 2012 thru December 31, 2014

Moved by Mr. Sorensen, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

**RESOLUTION NO. 83-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO RE-
ESTABLISH THE ASSISTANT COUNTY ATTORNEY I PART-TIME POSITION IN THE
SULLIVAN COUNTY ATTORNEY’S OFFICE**

WHEREAS, the County Attorney’s Office currently has three full-time attorneys and one part-time attorney, and

WHEREAS, one of the full-time Assistant County Attorneys, Line number 1929, will be reducing hours to 17.5 hours per week, and

WHEREAS, in the 2011 budget the Assistant County Attorney I Part -Time, Line number 1292, position was abolished, and

WHEREAS, it is the request of the County Attorney that Line number 1292, Assistant County Attorney I PT, be re-established, at an annual salary of \$36,798.49 and,

WHEREAS, it is the request of the County Attorney that Line number 1929 be retained in the budget, but vacant until such time as permission is granted to fill that line and that, sufficient funds from Line 1929 be transferred to Line 1292 to fund that line for the balance of 2012.

NOW THEREFORE BE IT RESOLVED,

1. that the Sullivan County Legislature hereby authorizes the re-establishment of the position of Assistant County Attorney I PT, Line number 1292, in the County Attorney's Office at an annual salary of \$36,798.49, and
2. Line number 1929 be retained in the budget but vacant until such time as permission is granted to fill that line and,
3. that sufficient funds from Line 1929 be transferred to Line 1292 to fund that line for the balance of 2012.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION 84-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ABOLISH, CREATE, AND TRANSFER POSITIONS IN THE PROBATION DEPARTMENT

WHEREAS, the Alternatives to Incarceration Program Coordinator has retired effective February 28, 2012; and

WHEREAS, the Probation Department Director has determined that the Probation Department would be best served by assigning a Senior Probation Officer with the responsibilities of the Alternatives to Incarceration Program; and

WHEREAS, the Probation Department Director has requested that a Probation Officer position be created to fulfill the needs of the Probation Department.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby abolishes, creates, and transfers positions in the Probation Department, in accordance with the terms and conditions of the Collective Bargaining Agreement and Salary Schedule of the IBT 445 Main Unit as follows:

ABOLISH:

A-3140-17 ALTERNATIVES TO INCARCERATION PROGRAM COORDINATOR

CREATE:

A-3140-16 PROBATION OFFICER

TRANSFER:

A-3140-16 SENIOR PROBATION OFFICER

TO

A-3140-17 SENIOR PROBATION OFFICER

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 85-12 INTRODUCED BY THE PERSONNEL COMMITTEE TO CREATE AND ABOLISH POSITIONS IN THE SHERIFF'S OFFICE

WHEREAS, the Sullivan County Sheriff has requested two civil service promotions within the Sheriff's Office, and

WHEREAS, the Sheriff has requested that one Deputy Sheriff (Detective Assignment) and one Deputy Sheriff Corporal be abolished, and

WHEREAS, the Sheriff has requested that one Deputy Sheriff Sergeant be created to replace the Deputy Sheriff Corporal position, and

WHEREAS, the Sheriff has requested that one Deputy Sheriff Sergeant (Detective Assignment) be created to replace the Deputy Sheriff (Detective Assignment) position, and

WHEREAS, the funding associated with the abolished positions in the 2012 Adopted Budget is sufficient to cover the cost of the newly created positions.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby abolishes and creates the following positions:

ABOLISH:

<u>Position #</u>	<u>Title</u>	<u>Department</u>	
1205	Deputy Sheriff Corporal	A-3110-29	Sheriff, Patrol
175	Deputy Sheriff (Detective Assignment)	A-3110-29	Sheriff, Patrol

CREATE:

<u>Position #</u>	<u>Title</u>	<u>Department</u>	
New	Deputy Sheriff Sergeant	A-3110-29	Sheriff, Patrol

New

Deputy Sheriff Sergeant
(Detective Assignment)

A-3110-29

Sheriff, Patrol

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION 86-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO CREATE A POSITION OF AUDIT CLERK IN THE OFFICE OF AUDIT AND CONTROL.

WHEREAS, the Charter designates the auditing of claims to the County Auditor; and

WHEREAS, there is a need for the County Auditor to have proper segregation of duties established within the department for the timely processing of claims for the County; and

WHEREAS, it is also necessary for that office to meet certain contractual obligations to employees, clients and vendors as it relates to timely payments.

NOW, THEREFORE, BE IT RESOLVED, that the position of Audit Clerk be created and filled in the Office of Audit and Control at the entry level rate.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 87-12 INTRODUCED BY THE PERSONNEL COMMITTEE TO RECLASSIFY A POSITION IN THE TREASURER'S OFFICE

WHEREAS, the Treasurer has requested that a position within his office be reclassified, and

WHEREAS, the position being reclassified will allow for the continued functionality within the office, and

WHEREAS, the Personnel Officer has determined that the reclassification complies with Civil Service rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the reclassification of position number 2775 Tax Clerk III to Tax Clerk II in the Treasurer's Office.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 88-12 INTRODUCED BY THE PERSONNEL COMMITTEE TO CREATE TWO (2) TEMPORARY POSITIONS IN THE DEPARTMENT OF COMMUNITY SERVICES

WHEREAS, the Director of Community Services has requested that two (2) temporary positions be created within the Community Services department, and

WHEREAS, the two temporary positions would allow the department to meet revenue targets by increasing billable hours and to ensure that billing for services provided is completed within statutory deadlines, and

WHEREAS, the hourly rate for the positions will be the same as the hourly rate for the positions included in the Teamsters Main Unit Local 445 salary schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates one temporary Social Worker I position in Community Services Mental Health Clinic (A4320-40), and one temporary Database Clerk in Community Services Admin (A-4310), effective until December 31, 2012.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 89-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO REQUIRE ALL DISCRETIONARY (*COMPETITIVE*) GRANTS PURSUED BY ANY DIVISION, DEPARTMENT, OFFICE, AGENCY, OR UNIT OF THE COUNTY TO FIRST OBTAIN APPROVAL FROM THE COUNTY'S DEPARTMENT OF GRANTS ADMINISTRATION (*DGA*) PRIOR TO TAKING ANY ACTION SPECIFIC TO SAME

WHEREAS, the County Manager has recommended that the Legislature implement a policy that confirms the requirement that all discretionary (*competitive*) grants / funding sources sought to be pursued by any division, department, office, agency or unit of the County be first approved by the County's Department of Grants Administration (*DGA*) prior to taking any action specific to same; and

WHEREAS, Resolution # 577-07 authorized the mission and tasks of the DGA within the Office of Management and Budget; and

WHEREAS, the DGA mission is to facilitate access to discretionary external funding for County Government, while improving upon the administration and management of existing funding resources; and

WHEREAS, the DGA will augment departmental funding for specific initiatives by assisting in the identification of funding sources / grants, pursuing funding sources in the procurement of funding, and the advisement of administration / post award documentation on funding sources for the various County priorities (*projects / programs / services / needs*) as identified by the County Legislature, County Manager, and respective County Government division /department head; and

WHEREAS, the DGA will effectively communicate the fiscal requirements and impacts to the County Manager and Office of Management & Budget relative to funding secured; and

WHEREAS, the DGA, as its time and projects permit, will support and assist the respective department, whom is acting as the lead applicant requesting funding, in the fiscal management and operational administration of the funded programs, wherein the lead applicant department whom secures the funding has the responsibility of ensuring accurate and timely handling of fiscal draws, tracking of reimbursements, program reporting, etc. - be conducted, as the program administration and fiscal management of the funding secured is their responsibility; and

WHEREAS, the DGA shall be authorized to provide technical assistance to the municipalities and outside agencies, as approved by the County Manager; and

WHEREAS, the DGA shall be made aware of any funding secured or an interest in pursuing a discretionary funding source, and has the responsibility to subsequently present a Grant Concept Approval Form to the Office of Management and Budget for review and approval prior to any discretionary funding source being pursued; and

WHEREAS, post DGA / Grant Concept Approval Form execution, the lead applicant will then develop and present to their respective Legislative Committee a resolution to authorize the submission of the funding application proposal and to authorize the County Manager and / or the Chairman of the County Legislature to execute any and all necessary documents to accept the award (*if secured*), and enter into an

award agreement or contract in order to administer the funding secured, in such form as the County Attorney shall approve; and

WHEREAS, should the specific program funding be terminated, the County shall not be obligated to continue any action undertaken by the use of the funding secured.

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

1. All discretionary (*competitive*) grants / funding sources sought to be pursued by any division, department, office, agency or unit of the County be first approved by the County's Department of Grants Administration (*DGA*) prior to taking any action specific to same.
2. The DGA will augment departmental funding for specific initiatives by assisting in the identification of funding sources / grants, pursuing funding sources in the procurement of funding, and the advisement of administration / post award documentation on funding sources for the various County priorities (*projects / programs / services / needs*) as identified by the County Legislature, County Manager, and respective County Government division /department head.
3. The DGA will effectively communicate the fiscal requirements and impacts to the County Manager and Office of Management & Budget relative to funding secured.
4. The DGA, as its time and projects permit, will support and assist the respective department, whom is acting as the lead applicant requesting funding, in the fiscal management and operational administration of the funded programs, wherein the lead applicant department whom secures the funding has the responsibility of ensuring accurate and timely handling of fiscal draws, tracking of reimbursements, program reporting, etc. - be conducted, as the program administration and fiscal management of the funding secured is their responsibility
5. The DGA shall be authorized to provide technical assistance to the municipalities and outside agencies, as approved by the County Manager.
6. The DGA shall be made aware of any funding secured or an interest in pursuing a discretionary (*competitive*) funding source, and has the responsibility to subsequently present a Grant Concept Approval Form to the Office of Management and Budget for review and approval prior to any discretionary (*competitive*) funding source being pursued.
7. Post DGA / Grant Concept Approval Form execution, the lead applicant will then develop and present to their respective Legislative Committee a resolution to authorize the submission of the funding application proposal, and to authorize the County Manager and / or the Chairman of the County Legislature to execute any and all necessary documents to accept the award (*if secured*) and enter into an award agreement or contract in order to administer the funding secured, in such form as the County Attorney shall approve.
8. Should the program funding be terminated, the County shall not be obligated to continue any action undertaken by the use of the funding secured.

BE IT FURTHER RESOLVED, by the Sullivan County Legislature that:

1. County departments that secure discretionary (*competitive*) funding must ensure the program is administered according to the funding sources program guidelines; this includes program vouchering / fiscal draws, tracking of reimbursements, program reporting, and adherence to the respective regulatory requirements. While the primary responsibility is that of the department (*lead applicant*) that secured the funding, the DGA, as it's time and projects permit, will afford the respective department assistance in handling same.
2. County departments, at a minimum, must have the County Manager (*or Office of Management and Budget*) and/or County Legislative Chairman, County Treasurer, review and sign-off on all

award agreements/ contracts, detailed itemization forms, fiscal cost reports, grant closeout forms, final reports, requests for grant term extensions, and other pertinent documentation as required within the specific grants' program guidelines, and in such form as the County Attorney shall approve.

3. County departments, at a minimum, must have the County Manager (*or Office of Management and Budget*) and/or County Legislative Chairman, County Treasurer or their authorized designee as assigned, sign-off on all fiscal draw downs, of which supporting documentation must be included with the submitted voucher detail to provide proof of completion of the program services provided or products received.
4. County departments that submit claims/vouchers to the County Audit Department for processing, must ensure that prior to same being submitted, the voucher detail be submitted to the County's DGA for review. Post DGA review, the vouchers will be presented to the County Manager (*or Office of Management and Budget*) and/or County Legislative Chairman; and County Treasurer or their authorized designee as assigned for sign-off.
5. County departments that submit claims/vouchers to the County Audit Department for processing include with their submitted information a copy of either the funding source / program Award Agreements' / Contracts' – Budget, Payment, Disbursement, Reimbursement and Reporting Requirements or the Reimbursement / Claim Voucher Payment section of said agreement / contract, which details the reimbursement / payment / claiming process of the specific funding source / program.
6. In addition, specific to the above – all supporting documentation must be attached to the voucher / claim paperwork to be submitted to the County Audit Department for processing. This would include invoices, billings, certificates of completion of work, owners' approval of work, and other supporting documentation as requested by the County Audit Department in order to process vouchers for payment.

Moved by Mrs. Edwards, seconded by Mr. Steingart, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

**RESOLUTION NO. 90-12 INTRODUCED EXECUTIVE COMMITTEE RESCINDING
RESOLUTION NO. 325-11 AND AUTHORIZING THE SALE OF THE
EAST BROADWAY DEVELOPMENT PROPERTIES**

WHEREAS, by Resolution dated July 21, 2011 (No. 325-11) the County agreed to transfer to Sullivan County Funding Corporation ("SCFC") certain real property including the former Apollo Plaza and the County Phase II Landfill expansion area; and

WHEREAS, certain authorizations in Resolution No. 325-11 sunset on December 31, 2011; and

WHEREAS, the County acquired certain real property in contemplation of the expansion of the County Landfill, including:

Thompson 31.-1-94	2.4 acres
Thompson 31.-1-10.2	4.75 acres
Thompson 31.-1-10.3	1.01 acres
Thompson 130.-1-19	77.42 acres
Thompson 130.-1-17	2.99 acres, (collectively, the "Landfill Expansion

Parcels"); and

WHEREAS, the closure of the Phase I Landfill and the monitoring of the Phase I Landfill is regulated and overseen by the New York State Department of Environmental Conservation (hereinafter "NYSDEC") to assure compliance with applicable environmental regulations; and

WHEREAS, a number of wells around the perimeter of the Phase I Landfill have been and continue to be regularly tested to insure there are no excursions of noxious materials into the groundwater from the Phase I Landfill; and

WHEREAS, based on that testing there are no excursions of noxious materials into the groundwater from the Phase I Landfill; and

WHEREAS, at the time of acquiring the Landfill Expansion Parcels, the County was considering expanding the Phase I Landfill onto the Landfill Expansion Parcels and, therefore, prepared a full Environmental Impact Statement; and

WHEREAS, in or about May, 2009, by Resolution, the Sullivan County Legislature (“Legislature”) determined to close the existing Phase I Landfill and not to expand the Phase I Landfill by the addition of Landfill Expansion Parcels; and

WHEREAS, as a result of the aforesaid determination, the Landfill Expansion Parcels became available for other uses including economic development; and

WHEREAS, the County, by means of a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law, acquired the following real property:

Thompson 130.-1-14 23.18 acres

Thompson 130.-1-9.1 1.35 acres

Thompson 130.-1-9.2 130.05 x 195.2 (collectively, the “Tax Sale Parcels” and

together with the Landfill Expansion Parcels, the “East Broadway Re-Development Properties”); and

WHEREAS, the State of New York recently reconfigured and modernized Exit 106 of future I-86; and

WHEREAS, Exit 106 is immediately adjacent to the aforesaid East Broadway Re-Development Properties; and

WHEREAS, the reconfigured Exit 106 will provide efficient access to the East Broadway Re-Development Properties from the Interstate highway system thus enhancing the potential of commercial development of the East Broadway Re-Development Properties, particularly development with retail uses; and

WHEREAS, the development of the East Broadway Re-Development Properties for retail uses would greatly enhance employment opportunities in the County, would provide necessary and welcome local shopping opportunities for both residents and visitors, and would generate sales tax revenues for the County; and

WHEREAS, in about October, 2010 a Request for Proposals (with follow up addenda) was issued with respect to the possible economic development of the East Broadway Re-Development Properties; and

WHEREAS, after evaluating the proposals the County Legislature directed that the County Attorney negotiate with selected proposers and report back to the County Legislature with recommendations; and

WHEREAS, following the report of the County Attorney and a separate presentation to the Legislature, the Legislature selected Chancellor Livingston LLC or an entity to be formed by the principals of Chancellor Livingston (“Chancellor Livingston”) as the party with which to negotiate a development agreement (“Development Agreement”); and

WHEREAS, thereafter, as set forth below, the County Legislature determine to transfer the East Broadway Re-Development Properties to the Sullivan County Funding Corporation (SCFC) with the intent that the SCFC would negotiate with the Chancellor Livingston and enter into a Development Agreement.

WHEREAS, SCFC is a legal entity which was created, and which exists, pursuant to Section 1411 of the Not-for-Profit Corporation Law of the State of New York (the “NPCL”) for the purpose of fostering economic development within the County, that the SCFC does not have any interests which would be in conflict with developing the East Broadway Re-Development Properties to the maximum extent possible and that SCFC is willing to take on the responsibility of negotiating a Development Agreement for the East Broadway Re-Development Properties with Chancellor Livingston or another qualified developer and see to the development of those properties in a manner consistent with the best interests of the County; and

WHEREAS, since the building on Thompson 130.-1-17 (the so called “ARC Building”) is presently being used for the storage of electronic voting machines and it is currently planned that the remainder of the ARC Building will be renovated and used to house the Sheriff’s Road Patrol and Detective Units, the County requires continued use and occupancy of the ARC Building following the transfer to SCFC which shall continue until such time as SCFC transfers the property pursuant to a Development Agreement; and

WHEREAS, the Legislature, by Resolution 283-11 determined that the Landfill Expansion Parcels, other than the ARC Building, are no longer necessary for a public use and with respect to the ARC Building, the need for a public use will end upon the conveyance of said parcel; and

WHEREAS, the proposed transfer from the County to SCFC may lawfully be accomplished after a public hearing pursuant to, among others, the following provisions of law, Section 1166 of the Real Property Tax Law, Section 164-8 of the Sullivan County Administrative Code, Section 1411 of the NPCL, Sections 2(b) and Sections 215(5)(6)&(8) of the County Law, and Part 1 of Article 4 of the Municipal Home Rule Law; and

WHEREAS, pursuant to Section 1411 of the NPCL, the Legislature adopted a resolution on July 7, 2011 setting a public hearing for the purposes of considering the proposed transfer of the East Broadway Re-Development Properties; and

WHEREAS, notice of such public hearing was duly published in the publication and in the manner set forth in the above-described resolution at least ten (10) days prior to the date of such public hearing; and

WHEREAS, the Legislature duly conducted such public hearing on the date and at the time and place as set forth in such notice; and

WHEREAS, the County wishes to rescind Resolution No. 325-11 and adopt this resolution authorizing the transfer of the real property herein described to the SCFC, subject to the terms, conditions and limitations of this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. County Resolution No. 325-11 is hereby rescinded.
2. The Legislature hereby authorizes the transfer of the East Broadway Re-Development Properties to the SCFC subject to the terms, conditions and limitations of this resolution.
3. The actual transfer of title shall take place within thirty (30) days following the latest date on which the sole Member of the SCFC, the Chairman of the County Legislature and the County Attorney shall determine that the form of a Development Agreement is in accordance with the terms, conditions and limitations of this resolution.
4. The County shall ensure that, on the date of the transfer of title of the East Broadway Re-Development Properties to the SCFC, the Phase I Landfill shall remain in environmental compliance. For this purpose, environmental compliance may be evidenced by a showing that the most recent regular testing of perimeter wells have not experienced excursions of noxious materials into the groundwater from the Phase I Landfill.
5. Transfer of title shall be by quit-claim deed and SCFC shall accept the property "as is/where is and with all faults". The County makes no representation or warranty of any kind or character, express or implied, including, but not limited to, any representation or warranty as to fitness for use or habitability. The transfer shall be subject to the obligations provided for by the Environmental Remediation Fund (as herein defined).
6. In the event the SCFC shall sell all or any portion of the East Broadway Re-Development Properties, SCFC shall remit to the County, within thirty (30) days after it receives the same from the purchaser, ninety (90%) percent of the net sales price after deduction for the usual and customary transfer costs.
7. In the event the SCFC enters into leases for all or any portion of the East Broadway Re-Development Properties, SCFC shall remit payments to the County, on a periodic basis, commencing within thirty (30) days of receipt of the first periodic payment of rent, and for the entire term and renewal terms of any such leases, ninety (90%) percent of the rent and other consideration paid to the SCFC by any and all tenants, sub-tenants and assigns, net of the usual and customary leasing costs.
8. "Any payments received by the County under Section 6 or 7 which relate to the Landfill Expansion Parcels, in whole or in part (allocated on a pro rata basis by acreage) shall be placed in a debt service reserve account or to be used to defease the County General Obligation Bonds, in the discretion of the County Legislature, the proceeds of which were initially used to fund the acquisition of the Landfill Expansion Parcels.

9. Any agreement(s) between SCFC and a developer of the East Broadway Re-Development Properties must contain the following terms and conditions:

a) The Development Agreement shall require any development of the East Broadway Re-Development Properties to include in the first phase to be constructed not less than 100,000 square feet dedicated to retail uses;

b) The Development Agreement shall require the developer to provide copies of its development plans and all surveys, studies and reports (including any off-site studies) to SCFC or its designee;

c) The Development Agreement shall require the developer to be responsible for provision of all necessary utilities as well as ingress and egress for pedestrian and vehicular traffic to and throughout the project;

d) The Development Agreement and any real estate contract contemplated thereby shall allow the County no less than one hundred eighty (180) days to vacate the ARC Building;

e) The Development Agreement and transfer documents to a developer shall restrict the East Broadway Re-Development Properties, for a period of twenty (20) years, from all uses other than uses which primarily generate sales taxes; except that the parcel designated on the Town of Thompson Tax Map as Thompson 130.-1-9.2 may be used for or by a not-for-profit entity, provided that not less than 100,000 square feet of retail space is previously or contemporaneously developed.

f) The Development Agreement shall provide that the County shall not be responsible for the preparation of and shall not be liable for any applicable environmental reviews in connection with the development of the East Broadway Re-Development Properties.

g) The Development Agreement shall provide for all terms and conditions applicable to the developer to be accomplished not later than December 31, 2013.

h) The Development Agreement shall provide that in the event the parcel designated on the tax map as Thompson 30.-1-9.2 is used for or by a not-for-profit entity, the not-for-profit user or occupant shall enter into a community benefit agreement in form and substance reasonably acceptable to SCFC.

10. The transfer to SCFC will be made on an "as is, where is" basis with no environmental representations other than as provided in Section 4 hereof. Accordingly, SCFC will not be in a position to make environmental representations to a prospective developer. In lieu thereof, the Development Agreement and transfer documents may contain a purchase price offset for environmental remediation not to exceed Five Hundred Thousand and 00/100 (\$500,000) Dollars ("Environmental Remediation Fund"); provided, however, that if such Environmental Remediation Fund is provided for, it shall be in lieu of environmental representations and warranties by either the County or SCFC and the County and SCFC shall be released and held harmless from environmental claims of any kind, to the extent permitted by law. The Environmental Remediation Fund shall require that fifty (50%) percent of qualified remediation costs be funded by the developer with no County or SCFC responsibility for any remediation costs exceeding Five Hundred Thousand and 00/100 (\$500,000.00) Dollars.

11. The County and the SCFC shall execute and deliver any and all instruments, agreements and documents, containing such terms and conditions, as the County deems necessary or appropriate to effectuate the purposes, terms and conditions of this resolution, including any instruments or agreements executed and delivered in connection with the proposed transfer of title herein.

12. The Legislature hereby authorizes the Chairman of the Legislature to execute any appropriate transfer documents and related agreements, which documents shall be in a form approved by the County Attorney.

13. In the event any material terms or conditions of a Development Agreement for East Broadway Re-Development Properties are not accomplished by December 31, 2013, the County (as determined by a majority vote of the County Legislature) shall have the right to require SCFC to re-convey the East Broadway Re-Development Properties to the County without any cost to the County. Any such re-conveyance shall take place within sixty (60) days of any such Resolution.

Moved by Mrs. Edwards, seconded by Mr. Sorensen, put to a roll call vote, unanimously carried as amended and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 91-12 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO DESIGNATE SULLIVAN COUNTY PLAYGROUND AREAS TOBACCO FREE ZONES

WHEREAS, smoking is responsible for the premature deaths of over 400,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases, and

WHEREAS, to help role model non-smoking behavior to children and youth of our town and to provide the youth and their families with a safe, smoke-free environment, and

WHEREAS, secondhand smoke is responsible for over 50,000 deaths among non-smokers each year and the 2006 Surgeon General's report states that evidence indicates there is no risk-free level of exposure to secondhand smoke, and

WHEREAS, eighty percent of smokers start before the age of eighteen and the average age is twelve years, and

WHEREAS, everyday an estimated 4,000 young people under the age of eighteen try their first cigarette and one third will die prematurely from tobacco related illnesses, and

WHEREAS, smoking kills more Americans each year than alcohol, illegal drugs, AIDS, car accidents and murders and suicides combined, and

WHEREAS, cigarette filter litter is not bio-degradable (plastic cellulose) and litter clean up costs taxpayer money, has environmental consequences and litter in a community decreases property values seven percent,

NOW, THEREFORE, BE IT RESOLVED, that from this day forward the playground areas located at Stone Arch Bridge Park and Lake Superior under the direction and oversight of Sullivan County are duly designated as Tobacco Free Zones.

Moved by Mr. Benson, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 92-12 INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE PURCHASE ORDER

WHEREAS, a quote was received from the Kristt Company, 369 Broadway, Monticello, NY 12701, to provide services to remove the hard drives from copiers that were previously leased, from the Kristt Company, and return these hard drives to the County for shredding, and

WHEREAS, a recommendation from the CIO of the Sullivan County Management and Information Systems Department that this is the most secure protocol to regain possession of the hard drives and to arrange for their destruction, and

WHEREAS, Kristt Company is in possession of the hard drives and henceforth is the only vendor who can provide these services to the County.

NOW, THEREFORE, BE IT RESOLVED, that Director of Purchasing and Central Services will process a purchase order authorizing the Kristt Company to provide this service at a total price not to exceed \$7,649.03, said purchase order and any other necessary agreement 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 March 15, 2012.

RESOLUTION NO. 93-12 OF THE MANAGEMENT AND BUDGET COMMITTEE ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID WASTE/RECYCLING FEE GRIEVANCE COMMITTEE SECOND APPEALS.

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”) after reviewing written appeals that have been denied from property owners, that they have an opportunity to personally meet with the Appeal Board, and

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

WHEREAS, the Committee has personally met with each of the owners on Schedule A, and it recommends denying reduction/elimination of the fee for properties detailed on the Recommended Denial List attached hereto as Appendix “A” and made as part hereof.

WHEREAS, the Committee has personally met with each of the owners on Schedule B, and it recommends reduction/elimination of the fee for properties detailed on the Recommended Approval 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"

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

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION 94-12 INTRODUCED BY THE MANAGEMENT AND BUDGET 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 Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

**RESOLUTION NO. 95-12 INTRODUCED BY PUBLIC WORKS COMMITTEE
REGARDING THE POND EDDY INTERSTATE BRIDGE**

WHEREAS, the Pond Eddy Interstate Bridge has been deemed deficient by the NYSDOT and PennDOT; and

WHEREAS, the NYSDOT and PennDOT have determined that repair of the existing bridge is not cost-effective; and

WHEREAS, the NYSDOT and PennDOT are planning to replace this deficient bridge; and

WHEREAS, the Pond Eddy Interstate Bridge spans the Delaware River along NYS Route 97 Scenic By-Way.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby requests that the replacement bridge design adopted by the NYSDOT and PennDOT be consistent with the character and aesthetics of the Delaware River Corridor and Scenic By-Way; and

BE IT FURTHER RESOLVED, copies of this resolution be sent to both NYSDOT and PennDOT.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 96-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE

TO AUTHORIZE AN AGREEMENT FOR ENGINEERING DESIGN AND INSPECTION SERVICES TO REPLACE THE HALLS MILLS COVERED BRIDGE (CB 192c) PIER

WHEREAS, the Project is needed to replace the pier supporting one end of County Bridge 192c due to damages caused by Hurricane Irene ; and

WHEREAS, County Bridge 192c is a covered lattice truss built in 1912 having historic significance; and

WHEREAS, the cost of the Project construction and engineering services to replace the pier is estimated at \$400,000; and

WHEREAS, the Project is eligible for 75% Federal and 12.5% State funding through Hurricane Irene (DR 4020) disaster relief funding; and

WHEREAS, Resolution 243-10 provides Legislative approval for Delta Engineers to be used for Federal Aid Projects.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an Agreement for design and inspection services with, Delta Engineers, Architects and Land Surveyors, P.C. at a cost not to exceed \$45,000, said Agreement to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 97-12 INTRODUCED BY PUBLIC WORKS COMMITTEE

AUTHORIZING THE FILING OF AN APPLICATION, FOR A STATE GRANT IN-AID FOR A HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM AND EXECUTION OF THE ASSOCIATED STATE CONTRACT

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Sullivan herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE AID; and

WHEREAS, the Sullivan County Legislature hereby authorizes the County Manager and/or the Chairman of the County Legislature to execute any and all necessary documents to accept the award, should one be granted, and enter into an award agreement or contract in order to administer the funding secured, in such form as the County Attorney shall approve.

NOW, THEREFORE, BE IT RESOLVED,

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That County Manager and/or the Chairman of the County Legislature or their respective designee(s) is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;

3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.
4. That four (4) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York 12233-7253, together with a complete application.
5. That this resolution shall take effect immediately; and

BE IT FURTHER RESOLVED, that should the NYS Department of Environmental Conservation's Household Hazardous Waste Program funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 98-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF THOMPSON FOR TAX MAP #46.-3-19

WHEREAS, an application dated January 30, 2012 having been filed by Marek Giernicki with respect to property assessed to said applicant on the 2012 tax roll of the Town of Thompson Tax Map #46.-3-19 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an entry on a tax roll which is incorrect by reason of a mistake in the determination of a special assessment or other charge based on units of service provided by a special district; uncompleted house charged sewer district operation and maintenance fees in error; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 14, 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. Sorensen, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 99-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF LIBERTY FOR TAX MAP #2.-1-15

WHEREAS, an application dated January 30, 2012 having been filed by Marta Illing and Richard Begeal with respect to property assessed to said applicant on the 2012 tax roll of the Town of Liberty Tax Map #2.-1-15 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the alternative veterans exemption, to which property owner was entitled, not being reflected on the 2012 tax rolls; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 15, 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. Sorensen, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 100-12 INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PROPERTY IN THE TOWN OF THOMPSON KNOWN AS THOMPSON 52.V-2-19.1, ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2010 LIEN YEAR.

WHEREAS, property located in the Town of Thompson designated on the Sullivan County Real Property Tax Map as Thompson 52.V-2-19.1, Class 312, being 1.23 x 128.20 +/- feet, located on Deerfield Ct, is owned by the County of Sullivan and formerly owned by Jada Developers LLC, and

WHEREAS, there were delinquent taxes due and owing for the 2010 and 2011 for which the County of Sullivan took title to by Deed dated February 29, 2012 and recorded in the Sullivan County Clerk's Office on February 29, 2012 as Instrument #2012-1350, and

WHEREAS, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcel to Vernon Schwartz because he is a owner of an adjoining parcel, and

WHEREAS, the purchaser will be responsible for the 2012 Town and County taxes, recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to Vernon Schwartz, and upon his payment to the County Treasurer, and

BE IT FURTHER RESOLVED, the purchaser will be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes and water and sewer charges, if any.

BE IT FUTHER RESOLVED, in the event this conveyance has not been consummated on or before April 30, 2012, then this resolution is void.

Moved by Mr. Sorensen, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 101-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A MEMORANDUM OF AGREEMENT WITH THE SULLIVAN COUNTY SOIL AND WATER DISTRICT FOR WATERSHED PLANNING AND THE STREAM MAINTENANCE AND REMEDIATION PROGRAMS

WHEREAS, the County of Sullivan ("County") has contracted with the Sullivan County Soil & Water District ("District") for the past several years and would like to continue the efforts of the Stream Maintenance and Remediation Programs to broaden the scope of the Flood Management Plan by investing in specialized proactive and long-term measures to protect the people and property near the many streams throughout the County; and

WHEREAS, the success of the 2011 Stream Maintenance and Remediation Programs (the "Programs") has caused the Division of Public Works to request an extension of the Programs; and

WHEREAS, the Programs educate municipalities and the public, assess the potential areas of concern and maintain the streams throughout the County; and

WHEREAS, the County, through its Division of Public Works, is currently implementing project components of the Programs; and

WHEREAS, in order to implement the Programs the County wishes to continue working with the District and other affiliated agencies to minimize flood damage; and

WHEREAS, the District has both the expertise and personnel necessary to aid the County in its implementation of the Programs and is integral to the continuation of the Programs; and

WHEREAS, the cost of the District's services associated with the Programs shall not exceed \$200,000 for the term of January 1, 2012 through December 31, 2012.

NOW, THEREFORE BE IT RESOLVED, that the County Manager is hereby authorized to execute a Memorandum of Agreement with the District for the continuation, implementation and completion of the Programs for the term January 1, 2012 through December 31, 2012, at a cost not to exceed \$200,000, in such form to be approved by the County Attorney.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 102-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE COUNTY MANAGER AND COMMISSIONER OF FAMILY SERVICES TO SIGN A MEMORANDUM OF UNDERSTANDING CONCERNING THE ACQUISITION AND UTILIZATION OF PERSONAL COMPUTER EQUIPMENT PROVIDED BY THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

WHEREAS, the County of Sullivan ((County")) through the Department of Family Services is required to administer State programs of assistance for eligible Sullivan County individuals, and

WHEREAS, the Office of Temporary and Disability Assistance ("OTDA") is purchasing new personal computers for Sullivan County temporary assistance, food stamp, home energy assistance and employment programs in order to support timely and accurate case processing and administration, and

WHEREAS, there is no cost to the County for these replacement computers and it would be a benefit to the residents of the County to receive these technological aids, and

WHEREAS, in order for the County to receive the computers, it will be necessary for the County to enter into a Memorandum of Understanding with OTDA.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager and/or the Commissioner of Family Services to execute the required Memorandum of Understanding, and

BE IT FURTHER RESOLVED, that the form of said Memorandum of Understanding will be approved by the Sullivan County Attorney's Office.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 103-12 INTRODUCED BY PUBLIC SAFETY COMMITTEE

TO AUTHORIZE COUNTY MANAGER TO EXECUTE AN AGREEMENT FOR CORONERS' FORENSIC TOXICOLOGY TESTING SERVICES

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

WHEREAS, National Medical Services Labs (NMS Labs), 3701 Welsh Road, Willow Grove, PA 19090, performs the medical-legal death investigation testing services required by the Coroners' Office and is the service that Catskill Regional Medical Center contracts with, which would provide continuity to the process, and

WHEREAS, NMS Labs will provide a discounted pricing consideration on routine postmortem toxicology panels for the period January 1, 2012 – December 31, 2012, based upon a projected annual volume of 75 cases per year, and has contracted with Sullivan County for the past four years.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an agreement with National Medical Services Labs (NMS Labs) in an amount not to exceed the annual amount of \$40,000 for the period January 1, 2012 through December 31, 2012, such agreement to be in a form as approved by the County Attorney's Office.

RESOLUTION NO. 103-12 INTRODUCED BY PUBLIC SAFETY COMMITTEE

TO AUTHORIZE COUNTY MANAGER TO EXECUTE AN AGREEMENT FOR CORONERS' FORENSIC TOXICOLOGY TESTING SERVICES

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

WHEREAS, National Medical Services Labs (NMS Labs), 3701 Welsh Road, Willow Grove, PA 19090, performs the medical-legal death investigation testing services required by the Coroners' Office and is the service that Catskill Regional Medical Center contracts with, which would provide continuity to the process, and

WHEREAS, NMS Labs will provide a discounted pricing consideration on routine postmortem toxicology panels for the period January 1, 2012 – December 31, 2012, based upon a projected annual volume of 75 cases per year, and has contracted with Sullivan County for the past four years.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an agreement with National Medical Services Labs (NMS Labs) in an amount not to exceed the annual amount of \$40,000 for the period January 1, 2012 through December 31, 2012, such agreement to be in a form as approved by the County Attorney's Office.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 104-12 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE RESOLUTION TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT WITH DNA DIAGNOSTICS CENTER, INC. FOR THE PROVISION OF GENETIC (DNA) TESTING AND REPORTING SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services, is in need of genetic identity (DNA) testing and reporting to establish parentage in child support enforcement cases; and

WHEREAS, the Department of Family Services has in place an agreement that expires on March 31, 2012 with Orchid Cellmark, Inc which has been acquired by Laboratory Corporation of America Holdings ("LabCorps") where under the preceding agreement with Orchid Cellmark, Inc has been assigned to DNA Diagnostics Center, Inc for those services; and

WHEREAS, DNA Diagnostics Center, Inc is capable of and willing to provide such services at locally negotiated rates.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into agreement with DNA Diagnostics Center, Inc for the provision of DNA testing and reporting services at a cost not to exceed \$8,000 during the period from April 1, 2012 through March 31, 2013; and

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

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 105-12 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO EXTEND AGREEMENT WITH THE SULLIVAN COUNTY CHILD CARE COUNCIL, INC FOR THE PROVISION OF INFORMAL CHILD DAY CARE RELATED SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services has in place an agreement for the provision of Informal Child Day Care related services including the provision of Child Care Time and Attendance (CCTA) services that expires on 2/29/2012; and

WHEREAS, the Sullivan County Child Care Council, Inc is capable of and willing to provide these services at a combined cost not to exceed pro rata amount based on \$120,564.50 annual cost during the period from 3/1/2012 through 4/30/2012 through purchase of service agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to extend agreement that expires on 2/29/12 with the Sullivan County

Child Care Council, Inc at a cost not to exceed pro rata amount based on \$120,564.50 annual cost for Informal Child Day Care related and Child Care Time and Attendance (CCTA) services provided during the period from 3/1/2012 through 4/30/2012; and

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

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. NO. 106-12 INTRODUCED BY THE PERSONNEL COMMITTEE TO AUTHOIZE THE COUNTY MANAGER TO EXECUTE DOCUMENTS AND TO EXECUTE A SETTLEMENT AGREEMENT WITH THE MAIN UNIT, TEAMSTERS LOCAL 445, INTERNATIONAL BROTHERHOOD OF TEAMSTERS RELATED TO LONGEVITY

WHEREAS, the current Collective Bargaining between the County of Sullivan and the Main Unit, Teamsters Local 445, International Brotherhood of Teamsters contains provisions regarding the payment of longevity to its membership, and

WHEREAS, the County's interpretation of the said language of sections 202.2 c and 501 of the Collective Bargaining Agreement is the subject of a grievance filed by the Main Unit, Teamsters Local 445, International Brotherhood of Teamsters, and

WHEREAS, the grievance is scheduled for Arbitration on March 26, 2012, and

WHEREAS, the County Manager, in accordance with his duties as specified in the County Charter, has reached a Tentative Settlement Agreement related to the provisions of 202.2 c and 501 of the Collective Bargaining Agreement with the Teamsters Business Agent, which agreement has been attached hereto as Schedule "A", and

WHEREAS, the Teamsters Business Agent has acknowledged that she has the authority to enter into this Tentative Settlement Agreement, and

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

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

1. The Tentative Settlement Agreement between the County and the Main Unit, Teamsters Local 445, International Brotherhood of the Teamsters, attached hereto as Schedule "A" is hereby ratified.
2. The County Manager is hereby authorized to execute the Side Agreement with the Main Unit, Teamsters Local 445, International Brotherhood of Teamster.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 107-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO RENEW AN AGREEMENT WITH THE DELAWARE VALLEY ARTS ALLIANCE (DVAA) INC.

WHEREAS, the furtherance of the arts and cultural activities are necessary functions for society and development of the County of Sullivan; and

WHEREAS, Delaware Valley Arts Alliance, Inc. has demonstrated a commitment to the arts and to the community; and

WHEREAS, the County of Sullivan has appropriated \$18,169 in the 2012 County budget for the Delaware Valley Arts Alliance, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute an agreement between the County and the Delaware Valley Arts Alliance, Inc. for provision of art services to the residents, artists and art groups of the County, which services shall include management and distribution of the County Cultural Calendar, referral services relating to County arts resources, and acting as a conduit for grant funds for the County's individual artists and non-profit arts groups for \$18,169 for the period from January 1, 2012 to December 31, 2012 said contract to be in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO 108-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE A CONTRACT WITH ROEMER WALLENS GOLD & MINEAUX LLP FOR SPECIAL IZED LEGAL SERVICES, TO SERVE AS LABOR RELATIONS ATTORNEY/CONSULTANT FOR THE COUNTY OF SULLIVAN

WHEREAS, the County of Sullivan's contract with Coughlin & Gerhart LLP for labor relations Attorney/consultant services that expired on December 31, 2011 was extended to March 31, 2012; and

WHEREAS, the Sullivan County Legislature authorized the issuance of a Request For Proposals (RFP's) for Labor Relations Attorney/Consultant for Sullivan County (RFP # R-12-03); and

WHEREAS, the Sullivan County Purchasing Director received six (6) responses to the RFP for Labor Relations Attorney/Consultant for Sullivan County (RFP # R-12-03); and

WHEREAS, the Legislature interviewed four of the law firms with the most responsive proposal on Thursday, March 8, 2012 in an executive session of the Executive Committee of the Legislature; and

WHEREAS, the Legislature has selected the law firm of Roemer Wallens Gold & Mineaux, LLP to provide labor relations Attorney/consultant services, including all of the areas detailed in RFP # R-12-03; and

WHEREAS, the respective response to the RFP # R-12-03 and the proposed form of contract with Roemer Wallens Gold & Mineaux, LLP has been submitted to the County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized and directed to execute an agreement with Roemer Wallens Gold & Mineaux, LLP for the services detailed in the RFP for Labor Relations Attorney/Consultant for Sullivan County (RFP # R-12-03) and contained the respective response submitted thereto by Roemer Wallens Gold & Mineaux, LLP, for a term commencing April 1, 2012 through March 31, 2015, in a form acceptable to the County Attorney.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 109-12 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT WITH V-COMM TO PROVIDE RF ENGINEERING SERVICES FOR INCLUSION IN BROADBAND AND MOBILE TELEPHONY STUDY FOR SULLIVAN COUNTY

WHEREAS, the County applied for and was awarded funding from the USDA/Rural Development Rural Business Opportunity Grant (RBOG) program, for the purpose of conducting a Countywide Broadband and Mobile Telephony Communications Infrastructure Study; and

WHEREAS, pursuant to Resolution 482-10, the County entered into contract with DVI, Ltd to create the study; and

WHEREAS, a modification agreement was made on January 10, 2012 between the County and DVI, Ltd. to reduce funding by \$15,000 to compensate an RF Engineering Contractor firm for services to complete the Plans; and

WHEREAS, the County of Sullivan, acting through the Division of Purchasing and Central Services, issued a Request for Proposals (RFP) for RF Engineering Services for inclusion in the Broadband and Mobile Telephony Study, which was prepared by the Division of Planning and Environmental Management (RFP No. R-12-2, issued February 3, 2012); and

WHEREAS, proposals were received to include RF Engineering solutions in the Broadband and Mobile Telephony Study for Sullivan County; and

WHEREAS, V-Comm, LLC, 2540 US Highway 130, Suite 101, Cranbury, NJ 08512 is the firm whose proposal met the needs of the RFP; and

WHEREAS, the Commissioner of Planning and Environmental Management has reviewed and approved said proposal and recommends that a contract be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a contract with and make payments to V-Comm at a contract price not to exceed \$15,000 and in such form as the County Attorney shall approve.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

**RESOLUTION NO. 110-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE
RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

WHEREAS, preventative maintenance is required for two (2) landfill gas flares at the Sullivan County Landfill, and

WHEREAS, LFG Specialties, LLC, has submitted a proposal for the preventative maintenance and is a responsible firm to conduct such work, and

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

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with LFG Specialties, LLC, at a total price not to exceed \$13,679.00 for 2012, excluding spare parts, replacement kits, factory re-calibration of flow meters and rental of equipment, if necessary, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 111-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE CONTRACT

WHEREAS, a quote was received for the service of an Occupational Therapist, and

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

WHEREAS, John Pasquale, Occupational Therapist, will provide said services, and

WHEREAS, Sullivan County Public Health Services has recommended said vendor.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to enter into a contract with John Pasquale at a rate of \$68.00 per visit to patients of the Certified Home Health Agency and the Long Term Home Health Care Program through December 31, 2012 with an option for an additional one (1) year extension under the same terms and conditions, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO 112-12 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE AGREEMENTS WITH RURAL HEALTH NETWORK SUBCONTRACTORS

WHEREAS, Resolution # 35-11 of January 20, 2011 accepted the Rural Health Network Grant for the period February 1, 2011 – January 31, 2012, and

WHEREAS, Sullivan County Public Health Services has recently been advised by the NYS Department of Health that grant funding in the amount of \$214,487 has been awarded to continue the Rural Health Network for the grant year February 1, 2012 – January 31, 2013, and

WHEREAS, to perform the responsibilities of the grant, it is necessary to contract with various vendors, as follows:

- **Recovery Center (also known as the Council on Alcohol and Drug Abuse)** for staff facilitation for the Community That Cares Coalition (CARECORPS) which reduces the use of substance abuse by young people, for an amount not to exceed \$30,000.
- **Maternal Infant Services Network (MISN)** to provide educational interventions to reduce poor maternal and child health outcomes for an amount not to exceed \$15,000.
- **PRASAD Children's Dental Health Program** to provide dental health education and treatment to Sullivan County children in need for an amount not to exceed \$22,268.
- **Catskill Regional Medical Center (CRMC)** for support of an Outreach Worker for the Cancer Prevention Program to serve western Sullivan County for an amount not to exceed \$20,500, and for partial support of the Rape Intervention Services and Education (RISE) program for an amount not to exceed \$23,500, and \$1,000 for a Cyraphone translation system for underserved Sullivan County residents.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to sign contracts with the above providers not to exceed the amounts shown above for the contract year February 1, 2012 – January 31, 2013, and ongoing contracts, if funded by the NYS Department of Health, and

BE IT FURTHER RESOLVED that should the NYS Department of Health reduce or eliminate the grant funding in the amount of \$214,487 to continue the Rural Health Network for the grant year February 1, 2012 – January 31, 2013, then the above contracts shall be reduced and or abolished in an amount per vendor at the discretion of the County Legislature, and

BE IT FURTHER RESOLVED that the Sullivan County General Fund or property tax levy shall not absorb any reduction or elimination of grant funds from the NYS Department of Health, as that shall not be construed as a local expense; and

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

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 113-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH COMMUNITY ACTION COMMISSION TO HELP THE ECONOMY (CACHE)

WHEREAS, the Community Action Commission to Help the Economy (CACHE) is a private non-profit agency operating in Sullivan County under an approved federal program as defined in Section 99-h of the General Municipal Law; and

WHEREAS, the County of Sullivan has appropriated \$22,950 in the 2012 Sullivan County Budget to provide funding to such agency for its program; and

WHEREAS, CACHE has requested such funding to defray the cost of such program operated by it.

NOW, THEREFORE, BE IT RESOLVED,

1. The County Manager shall execute an agreement with the Community Action Commission to Help the Economy (CACHE) for the purpose of providing funds for the period from January 1, 2012 to December 31, 2012 in an amount not to exceed \$22,950

per year, to defray costs of the program not paid by federal funding, said sum to be paid upon voucher in quarterly installments, said contract to be in a form approved by the County Attorney.

2. CACHE shall, at its own cost and expense, provide such books, records and fiscal information as may be required by the Office of Audit and Control.

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 114-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO PROVIDE UP TO \$6,500 TO THE EAGLE INSTITUTE

WHEREAS, the Sullivan County Legislature has supported efforts to publicize the presence of the national symbol, the American Bald Eagle, in the County for purposes of tourism development, and

WHEREAS, the increase in the number of these magnificent birds in the County has resulted in numerous newspaper articles and other publicity generating public attention to the area, and

WHEREAS, the Eagle Institute, a fledgling organization, is solely responsible for guiding visitors to the observation sites, and

WHEREAS, the increase in the number of tourist throughout various communities in the County is of benefit to restaurants, bed and breakfasts and other tourism related businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes a sum up to \$6,500 to the Eagle Institute for eagle activities for the year 2012, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 115-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO ALLOCATE FUNDING TO THE UPPER DELAWARE SCENIC BYWAY, INC.

WHEREAS, New York State Route 97 was designated the Upper Delaware Scenic Byway on August 6, 2002; and

WHEREAS, the Upper Delaware Scenic Byway, Inc. 501(c)(3) not-for-profit organization has been working toward promoting the Rt. 97 Upper Delaware Scenic Byway; and

WHEREAS, funding is needed to provide support for the Upper Delaware Scenic Byway's educational and promotional enhancement mission.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes an allocation for the Upper Delaware Scenic Byway in an amount not to exceed \$1,700 for the year 2012 for educational and promotional purposes; and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 116-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2011/2012 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND THE TOWN OF WALLKILL BOYS AND GIRLS CLUB ®

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract(s) with this agency needs to be renewed for 2011/2012 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2011/2012 annual contract(s) with the Town of Wallkill Boys and Girls Club ® at the following maximum funding level for the period of October 1, 2011 through September 30, 2012:

1. **TOWN OF WALLKILL BOYS AND GIRLS CLUB ®** – maximum amount \$51,638.

BE IT FURTHER RESOLVED, that the form of such annual contract(s) be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 117-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2012 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND YMCA OF SULLIVAN COUNTY.

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the County of Sullivan has appropriated \$22,000 in the 2012 Sullivan County Budget to provide funding to such agency for its program; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2012 annual contract with the YMCA of Sullivan County at the following maximum funding level for the period January 1, 2012 through December 31, 2012:

2. **YMCA OF SULLIVAN COUNTY** – maximum amount \$22,000.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 118-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF A CONTRACT WITH THE FEDERATION OF SPORTSMEN'S CLUBS OF SULLIVAN COUNTY

WHEREAS, the Federation of Sportsmen's Clubs of Sullivan County provides services, activities and programs related to habitat improvement and public access to hunting, fishing and wildlife conservation/improvement; and

WHEREAS, the County of Sullivan has appropriated \$15,300 in the 2012 County Budget for the Federation of Sportsmen's Clubs of Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into a contract at a cost not to exceed \$15,300 for the year 2012 with the Federation of Sportsmen's Clubs of Sullivan County to enable payment of the budgeted appropriation in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 119-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2012 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY SOIL & WATER CONSERVATION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2012 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2012 annual contract at the following maximum funding level for the period January 1, 2012 through December 31, 2012:

3. **SULLIVAN COUNTY SOIL & WATER CONSERVATION** – maximum amount \$198,535.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 120-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH THE PARTNERSHIP FOR ECONOMIC DEVELOPMENT IN SULLIVAN COUNTY

WHEREAS, the Partnership for Economic Development in Sullivan County, a not-for-profit corporation, consisting of various public and private agencies and businesses of the County of Sullivan, provides promotional and advertising services, new business acquisition, existing business expansion and other related activities; and

WHEREAS, the most recent agreement between the County and the Partnership for Economic Development expired on December 31, 2012; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract with the Partnership for Economic Development in the amount of \$63,750 for the year 2012, in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED that the Partnership for Economic Development shall submit as plan for the specific uses of the appropriation of \$63,750 in 2012 to the County Manager, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 121-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE EXECUTION OF A CONTRACT WITH THE SULLIVAN COUNTY LONG BEARDS NEW YORK STATE CHAPTER, NATIONAL WILD TURKEY FEDERATION INC.

WHEREAS, the Sullivan County Long Beards New York State Chapter, National Wild Turkey Federation Inc. provides services, activities and educational programs for the youth in Sullivan County; and

WHEREAS, the County of Sullivan has appropriated \$1,700 in the 2012 County Budget for the Sullivan County Long Beards New York State Chapter, National Wild Turkey Federation Inc..

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to enter into a contract for the year 2012 at a cost not to exceed \$1,700 with the Sullivan County Long Beards New York State Chapter, National Wild Turkey Federation Inc. to enable payment of the budgeted appropriation in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 122-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH LITERACY VOLUNTEERS OF SULLIVAN COUNTY

WHEREAS, the Literacy Volunteers of Sullivan County is a not-for-profit organization that provides a variety of free services to help people achieve personal goals through literacy; and

WHEREAS, through a trained corps of volunteer tutors it is the mission of the Literacy Volunteers of Sullivan County to foster and enhance family literacy and assist adults functioning at low levels of literacy and further proficiency in English as a second language; and

WHEREAS, it is the goal of the Literacy Volunteers of Sullivan County to halt the rising tide of illiteracy in Sullivan County.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorize the County Manager to enter into a contract with the Literacy Volunteers of Sullivan County for the year 2012 at a cost not to exceed \$3,633, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 123-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE A CONTRACT WITH THE SULLIVAN COUNTY LIBRARY ALLIANCE

WHEREAS, the Sullivan County Legislature has appropriated \$9,812 in the 2012 Budget for the Sullivan County Library Alliance; and

WHEREAS, the County of Sullivan is desirous of supporting the Library Alliance.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized by the Sullivan County Legislature to execute a contract for the period January 1, 2012 through December 31, 2012 with the Sullivan County Library Alliance in an amount not to exceed \$9,812 and in such form approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 124-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF A YEAR 2012 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY HEAD START, INC.

WHEREAS, the County of Sullivan contracts with Sullivan County Head Start, Inc. for services pertaining to preschool programs for low income families, among other things; and

WHEREAS, the annual contracts with Sullivan County Head Start, Inc. needs to be renewed for the year 2012 to assure the continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2012 annual contract, for the period January 1, 2012 through December 31, 2012, with Sullivan County Head Start, Inc., at a maximum funding level of \$39,245, in such form as approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 125-12 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2012 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CREATIVE THINK TANK, INC.

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2012 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2011 annual contract with the Creative Think Tank, Inc. at the following maximum funding level for the period January 1, 2012 through December 31, 2012:

4. **CREATIVE THINK TANK, INC.** – maximum amount \$41,310.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 126-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE EXECUTION OF THE 2012 ANNUAL CONTRACT BETWEEN THE COUNTY OF SULLIVAN AND CORNELL COOPERATIVE EXTENSION

WHEREAS, the County of Sullivan contracts with various agencies for services; and

WHEREAS, the annual contract with this agency needs to be renewed for 2012 to assure continued delivery of service and payments.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to execute the 2012 annual contract at the following maximum funding level for the period January 1, 2012 through December 31, 2012:

CORNELL COOPERATIVE EXTENSION – maximum amount \$415,000.

BE IT FURTHER RESOLVED, that the form of such annual contract be approved by the County Attorney, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 127-12 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO APPROPRIATE \$15,390 TO CATSKILL ASSOCIATION OF TOURISM SERVICES (CATS) FOR PROMOTION OF REGIONAL TOURISM

WHEREAS, Resolution No. 470-01 provided for an appropriation for promotion of regional tourism,

WHEREAS, each county within the region agreed to contribute funding for regional tourism marketing as per the terms of Senator John Bonacic's initiative, and

WHEREAS, the County of Sullivan is a member of the region and as such committed to participating in regional promotion.

NOW, THEREFORE, BE IT RESOLVED, that \$15,390 be appropriated for the promotion of regional tourism payable to Catskill Association of Tourism Services for the fiscal year 2012, and

BE IT FURTHER RESOLVED, that compliance with all of the reporting requirements of this resolution and resolution 477-06 shall be a precondition for continued eligibility for funding by the County of Sullivan.

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 128-12 INTRODUCED BY PLANNING AND ENVIRONMENTAL MANAGEMENT COMMITTEE TO ENTER INTO CONTRACTS FOR PROFESSIONAL SERVICES UNDER THE COUNTY'S LOCAL WATERFRONT REVITALIZATION PROGRAM GRANT.

WHEREAS, the County of Sullivan ("County") had applied for and successfully obtained a \$82,050.00 ("Funds") grant under the New York State Department of State Local Waterfront Revitalization Program; and

WHEREAS, the County has been administering this grant for the purposes of creating a planning document for the Delaware River corridor; and

WHEREAS, a portion of the Funds may be used to pay for professional services ("Services").

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute any and all necessary documents to enter into an agreements with any and all vendors of Services not to exceed \$18,000.00 in total, in such form as the County Attorney shall approve; and

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

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote, unanimously carried as amended and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 129-12 INTRODUCED BY THE CAPITAL PLANNING COMMITTEE TO AUTHORIZE THE DIVISION OF PLANNING AND ENVIRONMENTAL MANAGEMENT AND THE DIVISION OF PUBLIC WORKS TO APPLY FOR A USDOT "TIGER DISCRETIONARY GRANT" FOR THE CR 173/EAST BROADWAY CORRIDOR INITIATIVE

WHEREAS, on January 31, 2012, the United States Department of Transportation ("DOT") issued a Notice of Funding Availability ("NoFA") for its 2012 Transportation Investment Generating Economic Recovery ("TIGER") Discretionary Grant Program, soliciting applications for projects involving capital improvements in surface transportation infrastructure, to be awarded on a competitive basis for their impact on the Nation, a metropolitan area, or a region; and

WHEREAS, the County of Sullivan, as a local government, is an “eligible applicant” under the TIGER Discretionary Grant program, and, as a rural community, the County would not be responsible for any required match under this program; and

WHEREAS, the Division of Planning and Environmental Management (“DPEM”) has been working with the Village of Monticello and the Town of Thompson to help coordinate economic development and reuse initiatives within the Downtown/Broadway district and the East Broadway corridor; and

WHEREAS, the County’s Division of Public Works (“DPW”) has designated County Road 173 (“CR173”), known as East Broadway and which runs for approximately two (2) miles through the Village of Monticello and the Town of Thompson, for planned improvements involving traffic control, access-management and pedestrian enhancements, currently in the engineering phase; and

WHEREAS, New York State Department of Transportation has included the CR173 project in the Statewide Transportation Improvement Program (“STIP”) and has programmed \$2.5 million for construction of the CR173 project; and

WHEREAS, despite this state allocation, the CR 173 project currently faces a significant projected shortfall, due to the rise in construction costs since the time NYSDOT originally included the project in the STIP; and

WHEREAS, DPEM and DPW propose to submit a TIGER Discretionary Grant request seeking \$10,000,000 to cover gaps in the original project scope and additional enhancements within the corridor.

NOW, THEREFORE BE IT RESOLVED, that DPEM and DPW shall be authorized to work together to apply for and administer an application for grant funds under the TIGER Discretionary Grant program to support the CR 173/East Broadway Corridor improvements; and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute any and all necessary documents to enter into agreements with USDOT, should grant funds be secured, in such form as the County Attorney shall approve; and

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

Moved by Mrs. LaBuda, seconded by Ms. Vetter, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 130-12 INTRODUCED BY THE CAPITAL PLANNING AND BUDGETING COMMITTEE CONVEYING THE POSITION OF SULLIVAN COUNTY TO THE GOVERNOR AND THE STATE LEGISLATURE REGARDING INTERSTATE 86.

WHEREAS, New York State Governors have made commitments to the revitalization and improvement of the economy of “Upstate” New York; and

WHEREAS, Sullivan County, along State Route 17, Stueben County (Corridor U-1 I-99), Chemung County and eleven other counties along the US Route 17 (Corridor T I-86) corridor make up the three Local Development Districts in the thirteen state Appalachian Regional Commission; and

WHEREAS, US Route 15 is the only north/south route in Central Pennsylvania that serves as a vital and direct link between western New York and Canada and the ports of Baltimore and Philadelphia and the mid-Atlantic states; and

WHEREAS, Governor Pataki committed to a ten-to-twelve year construction program to complete the Route 17 conversion to I-86 beginning with the first designation (177 miles Chemung County west to Pennsylvania) on December 3, 1999; and

WHEREAS, completing the I-99 U-1 Corridor fulfills the desires of both the Commonwealth of Pennsylvania and the State of New York to accelerate economic development opportunities in this area of Appalachia as well as respond to the increasing traffic volumes (primarily commercial vehicles) in the Route 17 Corridor since the passage of the North American Free Trade Agreement; and

WHEREAS, the New York State and Commonwealth of Pennsylvania Departments of Transportation are in the final stages of completing the conversion of Route 15 to Interstate standards (I-99) to meet New York State I-86 (July 2014); and

WHEREAS, the designation of New York State Route 17 to I-86 and Route 15 to I-99 provides a highway network with connection to every Interstate Highway located within New York State and Interstate Highways leading into Pennsylvania; and

WHEREAS, the upgrade and designation of Route 17 as I-86 will make the region more competitive and able to attract substantial growth in business, industry, and tourism as well as improve the safety of the traveling public; and

WHEREAS, the New York I-86 Economic Development Benefit Study, issued in January 2000, which was widely accepted and quoted at all levels of government, called for an aggressive eight-year construction period that would result in a 3.2 billion dollar direct economic benefit to communities along the I-86 Highway Corridor once the conversion has been completed; and

WHEREAS, with proper funding and resources for the remaining projects in Broome, Delaware, Sullivan, and Orange Counties, the conversion of Route 17 to I-86 could be completed many years sooner than on the present schedule, and it would provide the vast economic benefits to the region foreseen by the Appalachian Regional Commission in its study entitled "Economic Impact of Completing the Appalachian Development Highway System," which states in pertinent part that "Completion of the Appalachian Development Highway System (ADHS) would yield significant economic benefits for both the Appalachian Region and the nation...By facilitating national freight flows, reducing travel times, improving safety, and enhancing access to markets, completion of the ADHS would create new jobs and greater value-added activity, returning \$3 in economic benefits to the nation for every \$1 spent to complete the system."

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby request Governor Andrew Cuomo and the New York State Legislature to advance funding and expedite completion of the projects in Broome, Delaware, Sullivan, and Orange Counties on New York State Route 17 (I-86); and be it further

RESOLVED, that the Sullivan County Legislature does hereby further request the placement of signage along I-86 recognizing the designation of this highway system as the Daniel Patrick Moynihan Interstate Highway 86 as decreed by the State of New York; and be it further

RESOLVED, that the Sullivan County Legislature hereby authorizes and directs the Clerk to the Sullivan County Legislature to forward a copy of this resolution to Governor Andrew Cuomo, Honorable Sheldon Silver, Honorable Dean Skelos, Honorable Christopher Friend, Honorable Thomas O'Mara, Honorable Charles Fuschillo, Honorable David Gantt, Honorable Catherine Young, Honorable Thomas Libous, Honorable David Carlucci, Honorable John Bonacic, Honorable William Larkin, Honorable Joseph Giglio, Honorable Daniel Burling, Honorable Gary Finch, Honorable Clifford Crouch, Honorable Peter Lopez, Honorable Nancy Calhoun, Honorable Philip Palmesano, Honorable Annie Rabbit, Honorable Donna Lupardo, Honorable Aileen Gunther, Honorable Andy Goodell, Honorable Thomas Santulli, the Inter-County Association of Western New York, the New York State Association of Counties, and the I-86 Corridor Counties (Cattaraugus, Chautauqua, Allegany, Steuben, Tioga, Broome, Delaware, Orange).

Moved by Mr. Steingart, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 133-12 INTRODUCED BY THE SUSTAINABILITY COMMITTEE TO AUTHORIZE AN APPLICATION TO THE NEW YORK STATE OFFICE OF HOMES AND COMMUNITY RENEWAL FOR AN AGRICULTURAL AND COMMUNITY RECOVERY FUND GRANT TO ASSIST FARMERS

WHEREAS, On September 3, 2011, the Governor announced the creation of a \$15 million Agricultural and Community Recovery Fund (ACRF) to help rebuild the agricultural industry and farming areas impacted by Hurricane Irene and Tropical Storm Lee, and

WHEREAS, as a part of this fund, \$3 million was dedicated to the Farm Operation Match Component, which is a coordinated effort of NYS Homes and Community Renewal (HCR) and NYS Department of Agriculture and Markets (NYSDAM), to provide emergency funding to help with on farm operating costs incurred as a result of damage by natural disasters (Irene and Lee), and

WHEREAS, on March 1, 2012, the County of Sullivan was informed that we are eligible for ACRF funds, which will provide direct assistance to farmers who have been determined to have experienced losses as a result of the storms and who are eligible for up to 50% reimbursement with these funds, and

WHEREAS, the Governor has urged that the County complete and return the ACRF application and related forms as soon as possible, to ensure that farmers receive the funds as soon as possible.

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Legislature is authorized to execute any and all necessary documents to apply for and accept an ACRF grant, in an amount not to exceed \$51,176.14, in such form as the County Attorney shall approve, and

BE IT FURTHER RESOLVED, that if funded the Division of Planning and Environmental Management is authorized to administer an ACRF grant for the purpose of disbursing needed emergency funding to eligible farmers within Sullivan County, and

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

Moved by Mr. Sorensen, seconded by Mrs. Gieger, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

RESOLUTION NO. 134-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES OF ORANGE COUNTY (CORPORATE SERVICES EAP) FOR PROVISION OF EAP SERVICES TO EMPLOYEES

WHEREAS, the County desires to continue to make the Employees Assistance Program available to its employees through the County's current vendor; and

WHEREAS, the County currently contracts with Catholic Charities Community Services of Orange County for said service and is satisfied with the services being provided; and

WHEREAS, it is in the best interest of those employees that utilize the service that said services continue to be provided by Catholic Charities Community Services of Orange County; and

WHEREAS, Catholic Charities Community Services of Orange County will continue to provide counseling, legal and financial services to employees and their families, as well as, consultation services with managers and supervisors, from April 1, 2012 through March 31, 2013 at a cost not to exceed \$19,520.00.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into any and all agreements with Catholic Charities Community Services of Orange County for the provision of EAP services to employees at a cost not to exceed \$19,520.00 for the contract period of April 1, 2012 through March 31, 2013; and

BE IT FURTHER RESOLVED, that any and all agreements be approved to form by the Sullivan County Department of Law.

Moved by Ms. Vetter, seconded by Mr. Benson, put to a vote, unanimously carried and declared duly adopted on motion March 15, 2012.

There being no further business, Mr. Sorensen moved to adjourn, seconded by Mrs. Edwards. The meeting was declared closed at 3:14PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature

BOND RESOLUTION

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at the County Government Center, in Monticello, New York, on the 15th day of March, 2012, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Chairman Samuelson, and upon roll being called, the following were:

PRESENT: Samuelson, LaBuda, Vetter, Rouis, Gieger, Edwards, Benson, Steingart, Sorensen

ABSENT: None

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

Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Sullivan, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

The foregoing resolution was duly put to a vote which resulted as follows:

AYES: Samuelson, LaBuda, Vetter, Rouis, Gieger, Edwards, Benson, Steingart,
Sorensen

NOES: None

ABSENT: None

CERTIFICATION FORM

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the 15th day of March, 2012.
2. That such meeting was a **regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

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

Democrat: Friday, January 27, 2012

River Reporter: Thursday, January 26, 2012

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

Government Center Lobby January 26, 2012

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on March 15, 2012, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Sullivan, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Monticello, New York,
March 15, 2012

Clerk, County Legislature

BOND RESOLUTION NO. 131 OF 2012 DATED MARCH 15, 2012.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF ROADS THROUGHOUT AND IN AND FOR SAID COUNTY.

Class of objects or purposes:	Reconstruction of roads throughout and in and for said County
Period of probable usefulness:	15 years
Maximum estimated cost:	\$2,000,000
Amount of obligations to be issued:	\$2,000,000 bonds
SEQRA status:	Type II Action

BOND RESOLUTION

At a regular meeting of the County Legislature of the County of Sullivan, New York, held at the County Government Center, in Monticello, New York, on the 15th day of March, 2012, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Chairman Samuelson, and upon roll being called, the following were:

PRESENT: Samuelson, LaBuda, Vetter, Rouis, Gieger, Edwards, Benson, Steingart, Sorensen

ABSENT: None

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

Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Sullivan, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

The foregoing resolution was duly put to a vote which resulted as follows:

AYES: Samuelson, LaBuda, Vetter, Rouis, Gieger, Edwards, Benson, Steingart,
Sorensen

NOES: None

ABSENT: None

The resolution was thereupon declared duly adopted.

* * * * *

Sullivan County Legislature Chambers January 26, 2012

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 15 day of March, 2012.

(CORPORATE SEAL)

Clerk, County Legislature

March 2012
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-1325-14-42-4201	OFFICE ADVERTISING				
A-1325-14-43-4301	COMPUTER SUPPLIES				
A-1340-47-4710	DEPT MISC/OTHER			200	
A-1340-R2210-R134	GEN SERV OTHER GOV CHARGBK - INTERDEPARTMNTL			202	
A-1410-11-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK				
A-1410-11-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS			50	
A-1620-21-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				50
A-1620-21-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				75
A-1620-21-45-4541	SPEC DEPT SUPPLY TOOLS				500
A-1620-21-45-4541	SPEC DEPT SUPPLY TOOLS			75	
A-1620-22-44-4402	UTILITY FUEL OIL			500	
A-1620-23-21-2102	FIXED BUILDINGS			1,430	
A-1620-23-42-4205	OFFICE PRINTING			5,975	
A-1620-23-42-4206	OFFICE PUBLICATIONS				65
A-1620-23-47-4720	DEPT LABORATORY/XRAY EXPENSE			65	
A-1620-23-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			105	
A-1620-24-45-4541	SPEC DEPT SUPPLY TOOLS				105
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS			150	
A-1620-26-44-4402	UTILITY FUEL OIL				150
A-1620-26-45-4549	SPEC DEPT SUPPLY SAFETY				1,430
A-1620-26-47-4717	DEPT BLDG/PROP REPAIRS			225	
A-1620-28-44-4402	UTILITY FUEL OIL				225
A-1620-28-44-4404	UTILITY PROPANE				55
A-3620-42-4203	OFFICE OFFICE SUPPLIES			55	
A-3620-47-4710	DEPT MISC/OTHER			40	
A-4010-33-10-1011	PERSONAL SERV REGULAR PAY				40
A-4010-33-42-4206	OFFICE PUBLICATIONS				1,600
A-4010-44-47-4774	DEPT PUBLIC HEALTH EDUCATION			1,600	
A-4010-44-R3401-R167	ST AID PUBLIC HEALTH DEPARTMENTAL AID			7,000	
A-4050-42-4206	OFFICE PUBLICATIONS				7,000
A-4050-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			500	
A-6293-43-4311	COMPUTER WEBINAR AND RELATED EXPENSES				500
A-6293-47-4760	DEPT CLIENT EXPENSES			130	
A-7310-42-4205	OFFICE PRINTING				130
A-7310-47-4707	DEPT MAINTENANCE IN LIEU OF RENT				1,382
A-7310-47-4753	DEPT YTH 100% REIMB DELINQCY PREVENTN				7,830
A-7310-47-4761	DEPT YTH 50% REIMB DELINQCY PREVENTN				18,172

March 2012
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-7310-R3820-R337	ST AID YOUTH PROGRAM YOUTH BUREAU				
A-7450-202-21-2102	FIXED BUILDINGS	26,002			
A-7520-21-2102	FIXED BUILDINGS			2,415	
A-7520-47-4717	DEPT BLDG/PROP REPAIRS			2,000	
A-7610-87-40-4024	CONTRACT PERSONAL CARE				2,000
A-7610-87-47-4776	DEPT EISEP RELATED EXPENSES				2,670
A-9901-90-9001	TRANSFERS COUNTY ROAD				2,670
General Fund Totals					
		33,204		52,771	8,390
CL-8160-47-4702	DEPT EQUIP SERVICE/REPAIRS				
CL-8160-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			13,500	
Solid Waste Fund Totals					
		0	0	13,500	13,500
D-3310-45-4513	SPEC DEPT SUPPLY ALUMINIUM SIGN MATERIAL				500
D-3310-45-4517	SPEC DEPT SUPPLY BARICADES, LIGHTS, CONES			500	
D-5110-46-45-4523	SPEC DEPT SUPPLY REINFORCING STEEL				8,390
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND		8,390		
County Road Fund Totals					
		0	8,390	500	8,890
DM-5130-48-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING				
DM-5130-48-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			500	
DM-5130-48-47-4702	DEPT EQUIP SERVICE/REPAIRS			250	
DM-5130-48-47-4708	DEPT INSURANCE			12,950	
DM-5130-49-45-4524	SPEC DEPT SUPPLY LUMBER				250
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				500
DM-5130-49-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING				12,950
DM-5130-49-47-4702	DEPT EQUIP SERVICE/REPAIRS			50	
DM-5130-49-47-4717	DEPT BLDG/PROP REPAIRS				1,325
Road Machinery Fund Totals					
		0	0	1,275	
		0	0	15,025	15,025

I would like to address this body regarding the Resolution #325-11 that has been adapted into this format.

I believe this Resolution is truly moving in the right direction for many reasons. We need the department store growth that this is aiming to create. The growth of these business' accomplishes 2 very important things:

- 1) Give us, Sullivan County residents choices of places to purchase goods for our homes and ourselves without leaving the county.
- 2) Brings Sales Tax revenues into the government to help alleviate some of our citizens tax burden.


A number of people have come to the open meetings and expressed their concerns. We have listened and worked to make many necessary changes. Some might think we have not done enough.

I would like to take a moment to reassure you and address some concerns:

- 1) Commercial malls do NOT have not-for-profits within the mall. It is my belief that some do. In Nyack, at the Palisades Mall on one of the upper floors there is a community center – Another example exists in Syracuse with the college.
- 2) In this document there is a very important legal word used on Page 5 Section E. That word is MAY, the document does NOT say WILL it says MAY. The difference allows the corporation to decide whether or not to go with a not-for-profit as they move forward.

There is Now in this document a limited footage of space allocated to this alternate use. Before, there was no such limit.

- 3) The final real concern of many is the issue of not-for-profit competing with local business. We hear your concerns, but do not think this will occur. The reason is the demographics of the future clientele. IF the Y actually comes in, we must recognize that their
-



target population is Families. The parents would take their children to the Y because of its multi-focused concepts. Y's historically bring in the arts and awaken in children a desire to learn other things like dance. The children's parents are not just trying to improve their physical health, instead their aim is inclusive of other growth exposure for their kids in a Family Outing atmosphere. Gyms have 1 focus, improve health through exercise and cardiac workout of the individual. I suggest that the demographics are Different Clientele.

4) Thank you for listening.