

Sullivan County Legislature
Regular Meeting
February 21, 2013 at 2:00PM

The Regular Meeting of the County Legislature was called to order at 2:30PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated all legislators present.

The Clerk Read the following communications:

1. Received letter on January 28, 2013 from Seneca County Board of Supervisors regarding action taken against the Seneca-Cayuga Tribe for their distribution and sale of untaxed cigarettes in Seneca County.
2. Dated January 29, 2013, Chairman Samuelson's appointment of an individual from the Town of Fremont to the SC Fire Advisory Board.
3. Received January 31, 2013, County Clerk's Report.
4. Letter received on February 1, 2013 from Narrowsburg Fire District, February 11th from the Jeffersonville Fire District, and on February 19th from the Forestburgh Fire District supporting the project for a new proposed communications system..
5. Received February 4, 2013 from Jill Wiener-copies of letters and petitions from Town of Callicoon residents regarding drilling/fracking.
6. Received from the U.S. Dept. of Interior on February 7, 2013, a report on the Delaware River Basin's National Wild and Scenic river Values.
7. Records Destruction Notification filed by the Treasurer on February 7, 2013.
8. Received on February 11, 2013 a notification from the NYSDOT regarding a project that will address 5 culverts in Chenango and Sullivan counties.
9. Received February 15, 2013 from the Town of Bethel, 3 Resolutions created and passed by the Sullivan County Association of Supervisors.
10. Received on February 19, 2013 a letter of congratulations from Senator Bonacic on receiving a grant which will assist with the makeover of the SC's emergency communications system.
11. Received on February 19, 2013 from County Clerk's office, a copy of the NYS Firearms License Request for Public Records Exemption.
12. Copy of Resolution 42 of February 11, 2013 received from Fulton County Board of Supervisors regarding purchasing of professional services.
13. Received on February 19, 2013 from the NYSDOL information regarding an online resource for fire departments ensuring that they are in compliance with new legislation.
14. Received on February 19, 2013 from the Town of Callicoon a resolution in support of the Second Amendment.

15. Proclamations signed by Chairman Samuelson on February 20, 2013 for Alcohol Awareness Month, National Problem Gambling Awareness Week and for the All-County Music Festival.
16. Letter dated 2/21/13 from County Manager designating an Acting County Manager in conformance with Section C3.07.
17. Letter dated February 21, 2013 from the County Manager appointing an acting Commissioner of the Division of Planning and Environmental Management with the authority detailed in the Sullivan County Administrative Code.

Chairman Samuelson recognized the following speakers:

1. John Mahoney
2. Al Dumas
3. Al Steppich
4. Ron Lichtman
5. Ken Walter
6. Roger DeAngelis

Order of Business

RESOLUTION NO. NO. 28-13 INTRODUCED BY PUBLIC WORKS COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LEASE OF REAL PROPERTY AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT.

WHEREAS, Private Flight Maintenance, LLC (“Private”) seeks to lease a portion of the Sullivan County International Airport ("Airport") in order to run a fixed based operation ("FBO"), and

WHEREAS, in order to lease any portion of the Airport to Private, to operate a FBO, the County must comply with the requirements of General Municipal Law §352(5) and conduct a public hearing.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed lease by the Sullivan County Legislature on March 21, 2013 at 1:40PM, in the Legislative Hearing Room, County Government Center, Monticello, New York, and at least ten (10) 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 twice in two official newspapers of the County.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote and declared duly adopted on motion February 21, 2013.

COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on February 21, 2013, a proposed Lease Agreement, with , Private Flight Maintenance, LLC to operate a FBO at the Sullivan County Airport.

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Lease Agreement at the Legislature's Meeting Room, County

Government Center, Monticello, New York, 12701, on March 21, 2013 at 1:40PM at which time all persons interested will be heard.

DATED: February 21, 2013

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

**RESOLUTION NO. 29-13 INTRODUCED BY HEALTH AND FAMILY SERVICES
COMMITTEE TO AUTHORIZE PHARMACEUTICAL PURCHASE POLICY**

WHEREAS, in order to ensure that the purchase of pharmaceuticals by various County agencies, divisions and departments is done in the most cost effective manner, it is in the best interest of the County to enact a Pharmaceutical Purchase Policy, and

WHEREAS, said policy should include but not be limited to the purchase of generic pharmaceuticals, when medically appropriate, bulk purchases and negotiated brand name drugs, and

WHEREAS, the Pharmaceutical Purchase Policy shall be applicable to all County agencies, divisions and departments and shall be provided to all contracting physicians and health professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby enacts and directs the utilization of the Pharmaceutical Purchase Policy, attached hereto as "Exhibit A", to govern the purchase of pharmaceuticals by the County of Sullivan, and

BE IT FURTHER RESOLVED, said Pharmaceutical Purchase Policy shall be subject to amendments or changes at the discretion of the Sullivan County Legislature.

Moved by Mrs. Gieger, seconded by Ms. Vetter, put to a vote, unanimously carried as amended and declared duly adopted on motion February 21, 2013.

PHARMACEUTICAL PURCHASE POLICY

It is the goal of this Pharmaceutical Purchase Policy that the acquisition of Pharmaceuticals be done in the most cost efficient manner by the County of Sullivan. In furtherance of that goal the Sullivan County Legislature issues the following directives;

1. The prices paid by County agencies for various pharmaceuticals be reviewed on a monthly basis and reports be issued to the Sullivan County Jail Administrator and the Administrator of the Sullivan County Adult Care Center. The review and report shall be focused on cost efficiency.
2. In order to provide for the monthly review and report the County shall acquire the necessary software and assign an appropriate County employee to do the analysis or in the alternative contract with a qualified vendor to perform the analysis and issue the reports.
3. Cost savings measures listed in the reports shall be implemented as soon as practical.
4. Ensure that the prices paid to any vendors for Pharmaceuticals is equivalent to or less than the prices available to the County under New York State bid.
5. Review the contracts with vendors, including but not limited to the prices paid, on an annual basis and when deemed appropriate issue an RFP or bid for those services.
6. When it is determined that the County paid a greater amount for Pharmaceuticals than was appropriate or proper that all steps necessary to recoup the overpayment be taken by the County.

This Pharmaceutical Purchase Policy shall be followed by all County divisions, departments and agencies that purchase Pharmaceuticals.

EXHIBIT A

RESOLUTION NO. 30-13 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE PURCHASING AND CENTRAL SERVICES DEPARTMENT TO CENTRALIZE CONTRACT PROCUREMENT

WHEREAS, currently a number of County departments, sometimes individually and sometimes jointly are responsible for the generation of contracts with vendors for the provision of services to the department(s), and

WHEREAS, at present there is no centralized oversight of those contracts to assure compliance with the County's procurement requirements, and

WHEREAS, it would be in the County's best interest that all procurement of goods and services be done by the County's Department of Purchasing and Central Services to assure compliance with the County's Procurement Policies, and

WHEREAS, while individual Departments can develop specifications and contract requirements, the Purchasing and Central Services Department should act as the central **location for periodic review of contract specifications generated by the County departments as well as act as the central** entity to procure goods and services utilizing the specifications prepared by the Department(s), and

WHEREAS, the Purchasing and Central Services Department should maintain a file and/or data base of all contracted goods and services procured by the Purchasing and Central Services Department **and report periodically to County departments' recommendations on contract specifications as deemed necessary**, and

WHEREAS, in order to properly perform contract the services set forth above the Purchasing and Central Services Department may require additional staff, increases in annual budget appropriations, additional equipment and office space and changes in staffing responsibilities.

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing and Central Services Department is hereby authorized to prepare a plan for submission to the County Legislature, for possible implementation by the Legislature, to centralize contract procurement services **and to provide for periodic contract review as necessary** in the Purchasing and Central Services Department.

Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 31-13 INTRODUCED BY THE VETERANS COMMITTEE AMMENDING RESOLUTION NUMBERS 22-1984 AND 475-2001 RELATING TO RULES OF THE SULLIVAN COUNTY VETERANS CEMETERY.

WHEREAS, Resolution Nos. 22 of 1984 and 475 of 2001 created Rules for the Operation of the Sullivan Veterans Cemetery.

WHEREAS, This Committee recommends the adoption of the following amended rules.

WHEREAS, This Committee recommends the following rules to be placed on a sign at the entrance to the Sullivan County Veterans Cemetery and posted on the Sullivan County Veterans Service Agency web page.

NOW, THEREFORE, BE IT RESOLVED,

Section 501. Shall be revised to read,

501. This Veterans Cemetery honors all those interred with equal respect.

Cut flowers may be placed on gravesites at any time.

Artificial flowers may be place on gravesites from October 10th thru April 15th.

Individual adornments such as plantings, statues, vigil lights, medallions and similar items are not permitted.

All floral items, including containers, will be removed when they become unsightly or to permit grounds maintenance.

Section 504. Shall be created to read,

504. In order to preserve the dignity, beauty and serenity of this cemetery we ask you to please observe the following restrictions. Thank you for your cooperation.

- Pets are not allowed on the cemetery grounds at any time.
- No Soliciting.
- Sports or recreational activities of any kind are prohibited.
- No picnicking.
- Public gatherings of a partisan nature are prohibited, no authorized gatherings are permitted. No loitering.
- Do not litter.
- Smoking is not allowed on the grounds.
- No cutting, digging or otherwise damaging the landscape.
- Boisterous activity, including the playing of loud music, is prohibited.
- Altering a headstone in any manner is prohibited. [i.e. marking, sitting on, placing objects upon, attaching photographs or keepsakes to, etc.

Moved by Mr. Benson, seconded by Mrs. LaBuda, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

Mrs. Gieger moved to table the following resolution, seconded by Mr. Vetter, put to a vote and tabled 9-0.

RESOLUTION NO. INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO ADOPT AN INVESTMENT POLICY AND A DEBT MANAGEMENT POLICY FOR SULLIVAN COUNTY

WHEREAS, it is prudent for fiscal planning and stability to have written policies for investment and debt management, and

WHEREAS, an investment policy contains operating principals governing investment activities, and

WHEREAS, a debt management policy creates parameters for issuing debt and managing outstanding debt, and provides guidance to decision makers regarding timing and purposes for issuing debt, and

WHEREAS, the County Treasurer has presented and proposed written policies for investment and debt management, and recommends that the Sullivan County Legislator's review and adopt said policies, as maybe amended in the future, at least every five (5) years;

NOW, THEREFORE, BE IT RESOLVED, that the proposed written policies for Investment and for Debt Management, dated February 1, 2013, are hereby adopted, and

BE IT FUTHER RESOLVED, that the Sullivan County Legislature shall review and adapt written policies for Investment and Debt Management at least once every five (5) years.

RESOLUTION NO. 32-13 OF 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. Edwards, seconded by Mr. Sorensen, put to a vote and declared duly adopted on motion February 21, 2013.

**RESOLUTION NO. 33-13 INTRODUCED BY AGRICULTURE AND SUSTAINABILITY
POLICY COMMITTEE TO CONTINUE POLICY PROVIDING RECYCLED NEWSPRINT
TO SULLIVAN COUNTY FARMERS**

WHEREAS, on October 15, 2003 the Sullivan County Division of Solid Waste implemented a policy of providing recycled newsprint to Sullivan County farmers to be utilized as bedding for livestock, and

WHEREAS, over the past ten years Sullivan County farmers have come to rely upon the recycled newsprint and some Sullivan County farmers have purchased equipment (i.e. paper shredders) in reliance of the policy, and

WHEREAS, farming operations in Sullivan County contribute a substantial amount to the economic stability of the County of Sullivan (“County”), and

WHEREAS, providing the recycled newsprint to Sullivan County farmers provides an economic stimulus to individual Sullivan County farmers and is vital to the continued economic growth of the County’s agricultural industry, and

WHEREAS, the price the County receives in the commercial recycling market fluctuates greatly and at certain times the price received has a negligible value to the County and in contrast the value to the County in supporting the agricultural industry is considerable and constant, and

WHEREAS, the cost associated with the provision of the recycled newsprint to Sullivan County farmers is significantly outweighed by the economic impact on the County’s agricultural industry.

NOW, THEREFORE, BE IT RESOLVED, that the policy of providing recycled newsprint to Sullivan County farmers be continued by the Sullivan County Division of Solid Waste.

Moved by Mr. Benson, seconded by Mrs. Gieger, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 34-13 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO APPROVE A SULLIVAN COUNTY REVOLVING LOAN

WHEREAS, the Sullivan County Division of Planning & Environmental Management (“Division”) oversees the County Main Street Microenterprise Business Revolving Loan Funds funded through grants received from the New York Governor’s Office of Small Cities; and

WHEREAS, the Division has submitted the loan report to the Sullivan County Revolving Loan Fund Advisory Board; and

WHEREAS, the Advisory Board has considered such loan report and accompanying financial information and approved by majority the loan request listed below contingent upon certain conditions as outlined in the loan commitment letter.

| <u>Borrower</u> | <u>Program</u> | <u>Amount</u> |
|---------------------------------|-----------------------------|---------------|
| Maurice Galant, The Cyber Shack | Main Street Microenterprise | \$15,000 |

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the Division to commence with the loan closing process and to have all the necessary documents executed to secure the loan in such form as approved by the County Attorney; and

BE IT FURTHER RESOLVED, that the Sullivan County Treasurer is hereby authorized to draw checks for the borrower in the amount indicated above.

Moved by Mrs. Edwards, seconded by Mr. Benson, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 35-13 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE MEMORANDUM OF UNDERSTANDING (MOU) ENTITLED NYS EVIDENCE-BASED HEALTH PROGRAMS QUALITY & TECHNICAL ASSISTANCE CENTER PARTNERSHIP (ALSO ABBREVIATED AS “QTAC PARTNERSHIP MOU”) BETWEEN THE NEW YORK STATE EVIDENCE-BASED HEALTH PROGRAMS QUALITY & TECHNICAL ASSISTANCE CENTER , A UNIT OF THE CENTER FOR EXCELLENCE IN AGING & COMMUNITY WELLNESS, STATE UNIVERSITY OF NEW YORK AT ALBANY, HERE AFTER KNOW AS “QTAC”, AND THE SULLIVAN COUNTY OFFICE FOR THE AGING.

WHEREAS, the Sullivan County Office for the Aging is designated as a Partner with QTAC to Provide quality delivery of the QTAC-approved evidence-based health promotion program(s) sponsored by QTAC, and

WHEREAS, the partnership with QTAC for the purposes of this MOU is based on the Partner’s ability and commitment to provide quality delivery of QTAC-sponsored evidence-based health promotion and self-management programs, complete an annual self-assessment to document the extent of the Partner’s current capacity to meet QTAC certification standards, provide the QTAC with ongoing program information as requested, link efforts to QTAC and its local and/or regional partners where applicable, sign and submit Memorandum of Understanding to the QTAC.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute a Memorandum of Understanding with QTAC to partner with the Sullivan County Office for the Aging at no cost for the period 1/1/2013-12/31/2013, and

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

Moved by Mr. Sorensen, seconded by Mr. Rouis, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 36-13 INTRODUCED BY THE AGRICULTURE AND SUSTAINABILITY COMMITTEE TO AUTHORIZE THE AWARD AND EXECUTION OF AN AGREEMENT TO DEVELOP A DAIRY PROCESSING FACILITY

WHEREAS, pursuant to Resolution 163 of 2011, the Sullivan County Legislature authorized the Division of Planning and Environmental Management to prepare an application for funding under the United States Department of Agriculture-Rural Development (USDA-RD) Rural Business Enterprise Grant (RBEG) program for development of dairy processing facilities; and

WHEREAS, the County was awarded the RBEG grant in the amount of \$186,500.00, with an in-kind match of \$15,000.00 from the Division of Planning and Environmental Management for a total project cost of \$201,500.00; and

WHEREAS, following a request for proposals process, the County received proposals for the development of dairy processing facilities; and

WHEREAS, an evaluation team selected by the Chairman of the Legislature has reviewed the proposals; and

WHEREAS, the evaluation team recommends that the County enter into an agreement with Sullivan County Dairy Products, LLC, to utilize the RBEG funds; and

WHEREAS, under this agreement, the County will use the RBEG funds to purchase dairy processing equipment, including but not limited to production and packaging equipment, to be leased to Sullivan County Dairy Products, LLC for the development of a dairy processing facility.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute the necessary lease agreements, contracts and documentation with Sullivan County Dairy Products, LLC in an amount not to exceed \$186,500.00 in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION 37-13 INTRODUCED BY HEALTH & FAMILY SERVICES COMMITTEE TO AUTHORIZE CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR CONTINUATION OF FUNDING FOR RABIES PROGRAM

WHEREAS, the NYS Department of Health has provided ongoing funding for Rabies expenses in the past, and has determined recently that reimbursement to counties for such expenses has been accomplished through formal contract retroactive to April 1, 2012, and

WHEREAS, the NYS Department of Health has issued a multi-year contract for the period April 1, 2012 through March 31, 2017 for a total not to exceed \$93,052.20, and

WHEREAS, the NYS Department of Health has an estimated grant award for each year of this contract, April 1, 2012 through March 31, 2013 not to exceed \$18,610.44, and

WHEREAS, Sullivan County Public Health Services wishes to continue accepting such funding from the NYS Department of Health for Rabies expenses on an ongoing basis.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be authorized to enter into a contract with the New York State Department of Health to accept funding, on an ongoing basis, in an amount not to exceed \$93,052.20 for Rabies expenses for the period April 1, 2012 through March 31, 2017, and

BE IT FURTHER RESOLVED, that said contract(s) be approved as to form by the Sullivan County Department of Law.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 38-13 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE FOR AN AGREEMENT WITH HUDSON RIVER HEALTHCARE, INC. FOR DATA EXCHANGE WITH THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the Federal Government has passed the Patient Protection & Affordable Care Act; and

WHEREAS, a provision of the Patient Protection & Affordable Care Act allows states to develop and implement Health Homes; and

WHEREAS, New York State wishes to develop and provide Health Homes covering Medicaid Individuals with two (2) or more chronic conditions, one of which is a serious mental illness; and

WHEREAS, critical components of service delivery in a Health Home are shared medical records for Health Home members and care management services; and

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a need to enter into an agreement with Hudson River Healthcare, Inc. for data exchange between agencies; and

WHEREAS, various New York State and other State approved providers are capable and willing to enter into an agreement with Hudson River Healthcare, Inc. for data exchanges between agencies for purposes of the Health Homes; and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute an agreement between the Department of Community Services and Hudson River Healthcare, Inc.; and

BE IT FURTHER RESOLVED, the form of said agreement(s) be approved by the Sullivan County Attorney's Office.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 39-13 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE. FOR AN AGREEMENT WITH OPEN DOOR FAMILY MEDICAL CENTER, INC. A/K/A HUDSON VALLEY CARE COALITION FOR DATA EXCHANGE WITH THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the Federal Government has passed the Patient Protection & Affordable Care Act; and

WHEREAS, a provision of the Patient Protection & Affordable Care Act allows states to develop and implement Health Homes; and

WHEREAS, New York State wishes to develop and provide Health Homes covering Medicaid Individuals with two (2) or more chronic conditions, one of which is a serious mental illness; and

WHEREAS, critical components of service delivery in a Health Home are shared medical records for Health Home members and care management services; and

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a need to enter into an agreement with Open Door Family Medical Center, Inc. a/k/a Hudson Valley Care Coalition for data exchange between agencies; and

WHEREAS, various New York State and other State approved providers are capable and willing to enter into an agreement with Open Door Family Medical Center, Inc. a/k/a Hudson Valley Care Coalition for data exchanges between agencies for purposes of the Health Homes; and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute an agreement between the Department of Community Services and Open Door Family Medical Center, Inc. a/k/a Hudson Valley Care Coalition; and

BE IT FURTHER RESOLVED, the form of said agreement(s) be approved by the Sullivan County Attorney's Office.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 40-13 INTRODUCED BY PUBLIC WORKS COMMITTEE AUTHORIZING THE COUNTY TO ENTER INTO AGREEMENT WITH SPLIT SECOND RACING FOR USE OF LAKE SUPERIOR STATE PARK FOR THE SWIM PORTION OF THE PROPOSED ½ IRONMAN TRIATHLON EVENT

WHEREAS, the County of Sullivan operates Lake Superior State Park; and

WHEREAS, Lake Superior State Park has been selected by Split Second Racing as an ideal location to host the swim portion of a proposed ½ Ironman Triathlon Event; and

WHEREAS, the Lake Superior State Park is currently available on the proposed date of Saturday, May 4, 2013; and

WHEREAS, Sullivan County tourism would greatly benefit from the presence of the large number of both athletes, as well as spectators, at this event and future similar events.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the Chairman of the County Legislature to execute an agreement with Split Second Racing, in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 41-13 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF CONTRACT WITH INFO QUICK SOLUTIONS, INC.

WHEREAS, proposals were received for County Land Records Initiative for the County Clerk's Office, and

WHEREAS, Info Quick Solutions, Inc., 7460 Morgan Road, Liverpool, New York 13090, best meets the needs for the County Clerk for such work, and was the low quote, and

WHEREAS, the County Clerk approves said proposal and recommends that a contract be executed, as the funds may exist,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute contract with Info Quick Solution, Inc., at a contract price not to exceed \$43,050.00, and in accordance with Resolution 73-12, dated February 16, 2012, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

**RESOLUTION NO 42-13 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO
AUTHORIZE A MODIFICATION TO THE AGREEMENT FOR CONSULTANT INSPECTION
SERVICES FOR THE COUNTY BRIDGE 224 REHABILITATION PROJECT**

WHEREAS, Resolution 201-12 authorized an agreement with Delta Engineers, Architects, and Land Surveyors, P.C. for providing consultant inspection services for the rehabilitation of **County Bridge No. 224** on T.H. 51, Creamery, over the Callicoon Creek, located in the Town of Delaware, not to exceed \$110,000.00; and

WHEREAS, Modification Agreement #1 is needed to increase the Maximum Amount Payable per the agreement from \$109,465.00 to \$125,000.00 including fixed fee; and

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

WHEREAS, the project is eligible for 100% State funding through CHIPS funding program; and

WHEREAS, the Division of Public Works has reviewed the need for additional inspections services/construction support and recommends the approval of Modification Agreement #1 for additional work.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute Modification Agreement #1 which is an increase of \$15,535.00 for consulting inspection services with Delta Engineers, Architects, and Land Surveyors, P.C. for a total cost not to exceed \$125,000.00, said Modification Agreement #1 to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

**RESOLUTION NO. 43-13 INTRODUCED BY THE PUBLIC WORKS COMMITTEE
TO AUTHORIZE A MODIFICATION TO THE AGREEMENT FOR CONSULTANT
ENGINEERING DESIGN AND INSPECTION SERVICES FOR THE COUNTY BRIDGE 192c
REHABILITATION PROJECT**

WHEREAS, Resolution 96-12 authorized an agreement with Delta Engineers, Architects, and Land Surveyors, P.C. for providing engineering design and inspection services for the rehabilitation of County Bridge No. 192c on T.H. 39A, Hunter Spur Road, over the Neversink River, located in the Town of Neversink not to exceed \$45,000.00; and

WHEREAS, Modification Agreement #1 is needed to increase the Maximum Amount payable per the agreement from \$39,388.00 to \$73,388.00 including fixed fee; and

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

WHEREAS, the project is eligible for 75% Federal and 25% State funding through Hurricane Irene (DR 4020) disaster relief funding; and

WHEREAS, the Division of Public Works has reviewed the need for additional inspections services/construction support and recommends the approval of Modification Agreement #1 for additional work.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute Modification Agreement #1 which is an increase of \$34,000.00 for consulting inspection services with Delta Engineers, Architects, and Land Surveyors, P.C. for a total cost not to exceed \$73,388.00, said Modification Agreement #1 to be in such form as the County Attorney shall approve.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 44-13 INTRODUCED BY PUBLIC WORKS COMMITTEE

TO AUTHORIZE THE PREPARATION AND EXECUTION OF AN INTER-MUNICIPAL AGREEMENT WITH DELAWARE COUNTY TO PROVIDE WINTER MAINTENANCE ON A PORTION OF COUNTY ROAD 179A DUE TO THE CLOSING OF SULLIVAN COUNTY BRIDGE 359

WHEREAS, Sullivan County was required to close a bridge on County Road 179a due to structural deficiencies; and

WHEREAS, Sullivan County is responsible for winter maintenance on County Road 179a; and

WHEREAS, Delaware County has agreed to provide winter maintenance on the northern side of the bridge as they plow to the County line at that point; and

WHEREAS, it is recommended by the Sullivan County Division of Public Works that reimbursement be provided to Delaware County at a rate equivalent to that paid per mile to the townships in Sullivan County that provide winter maintenance on county roads authorized by Resolution 359-12 until the bridge is reopened.

NOW, THEREFORE, BE IT RESOLVED, that an Inter-municipal Agreement be executed to allow such payment for the service provided; and

BE IT FURTHER RESOLVED, that such Inter-municipal Agreement will be in a form approved by the County Attorney and that the County Manager be authorized to sign such agreement.

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 45-13 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO RENEW THE CONTRACT BETWEEN SULLIVAN COUNTY ADULT CARE CENTER AND CATSKILL REGIONAL MEDICAL CENTER

WHEREAS, the Adult Care Center is required to provide laboratory and diagnostic services to the residents, and

WHEREAS, Catskill Regional Medical Center is qualified, available and willing to provide these services to the Adult Care Center, and

WHEREAS, this contract will began 1/1/12 and continue until 12/31/2015 and may be terminated by either party with 30 days written notice, and

WHEREAS, the cost of services for Medicare A residents will be reimbursed at Medicare rates less 5% for labs and at full Medicare rate for all other diagnostic studies and services.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to amend the contract with Catskill Regional Medical Center to provide these services to the Adult Care Center. The contract will be amended to change the maximum amount of the contract from not to exceed \$11,500 to not to exceed \$7,500 for each year. Each year of the contract shall be subject to annual appropriation by the County Legislature.

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

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 46-13 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO AMEND THE CONTRACT WITH SULLIVAN COUNTY ADULT CARE CENTER AND PAUL

SALZBERG, MD

WHEREAS, the current contract began 1/1/2012 and will expire 12/31/2014; and

WHEREAS, the current contract includes a total cost not to exceed \$24,000 per year; and

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a resolution modification to clarify that Dr. Salzberg will receive \$24,000 per year, not for the life of the contract; and

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

Moved by Mr. Rouis, seconded by Mrs. LaBuda, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO 47-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF CALLICOON FOR TAX MAP #20.-1-35.2

WHEREAS, an application dated January 15, 2013 having been filed by Michael and Elizabeth Bernitt with respect to property assessed to said applicant on the 2013 tax roll of the Town of Callicoon Tax Map #20.-1-35.2 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of a solid waste fee at the commercial rate when it should have been at the residential rate; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 48-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7701

WHEREAS, an application dated January 29, 2013 having been filed by Bais Margua LLC with respect to property assessed to said applicant on the 2012 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7701 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 6, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 49-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2012 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7901

WHEREAS, an application dated January 30, 2013 having been filed by Renee Marmurstein with respect to property assessed to said applicant on the 2012 tax roll of the Town of Fallsburg Tax Map

#28.-1-50./7901 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 7, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 50-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7701

WHEREAS, an application dated January 24, 2013 having been filed by Bais Margua LLC with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7701 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 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 releived school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 51-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7901

WHEREAS, an application dated January 30, 2013 having been filed by Renee Marmurstein with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7901 pursuant to Section 556 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 7, 2013 recommending this Board approve said application; and

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

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

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

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the

officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 52-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7501

WHEREAS, an application dated January 22, 2013 having been filed by 1613 East 29 LLC with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7501 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 53-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #39.B-1-6.2

WHEREAS, an application dated January 28, 2013 having been filed by Shmuel Z. Juravel with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #39.B-1-6.2 pursuant to Section 554 of the Real Property Tax Law, to correct an error in essential fact on said tax roll resulting from incorrect school relevy due to an incorrect entry of the value of an improvement to real property that was present on another parcel; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 54-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #17.-1-12.7

WHEREAS, an application dated January 31, 2013 having been filed by Robin Fremon with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #17.-1-12.7 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from incorrect entry on the tax roll of a relevied school tax that had already been paid; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 7, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 55-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./5901

WHEREAS, an application dated January 22, 2013 having been filed by 1613 East 29 LLC with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./5901 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 56-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7401

WHEREAS, an application dated January 24, 2013 having been filed by Steven and Rafkah Szanzer with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7401 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 57-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./5902

WHEREAS, an application dated January 22, 2013 having been filed by 1613 East 29 LLC with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./5902 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 58-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7201

WHEREAS, an application dated January 25, 2013 having been filed by Esther Treff with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7201 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 59-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7001

WHEREAS, an application dated January 29, 2013 having been filed by Moshe and Ruthie Schon with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7001 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 6, 2013 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 relevied school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 60-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./6001

WHEREAS, an application dated January 20, 2013 having been filed by Miriam Mendel with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./6001 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 61-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #28.-1-50./7101

WHEREAS, an application dated January 22, 2013 having been filed by 1613 East 29 LLC with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./7101 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 62-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG FOR TAX MAP #12.-1-41.4/8901

WHEREAS, an application dated January 21, 2013 having been filed by Luxor Estates LLC with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #12.-1-41.4/8901 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 63-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF LIBERTY FOR TAX MAP #30.-1-58

WHEREAS, an application dated January 17, 2013 having been filed by Martco Realty LLC with respect to property assessed to said applicant on the 2013 tax roll of the Town of Liberty Tax Map #30.-1-58 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an incorrect entry of an unpaid water charge on vacant property; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 64-13 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CORRECT THE 2013 TAX ROLL OF THE TOWN OF NEVERSINK FOR TAX MAP #44.-1-2.43

WHEREAS, an application dated January 18, 2013 having been filed by James Mentnech with respect to property assessed to said applicant on the 2013 tax roll of the Town of Neversink Tax Map #44.-1-2.43 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from an incorrect entry of a solid waste fee on vacant property; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated February 4, 2013 recommending this Board approve said application; and

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

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

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

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

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

Moved by Mr. Rouis, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 65-13, INTRODUCED BY LEGISLATOR ALAN J. SORENSEN, BY WHICH THE COUNTY OF SULLIVAN ACKNOWLEDGES PARTICIPATION IN THE MID-HUDSON REGIONAL SUSTAINABILITY PLAN AND PROVIDES ITS CONDITIONAL ENDORSEMENT OF THE PLAN FOR CLEANER, GREENER COMMUNITIES PROGRAM OF THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

WHEREAS, Governor Cuomo announced in his 2011 State of the State address a \$100 million competitive grant program (Cleaner, Greener Communities program) to encourage communities to develop regional sustainable growth strategies, and

WHEREAS, the Mid-Hudson Region of New York State consists of the seven counties located immediately north of New York City (NYC): Westchester County, Rockland County, Orange County, Putnam County, Dutchess County, Ulster County and Sullivan County and covers just over 4,500 square miles and contains 198 municipalities, and

WHEREAS, the purpose of the Mid-Hudson Regional Sustainability Plan (the "Plan") is to inform county and municipal sustainability and land use policies, serve as a basis for local government infrastructure decision making, guide infrastructure investment of both public and private resources, outline specific and tangible actions to reduce greenhouse gas emissions consistent with New York State's goal of 80% carbon reduction below 1990 levels by the year 2050 and identify strategies for adapting to the effects of climate change, and

WHEREAS, the Plan is non-binding and provides information and guidance and is intended for use as a common reference tool by local government and non-governmental organizations (including for-profit businesses), and

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the County of Sullivan hereby endorses the Mid-Hudson Regional Sustainability Plan as a concept document and acknowledges

the Plan's vision and objectives that are paired with implementation strategies to provide a common framework for counties, municipalities, non-governmental organizations, private businesses, non-profits and residents to help implement sustainable development in the Mid-Hudson region, and

BE IT FURTHER RESOLVED, that the Plan provides a common, uniting framework within which residents, municipalities and organizations within the Region are empowered to chart their own course toward achieving this vision, both individually and collectively and that the County of Sullivan will, to the best of its ability, help the Mid-Hudson region reduce greenhouse gas emissions consistent with New York State's goal of 80% carbon reduction below 1990 levels by the year 2050 and create jobs that, where possible, align with the Mid-Hudson Regional Economic Development council's goals.

Moved by Mrs. Gieger, seconded by Mr. Sorensen, put to a vote unanimously carried as amended and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 66-13 INTRODUCED BY KITTY M. VETTER, CHAIR OF THE GOVERNMENT SERVICES COMMITTEE OPPOSING THE PASSAGE OF STATE LEGISLATION TO ALLOW EARLY VOTING AND/OR ENDORSING COUNTIES TO OPT-IN TO EARLY VOTING REQUIREMENTS AND FOR THE STATE TO FULLY FUND ANY AND ALL INCREASED COSTS ASSOCIATED WITH EARLY VOTING.

WHEREAS, A.689 (Silver)/ S.1461 (Stewart-Cousins) has been introduced in the New York State Legislature establishing early voting in Primary, General and Special elections in the State of New York; and

WHEREAS, this bill would allow early voting to take place up to 14 days before a general election and up to a week before a primary or special election, from 8:00 AM until 7:00 PM on every early voting day including Saturday and Sunday; and

WHEREAS, county boards of election would be required to select a minimum of five polling places throughout each county and provide duly qualified election inspectors at each location; and

WHEREAS, county boards of elections would also be required to follow the same currently observed polling place protocols on all early voting days; and

WHEREAS, there will be significant costs associated with implementing early voting, staffing early voting locations and supplying each early voting location with sufficient paper ballots relative to every election in the County; and

WHEREAS, the 2 percent tax cap and insufficient relief from state-imposed mandates have placed an unprecedented strain on local governments to provide more services with less funding:

NOW, THEREFORE BE IT RESOLVED, that the Sullivan County Legislature does hereby oppose the passage of legislation as currently proposed requiring counties to implement early voting; and

BE IT FURTHER RESOLVED that, if the proposal is enacted, counties be allowed to opt-in to provide early voting opportunities and that the State is to fully fund the cost of early voting to those counties so providing it.

BE IT FURTHER RESOLVED that the Clerk to the Sullivan County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Hon. Sheldon Silver, Hon. Dean Skelos, Assemblywoman Aileen Gunther and Senator John J. Bonacic.

Moved by Mr. Benson, seconded by Mrs. LaBuda, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 67-13 INTRODUCED BY EXECUTIVE COMMITTEE

TO ENACT A LOCAL LAW AMENDING CHAPTER 3 OF THE SULLIVAN COUNTY CHARTER" REGARDING COUNTY MANAGER APPOINTMENT, SUSPENSION AND REMOVAL

WHEREAS, proposed Local Law entitled "Enact A Local Law Amending Chapter 3 Of The Sullivan County Charter" was presented to the Sullivan County Legislature at a meeting held on February 21, 2013, 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 entitled "Enact A Local Law Amending Chapter 3 Of The Sullivan County Charter" which local law is annexed hereto and made a part hereof.

Moved by Mr. Sorensen, seconded by Mrs. Edwards, put to a vote with Mr. Samuelson, Mrs. LaBuda, Mr. Rouis and Mr. Steingart opposed, resolution carried and declared duly adopted on motion February 21, 2013.

LOCAL LAW NO. 2 OF 2013

COUNTY OF SULLIVAN, NEW YORK

**A LOCAL LAW AMENDING CHAPTER 3 OF THE
SULLIVAN COUNTY CHARTER**

SULLIVAN COUNTY CHARTER

Section 1: ARTICLE III. §C3.01. County Manager. Appointment, suspension and removal.

Section C3.01 is amended to delete "A two-thirds majority of the whole membership of the County Legislature shall be required to appoint, suspend or remove the County Manager."

This Local Law amending the Sullivan County Charter shall take effect sixty (60) days after the final enactment of this Local Law and upon filing with the Secretary of State subject to a referendum on petition pursuant to Municipal Home Rule Law, Section 34 (4)(c).

RESOLUTION NO. 68-13 INTRODUCED BY EXECUTIVE COMMITTEE

RESOLUTION TO REAPPOINT ONE MEMBER TO THE OFFICE FOR THE AGING ADVISORY COMMITTEE

WHEREAS, it is the desire to reappoint Priscilla Bassett to the Office for the Aging Advisory Committee, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby reappoint the following member to the Office for the Aging Advisory Committee, for the term to expire on the date opposite of name.

OFA REAPPOINTMENT:

TERM:

Priscilla Bassett

1/31/2016

292 Glade Hill Road

Grahamsville NY 12740

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION 69-13 INTRODUCED BY THE EXECUTIVE COMMITTEE TO CREATE A PART-TIME POSITION IN THE PROBATION DEPARTMENT

WHEREAS, clerical positions have previously been eliminated in the Probation Department and the Director of Probation has determined that the present clerical workload requires additional resources to facilitate the timely completion of caseload data entry; and

WHEREAS, the Probation Department Director has requested that a Part-Time Account Clerk/Database position be created to fulfill the needs of the Probation Department.

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

CREATE:

A-3140-16 Account Clerk/Database- Part-Time \$9,294.00

Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 70-13 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A PUBLIC HEARING FOR THE ADOPTION OF A PROPOSED LOCAL LAW TO EXTEND THE IMPOSITION OF AN ADDITIONAL MORTGAGE RECORDING TAX IN THE COUNTY OF SULLIVAN.

WHEREAS, on May 23, 2007, the Sullivan County Legislature adopted Local Law No. 4 of 2007, to impose a Mortgage Recording Tax, and

WHEREAS, Local Law No. 4 of 2007 has been amended by Local Law No. 1 of 2010 and Local Law No. 2 of 2010 and is currently due to expire on or about April 30, 2013

WHEREAS, it is the intention of the Sullivan County Legislature to extend the provisions of the Sullivan County Mortgage Recording Tax for an additional three years to coincide with the applicable sales tax periods, and

WHEREAS, Section 253-j of the Tax Law of the State of New York authorizes the County of Sullivan to enact a local law to continue the imposition of an additional mortgage recording tax for a three year period upon the expiration of any term extending Local Law No. 4-2007, the Sullivan County Mortgage Recording Tax.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on March 21, 2013 at 1:50 pm, in the Legislative Hearing Room, County Government Center, Monticello, New York, and at least five (5) days notice of public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

Moved by Mrs. Edwards, seconded by Mr. Benson, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

COUNTY OF SULLIVAN
PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that at a meeting of the Legislature of the County of Sullivan, New York, held on February 21, 2013, a proposed Local Law entitled "A Local Law Amending Local Law No. 4 of 2007 Imposing a Mortgage Recording Tax" was discussed.

The purpose of this proposed Local Law is that Local Law No. 4 of 2007, which had imposed, in Sullivan County a tax of \$0.25 for each \$100.00 of real property secured by a mortgage, is due to expire on or about April 30, 2013, and it is the intention of the Legislature to extend the terms of Local Law No. 4 of 2007, until April 30, 2016, by enacting the proposed Local Law effective May 1, 2013, to coincide with the applicable sales tax periods and ensure that there is non-interrupted and continuing imposition of the mortgage recording tax.

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 March 21, 2013 at 1:50 pm , at which time all persons interested will be heard.

A Local Law to Amend Local Law No. 4-2007 (Part 9 of Chapter 182 of the Sullivan County Code) as amended by Local Law No. 1 of 2010 and further amended by Local Law No. 2 of 2010, Imposing a Mortgage Recording Tax.

Section 1: Purpose: To amend Local Law No. 4-2007 (Part 9 of Chapter 182 of the Sullivan County Code) as amended by Local Law No. 1 of 2010 and further amended by Local Law No. 2 of 2010, which imposed a Mortgage Recording Tax in the County of Sullivan. Local Law No. 4-2007 is set to expire on April 30, 2013 and it is the intention of the Sullivan County Legislature to extend the Local Law No. 4-2007 for three additional years.

Section 2: Section 182-77 of Part 9 of Chapter 182 of the Sullivan County Code shall be amended by deleting the language "May 1, 2010" both times it appears and inserting the language "May 1, 2013" in both places and by deleting the language "April 30, 2013" and inserting the language "April 30, 2016."

Section 3: Section 182-83 of Part 9 of Chapter 182 of the Sullivan County Code shall be amended by deleting the language "May 1, 2010" and inserting the language "May 1, 2013".

Section 4: Effective Date

This Local Law shall take effect May 1, 2013. A certified copy of this Local Law shall be mailed by registered or certified mail to the Commissioner of Taxation and Finance at the Commissioner's Office in Albany. Certified copies of this Local Law shall be filed with the Sullivan County Clerk, the Secretary of State and the State Comptroller within five days after this Local Law is enacted.

RESOLUTION NO. 71-13 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT/S FOR THE PROVISION OF US DEPARTMENT OF AGRICULTURE'S FOOD NUTRITION SERVICES (FNS) FROM OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013

WHEREAS, federal funding has been made available to Cornell University Cooperative Extension of Sullivan County (CCE) funded under New York State's SNAP Nutrition Education State Plan approved in the amount of \$118,477 for the period 10/1/ 2012 through 9/30/2013; and

WHEREAS, the Supplemental Nutrition Assistance Program (SNAP-Ed), formerly and also known as the Eat Smart New York (ESNY) program is endorsed by New York State Office of Temporary and Disability Assistance (NYS OTDA) as satisfying the program requirements of the US Department of Agriculture's Food Nutrition Service (FNS) agency programs; and

WHEREAS, the Cornell Cooperative Extension of Sullivan County New York (CCE) administers the Supplemental Nutrition Assistance Program (SNAP-Ed), formerly and also known as Eat Smart New York (ESNY) program in Sullivan County New York; and

WHEREAS, the County of Sullivan, through the Department of Family Services, is able to access the approved federal funding for the purpose of a Food Nutrition Service (FNS) programs for New York State's SNAP Nutrition Education Plan and pass the funding through purchase of service agreement with Cornell University Cooperative Extension of Sullivan County (CCE) for the provision of those services; and

WHEREAS, the Cornell Cooperative Extension of Sullivan County New York (CCE) will provide the approved services through purchase of service agreement with the Department of Family Services at the New York State Office of Temporary and Disability Assistance (NYS OTDA) approved amount, with the costs paid with federal funding by the department.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreement/s with Cornell University Cooperative Extension of Sullivan County (CCE) for the provision of Food Nutrition Service (FNS) programs services in the approved amount of \$118,477 funded under New York State's SNAP Nutrition Education State Plan for the period 10/1/ 2012 through 9/30/2013; and

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

Moved by Ms. Vetter, seconded by Mr. Rouis, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

**RESOLUTION NO. 72-13 INTRODUCED BY EXECUTIVE COMMITTEE ACCEPT
NEGATIVE DECLARATION FOR RADIO PROJECT**

WHEREAS, in May, 2009, pursuant to Resolution 195-09, the Sullivan County Legislature authorized a professional services contract with Blue Wing Services to study and review the County's Public Safety Radio System and to make recommendations to the County concerning possible renovations and/or upgrades to that system, and

WHEREAS, in April, 2010 Blue Wing Services presented its report to the County, which report contained three possible options for upgrading the County's Public Safety radio system, and

WHEREAS, in June, 2010, based on the Sullivan County's Legislature's assessment of which of the options presented in the April Blue Wing Report was the most viable for the County, the Sullivan County Legislature adopted Resolution 331-10 which authorized a modification of the aforesaid contract with Blue Wing Services to enable Blue Wing to search the radio frequency spectrum for appropriate frequencies which would be available to Sullivan County and which would enable Sullivan County to implement the selected upgrade option, and

WHEREAS, in September 2010 the Sullivan County Legislature approved the proposed Public Safety Radio System upgrade in the County's Capital Plan, and

WHEREAS, based on the Blue Wing Study it was determined that the County would need to upgrade 5 existing antenna towers and would need to add 4 new antenna towers, and

WHEREAS, in or about April, 2011 the County contracted with the Chazen Company to conduct the appropriate environmental reviews of the existing and the new antenna tower sites as required by both federal and state laws, and

WHEREAS, during the period from May, 2011 to December, 2012 Chazen Company conducted detailed site specific environmental assessments, in accordance with New York's State Environmental Quality Review Act and the applicable provisions of the federal government's National Environmental Policy Act, at the six sites for which specific locations have already been identified (Elk Point, White Lake, Monticello, Wurtsboro, Tennanah Lake and Thunder Hill), and

WHEREAS, at the three additional sites (Callicoon, Narrowsburg and Knights Eddy) for which specific antenna tower locations have not yet been specified, areas of approximately one square mile each or less have been identified for each of those three areas with understanding that the specific antenna tower locations in each of those three area would be within those one square mile, or less, areas, thus enabling the Chazen Company to conduct an environmental review of each of the those three areas of approximately one square mile or less, and

WHEREAS, Chazen also performed a generic environmental review for the entire project, and

WHEREAS, Chazen has now advised the County that: (1) in its professional opinion the Project will not have any adverse environmental impact that cannot be appropriately mitigated, (2) in its professional opinion the construction of the proposed antenna towers on the specified Elk Point, White Lake, Monticello, Tennanah Lake and Thunder Hill locations will not result in any adverse environmental impact, and (3) in its professional opinion it will be possible to locate antenna towers in each of the approximately one square mile designated areas in Callicoon, Narrowsburg and Knights Eddy without causing any adverse environmental impact that cannot be appropriately mitigated, and

WHEREAS, as a result of the foregoing Chazen Company recommends that the County Legislature issue a Negative Declaration with respect to the Project as a whole and as to the nine antenna Tower sites.

NOW THEREFORE BE IT RESOLVED THAT:

1. The attached Negative Declaration, prepared pursuant to the New York State Environmental Quality Review Act, is hereby accepted by the Sullivan County Legislature and formally issued as its environmental review for the Project.

Moved by Mrs. LaBuda, seconded by Mrs. Edwards, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 73-13 INTRODUCED BY EXECUTIVE COMMITTEE TO APPROVE CHANGE ORDER #3 AND TO EXECUTE MODIFICATION AGREEMENT WITH MOTOROLA INCORPORATING THE PROVISIONS AND SCHEDULES IN CHANGE ORDER #3 INTO AGREEMENT

WHEREAS, in May, 2009, pursuant to Resolution 195-09, the Sullivan County Legislature authorized a professional services contract with Blue Wing Services to study and review the County's Public Safety Radio System and to make recommendations to the County concerning possible renovations and/or upgrades to that system, and

WHEREAS, in April, 2010 Blue Wing Services presented its report to the County, which report contained three possible options for upgrading the County's Public Safety radio system, and

WHEREAS, in June, 2010, based on the Sullivan County's Legislature's assessment of which of the options presented in the April Blue Wing Report was the most viable for the County, the Sullivan County Legislature adopted Resolution 331-10 which authorized a modification of the aforesaid contract with Blue Wing Services to enable Blue Wing to search the radio frequency spectrum for appropriate frequencies which would be available to Sullivan County and which would enable Sullivan County to implement the selected upgrade option, and

WHEREAS, in September 2010 the Sullivan County Legislature approved the proposed Public Safety Radio System upgrade in the County's Capital Plan, and

WHEREAS, in December, 2010, pursuant to the authorization of the Sullivan County Legislature set forth in Resolution 582-10, the County entered into a contract with Motorola Solutions, a provider of radio equipment which also owned six pair of High Band radio frequencies which Motorola said would be available to be transferred to Sullivan County, subject to approval by the Federal Communications Commission (FCC), for the purchase of the six pair of frequencies and the necessary radio equipment which would be required to implement the proposed Public Safety Radio upgrade recommended by Blue Wing Services, and

WHEREAS, the contract between Motorola and the County contemplated a two year time period, commencing January 1, 2011 and running through December 31, 2012, during which Motorola: (1) would obtain the necessary approvals from the FCC, (2) transfer the six pair of frequencies to Sullivan County, (3) conduct the final equipment design review to make sure that individual items of equipment were appropriate for the project, and (4) commence delivery of the equipment, and

WHEREAS, the Agreement provided that if the transfer of the frequencies to the County had not been completed by December 31, 2012 either Party could terminate the Agreement, and

WHEREAS, the process of obtaining the requisite approvals from the FCC took much longer than anticipated and has only just recently reached the point where the County and Motorola are now satisfied that Motorola can transfer the frequencies to the County free and clear of any claims by any third parties, and

WHEREAS, neither Party has terminated the Agreement and both the Sullivan County Legislature and Motorola desire to enter into an agreement modifying the original agreement so as to appropriately adjust and extend all of the milestone date for the transfer of the frequencies, for design review, for delivery of equipment and for payment, and

WHEREAS, as a result of the delay it will become necessary to specify later model equipment than originally contemplated at a resulting cost increase of Thirty Three Thousand Dollars (\$33,000.00), and

WHEREAS, Motorola has proposed a Change Order to the original Agreement, Change Order #3, which would incorporate an adjusted schedule and provide for the payment of the additional Thirty Three Thousand (\$33,000.000) Dollars, and

WHEREAS, the Sullivan County Legislature has reviewed Change Order #3 which is annexed hereto and believes it is in the County's best interest to authorize the County Manager to approve that Change Order and execute a Modification Agreement with Motorola incorporating the provisions and schedules of Change Order #3 into the Agreement.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The County Manager is hereby authorized to approve Change Order #3 and to execute a Modification Agreement with Motorola incorporating the provisions and schedules in Change Order #3 into the Agreement.
2. The final Modification Agreement shall be in such form as approved by the County Attorney.

Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote and declared duly adopted on motion February 21, 2013.

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 21st day of February, 2013, 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. Edwards, who moved its adoption, seconded by Mr. Benson, to-wit:

BOND RESOLUTION NO. 74-13 OF 2013 DATED FEBRUARY 21, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$8,798,960 SERIAL BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY A PORTION OF THE COST OF CERTAIN CAPITAL IMPROVEMENTS CONSTITUTING THE PUBLIC SAFETY COMMUNICATIONS UPGRADE PROJECT IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital projects hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, the capital projects hereinafter described have each been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in a significant environmental effect; and

WHEREAS, it is now desired to authorize said capital projects and the financing thereof, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Sullivan, New York, as follows:

Section 1. The following elements of a Public Safety Communications Upgrade Project are hereby authorized in and for the County of Sullivan, New York:

- (a) The construction of buildings and related facilities at various County-owned or leased sites, including site and other improvements, furnishings, equipment, apparatus, appurtenances and expenses incidental thereto, at a maximum estimated cost of \$1,000,000, being a class of objects or purposes having a period of probable usefulness of **thirty** years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law;

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- (b) The construction of communication towers, including site improvements, equipment and expenses incidental thereto, at a maximum estimated cost of \$3,300,000, being a class of objects or purposes having a period of probable usefulness of **fifteen** years, pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law; and
- (c) The purchase and installation of microwave and radio communication systems, including fixed and mobile equipment and incidental expenses in connection therewith, at a maximum estimated cost of \$6,518,960, being a class of objects or purposes having a period of probable usefulness of **ten** years, pursuant to subdivision 90, based upon subdivisions 25 and 98, of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of the aforesaid \$10,818,960 maximum estimated cost is as follows:

- (a) by the issuance of \$8,798,960 serial bonds of the County hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law allocated as follows: (i) \$1,000,000 serial bonds for the class of objects or purposes described in Section 1(a) hereof, (ii) \$2,080,000 serial bonds for the class of objects or purposes described in Section 1(b) hereof, and (iii) \$5,718,960 serial bonds for the class of objects or purposes described in Section 1(c) hereof; and
- (b) by the expenditure of \$2,020,000 Federal and/or State grant-in-aid monies and other monies, which monies of said County are hereby authorized to be expended therefor as follows: for the class of objects or purposes described in Section 1(b) hereof, \$1,220,000, and for the class of objects or purposes described in Section 1(c) hereof, \$800,000.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County 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 4. 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 5. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said County; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the County Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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:

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- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
 - 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full in the *Sullivan County Democrat* and the *River Reporter*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

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

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

NOES: None

ABSENT: none

The resolution was thereupon declared duly adopted.

* * * * *

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 21st day of February, 2013.
- 2. That such meeting was a **regular** 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

River Reporter January 31, 2013

Sullivan County Democrat February 1, 2013

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)

Sullivan County Government Center Lobby

Sullivan County Legislature Bulletin Board

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 21st day of February, 2013.

AnnMarie Martin, Clerk, County Legislature

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on February 21, 2013, 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,
February 21, 2013.

AnnMarie Martin, Clerk, County Legislature

BOND RESOLUTION NO. 74 OF 2013 DATED FEBRUARY 21, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$8,798,960 SERIAL BONDS OF THE COUNTY OF SULLIVAN, NEW YORK, TO PAY A PORTION OF THE COST OF CERTAIN CAPITAL IMPROVEMENTS CONSTITUTING THE PUBLIC SAFETY COMMUNICATIONS UPGRADE PROJECT IN AND FOR SAID COUNTY.

| | |
|--|---|
| Objects or purposes: | a) Construction of buildings/facilities, 30-yr. period of probable usefulness, class of objects or purposes, \$1,000,000 serial bonds |
| | b) Construction of communication towers, 15-yr. period of probable usefulness, class of objects or purposes, \$2,080,000 serial bonds; \$1,220,000 grant and other monies |
| | c) Purchase/installation of microwave/radio communication systems, 10-yr. period of probable usefulness, class of objects or purposes, \$5,718,960 serial bonds; \$800,000 grant monies |
| Maximum estimated cost: | \$10,818,960 |
| Aggregate amount of obligations to be issued: | \$8,798,960 bonds |
| Other monies: | \$2,020,000 grants-in-aid and other reimbursement monies |
| SEQRA status: | Type I Action. Negative Declaration. SEQRA compliance materials on file in the Office of the Clerk of the County Legislature where they may be inspected during regular office hours. |

RESOLUTION NO. 75-13 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE APPOINTMENT OF HEATHER JACKSY TO THE UPPER DELAWARE SCENIC BYWAY ("UDSB") BOARD TO REPRESENT SULLIVAN COUNTY AS A VOTING MEMBER AND TO APPOINT JILL WEYER AS AN ALTERNATE MEMBER

WHEREAS, the UDSB Committee recommended that Sullivan County become a voting member along with the cities, towns and villages along the Byway; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby appoints, Heather Jacksy as the Sullivan County representative to the UDSB, and appoints Jill Weyer, as an alternate member of the UDSB.

Moved by Mr. Sorensen, seconded by Mrs. Edwards, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 76-13 INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENTS

WHEREAS, bids were received for Interior Renovations at Sullivan County Adult Care Center (HEAL Grant), and

WHEREAS, **Charles W. Grimm Construction, Inc.** is the lowest responsible bidder for the General Construction Work, for this project, at a base bid of \$443,687.00, and alternates totaling \$170,414.00 , and

WHEREAS, **Ackerman Plumbing, Inc.** is the lowest responsible bidder for the Plumbing Work, for this project, at a base bid of \$82,428.00, and alternates totaling \$2,986.00, and

WHEREAS, **D.J. Heating & Air Conditioning, Inc.** is the lowest responsible bidder for the Mechanical Work, for this project, at a base bid of \$22,400.00, and alternates totaling \$4,450.00, and

WHEREAS, **Port Jervis Electric, Inc.** is the lowest responsible bidder for the Electrical Work, for this project, at a base bid of \$69,779.00, and alternates totaling \$13,178.00, and

WHEREAS, in the normal course of construction unforeseen change orders may occur and,

WHEREAS, this project has specific time constraints attached to the grant, and in order to ensure compliance with said grant time constraints, and to assist in assuring no cost to the County, the Division of Public Works shall be authorized to modify any or all contracts up to a total change order(s) amount of \$100,000.00 and

WHEREAS, the Sullivan County Division of Public works has approved said vendors and recommends that agreements be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute agreements with the Vendors listed above, **at a total base price not to exceed \$618,294.00, plus alternates totaling a not to exceed cost of \$191,028.00, for a total base bid with alternates cost not to exceed \$809,322.00**, in accordance with B-13-03, **plus additional \$100,000.00 in change orders, if necessary, for a maximum total of \$909,142.00**, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mr. Rouis, put to a vote unanimously carried and declared duly adopted on motion February 21, 2013.

**RESOLUTION NO. 77-13 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE THE EXECUTION OF A LICENSE AGREEMENT WITH JAMIE MARKS, INC.**

WHEREAS, Jamie Marks, Inc. is a production company that seeks access to utilize portions of the Apollo Mall as a location for the filming of a movie with a working title of Jamie Marks is Dead, and

WHEREAS, the Sullivan County Legislature desires to authorize the above project at the Apollo Mall, and

WHEREAS, a License Agreement has been negotiated between the Parties which satisfactorily deals with all the applicable technical and other issues including insurance.

NOW THEREFORE BE IT RESOLVED, that the Legislature authorizes the Chairman to execute a License Agreement, substantially in the form submitted to the Legislature, with Jamie Marks, Inc.

Moved by Mr. Sorensen, seconded by Ms. Vetter, put to a vote and declared duly adopted on motion February 21, 2013.

**RESOLUTION NO. 78-13 INTRODUCED BY EXECUTIVE COMMITTEE CALLING FOR
THE STATE LEGISLATURE AND THE GOVERNOR TO ALLOCATE 9-1-1 SURCHARGE
FUNDS TO COUNTIES TO SUPPORT 9-1-1 AND PUBLIC SAFETY COMMUNICATIONS**

WHEREAS, the State of New York imposes a \$1.20 public safety surcharge on all wireless telephones, a surcharge created to be spent on 9-1-1 operations to help first responders to communicate and respond to emergencies, and

WHEREAS after years of diverting the proceeds of this fund for non-public safety purposes, and to the detriment of local 9-1-1 centers, the State of New York has begun allocating more of these monies to counties in the form of Statewide Interoperable Communications Grants (SICG), and

WHEREAS, the 2013/14 Executive Budget Proposal released on January 22, 2013 allocated an additional \$75 million to the SICG program, and

WHEREAS, while these grants were a welcome step in the right direction when they were first created, they have not helped deliver much needed funding to counties, as the State is years behind schedule in awarding these monies to counties, which need the funding to make upgrades to their emergency communications equipment and systems, and

WHEREAS, the Governor's office has announced plans to award \$102 million in funding through the SICG Program previously appropriated in 2011-12 and 2012-13 State fiscal years, in order to expedite the release of prior year grant funding, and

WHEREAS, counties and other municipalities are the actual providers of 9-1-1 services to the people of New York State and incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes such as Next Generation 9-1-1 (NG 911) which is estimated to take 10 years to implement at a cost of approximately \$22 billion in New York State, and

WHEREAS most counties have been able to establish local surcharges to sustain their county's emergency communications needs, and

WHEREAS, NYS requires that each county that wants to establish a local 9-1-1 surcharge first obtain authorization in the form of State legislation, before they can create this local fee, and

WHEREAS, while nearly all counties have obtained the authority through the State Legislature to charge a local fee, a handful of counties remain unable to obtain such authorization to create a local surcharge, putting their local 9-1-1 centers at a financial disadvantage to meet the current emergency communications needs of their communities, and

WHEREAS, Senator John J. Bonacic is co-sponsoring a New York State bill S1720.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature calls upon the Governor to direct the Division of Homeland Security and Emergency Services to expedite the award of grant monies through the Statewide Interoperable Communications Grant Program and to simplify and streamline the grant applications and award process for counties, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature calls upon the State Legislature and the Governor to pass legislation that authorizes all counties to create a public safety local surcharge to fund costs associated with the provision of 9-1-1, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature calls upon the State Legislature and the Governor to pass legislation that imposes the \$1.20 and \$0.30 local surcharges on pre-paid wireless phones as well as all devices capable of connecting to 9-1-1 and direct those monies to counties, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature supports NYS Senate Bill 1720 (see attached)

BE IT FURTHER RESOLVED, that the Clerk to the Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Sheldon Silver, Assembly Speaker, Dean Skelos, Senate Majority Leader, Senator John J. Bonacic, and Assemblywoman Aileen Gunther.

Moved by Mr. Benson, seconded by Mrs. Edwards, put to a vote and declared duly adopted on motion February 21, 2013.

RESOLUTION NO. 79-13 INTRODUCED BY THE EXECUTIVE COMMITTEE RATIFYING A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF SULLIVAN, SULLIVAN COUNTY SHERIFF AND THE SULLIVAN COUNTY PATROLMEN'S BENEVOLENT ASSOCIATION AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE SAID AGREEMENT

WHEREAS, the collective bargaining agreement between the County of Sullivan, County Sheriff and the Sullivan County Patrolmen's Benevolent Association (hereinafter SCPBA) expired on December 31, 2007;

WHEREAS, interest arbitration was held and an award was made for the years 2008 and 2009; and

WHEREAS, negotiations conducted pursuant to the provisions of Article 14 of the New York State Civil Service Law (Public Employees Fair Employment Act) have resulted in a Memorandum of Agreement, attached hereto and made a part hereof; and

WHEREAS, the employees represented by the SCPBA have voted and ratified the terms and conditions of employment, as set forth in the aforementioned Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the terms and conditions of employment of employees represented by SCPBA, as set forth in the Memorandum of Agreement attached hereto and made a part hereof be and hereby are ratified, in recognition of the ratification by the Sullivan County Patrolmen's Benevolent Association; and

BE IT FUTHER RESOLVED, that the County Manager is hereby authorized to execute the aforementioned Memorandum of Agreement; and

BE IT FUTHER RESOLVED, the County Manager is hereby authorized to execute an Agreement incorporating the terms and conditions of employment in accordance with the Memorandum of Agreement, said Collective Bargaining Agreement to be in such form as the County Attorney shall approve.

Moved by Mr. Benson, seconded by Mr. Sorensen, put to a vote and declared duly adopted on motion February 21, 2013.

There being no further business, Mr. Rouis moved to adjourn, seconded by Mr. Sorensen. The meeting was declared closed at 3:49PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature