

**Sullivan County Legislature  
Regular Meeting  
July 19, 2012 at 2:00PM**

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

Roll Call indicated Mrs. LaBuda absent and Mr. Rouis and Mrs. Gieger not present at roll call..

The Clerk Read the following communications:

1. Chairman Samuelson's additional appointments to the Climate Action Planning Advisory Board dated July 19, 2012.
2. Chairman Samuelson's appointment of Kitty M. Vetter to the Hamilton Odell Library Board of Trustees dated July 16, 2012.
3. Copy of Resolution No. 178 of 2012 of the Orange County Legislature and County Executive urging the Governor of the State of NY to veto and request the NYS legislature to reconsider Bill Nos. S05054-A/A7301-B which extends the Catskill region Off-Track Betting Corporation to include the Five Counties Comprising the City of New York dated July 3, 2012.
4. Copy of Chautauqua County Motion No. 6-12 requesting NYS to fulfill its commitment to Upstate Economic Revitalization by Completing Interstate Highway I-86.
5. Copy of Allegany County Resolution No. 44-12 to Governor Cuomo and the NYS Legislature to request advancing funding and expediting completion of projects in Broome, Delaware, Sullivan, and Orange Counties dated March 13, 2012.
6. Copy of Steuben County Resolution 057-12 memorializing the Governor and the State Legislature regarding Interstate 86 dated February 27, 2012.
7. Copy of Schuyler County Resolution No. 73 to Governor Cuomo and the NYS Legislature to advance funding and expedite completion of I-86 in Broome, Delaware, Sullivan, and Orange Counties dated March 12, 2012.
8. Copy of Chemung County Resolution No. 12-91 to Governor Cuomo and the NYS Legislature to request advancing funding and expediting completion of projects in Broome, Delaware, Sullivan, and Orange Counties.
9. Copy of Tioga County Resolution No. 82-12 to Governor Cuomo and the NYS Legislature to request advance funding and expedite completion of projects in Broome, Delaware, Sullivan, and Orange Counties.
10. Copy of Broome County Resolution No. 12-176 about the completion of I-86.
11. Copy of Delaware County Resolution No. 48 about the completion of I-86.
12. Copy of Orange County Resolution No. 87 about the completion of I-86.
13. Copy of Sullivan County Resolution No. 130-12 about the completion of I-86.
14. Copy of Inter-County Association Resolution No. 7-2012 about the completion of I-86.
15. Copy of Elmira-Chemung Transportation Council Resolution No.11-P12 about the completion of I-86.
16. Copy of Southern Tier Central Regional Planning & Development Board and Economic Growth Resolutions about the completion of I-86.
17. Copy of Record Destruction Notification, filed by DFS, dated June 19, 2012.
18. Copy of the Department of Transportation notice regarding US Route 209 over Gumaer Brook.
19. Copy of Sullivan County Legislative Proclamation regarding August being proclaimed "Breastfeeding Month".

20. Chairman Samuelson's appointment/re-appointment of Joan Ernst, Melissa Stickle, Sandra Cuellar Oxford, Luis Ocasio, and Jesus Mangual to the Sullivan County Youth Board.
21. Copy of Town of Bethel Resolution declining to support the formation of a County Law Enforcement Commission.

Mr. Rouis joined the meeting at 2:23PM

Mrs. Gieger joined the meeting at 2:24PM

Chairman Samuelson recognized the following speakers:

1. Dave Colavito
2. Kathie Aberman
3. Jill Wiener
4. Mike Congelesi
5. Sandy Shaddock

**Order of Business:**

**RESOLUTION NO. 254-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPOINT ANN PRUSINKSKI AS COMMISSIONER OF ELECTIONS**

**WHEREAS**, on June 19, 2008, pursuant to Resolution 211-08, the County Legislature appointed Mrs. Faith Kaplan to finish the unexpired term of Timothy Hill who passed away on April 20, 2008, and

**WHEREAS**, Faith Kaplan was appointed by Resolution 211-08 for the term of January 1, 2009 through December 31, 2012, and

**WHEREAS**, Faith Kaplan will be retiring on Friday, July 20, 2012 creating a vacancy, and

**WHEREAS**, the Sullivan County Democratic Committee has submitted two certifications to the County Legislature:

- A. The first certifies that Deputy Election Commissioner Ann Prusinski is a fit and proper person to be appointed to fill the vacancy of Faith Kaplan's unexpired term effective July 21, 2012 until December 31, 2012, and
- B. The second certifies that Deputy Election Commissioner Ann Prusinski is a fit and proper person to be appointed as Commissioner of Elections for a four year term from January 1, 2013 through December 31, 2016.

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

- A Ann Prusinski be and hereby is appointed as the Democratic Commissioner of Elections to fill the expected vacancy effective July 21, 2012 through December 31, 2012, and
- B. Ann Prusinski be and hereby is appointed as the Democratic Commissioner of Elections for a four year term commencing on January 1, 2013 through December 31, 2016.

**Moved by Mr. Benson, seconded by Ms. Vetter**, put to a vote with Mrs. LaBuda absent, unanimously carried and **declared duly adopted on motion** July 19, 2012.

**RESOLUTION NO. 255-12 INTRODUCED BY EXECUTIVE COMMITTEE TO REAPPOINT COMMISSIONER OF ELECTIONS**

**WHEREAS**, the Sullivan County Republican Committee has certified to the County Legislature that Rodney Gaebel is a fit and proper person to be reappointed as Commissioner of Elections representing the Republican Party.

**NOW, THEREFORE, BE IT RESOLVED**, that Rodney Gaebel be and hereby is reappointed as Commissioner of Elections for a period of four years commencing January 1, 2013 through December 31, 2016.

**Moved by Mrs. Edwards, seconded by Mr. Sorensen**, put to a vote with Mrs. LaBuda absent, unanimously carried and **declared duly adopted on motion** July 19, 2012.

**RESOLUTION NO. 256-12 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 Mrs. Edwards, put to a vote with Mrs. LaBuda absent, unanimously carried and **declared duly adopted on motion** July 19, 2012.

**RESOLUTION NO. 257-12 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO ISSUE A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE ADDITION OF PARCELS OF REAL PROPERTY TO EXISTING CERTIFIED AGRICULTURAL DISTRICTS WITHIN SULLIVAN COUNTY**

**WHEREAS**, The Sullivan County Legislature has the authority under New York State Agriculture and Markets Law to include additional parcels in the existing certified Agricultural District No. 1 and Agricultural District No. 4 on a yearly basis; and

**WHEREAS**, the New York State Department of Agriculture and Markets has consented to the Sullivan County Legislature being declared lead agency with respect to the environmental review of the proposal to add the subject parcels (described in Schedule A, attached hereto) to Sullivan County Agricultural District No. 1 and Sullivan Agricultural District No. 4; and

**WHEREAS**, a short form Environmental Assessment (attached hereto) has been prepared which concludes that the proposal to add parcels to Sullivan County Agricultural Districts No. 1 and No. 4 will not have a significant adverse impact on the environment and recommends that the County Legislature issue a Negative Declaration.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby accepts the Environmental Assessment described in the SEQRA Environmental Assessment Form (attached hereto); and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature hereby issues a Negative Declaration pursuant to the provisions of the New York State Environmental Quality Review Act, with respect to the proposal to add the subject parcels (described in Schedule A, attached hereto) to Sullivan County Agricultural District No. 1 and Sullivan County Agricultural District No. 4; and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature authorizes the Chairman of the Legislature to execute the Environmental Assessment Form.

**Moved** by Mr. Benson, **seconded** by Mr. Sorensen, put to a vote with Mrs. LaBuda absent, unanimously carried and **declared duly adopted on motion** July 19, 2012.

**Schedule A**

**Agricultural District No. 1**

Town of Liberty	32.-3-14
Town of Liberty	32.-3-15
Town of Tusten	7.B-1-15
Town of Tusten	22.-1-18.1
Town of Tusten	22.-1-18.11

**Agricultural District No. 4**

Town of Fallsburg	3.-1-6.22
Town of Neversink	9.-1-14

As portrayed on the Sullivan County Tax Maps on May 3, 2012.

# ENVIRONMENTAL ASSESSMENT FORM

## PART I

1. The proposed action is located in the County of Sullivan and the Town(s) of Fallsburg, Liberty, Neversink and Tusten.
2. The agency responsible for preparing this Environmental Assessment Form and determining environmental significance is the County Legislative Body of Sullivan County.
3. The name and address for the Clerk of the above named County is Daniel L. Briggs, 100 North Street, PO Box 5012, Monticello NY 12701.
4. Is this an application for the formation of a new agricultural district?  Yes  No If yes, what is the total number of acres to be included in this district? \_\_\_\_\_ acres
5. Is this an application to modify an existing district?  Yes  No If yes, what is the total number of acres comprising the district as it exists prior to modification? 161,216.80 acres
6. If this application involves a modification, will such modification result in a change in the size of the district?  Yes  No If yes, how many acres are involved in the change?

During the June 21, 2012 public hearing, no negative public comments were received regarding any of the parcels recommended for inclusion.

However, written comments were received regarding Neversink #9.-1-14, and incorporated into the written record of the public hearing. With respect to this parcel, there is public concern regarding the use of a residential dwelling for farm vacation rentals, and the use of a barn as a restaurant/ banquet hall. Neither of these uses are permitted within the parcel's zoning district. In addition, there is concern that the applicant has not obtained the proper permits and fire safety equipment, as required by the NYS Building Code. Finally, there is concern because it is unknown whether the applicant has met the NYS Department of Health requirements regarding food preparation, public water supply and sewage disposal.

Also, with respect to Liberty #32.-1-14 and 32.-1-15, residents and a public official have expressed concern due to the fact that the farm is within a residential area. Potential impacts cited by neighbors include odors from compost, an increase in rat population, livestock escapes, and a general decline in the visual quality of the neighborhood which could lead to declining property values. No oral or written comments were received for incorporation into the written record of public hearing. The above concerns were expressed to SC Ag and Farmland Protection Board members and staff before and after the public hearing.

## PART II

The Department of Agriculture and Markets, as lead agency for the Agricultural Districts Program, has conducted a programmatic review of the environmental effects of agricultural districting and has

concluded that there is little likelihood of significant adverse environmental impact resulting from the formation or modification of such districts. It is, however, the responsibility of the agency preparing this form to review the site-specific proposal under consideration to determine if unique circumstances exist which increase the likelihood of environmental significance. If any such circumstances exist, please describe them on the space provided below and explain how the resulting impact will be mitigated. (Refer to the criteria contained in 6NYCRR§ 617.11 for aid in determining the likelihood of significance and whether or not it is material, substantial, large or important.)

### PART III

Please indicate desire for lead agency status by checking the appropriate box below:

- Since the proposed action will be undertaken by the County Legislative Body and since any adverse environmental impacts will be primarily of local significance it is hereby recommended that this County Legislative Body serve as lead agency to insure compliance with the requirements of the State Environmental Quality Review Act. It has been determined that the only other agency required to undertake an action in this case is the Department of Agriculture and Markets.
- The County Legislative Body does not choose to nominate itself to serve as lead agency.

### PART IV

The County Legislative Body of Sullivan County has determined that: (check one)

- The proposed action will not have a significant adverse environmental impact and therefore an Environmental Impact Statement is not required.
- Although unique circumstances beyond those anticipated by the Department of Agriculture and Markets in its programmatic environmental assessment will result from the proposed action, it has been determined that the proposed action will not have a significant adverse environmental impact.
- Due to unique circumstances detailed in Part II, significant environmental impact will result from the proposed action. Therefore, an Environmental Impact Statement will be required and will be prepared or approved by this County Legislative Body prior to undertaking any action.

This Environmental Assessment Form was prepared for the County of Sullivan by Sullivan County Legislature.

\_\_\_\_\_  
Authorized Signature

Chairman of Legislature

## ENVIRONMENTAL ASSESSMENT FORM

### PART I

8. The proposed action is located in the County of Sullivan and the Town(s) of Fallsburg, Liberty, Neversink and Tusten.
9. The agency responsible for preparing this Environmental Assessment Form and determining environmental significance is the County Legislative Body of Sullivan County.
10. The name and address for the Clerk of the above named County is Daniel L. Briggs, 100 North Street, PO Box 5012, Monticello NY 12701.
11. Is this an application for the formation of a new agricultural district?  Yes  No If yes, what is the total number of acres to be included in this district? \_\_\_\_\_ acres
12. Is this an application to modify an existing district?  Yes  No If yes, what is the total number of acres comprising the district as it exists prior to modification? 161,216.80 acres
13. If this application involves a modification, will such modification result in a change in the size of the district?  Yes  No If yes, how many acres are involved in the change? 200.98
14. Is there a public controversy related to this district proposal?  Yes  No If yes, describe in space below:

During the June 21, 2012 public hearing, no negative public comments were received regarding any of the parcels recommended for inclusion.

However, written comments were received regarding Neversink #9.-1-14, and incorporated into the written record of the public hearing. With respect to this parcel, there is public concern regarding the use of a residential dwelling for farm vacation rentals, and the use of a barn as a restaurant/ banquet hall. Neither of these uses are permitted within the parcel's zoning district. In addition, there is concern that the applicant has not obtained the proper permits and fire safety equipment, as required by the NYS Building Code. Finally, there is concern because it is unknown whether the applicant has met the NYS Department of Health requirements regarding food preparation, public water supply and sewage disposal.

Also, with respect to Liberty #32.-1-14 and 32.-1-15, residents and a public official have expressed concern due to the fact that the farm is within a residential area. Potential impacts cited by neighbors include odors from compost, an increase in rat population, livestock escapes, and a general decline in the visual quality of the neighborhood which could lead to declining property values. No oral or written comments were received for incorporation into the written record of public hearing. The above concerns were expressed to SC Ag and Farmland Protection Board members and staff before and after the public hearing.

## PART II

The Department of Agriculture and Markets, as lead agency for the Agricultural Districts Program, has conducted a programmatic review of the environmental effects of agricultural districting and has concluded that there is little likelihood of significant adverse environmental impact resulting from the formation or modification of such districts. It is, however, the responsibility of the agency preparing this form to review the site-specific proposal under consideration to determine if unique circumstances exist which increase the likelihood of environmental significance. If any such circumstances exist, please

describe them on the space provided below and explain how the resulting impact will be mitigated. (Refer to the criteria contained in 6NYCRR§ 617.11 for aid in determining the likelihood of significance and whether or not it is material, substantial, large or important.)

**PART III**

Please indicate desire for lead agency status by checking the appropriate box below:

- Since the proposed action will be undertaken by the County Legislative Body and since any adverse environmental impacts will be primarily of local significance it is hereby recommended that this County Legislative Body serve as lead agency to insure compliance with the requirements of the State Environmental Quality Review Act. It has been determined that the only other agency required to undertake an action in this case is the Department of Agriculture and Markets.
- The County Legislative Body does not choose to nominate itself to serve as lead agency.

**PART IV**

The County Legislative Body of Sullivan County has determined that: (check one)

- The proposed action will not have a significant adverse environmental impact and therefore an Environmental Impact Statement is not required.
- Although unique circumstances beyond those anticipated by the Department of Agriculture and Markets in its programmatic environmental assessment will result from the proposed action, it has been determined that the proposed action will not have a significant adverse environmental impact.
- Due to unique circumstances detailed in Part II, significant environmental impact will result from the proposed action. Therefore, an Environmental Impact Statement will be required and will be prepared or approved by this County Legislative Body prior to undertaking any action.

This Environmental Assessment Form was prepared for the County of Sullivan by Sullivan County Legislature.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Chairman of Legislature

**RESOLUTION NO. 258-12 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO INCLUDE VIABLE AGRICULTURAL LAND IN AN EXISTING CERTIFIED AGRICULTURAL DISTRICT WITHIN SULLIVAN COUNTY**

**WHEREAS**, Section 303-b of the Agriculture and Markets Law authorizes the inclusion of viable agricultural land into certified agricultural districts; and

**WHEREAS**, the County of Sullivan’s Agricultural & Farmland Protection Board has recommended the subject parcels (described in Schedule A, attached) to be added to the existing certified Agricultural District No. 1 and Agricultural District No. 4 within Sullivan County; and

**WHEREAS**, a public hearing was held on the inclusion of these parcels into the existing certified Agricultural District No. 1 and Agricultural District No. 4 on June 21<sup>st</sup>, 2012 at which time all comments were heard by the Sullivan County Legislature; and

**WHEREAS**, all comments and considerations brought to the attention of the Sullivan County Legislature and the Sullivan County Division of Planning and Environmental Management were considered during all phases of the inclusion process, including but not limited to the environmental review process, in determining whether or not the following parcels were to be included in the existing certified Agricultural District No. 1 and Agricultural District No. 4.

**NOW, THEREFORE, BE IT RESOLVED**, that the subject parcels (described in Schedule A, attached) are to be included in the existing certified Agricultural District No. 1 and Agricultural District No. 4.

**Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.**

**Schedule A**

**Agricultural District No. 1**

Town of Liberty	32.-3-14
Town of Liberty	32.-3-15
Town of Tusten	7.B-1-15
Town of Tusten	22.-1-18.1
Town of Tusten	22.-1-18.11

**Agricultural District No. 4**

Town of Fallsburg	3.-1-6.22
Town of Neversink	9.-1-14

As portrayed on the Sullivan County Tax Maps on May 3, 2012.

**RESOLUTION NO. 259-12 INTRODUCED BY THE HEALTH AND FAMILY SERVICES COMMITTEE TO CREATE THREE POSITIONS IN THE DEPARTMENT OF FAMILY SERVICES MEDICAL ASSISTANCE UNIT**

**WHEREAS**, the Medical Assistance unit within the Department of Family Services is responsible for processing Medicaid applications, and

**WHEREAS**, the total number of cases per year have more than doubled during the past decade, and

**WHEREAS**, positions in the Medical Assistance unit that process Medicaid applications are fully funding with no costs to the County other than post employment benefit costs, and

**WHEREAS**, the creation of three new positions will allow for a more equitable distribution of cases and decrease the processing time for applicants.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby creates the following positions within the department of Family Services, Medical Assistance unit:

<u>Position Title</u>	<u>Department</u>	<u>Teamsters Local 445 Salary Grade</u>
Social Welfare Examiner	A-6010-53	V
Social Welfare Examiner	A-6010-53	V
Account Clerk	A-6010-53	I



**Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent and Ms. Vetter, Mrs. Gieger and Mr. Sorensen opposed, resolution carried and declared duly adopted on motion July 19, 2012.**

**RESOLUTION NO. 260-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPOINT A MEMBER OF THE SULLIVAN COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD**

**WHEREAS**, Article 25AA of the Agriculture and Markets Law requires that one seat on the Sullivan County Agricultural and Farmland Protection Board (Board) be held by a county cooperative extension agent; and

**WHEREAS**, pursuant to Resolution No. 80 of 2012, Patricia Westenbroek of Cornell Cooperative Extension Sullivan County was appointed to the Board; and

**WHEREAS**, Patricia Westenbroek no longer serves as county cooperative extension agent with Cornell Cooperative Extension Sullivan County; and

**WHEREAS**, Elizabeth Higgins currently serves as a county cooperative extension agent with Cornell Cooperative Extension Sullivan County; and

**WHEREAS**, the Board recommends that Elizabeth Higgins be appointed to the Board to replace Patricia Westenbroek as a required member of the Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby appoints Elizabeth Higgins to the Board, for a term commencing immediately and ending at the end of her term as County Cooperative Extension Agent.

**Moved by Mr. Benson, seconded by Mrs. Gieger, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.**

**RESOLUTION NO. 261-12 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO ACCEPT AN OFFER FROM THE JEWISH GENERAL AID ASSOCIATION OF SULLIVAN COUNTY TO PURCHASE A STRIP OF LAND**

**WHEREAS**, the County of Sullivan owns property in the Village of Monticello designated on the Sullivan County Real Property Tax Map as Town of Thompson 112.-1-12, for purposes of jury parking; and

**WHEREAS**, the Jewish General Aid Association of Sullivan County, commonly referred to as the Landfield Avenue Synagogue ("Synagogue"), owns property adjacent to the County property (THO 112.-1-13) where they inadvertently placed two propane tanks on the County of Sullivan property; and

**WHEREAS**, the Synagogue has offered to purchase a portion of the property consisting of eight feet by thirty-nine feet containing 312 square feet which encompasses the propane tanks, and

**WHEREAS**, a fair market analysis was conducted by County officials and the sum of One Hundred Fifty and 00/100 (\$150.00) Dollars was determined to be fair market price; and

**WHEREAS**, the Real Property Advisory Board and the Sullivan County Division of Public Works discussed this matter and both concur that it is in the best interest of the County of Sullivan to convey the strip of land; and

**WHEREAS**, the Synagogue is responsible to prepare all documents for the conveyance, and pay all necessary fees; and

**WHEREAS**, subsequent to this sale, the Synagogue must request the Village to combine this parcel with the parcel owned by them.

**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 above described portion of property to the Synagogue at the agreed upon price of One Hundred Fifty and 00/100 (\$150.00) Dollars.

**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.

**Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.**

**RESOLUTION NO. 262-12 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE PREPARATION AND SUBMISSION OF A SULLIVAN RENAISSANCE PROGRAM GRANT APPLICATION, OFFERING FUNDS, FOR A COMPOSTING PROJECT**

**WHEREAS**, the Adult Care Center has a desire to apply for and accept a Sullivan Renaissance grant; and

**WHEREAS**, ; the Adult Care Center has a desire to use the grant money to initiate a composting project at the ACC, and

**WHEREAS**, the Sullivan County Addult Care Center is deemed eligible to submit an application for Sullivan Renaissance funding.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the County Manager and / or the Chairman of the County Legislature *(as required by the funding source award agreement)* to execute any and all necessary documents to submit the Sullivan Renaissance application for funding, to accept the award, and enter into an award agreement or contract to administer the funding secured, in such form as the County Attorney shall approve; and

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

**Moved by Mr. Benson, seconded by Mr. Rouis**, put to a vote with Mrs. LaBuda absent, unanimously carried and **declared duly adopted on motion** July 19, 2012.

**RESOLUTION NO. 263-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE MODIFY AWARD OF CONTRACT**

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

**WHEREAS**, the initial lease expired on May 31, 2011 and a Modification Agreement to extend the current lease, through May 31, 2012, was made pursuant to Resolution No. 268-11, adopted by the Sullivan County Legislature on June 16, 2011, due to the replacement of the current equipment, and

**WHEREAS**, the current equipment has not yet been replaced and a continuation of the lease is required through May 31, 2014.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to modify the lease with NYCOMCO, for the term of June 1, 2012 through May 31, 2014, at a cost not to exceed \$1,487.00/month and in accordance with the written quote, from NYCOMCO, dated May 16, 2012, said lease modification to be in such form as the County Attorney shall approve.

**Moved by Mr. Benson, seconded by Mrs. Edwards**, put to a vote with Mrs. LaBuda absent, unanimously carried and **declared duly adopted on motion** July 19, 2012.

**RESOLUTION NO. 264-12 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE AN EASEMENT TO NEW YORK STATE ELECTRIC & GAS ("NYSEG") FOR PROPERTY IN THE TOWN OF BETHEL KNOWN AS SBL 18.-1-16.1 AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)**

**WHEREAS**, the County of Sullivan ("County"); owns a parcel of land where the Sullivan County International Airport (SCIA) is situate, said parcel is designated on the Town of Bethel Tax Map as Section 18, Block 1, Lot 16.1 ("Property"); and

**WHEREAS**, the Airport Rescue and Firefighting (ARFF) Building currently under construction at the SCIA requires an exterior pad mounted transformer to be installed for electrical service; and

**WHEREAS**, NYSEG requests a permanent easement on the SCIA property to install, maintain, repair, replace and/or move a pad mounted transformer for use in providing electric service to the ARFF Building; and

**WHEREAS**, the easement shall cover a 10'-0" x 10'-0" (100 square feet) area with the transformer pad centered on the area.

**NOW, THEREFORE, BE IT RESOLVED, WHEREAS**, that the Chairman of the Sullivan County Legislature is hereby authorized and directed to execute the necessary documents to grant a permanent easement in regard to the Property to NYSEG, in such form as approved by the County Attorney; and

**BE IT FURTHER RESOLVED** that the Grantee will provide the appropriate legal descriptions necessary and requested by the County at their cost and expense.

Moved by Mr. Benson, seconded by Ms. Vetter, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.

**RESOLUTION NO. 265-12 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE FUNDING IN THE FIRST INSTANCE OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A FEDERAL-AID TRANSPORTATION PROJECT.**

**WHEREAS**, a Project for emergency repair/permanent restoration of County Road No. 55 from the storms of August 26, through September 5, 2011, P.I.N. 9I96.11 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 100% Federal funds and 0% non-Federal Funds for emergency repair work, and 80% Federal funds and 20% non-Federal funds for permanent restoration work; and

**WHEREAS**, the County of Sullivan desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the cost of design work and the construction, construction supervision and inspection work.

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

**BE IT FURTHER RESOLVED**, that the sum of \$ 349,149 is hereby appropriated in the budget and made available to cover the cost of participation in the above phases of the Project; and

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.

**RESOLUTION NO. 266-12 INTRODUCED BY DIVISION OF PUBLIC WORKS TO AUTHORIZE PAYMENT FOR SERVICES RENDERED**

**WHEREAS**, by Resolution No. 366-09, the Legislature authorized the County Manager to execute all necessary documents to accept a New York State Department of Transportation ("NYSDOT")

grant for purposes of reconstruction of the County-owned "T" hangar located at the Sullivan County International Airport; and

**WHEREAS**, the engineering firm of Passero Associates undertook certain preliminary but necessary engineering work to enable the County of Sullivan to obtain the NYSDOT grant; and

**WHEREAS**, the grant monies were not received by the County until late in 2011; and

**WHEREAS**, by Resolution No. 15-12, the Legislature authorized the execution of a formal agreement with Passero Associates with regard to the grant; and

**WHEREAS**, the Legislature wishes to authorize payment to Passero Associates for engineering services rendered from 2009 through January 31, 2012.

**NOW, THEREFORE, BE IT RESOLVED**, that payment to Passero Associates for services rendered from 2009 through January 31, 2012 be authorized in an amount not to exceed two thousand, two hundred (\$2,200) dollars, subject to the terms of the grant; and

**BE IT FURTHER RESOLVED**, that the payment does not increase the monies approved for engineering services by Resolution No. 15-12.

**Moved by Mr. Rouis, seconded by Mr. Benson**, put to a vote with Mrs. LaBuda absent, unanimously carried and **declared duly adopted on motion** July 19, 2012.

At this point, Mr. Sorensen indicated he some questions about the following resolution and requested an Executive Session. Mr. Sorensen moved to go into Executive Session at 2:54PM, seconded by Ms. Vetter, put to a vote, agreed and carried.

Mr. Sorensen moved to come out of Executive Session at 3:05PM, seconded by Mr. Benson, put to a vote and carried.

**RESOLUTION NO. 267-12 INTRODUCED BY PUBLIC WORKS COMMITTEE  
TO AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH  
CORNERSTONE ENGINEERING PLLC**

**WHEREAS**, the County entered into a contract with Cornerstone Engineering PLLC for the closure of the Sullivan County Phase I Landfill (Resolutions 65-09, 423-09 & 266-11); and

**WHEREAS**, as a result of severe rainstorms in the fall of 2010 and requests made by the NYSDEC for information additional engineering work is required to provide oversight of closure project.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to execute a contract modification with Cornerstone Engineering PLLC at a cost not to exceed \$130,000. Said contract to be in such form as the County Attorney shall approve.

**Moved by Mr. Rouis, seconded by Mr. Benson**, put to a vote with Mrs. LaBuda absent, unanimously carried and **declared duly adopted on motion** July 19, 2012.

**RESOLUTION NO. 268-12 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO  
AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

**WHEREAS**, bids were received for Rehabilitation of County Bridge No. 192C , Hunter Spur Road, TH-39A, over Neversink River in the Town of Neversink, and

**WHEREAS**, R. DeVincentis Construction Inc., One Brick Road, Binghamton, NY 13901, is the lowest responsible bidder for this project, and

**WHEREAS**, the Sullivan County Division of Public works has approved said bid and recommends that an agreement be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an agreement with R. DeVincentis Construction, Inc., at a total price not to exceed \$453,000.00, for Rehabilitation of County Bridge No. 192C., in accordance with B-12-44, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.

**RESOLUTION NO. 269-12 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE A CONTRACT BETWEEN SULLIVAN COUNTY AND GOVERNMENT PAYMENT SERVICE, INC. TO PROVIDE A CREDIT CARD PROCESSING SERVICE TO THE SULLIVAN COUNTY PROBATION DEPARTMENT FOR RESTITUTION, FINES, AND FEES COLLECTION**

WHEREAS, the Sullivan County Probation Department desires to facilitate the collection of restitution, fines, and fees, and

WHEREAS, Government Payment Service, Inc., provides a service for the purpose of processing payments by credit card for restitution, fines, and other fees, and

WHEREAS, the use of this program will expedite the collection process by allowing probationers/defendants to use credit cards as an alternative to cash payment, thereby staying in compliance with their Court Orders or Conditions of Probation, and

WHEREAS, Sullivan County incurs no liability for the use of a credit card by a probationer/defendant, since the transaction is solely between the credit card user, his/her credit card company, and Government Payment Service, Inc.,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager shall execute a renewable one-year contract with Government Payment Service, Inc., in a form approved by the County Attorney, to provide a credit card processing service to the Sullivan County Probation Department for restitution, fines, and fees collection.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.

**RESOLUTION NO. 270-12 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO ACCEPT STATE AID FOR PROBATION SERVICES**

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) projected State Aid for Probation Services allocation is \$202,972.00 for the 2012-2013 state fiscal year; and

WHEREAS, based upon the state fiscal year 2012-2013 State Aid for Probation Services allocation, DCJS will proportionately disburse funds four times during the state fiscal year,

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

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute any and all necessary documents to accept the allocation award, and enter into an award agreement or contract to administer the funding secured, in such form as the County Attorney shall approve; and

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

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.

**RESOLUTION NO. 270-12 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO ACCEPT STATE AID FOR PROBATION SERVICES**

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) projected State Aid for Probation Services allocation is \$202,972.00 for the 2012-2013 state fiscal year; and

**WHEREAS**, based upon the state fiscal year 2012-2013 State Aid for Probation Services allocation, DCJS will proportionately disburse funds four times during the state fiscal year,

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the County Manager to execute any and all necessary documents to accept the allocation award, and enter into an award agreement or contract to administer the funding secured, in such form as the County Attorney shall approve; and

**BE IT FURTHER RESOLVED**, that should the State Aid for Probation Services allocation funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.

**RESOLUTION NO. 271-12 INTRODUCED BY HEALTH AND FAMILY SERVICES TO AUTHORIZE THE COUNTY MANAGER TO RENEW THE CONTRACT BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND RESIDENT SHOPPERS SERVICE**

**WHEREAS**, the Adult Care Center has a desire to provide diabetic shoe services to qualifying residents of the facility; and,

**WHEREAS**, John H Dominic Jr C.PED of Resident Shoppers Services is qualified and has a desire to provide diabetic shoe services to qualified residents in the Adult Care Center; and,

**WHEREAS**, this contract will began 8/1/12 and expire 7/31/13.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is hereby authorized to enter into contract with Resident Shoppers Service, to provide diabetic shoe services to qualifying residents in the Adult Care Center; and

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

Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.

**RESOLUTION NO. 272-12 INTRODUCED BY KATHLEEN M. LABUDA TO AMEND THE CAPITAL PLAN FOR THE REPAIR OF SIDEWALKS AT THE GOVERNMENT CENTER**

**WHEREAS**, the Department of Public Works is responsible for the maintenance of all County owned buildings, and

**WHEREAS**, the 2012-2017 adopted Capital Plan had contemplated the repair of sidewalks, curbs, steps, and catch basins at the Government Center in 2015, and

**WHEREAS**, there is a need to repair sidewalks at the Government Center in 2012 due to an unanticipated deterioration in the condition of the sidewalks, and

**WHEREAS**, the Department of Public Works has funding available in snow and ice control appropriations to cover the cost of the sidewalk repairs in 2012.

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

1. Increase operating funding associated with sidewalk repairs at the government center by \$50,000 in 2012.
2. Increase Expense Account                      A1620-21-21-2101                      \$50,000  
Decrease Expense Account                      A9901-90-9001                      \$50,000  
Decrease Revenue Account                      D9998-R5031-R209                      \$50,000

Decrease Expense Account                      D5142-45-4534                      \$50,000

**Moved by Mr. Benson, seconded by Mr. Sorensen, put to a roll call vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.**

**RESOLUTION NO. 273-12 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT AND TO AMEND THE CAPITAL PLAN FOR RE-ROOFING AT THE SHARED CLINIC**

**WHEREAS**, bids were received for Roof Replacement at the Shared Clinic Facility, Liberty, NY, and

**WHEREAS**, International Contractors Corporation, 20 Hornbeck Road, Neversink, NY 12765, is the lowest responsible bidder for this project, and

**WHEREAS**, the Sullivan County Division of Public works has approved said bid and recommends that an agreement be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an agreement with International Contractors Corporation, at a total price not to exceed \$26,880.00, for Roof Replacement at Shared Clinic Facility, in accordance with B-12-46, said contract to be in such form as the County Attorney shall approve, and

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

1. Increase operating funding associated with the Shared Clinic Re-Roofing project by \$6,880.00 in 2012.
2. Increase Expense Account            A1620-22-21-2102                      \$6,880  
    Decrease Expense Account        A1620-22-47-4717                      \$3,630  
    Decrease Expense Account        A1620-26-47-4717                      \$3,250

**Moved by Mr. Rouis, seconded by Ms. Vetter, put to a roll call vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.**

**RESOLUTION NO. 274-12 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

**WHEREAS**, bids were received for Cleaning of Leachate Collection Lines at the Landfill, and

**WHEREAS**, Residuals Management Services, LLC/Earth Care, is the lowest responsible bidder for this project, and

**WHEREAS**, the Sullivan County Division of Public works has approved said bid and recommends that an agreement be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an agreement with Residuals Management Services, LLC/Earth Care, as per the unit costs, for Cleaning of Leachate Collection Lines at the Landfill, contained in Bid No. B-12-43, said contract to be in such form as the County Attorney shall approve.

**Moved by Mr. Rouis, seconded by Mr. Benson, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.**

**RESOLUTION NO. 275-11 INTRODUCED BY THE EXECUTIVE COMMITTEE THE OPERATIONS OF THE 911 CONTROL CENTER AND EMERGENCY SERVICES DISPATCH OPERATIONS**

**WHEREAS**, the Sullivan County Legislature adopted Resolution No. 79-2011 on February 17, 2011 that consolidated the 911 Control Center under the Sullivan County Sheriff, and

**WHEREAS**, the Sullivan County Legislature adopted Resolution No. 113-2011 on February 17, 2011 that formally adopted the Sullivan County Public Safety Communications E-911 Communications “Standard Operating Guidelines”, and

**WHEREAS**, the Sullivan County Legislature adopted Resolution No. 469-2011 on December 15, 2011 that extended the provisions of Resolution No. 79-2011, and

**WHEREAS**, the Sullivan County Legislature hereby organizationally apportions the Public Safety Communications E-911 Communications Control Center as a Department within the Division of Public Safety, with the 911 Coordinator reporting to the Commissioner of the Division of Public Safety, which shall be effective immediately, and

**WHEREAS**, the dispatch operations of the Sheriff’s Office shall be transferred to the Sheriff’s Office no later than July 31, 2012.

**NOW, THEREFORE, BE IT RESOLVED** that the Sullivan County Legislature hereby organizationally apportions the Public Safety Communications E-911 Communications Control Center as a Department within the Division of Public Safety, with the 911 Coordinator reporting to the Commissioner of the Division of Public Safety, as follows:

(1) The Appointing Authority under the New York State Civil Service Law and Regulations at the Public Safety Communications E-911 Communications Control Center shall be the E-911 Coordinator; and

(2) The Public Safety Communications E-911 Communications Control Center and the E-911 Coordinator shall be part of the Division of Public Safety, and shall report to the Commissioner of Public Safety whom reports to the County Manager; and

(3) Reaffirms the Sullivan County Public Safety Communications E-911 Communications “Standard Operating Guidelines” for Fire and EMS and related activities that were updated on February 15, 2011 and adopted by the Sullivan County Legislature on February 17, 2011; and

(4) The dispatch operations of the Sheriff’s Office shall be transferred to the Sheriff’s Office no later than July 31, 2012.

**BE IT FURTHER RESOLVED** that this resolution shall supersede Resolution No. 79-2011, Resolution No. 113-2011, and Resolution No. 469-2011.

**Moved by Mr. Benson, seconded by Mrs. Gieger**, put to a vote with Mrs. LaBuda absent, and Ms. Vetter and Mr. Sorensen opposed, resolution carried and **declared duly adopted on motion** July 19, 2012.

**RESOLUTION NO. 277-12 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT AND CREATE A CAPITAL ACCOUNT FOR WORK TO BE PERFORMED AT THE ADULT CARE CENTER AS PART OF THE HEAL GRANT**

**WHEREAS**, proposals were received for Design Services for the Sullivan County Adult Care Center (HEAL Grant), and

**WHEREAS**, Labella Associates PC, is the most qualified vendor for this project, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an agreement with Labella Associates PC, at a total price not to exceed \$71,150, for Design Services, and total price not to exceed \$8,500 for reimbursable expenses, for the Sullivan County Adult Care Center, in accordance with RFP R-12-14, said contract to be in such form as the County Attorney shall approve, and

**BE IT FURTHER RESOLVED**, that a capital account be created for the purpose of design and construction at the Adult Care Center associated with the HEAL grant, with a total budget of \$1,130,000, and

**BE IT FURTHER RESOLVED**, that the County Treasurer is authorized to advance funds from the General Fund to the capital account as needed.



Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.

**RESOLUTION NO. 278-12 INTRODUCED BY THE EXECUTIVE COMMITTEE OPPOSING THE UNITED STATES SUPREME COURT'S INTERPRETATION OF THE CONSTITUTION IN *CITIZENS UNITED* v. *FEDERAL ELECTION COMMISSION* REGARDING THE CONSTITUTIONAL RIGHTS OF CORPORATIONS, SUPPORTING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO PROVIDE THAT CORPORATIONS ARE NOT ENTITLED TO THE ENTIRETY OF PROTECTIONS OR "RIGHTS" OF NATURAL PERSONS, SPECIFICALLY SO THE EXPENDITURE OF CORPORATE MONEY TO INFLUENCE THE ELECTORAL PROCESS IS NO LONGER A FORM OF CONSTITUTIONALLY PROTECTED SPEECH, AND CALLING ON CONGRESS TO BEGIN THE PROCESS OF AMENDING THE CONSTITUTION**

**WHEREAS**, in 2010 the United States Supreme Court issued its decision in *Citizens United v. Federal Election Commission* ("*Citizens United*"), holding that independent spending on elections by corporations and other groups could not be limited by government regulation; and

**WHEREAS**, this decision overturned the legal restrictions on corporate spending in the electoral process, allowing for unlimited corporate spending to influence elections, candidate selection, and policy decisions; and

**WHEREAS**, in reaching its decision, a majority of the Supreme Court, relying on prior decisions, interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons; and

**WHEREAS**, the First Amendment to the United States Constitution was designed to protect free speech rights of people, not corporations; and

**WHEREAS**, in his eloquent dissent, Justice John Paul Stevens called the decision a "radical change in the law" that ignores "the overwhelming majority of justices that have served on this court" and rightly recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established"; and

**WHEREAS**, the Court's decision in *Citizen United* severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and

**WHEREAS**, corporations should not be afforded the entirety of protections or "rights" of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally protected speech; and

**WHEREAS**, the United State's Supreme Court's ruling in *Citizen's United* threatens to dilute an individual's power as a voting citizen and compromise the democratic process, and as such, presents a serious and direct threat to our democracy; and

**WHEREAS**, the People of the United States have previously used the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and self-government.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby opposes the Supreme Court's interpretation of the Constitution in *Citizens United* with regard to the constitutional rights of corporations, and supports amending the Constitution to provide that:

1. A corporation is not a person and can be regulated.
  - a. The rights protected by the Constitution of the United States are the rights of natural persons only.
  - b. Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this constitution and are subject to regulation by the People, through federal, state, or local law.
  - c. The privileges of artificial entities shall be determined by the People, through federal, state, or local law, and shall not be construed to be inherent or inalienable.
2. Money is not speech and can be regulated.

- a. Federal, state, and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or ballot measure.
  - b. Federal, state, and local government shall require that any permissible contributions and expenditures be publicly disclosed.
  - c. The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.
3. Nothing contained in this amendment shall be construed to abridge the freedom of the press.

**BE IT FURTHER RESOLVED**, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a certified copy of this resolution to Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congressman Maurice Hinchey, Governor Andrew M. Cuomo, Senator John J. Bonacic, Assemblywoman Aileen Gunther, Senate Majority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, and all Towns and Villages within Sullivan County.

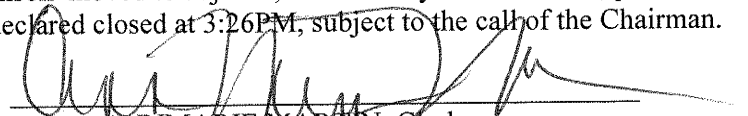
**Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote with Mrs. LaBuda absent, unanimously carried and declared duly adopted on motion July 19, 2012.**

**Recognition of Legislators**

Chairman Samuelson recognized the following legislators:

1. Mr. Benson
2. Mrs. Edwards
3. Ms. Vetter
4. Mrs. Gieger

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

  
ANNMARIE MARTIN, Clerk  
Sullivan County Legislature

July 2012  
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue	Revenue	Appropriation	Appropriation
		Increase	Decrease	Increase	Decrease
A-1165-47-4724	DEPT DRUG FORFEITURE PROCEEDS NYS			5,000	
A-1165-R2626-R307	FORFEITR CRIME PROCDs STATE	5,000			
A-1325-14-42-4201	OFFICE ADVERTISING			82	
A-1325-14-47-4710	DEPT MISC/OTHER				82
A-1410-11-R1255-R168	CLERK FEE DMV FEES	2,785			
A-1450-41-4102	AUTO/TRAVEL LODGING			350	
A-1450-41-4103	AUTO/TRAVEL MEALS			60	
A-1450-41-4104	AUTO/TRAVEL MILEAGE/TOLLS			115	
A-1450-41-4105	AUTO/TRAVEL REGISTRATION FEES			60	
A-1450-42-4204	OFFICE POSTAGE				585
A-1620-21-47-4717	DEPT BLDG/PROP REPAIRS			2,785	
A-1620-22-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			500	
A-1620-22-47-4717	DEPT BLDG/PROP REPAIRS				500
A-1620-23-47-4710	DEPT MISC/OTHER			100	
A-1620-23-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				100
A-1620-27-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			500	
A-1620-27-47-4717	DEPT BLDG/PROP REPAIRS				500
A-1620-27-47-4717	DEPT BLDG/PROP REPAIRS				80
A-1620-27-47-4766	DEPT CLEAN UP/BEAUTIFICATION			80	
A-1989-99-47-4736	DEPT CONTINGENT				35,000
A-4010-33-45-4501	SPECIAL DEPT SUPPLY MISC/OTHER			1,000	
A-4010-33-47-4701	DEPT RENTALS			75	
A-4010-33-47-4710	DEPT MISC/OTHER			706	
A-4010-33-R3401-R167	ST AID PUBLIC HEALTH DEPARTMENTAL AID	1,781			
A-4010-34-40-4024	CONTRACT PERSONAL CARE				765
A-4010-34-42-4205	OFFICE PRINTING			700	
A-4010-34-45-4507	SPECIAL DEPT SUPPLY MEDICAL/CLINICAL			65	
A-4050-45-4501	SPECIAL DEPT SUPPLY MISC/OTHER			1,000	

July 2012  
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-4050-R4401-R167	FED AID PUBLIC HEALTH DEPARTMENTAL AID	1,000			
A-4050-10-1011	PERSONAL SERV REGULAR PAY				
A-4050-41-4107	AUTO/TRAVEL VOLUNTEER/CLIENT			300	300
A-4250-20-2005	TRACKED EQUIP OTHER			300	300
A-4250-47-4702	DEPT EQUIP SERVICE/REPAIRS			300	
A-4310-44-4405	UTILITY PHONE LAND LINES				500
A-4310-46-4612	MISC SERV/EXP EMPL TRAINING			500	
A-4320-40-40-4023	CONTRACT MENTAL HEALTH				1,500
A-4320-40-42-4203	OFFICE OFFICE SUPPLIES			1,500	
A-4320-41-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE				2,000
A-4320-42-21-2105	FIXED AUTOMOTIVE EQUIP			2,000	
A-4320-42-41-4104	AUTO/TRAVEL MILEAGE/TOLLS			5	
A-4320-42-41-4106	AUTO/TRAVEL REPAIRS/MAINTENANCE				5
A-6010-38-21-2105	FIXED AUTOMOTIVE EQUIP			81,604	
A-6010-38-43-4309	COMPUTER WMS CHARGEBACKS			1,530	
A-6010-38-45-4543	SPEC DEPT SUPPLY FOOD			23	
A-6010-38-46-4602	MISC SERV/EXP EMPL MEAL ALLOWANCE			40	
A-6010-38-46-4609	MISC SERV/EXP SPECIAL SERV/OTHER				2,435
A-6010-38-47-4710	DEPT MISC/OTHER			2,400	
A-6010-38-47-4740	DEPT MEDICAL - OUTPATIENT SERVICES				2,061
A-6010-50-46-4602	MISC SERV/EXP EMPL MEAL ALLOWANCE			113	
A-6010-51-46-4602	MISC SERV/EXP EMPL MEAL ALLOWANCE			255	
A-6010-52-46-4602	MISC SERV/EXP EMPL MEAL ALLOWANCE				113
A-6010-53-46-4602	MISC SERV/EXP EMPL MEAL ALLOWANCE			195	
A-6010-55-46-4602	MISC SERV/EXP EMPL MEAL ALLOWANCE			53	
A-6119-R3619-R167	ST AID CHILD CARE DEPARTMENTAL AID	81,604			
A-6510-41-4105	AUTO/TRAVEL REGISTRATION FEES			175	
A-6510-41-4108	AUTO/TRAVEL OTHER				175

July 2012  
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
A-7450-203-47-4717	DEPT BLDG/PROP REPAIRS				150
A-7450-203-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				150
A-7520-45-4503	SPEC DEPT SUPPLY RECREATION				50
A-7520-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			50	
<b>General Fund Totals</b>		92,170	0	104,371	47,201
CL-8160-45-4541	SPEC DEPT SUPPLY TOOLS			50	
CL-8160-47-4717	DEPT BLDG/PROP REPAIRS				50
<b>Solid Waste Fund Totals</b>		0	0	50	50
D-3310-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			2,015	
D-3310-47-4717	DEPT BLDG/PROP REPAIRS				2,015
D-3310-47-4717	DEPT BLDG/PROP REPAIRS			800	
D-5020-47-4702	DEPT EQUIP SERVICE/REPAIRS			1,000	
D-5110-45-44-4406	UTILITY WIRELESS COMMUNICATIONS			150	
D-5110-45-45-4501	SPEC DEPT SUPPLY MISC/OTHER				150
D-5110-45-47-4720	DEPT LABORATORY/XRAY EXPENSE				1,000
D-5110-45-47-4729	DEPT SPECIAL PROJECTS				800
D-5110-47-45-4501	SPEC DEPT SUPPLY MISC/OTHER				30,000
D-5110-47-45-4501	SPEC DEPT SUPPLY MISC/OTHER				10,700
D-5110-47-45-4519	SPEC DEPT SUPPLY OIL SURFACE TREATMENT				10,700
D-5110-47-45-4520	SPEC DEPT SUPPLY TRUE/LEVELING PATCH			30,000	
<b>County Road Fund Totals</b>		0	0	44,665	44,665
DM-5130-48-21-2103	FIXED MACHINERY/EQUIPMENT				1,000

July 2012  
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue	Revenue	Appropriation	Appropriation
		Increase	Decrease	Increase	Decrease
DM-5130-48-21-2103	FIXED MACHINERY/EQUIPMENT				
DM-5130-48-45-4524	SPEC DEPT SUPPLY LUMBER			1,450	5,800
DM-5130-48-45-4526	SPEC DEPT SUPPLY PAINT			50	
DM-5130-48-45-4539	SPEC DEPT SUPPLY BATTERIES			2,000	
DM-5130-48-45-4541	SPEC DEPT SUPPLY TOOLS			1,400	
DM-5130-48-47-4702	DEPT EQUIP SERVICE/REPAIRS			600	
DM-5130-48-47-4702	DEPT EQUIP SERVICE/REPAIRS			1,000	
DM-5130-49-21-2102	FIXED BUILDINGS			5,800	
DM-5130-49-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				1,500
DM-5130-49-45-4539	SPEC DEPT SUPPLY BATTERIES				2,000
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				2,000
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				4,200
DM-5130-49-47-4702	DEPT EQUIP SERVICE/REPAIRS			4,200	
<b>Road Machinery Fund Totals</b>		0	0	16,500	16,500