

**Sullivan County Legislature
Regular Meeting
April 23, 2015 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:00PM by Chairman Samuelson with the Pledge of Allegiance.

Roll Call indicated Mrs. Edwards absent.

The Clerk read the communications for April as follows:

1. Letter dated March 23, 2015 from Laurie Ramie of the Upper Delaware Scenic Byway, Inc thanking the Sullivan County Legislature for their valued participation and support
2. Letter dated March 28, 2015 from Town of Fremont Supervisor recommending Shane Cruz for appointment to the Sullivan County Fire Advisory Board.
3. Copy of a letter dated March 31, 2015 from the New York State Department of Transportation to the Narrowsburg Bridge Group regarding the Narrowsburg Bridge Rehabilitation.
4. Real Property Tax Services 2014 Annual Report filed by Director Ed Homenick.
5. Sullivan County Funding Corporation's 2014 Annual Report, Annual Audit Report and Annual Financial Report filed by Executive Director Jennifer Brylinski.
6. Record Destruction Notification in accordance with SARA filed by Sullivan County Department of Family Services dated April 8, 2015 and Sullivan County Payroll Department dated April 9, 2015
7. Copies of Resolutions adopted by the Sullivan County Association of Supervisors and the Sullivan County Association of Highway Superintendents requesting beginning in 2017 that Sullivan County share ½ of any county sales tax revenue collected in excess of the county sales tax collected in 2016 with the towns in proportion to each town's equalized tax assessment.
8. Copy of a resolution adopted by the Town of Bethel Town Board requesting sales tax revenue from Montrain casino Resort for each down adopted on April 8, 2015.
9. Letter dated April 23, 2015 from Gregory Tavormina, EMS Coordinator appointing Karrie Jara to fill the vacant Deputy EMS Coordinator position.

Public Comment

1. Dan Sturm
2. Kevin Esselman

RESOLUTION NO. 167-15 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2014 AND 2015 COUNTY BUDGET

WHEREAS, the County of Sullivan 2014 and 2015 Budgets require modification,

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

Moved by Mrs. LaBuda, seconded by Mr. Rouis, put to a vote with Mrs. Edwards absent, unanimously carried and declared duly adopted on motion April 23, 2015.

RESOLUTION NO. 168-15 INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO APPROVE A SULLIVAN COUNTY REVOLVING LOAN

WHEREAS, the Sullivan County Division of Planning & Environmental Management ("Division") oversees the County Main Street Main Street 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>
RJ Baker, Beaverkill Studios, Inc.	Main Street Business	\$50,000

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 Mr. Benson, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 169-15 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE CALLING UPON NEW YORK STATE GOVERNOR ANDREW M. CUOMO AND MEMBERS OF THE STATE LEGISLATURE TO REQUIRE A SUBSTANTIAL INCREASE OF THE COUNTY DEPARTMENT OF MOTOR VEHICLE REVENUE WITH THE STATE

WHEREAS, 51 of 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles Office (“DMV”), and

WHEREAS, local DMV offices process many no fee transactions on behalf of the State and provide numerous customer services, and

WHEREAS, under current law, the Sullivan County Clerk pays 87.3% of all fees collected from the work required by the DMV office, and

WHEREAS, the remaining 12.7% County share has not been increased since 1999, yet the amount of work required by the DMV office has increased in the same time period, and

WHEREAS, increasing the County DMV revenue sharing rate with the State will not result in any increased cost of fees to local residents or taxpayers and will provide counties with the needed revenue to continue to provide necessary local government services, and

WHEREAS, there is a clear inequity present when a County DMV provides all the services, including overhead and staffing to fulfill these DMV needs for State residents, yet the State is paid 87.3% of the revenue generated from said services.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature calls upon Governor Andrew M. Cuomo and members of the State Legislature to require a substantial increase of the County DMV revenue with the State, and

BE IT FURTHER RESOLVED, that the Clerk to the Sullivan County Legislature forward certified copies of this resolution to Governor Andrew M. Cuomo and our representatives in the New York State Legislature

Moved by Mr. Sorensen, seconded by Ms. Vetter, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 170-15 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE AUTHORIZING SULLIVAN COUNTY COMMUNITY COLLEGE TO REQUEST FUNDS FROM THE STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE CAPITAL PROGRAM FUND FOR ENERGY SAVINGS IMPROVEMENTS AND RESCINDING RESOLUTION NO. 437-14 AND RESOLUTION 426-14

WHEREAS, The County of Sullivan, as sponsor of Sullivan County Community College, may accept funds other than county funds as its match for state capital funds; and

WHEREAS, Sullivan County Community College will benefit from a NYSERDA grant and other private funds in the amount of Five Million (\$5,000,000) Dollars for campus energy savings improvements including the installation of a solar field; and

WHEREAS, the 2015 – 2016 New York State enacted budget for community college capital programs will include Ten Million (\$10,000,000) Dollars for campus energy savings improvements; and

WHEREAS, an additional Five Million (\$5,000,000) Dollars in energy-related capital projects will be reimbursed at One Hundred (100%) Percent of project costs up to Five Million (\$5,000,000) Dollars; and

WHEREAS, NY Education Law §6310, Section 10 permits Sullivan County to apply for matching funds through SUNY for the New York State share of projects that are normally permitted within an approved capital construction budget; and

WHEREAS, the Board of Trustees of Sullivan County Community College approves this project and the use of the NYSERDA grant and private funds as the County's match for approved State Capital Funds.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby adopts this resolution approving the energy savings improvements project for Ten Million (\$10,000,000) Dollars and authorizes Sullivan County Community College to request reimbursement up to 50% of eligible project costs up to Five Million (\$5,000,000) Dollars from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York, dependent upon the State appropriation backing the project; and

BE IT FURTHER RESOLVED, that Resolution No. 437-14 and Resolution 426-14 previously passed for the same project under a different project name and project amount are hereby rescinded; and

BE IT FURTHER RESOLVED, that no funds from the County's General Fund should be committed for this purpose.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

**RESOLUTION NO. 171-15 INTRODUCED BY THE PUBLIC WORKS COMMITTEE
TO AUTHORIZE EXECUTION OF CONTRACT BETWEEN NATIONAL PARK SERVICE ("NPS")
AND THE COUNTY OF SULLIVAN ("COUNTY")**

WHEREAS, the County owns and operates the D&H Canal Interpretive Center, located on the site of D&H Lock 50 remains at Bova Road in the Town of Mamakating; and

WHEREAS, a primary intention of the exhibits within the Interpretive Center is canal technology; and

WHEREAS, the NPS has a large scale model of the Roebling Delaware Aqueduct, of the former D&H Canal, which is a beautiful interpretation of canal technology; and

WHEREAS, the NPS is currently seeking an alternative location for this model and has completed a site survey of the D&H Interpretive Center.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized and directed on behalf of the County of Sullivan to execute a five year loan agreement between National Park Service and the "County of Sullivan" for the period commencing May 1, 2015 through April 30, 2020 said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Ms. Vetter, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

**RESOLUTION NO. 172-15 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO
AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

WHEREAS, bids were received for Fire Suppression and Bulk Water Storage Tank at the Sullivan County International Airport, and

WHEREAS, SunUp Enterprises, 1607 Route 376, Wappingers Falls, New York 12590, is the lowest responsible bidder for this project, and

WHEREAS, the Sullivan County Division of Public Works has approved said bid and recommends that

an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Sunup Enterprises, at a total price not to exceed \$261,000.00, Base Bid #1, in accordance with B-15-09, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Benson, seconded by Mrs. Gieger, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 173-15 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT

WHEREAS, bids were received for Cleaning of Leachate Collection Lines at Sullivan County Landfill, and

WHEREAS, Fred A. Cook Jr., Incorporated, PO Box 70, Montrose, New York 10548, is the lowest responsible bidder, and

WHEREAS, these services are mandated by the New York State Department of Environmental Conservation, and

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

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Fred A. Cook, Jr., Incorporated, as per the unit costs contained in Bid No. B-15-13, for the contract period August 1, 2015 through July 31, 2017, with an additional two (2) extension through July 31, 2019, under the same terms and conditions, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Sorensen, seconded by Ms. Vetter, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 174-15 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AGREEMENT WITH ANN MARIE E. KRETCHIK, MS, RD

WHEREAS, a proposal was received for Registered Dietician Services for the Office for the Aging, and

WHEREAS, the Office for the Aging has a need, as mandated by the New York State Office for the Aging (NYSOFA), for nutrition related services for the Nutrition Program, and

WHEREAS, Ann Marie E. Kretchik, MS, RD, is qualified to provide the above services, and

WHEREAS, the Office for the Aging has reviewed the proposal and recommends award.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an agreement with Ann Marie E. Kretchik, in an amount not to exceed \$12,333.36, for the period May 1,

2015 – December 31, 2015, of which \$1,803.00, is received from CSI NYS funds and \$10,530.36 from County funds. For 2016 services, the total shall not exceed \$18,500.00, of which \$1,803.00 is received from CSI NYS funds and \$16,697.00 from County funds. The current agreement can be extended for an additional two (2) years, on a yearly basis, under the same terms and conditions as the 2016 services, in accordance with RFP R-15-14, and shall be in such form as the County Attorney shall approve.

Moved by Ms. Vetter, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 175-15 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO MODIFY AGREEMENT WITH PRIME REHABILITATION SERVICES

WHEREAS, Prime Rehabilitation Services, 1940 Commerce Street, Suite 210, Yorktown Heights, New York 10598, was awarded the contract for rehabilitation services for the Sullivan County Adult Care Center, and

WHEREAS, Resolution No. 447-14, adopted by the Sullivan County Legislature on December 18, 2014, indicating a total amount not to exceed \$425,000.00, shall be amended to reflect the following changes:

1. Due to the completion of the new Rehabilitation Unit for short term rehab patients, additional services are required and the total amount of the contract must be increased to, "an amount not to exceed \$425,447.57", for the remainder of 2014.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a Modification Agreement with Prime Rehabilitation Services, for a total amount not to exceed \$425,447.57, in accordance with RFP, R-13-56, said contract modification to be in such form as the County Attorney shall approve.

Moved by Ms. Vetter, seconded by Mr. Steingart, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 176-15 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO MODIFY AGREEMENT

WHEREAS, the County of has an agreement with Richard I. Gordon, LCSW-R, 51 Strong Road, Ferndale, New York 12734, dated April 11, 2013, in accordance with Resolution No. 113-13, adopted by the Sullivan County Legislature on March 21, 2013, and

WHEREAS, Richard Gordon has exceeded the caseload expectations, and

WHEREAS, Richard Gordon is temporarily assisting the Adult Care Center at \$55.00/hour, and

WHEREAS, the hourly rate for services shall be increased from \$50.00 to \$55.00, and

WHEREAS, the Sullivan County Department of Community Services has approved said increase and recommends that the agreement be modified.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to modify the agreement with Richard I. Gordon, LCSW-R, \$55.00/hour, in accordance with R-13-06, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Sorensen, seconded by Ms. Vetter, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 177-15 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AUTHORIZE COUNTY MANAGER TO ENTER INTO AGREEMENT FOR THE PROVISION OF COMMUNITY OPTIONAL PREVENTIVE SERVICES (COPS) PREVENTIVE SERVICES

WHEREAS, the County of Sullivan, through the Department of Family Services, contracts for the provision of certain preventive services; and

WHEREAS, funding is available to purchase certain New York State Office of Children and Family Services (OCFS) approved preventive services; and

WHEREAS, the County of Sullivan, through the Department of Family Services, wishes to contract through Memorandum of Understanding (MOU) for the provision of OCFS approved COPS-Preventive services with Sullivan County Public Health Services; and

WHEREAS, the Sullivan County Public Health Services is capable and willing to provide such services at a cost not to exceed \$139,598.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature does hereby authorize the County Manager to execute an MOU between Sullivan County Department of Family Services and Sullivan County Public Health Services at a cost not to exceed amounts approved by OCFS for the period from October 1, 2014 through September 30, 2015; and

BE IT FURTHER RESOLVED, this contract is at the County's discretion, subject to annual appropriation; and

BE IT FURTHER RESOLVED, the maximum of this contract is not exceed the Department of Family Services budgeted amount for COPS-Preventive related services; and

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

Moved by Mr. Sorensen, seconded by Ms. Vetter, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 178-15 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE AN INTER-MUNICIPAL AGREEMENT (IMA) WITH THE TOWN OF ROCKLAND

WHEREAS, severe flooding in the Town of Rockland caused for two (2) residential buildings to be severely undermined by Cattail Brook; and

WHEREAS, there is a significant potential for future flood water to completely undermine the buildings allowing them to wash downstream thereby impacting County bridges; and

WHEREAS, the Town of Rockland has requested assistance from the County to remove the buildings; and

WHEREAS, the County has an excavator capable of performing such work; and

WHEREAS, it is in the best interest of the County to assist the Town as requested.

NOW, THEREFORE, BE IT RESOLVED, that the County Legislature hereby authorizes the County Manager to execute an IMA with the Town of Rockland in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Ms. Vetter, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 179-15 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO AMEND RESOLUTION 49-15 TO REFLECT THE NAME CHANGE OF CATHOLIC CHARITIES COMMUNITY SERVICES OF ORANGE COUNTY FROM THE SULLIVAN COUNTY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE.

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a contract with Sullivan County Council on Alcoholism and Substance Abuse; and

WHEREAS, the contract with the Sullivan County Council on Alcoholism and Substance Abuse was extended for 2015 pursuant to Resolution #49-15; and

WHEREAS, the Sullivan County Council on Alcoholism and Substance Abuse changed its name to Catholic Charities Community Services of Orange County;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature recognizes that the Sullivan County Council on Alcoholism and Substance Abuse changed its name to Catholic Charities Community Services of Orange County.

Moved by Mr. Rouis, seconded by Mrs. Gieger, put to a vote with Mrs. LaBuda abstaining and Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 180-15 INTRODUCED BY THE PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND (ROCKLAND COUNTY) TO ACCEPT THE COUNTY OF SULLIVAN'S (SULLIVAN COUNTY) PORTION OF A HAZMAT GRANT AWARD FROM THE NYS OFFICE OF HOMELAND SECURITY

WHEREAS, funding was made available for FY2014 Hazmat Grants by the NYS Office of Homeland Security for the States Hazardous Material Response Teams; and

WHEREAS, a requirement to submit an application for a Hazmat Grant is, it has to be a regional application; and

WHEREAS, Rockland County has applied for the FY2014 Hazmat Grant as the “submitting partner/fiduciary agent”; and

WHEREAS, Sullivan County, Orange County and Ulster County have applied with Rockland County as the “non-submitting partners”, and need to enter into an inter-municipal agreement with Rockland County to accept their portion of the Hazmat Grant award, at no cost to the counties; and

WHEREAS, the inter-municipal agreement is made under the authority of Article 5-G of the NYS General Municipal Law; and

WHEREAS, Rockland County, as the “submitting partner” was awarded \$142,000.00 for the region, and will administer a portion of the award to the “non-submitting partners; and

WHEREAS, Sullivan County’s portion of the \$142,000.00 award is \$25,000.00 to be used for the acquisition of hazmat equipment; and

WHEREAS, Sullivan County agrees to accept \$25,000.00 of the FY14 Hazmat award from Rockland County for the acquisition of hazmat equipment, which procurement shall be made in accordance with the terms and conditions set forth in the FY2014 Hazmat Grant Agreement between the State of New York, and Rockland County, NYS Law and Sullivan County Policy.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and is hereby authorized to execute and enter into the inter-municipal agreement with Rockland County specific to FY2014 Hazmat Grant, in such form as the County Attorney shall approve; and

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

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 181-15 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BY THE COUNTY OF SULLIVAN FOR THE BENEFIT OF THE SULLIVAN COUNTY CORONERS OFFICE WITH CATSKILL REGIONAL MEDICAL CENTER FOR THE PURPOSE OF ACCESSING MORGUE FACILITIES

WHEREAS, Catskill Regional Medical Center (“CRMC”) operates an acute care general hospital pursuant to Article 28 of the New York State Public Health Law and related regulations; and

WHEREAS, Sullivan County Coroner’s Office (“SCCO”) requires access to morgue facilities and other services to enable its Medical Examiner (“ME”) to perform autopsies and other post-mortem activities and needed; and

WHEREAS, CRMC is willing to allow SCCO access to CRMC’s morgue facilities and to furnish SCCO related histopathology and other radiology services;

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute a Memorandum of Understanding (“MOU”) with CRMC with the following terms:

1. The term of the MOU shall be for one year from January 1, 2015 to December 31, 2015 and may be renewed for up to four additional one year terms; and
2. The annual payment from the County of Sullivan to CRMC shall be an all-inclusive fee of \$32,000.00 for access to and use of its morgue and for provision of histopathology and radiology services;
3. The maximum amount of any increase in an annual fee for any renewal term shall be 2% of the prior year’s annual fee.

BE IT FURTHER RESOLVED, that said MOU be approved to form by the County Attorney’s Office.

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

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and declared duly adopted on motion April 23, 2015.

RESOLUTION NO. 182-15 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE AN AGREEMENT WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, the Sullivan County Probation Department operates an Alternatives to Incarceration Program (*ATI Program*) which includes Community Service and Pre-Trial Release components; and

WHEREAS, the ATI Program is an important tool which is utilized by the Sullivan County District Attorney's Office in appropriate criminal prosecutions; and

WHEREAS, the ATI Program creates substantial savings for the Sullivan County Sheriff's Office, particularly for the Sullivan County Jail, and

WHEREAS, the New York State Division of Criminal Justice Services (*DCJS*) is prepared to provide \$29,304.00 in funding for the ATI Program for the programmatic term of July 1, 2015, through June 30, 2016, and

WHEREAS, in order to access the funding the County must enter into an agreement with DCJS.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to enter into the agreement with DCJS to acquire the funding and to execute all other documents necessary to comply with funding source requirements, said document(s) to be in a form approved by the County Attorney's Office.

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

RESOLUTION NO. 183-15 INTRODUCED TO PUBLIC SAFETY & LAW ENFORCEMENT COMMITTEE TO ENTER INTO AGREEMENT WITH NEW WORLD SYSTEMS CORPORATION FOR SERVICES ASSOCIATED WITH UPGRADE AND INSTALLATION OF COMPUTER AIDED DISPATCH SOFTWARE

WHEREAS, Sullivan County 911 currently utilizes New World Systems CAD in its dispatch operations, and

WHEREAS, New World Systems CAD is a mission critical software application and upgrades to the software and hardware are essential to maintaining reliability and support of the product, and

WHEREAS, Sullivan County 911 has received a proposal (#0723-15A1B) from the vendor to complete the services required to install and upgrade on new server equipment at 911, and

WHEREAS, Sullivan County 911 will receive 100% reimbursement of said costs under the DHSES PSAP grant reimbursement program,

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an agreement with New World Systems Corporation in the amount of \$12,000.00 to perform professional services related to the upgrade and installation of Computer Aided Dispatch software. Such agreement is to be in a form as approved by the County Attorney's Office.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and declared duly adopted on motion April 23, 2015.

RESOLUTION NO. 184-15 INTRODUCED BY PUBLIC SAFETY COMMITTEE TO APPROVE AMENDMENTS TO FIRE MUTUAL AID PLAN

WHEREAS, Richard Martinkovic, Sullivan County Fire Coordinator, annually reviews the Fire Mutual Aid Plan and any other Bureau of Fire policies and procedures that require amendment; and

WHEREAS, at its regular monthly meeting on March 30, 2015, the Fire Advisory Board approved amendments to the Fire Mutual Aid Plan; and

WHEREAS, the amendments to the Fire Mutual Aid Plan shall take effect upon the approval of same by the Public Safety Committee and Sullivan County Legislature.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Fire Mutual Aid Plan, as amended, is hereby approved; and

BE IT FURTHER RESOLVED, that copies, as amended, shall be filed with the Clerk of the Sullivan County Legislature and County Manager.

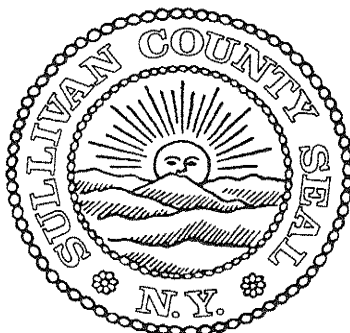
Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and declared duly adopted on motion April 23, 2015.

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Sullivan County

Fire Mutual Aid Plan



**Sullivan County Fire Mutual Aid Plan
Sullivan County, New York**

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Attachments: Appendix to Fire Mutual Aid Plan

Sullivan County Fire Mutual Aid Plan

1. Objective

A. Definition of Mutual Aid

Mutual aid is organized, supervised, coordinated, cooperative, and reciprocal assistance in which personnel, equipment, and physical facilities of all participating fire departments, regardless of type or size, are utilized for fire or other public emergency in which the services of firefighters would be used throughout the County of Sullivan and adjacent areas. This Mutual Aid Plan will conform with all NIMS PR Homeland Security Presidential Directive 5

B. Amendments

Amendments to this plan may be made periodically and will follow this procedure:

1. Prepared by the County Fire Coordinator
2. Reviewed by an representative from OFPC
3. Recommended by the County Fire Advisory Board
4. Adopted by the County Public Safety Committee
5. Adopted by the Sullivan County Legislature
6. Admitted into the State Fire Mobilization and Mutual Aid Plan by the NYS Office of Fire Prevention and Control (NYS OFPC)

C. Annual Review

This plan shall be reviewed every three (3) years or as necessary by the County Fire Coordinator and a representative of OFPC and corrections or changes processed.

2. Participation

A. Extent and limit of participation by the fire companies and fire departments:

All towns, villages, fire districts, and fire companies in Sullivan County may fully participate in this plan.

B. The fire companies and fire departments of Sullivan County presently members of this plan are:

Beaverkill Valley
Bloomingburg
Callicoon
Callicoon Center
Claryville
Fallsburg
Forestburgh
Grahamsville
Hankins-Fremont
Highland Lake
Hortonville
Hurleyville
Jeffersonville
Kauneonga Lake
Kenoza Lake
Lake Huntington
Lava
Liberty
Livingston Manor
Loch Sheldrake
Long Eddy
Lumberland
Monticello
Mountaindale
Narrowsburg
Neversink
North Branch
Rock Hill
Roscoe/Rockland
Smallwood/ Mongaup Valley
Sullivan County Airport
Summitville

Swan Lake
White Lake
White Sulphur Springs
Westbrookville
Woodbourne
Woodridge
Wurtsboro
Youngsville
Yulan

C. Extent and limit of participation

Extent and limit of participation with adjacent counties in New York State mutual aid is provided to and received from Delaware, Orange, and Ulster Counties through their respective County Fire Control Centers under the direction of their County Fire Coordinator or legally appointed Deputy Fire Coordinator.

D. Extent and limit of participation with adjacent counties in Pennsylvania.

There is no formal agreement with Pike and Wayne Counties in the State of Pennsylvania. Local reciprocal assistance, if any, is in accordance with Section 209 a of the General Municipal Law.

E. Entering and participating

Any duly established Fire Company or fire department might participate in this plan by filing a copy of a resolution adopted by the Fire Company or fire department in the Office of the County Fire Coordinator. Such resolution shall state that such fire company or fire department elects to participate in the Sullivan County Fire Mutual Aid Plan and will comply with the provisions of such plans. The resolution shall state that the fire company or fire department shall recognize a call for assistance from another fire company or fire department through the Sullivan County E-911 Center.

There shall also be filed with the County Fire Coordinator a copy of a resolution adopted by the Legislative body of each participating village, board of fire commissioners, or other governing board having jurisdiction over the fire department, the board of fire commissioners of each town in relation to participating fire companies serving territories outside of villages and fire districts or in relation to a town fire department. Such resolution shall state that no restriction exists against "outside service" by the fire company or fire department of the municipality or district within the meaning of Section 209 of the General Municipal Law, which would affect the power of such fire company, or fire department to participate in the Sullivan County Fire Mutual Aid Plan.

F. Withdrawal from the plan

Any fire company or fire department may elect to withdraw from this plan by adopting a resolution to such effect. Such withdrawal shall become effective thirty (30) days after filing of such notice with the County Fire Coordinator. If the outside service activities of a participating fire company or fire department are restricted pursuant to Section 209 of the General Municipal Law, notice of any restriction shall be given promptly to the County Fire Coordinator. Any such restrictions imposed by the legislative body of a village, town or by the board of fire commissioners shall take effect in accordance with the resolution imposing the restriction.

Any fire company or fire department withdrawing from this plan, upon the effective date, shall surrender and return to the County of Sullivan at the Sullivan County government Center 100 North Street, Monticello, NY, all county-owned equipment. Such withdrawal shall remain in effect until reinstated by resolution as defined by Section 209 of the General Municipal Law.

Withdrawal from the plan will result in suspension of mutual aid pursuant to this plan to the fire company or fire department taking such action. All radio identifiers and call signs issued to such fire company or fire department are cancelled on the effective day of withdrawal.

3. Extent and limit of authority of County Officials

A. County Fire Coordinator

1. Administers the State Fire Training Program and all training programs developed by the State or by his office throughout the County.
2. Administers this County Fire Mutual Aid Plan and is responsible for the efficient operation of the plan for intra-county and inter-county purpose at fire or any other emergency where the services of firefighters are used.
3. Administers the Sullivan County Fire Radio System under authorization of the Federal Communications Commission.
4. Acts as liaison officer between the fire service of Sullivan County and the NYS OFPC, which is part of the New York State Division of Homeland Security.
5. May appoint and remove Deputy Fire Coordinators in accordance with Section 401 of the County Law and/or Section 3 of the Public Officers Law of the Civil Service Law.
6. Is allowed to create "specialized teams" under general municipal law 209bb.

B. Deputy Fire Coordinator - Battalion Operations

1. Area of assignment is determined by the County Fire Coordinator according to the five (5) Battalions within the County. The five (5) Battalions shall be made up of the following fire departments.

<p>Battalion # 1 Callicoon Hankins-Fremont Highland Lake Hortonville Lake Huntington Lava Long Eddy Lumberland Narrowsburg</p>	<p><u>Battalion # 2</u> Beaverkill Valley Callicoon Center Liberty Livingston Manor North Branch Roscoe/Rockland White Sulphur Springs Youngsville</p>	<p>Battalion # 3 Claryville Fallsburg Grahamsville Hurleyville Loch Sheldrake Mountaindale Neversink Woodbourne Woodridge</p>	<p><u>Battalion # 4</u> Jeffersonville Kauneonga Lake Kenoza Lake Monticello Smallwood/ Mongaup Valley Sullivan County Airport Swan Lake White Lake</p>	<p><u>Battalion # 5</u> Forestburgh Bloomingburg Rock Hill Summitville Westbrookville Wurtsboro</p>
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2. Represents the County Fire Coordinator at fire or other emergencies that require the services of firefighters.
3. Orders the E-911 Center to dispatch mutual aid at the request of the fire chief or officer-in-charge.
4. Acts as liaison officer to the fire chief or fire officer-in-charge regarding kinds of fire mutual aid available.
5. Acts as liaison officer between the fire chief and other emergency service agencies.

C. Deputy Fire Coordinator – Logistics

1. Maintains NYS Fire Resource Inventory System (FRIS) and Training Information Management System (TIMS) State Wide Learning Management System (SLMS) and monitor the National Fire Incident Reporting System (NFIRS)
2. Will coordinate with Operational Deputy Fire Coordinators to gather and maintain a current inventory of equipment & line officers from each department in the county

D. Deputy Fire Coordinator - Hazardous Materials & Weapons of Mass Destruction

1. Responsible to the County Fire Coordinator to act as liaison officer on all hazardous material and weapons of mass destruction incidents.
2. Will assist the County fire service and other agencies with day-to-day operations as required by the Sullivan County Bureau of Fire Hazardous Materials Plan as per General Municipal Law 204 f.

E. Deputy Fire Coordinator - Training

1. Supervises the scheduling and administration of courses in the State Fire Training Program, and any and all training programs developed by the State or County at the Sullivan County Emergency Services Training Center.
2. Determines need for existing courses and new courses and makes recommendations to the County.

F. Deputy Fire Coordinator – Wildland Search & Rescue

1. Responsible to the County Fire Coordinator to act as a liaison officer on all wildland search and rescue incidents.
2. Will assist the County fire service and other agencies as per the Sullivan County Bureau of Fire Operating Procedure for any wildland search and rescues.

G. Deputy Fire Coordinator – Fire Police

1. Responsible to the County Fire Coordinator to act as a liaison officer to all County fire departments utilizing New York State Certified Fire Police and to administer Fire Police training and deployment on a county level.

H. Senior Fire Investigator

1. Appointed by the Fire Coordinator and serves as the Lead Investigator of the Fire Investigative Team.
2. Works with Team as outlined in the Sullivan County Bureau of Fire Investigative Team Policy and a control of plan as per General Municipal Law 204 c.

4. Line of Authority

A. Absence of County Fire Coordinator

The County Fire Coordinator shall designate in writing and file in the Office of the County Clerk and of the Clerk of the Sullivan County Legislature the order in which Deputy County Fire Coordinators are to possess the powers and perform the duties of the County Fire Coordinator during his absence or inability to act pursuant to section 401 of the County Law.

B. Vacancy in position of County Fire Coordinator

Sullivan County Fire Coordinator shall designate the Deputy Fire Coordinator, who

shall possess the power to perform the duties of County Fire Coordinator until a successor is appointed by the County Legislature and has qualified pursuant to Section 401 of the County Law. With the authority designated by the County Legislature, the above named Deputy Fire Coordinator shall act as temporary County Fire Coordinator until the Legislature shall appoint a new County Fire Coordinator under Section 225a of the County Law.

C. Line of Authority and Command

The line of authority and command in the absence of the County Fire Coordinator will be assigned in the order chosen by the County Fire Coordinator and will be compiled from the list of Operational Deputy Fire Coordinator.

See List of Assigned Personnel in Appendix, Section A

5. Status of the local Fire Department

A. Maintenance of individuality

Each fire department participating in this plan shall retain its internal command and individuality.

B. Authority of “requesting” fire chief or officer-in-charge

1. A “requesting” fire chief or officer-in-charge is one who requests mutual aid for their department in accordance with this plan.
2. The fire officer in command will work with chiefs, senior officers, and company officers of departments providing mutual aid. The firefighters in the assisting department will be supervised by their own officers who in turn will be commanded by the officers of the department requesting mutual aid.
3. Requested Equipment – Only that equipment that is requested should be sent and properly trained personnel on that apparatus should be sent

C. Incident Command System

1. All fire departments that are members of the Sullivan County Fire Mutual Aid Plan, including the officers and firefighting personnel of these member departments, shall adhere to the guidelines and procedures of the Incident Command System as developed by the National Interagency Management System (NIMS). This system was formally mandated by Presidential Directive to the Secretary of Homeland Security as Homeland Security Directive, (HSPD) 5 and so adopted by the State of New York for emergencies requiring a multi-agency response. First arriving emergency forces should initiate the ICS.
2. Each agency participating in this plan shall retain their internal command and individuality within the proper scope of the ICS and as outlined in section “B” of “Status of Local Fire Departments.”

6. Operations of the Sullivan County E-911 Center

A. The location of the Sullivan County E-911 Center is at the Sullivan County International Airport, 76 County Road 183A, White Lake, New York 12786

7. Radio and telephone communications regulations for individual departments

A. Procedure

The radio and telephone procedure shall conform completely with that prescribed in "Guide to Fire Mobilization and Mutual Aid Plans in the State of New York" by the NYS OFPC of the Division of Homeland Security and Emergency Services.

B. Authorized to operate

No fire officer or firefighter may use the fire radio unless they have been properly trained and authorized to use such radio by the fire chief of the respective fire department.

C. Authorization to use non-county owned transmitters and receivers.

1. No radio may operate on the fire frequency as part of the County Fire Radio Network unless specifically authorized by the County Fire Coordinator and in accordance with regulations of the Federal Communications Commission (FCC) in writing. Upon application of mobile station identifier, a fire chief, 1st assistant chief, and 2nd assistant chief of a fire company or fire department may install and operate a mobile unit in any vehicle utilized in their duties as Chief. At the time of the expiration of the term of office, the identifier is canceled and the mobile unit cannot be used for transmissions. Operation without identifier authorized by the license is a violation of rules of the FCC.
2. Any fire department wishing to operate a communications base station at their respective Fire station must maintain a current FCC license with proper identifiers. A copy of said License must be kept on file in the office of the Fire Coordinator and a new copy provided when such license is renewed.

8. Inventory

A. Obtaining and Maintaining Countywide Fire Equipment Inventory

The primary copy of the fire equipment inventory of all equipment maintained by the respective fire departments or fire companies in the County shall be sent to the Fire Coordinator's Office and made available at the E-911 Center. Additional copies shall be maintained by the Fire Coordinator and copies will be assigned to each of the Battalion Deputy Fire Coordinators as well as located in the County Fire Coordinator's vehicle. The officer responsible to maintain the County inventory is the County Fire Coordinator. All equipment lists must conform to NIMS standards.

The Deputy Fire Coordinator assigned to Communications & Logistics shall be responsible to submit changes in the inventory, as the information is made available from the fire departments or fire companies. The County Fire Coordinator shall update the complete inventory yearly.

9. Standard Thread

All apparatus participating in this plan shall be equipped with National Standard Thread as defined by the National Bureau of Standards and General Municipal Law 209 e5. Those fire companies or fire departments that use large diameter hose shall have sufficient adapters available for mutual aid use.

10. Participation in the State Fire Mobilization and Mutual Aid Plan

A. Procedure to obtain activation of plan

The County Fire Coordinator or Deputy Fire Coordinator in the line of authority designated pursuant to Section 401 of the County Law, after utilizing all available assistance from Delaware, Orange, and Ulster Counties, may call the NYS OFPC to obtain activation of the State Fire Mobilization and Mutual Aid Plan.

The procedure shall conform to that specified in the "Guide to Fire Mobilization and Mutual Aid Plans in the State of New York and according to General Municipal Law 209 e.

B. Authority and responsibility of the Regional Fire Administrator

The NYS OFPC establishes all authority and responsibility of the Regional Fire Administrator under the activated State Fire Mobilization and Mutual Aid Plan.

C. Retirement provision relating to the position of Regional Fire Administrator

Should the County Fire Coordinator be separated from his/her office for any reason, he/she then is automatically retired as Regional Fire Administrator. The State Fire Administrator from the NYS OFPC shall appoint a new Regional Fire Administrator.

D. County number under the State Fire Mobilization and Mutual Aid Plan

The County Fire Coordinator shall use county number fifty-three (53) assigned to Sullivan County by the State Fire Mobilization and Mutual Aid Plan.

11. Coordination with other emergency services

A. Informal agreements exist and emergency telephone numbers are maintained at the E-911 Center for assistance from:

Adjacent Fire Control Centers
Area Hospitals
Central Hudson
EMS Agencies
Frontier Telecom
Local Police Dept.
National Park Service
New York State OFPC
New York State Police
New York Susquehanna & Western
Railway
NYC DEP

NYS ENCON
NYS Homeland Security
NYSEG
Orange and Rockland Utilities
State Officials
Sullivan County Public Works
Sullivan County Sheriff's Office
Town/Village Highway Departments
Verizon
Village & Town Agencies

12. Duties of the Fire Chief - General Municipal Law 204d

The fire chief of any fire company or department shall, in addition to any other duties assigned to him/her by law or contract to the extent reasonably possible determine or cause to be determined the cause of each fire or explosion which the company or department has been called to suppress. He/She shall contact or cause to be contacted the appropriate investigative authority if they have reason to believe the fire or explosion is of incendiary or suspicious origin.

Activation of the Sullivan County Fire Mutual Aid Plan by a requesting chief shall require all responding units to work under the Incident Command System (NIMS) with the requesting chief of jurisdiction to act as the Incident Commander.

13. County wide fire reporting

Each fire chief or his designee is responsible to make a report to the State, which complies with the National Fire Incident Reporting System (NFIRS). The report shall be completed and submitted to the NYS OFPC as soon as administratively possible.

14. Personnel

County Fire Coordinator
Sullivan County Car # 53-1

Deputy Fire Coordinator-Battalion # 1
Sullivan County Car # BC-1

Deputy Fire Coordinator-Battalion # 2
Sullivan County Car # BC-2

Deputy Fire Coordinator-Battalion # 3
Sullivan County Car # BC-3

Deputy Fire Coordinator-Battalion # 4
Sullivan County Car # BC-4

Deputy Fire Coordinator-Battalion # 5
Sullivan County Car # BC-5

Note: See List of Assigned Personnel in Appendix, Section B

15. Fire Instructors

Fire Instructors are assigned to Sullivan County in accordance to Office of Fire Prevention and Control (OFPC) standards and in conjunction with the Office of the Sullivan County Fire Coordinator.

16. Fire Investigation Team

The Fire Investigation Team is an all-volunteer group, comprised of personnel from the fire service and law enforcement agencies. The Team as formed in 1981, pursuant to General Municipal Law mandate, requiring every county to have a plan to combat arson in the State of New York.

The Team shall consist of Fire Investigators who are supervised by the Fire Coordinator. The Investigators will be available through communication with the 911 Center. The members of the Team will be chosen and appointed by the Fire Coordinator, at his discretion and as needed.

17. Sullivan County Apparatus Identification

Sullivan County is listed as 53 alphabetically in New York State. It's "County Code" is 53.

"53 Control" is used as the call sign from the 911 dispatch center to the field of operations.

All of the fire departments in Sullivan County have been assigned an Agency Code by the State. This agency code is used in conjunction with a two digit code to identify apparatus and their use.

For example: 11-11 would be an engine from Hurleyville

22-41 would be a ladder truck from Monticello

See accompanying chart:

xx-1	Chief of the Department
xx-2	1st Assistant of the Department
xx-3	2nd Assistant of the Department
XX-11 thur 19	engine
xx- 21 thur 29	tanker (min 1000 gallons water)
xx-31 thur 39	tanker-pumper
xx-41 thur 49	ladder truck
xx-51 thur 59	mini pumper, brush truck, utility truck
xx-61 thur 69	rescue truck, boat, Utility Terrain Vehicle, ATV, snowmobile
xx-71 thur 79	transport ambulance associated with a fire department
xx-81 thur 89	transport ambulance not associated with a fire department
xx-91 thur 99	private for profit ambulance service

The Sullivan County Bureau of Fire maintains an apparatus and equipment inventory through the use of the State's (FRIS) Fire Resource Inventory System. It is reviewed periodically and updated as needed.

The following chart shows the **Agency Code** as assigned by the state.

53001 - BEAVERKILL VALLEY	53021 - LUMBERLAND
53002 - BLOOMINGBURG	53022 - MONTICELLO
53003 - CALLICOON	53023 - MOUNTAINDALE
53004 - CALLICOON CENTER	53024 - NARROWSBURG
53005 - CLARYVILLE	53025 - NEVERSINK

53006 - FORESTBURGH	53026 - NORTH BRANCH
53007 - GRAHAMSVILLE	53027 - ROCK HILL
53008 - HANKINS	53029 - ROSCOE/ROCKLAND
53009 - HIGHLAND LAKE	53030 - SMALLWOOD-MONGAUP VALLEY
53010 - HORTONVILLE	53031 - SOUTH FALLSBURG
53011 - HURLEYVILLE	53032 - SUMMITVILLE
53012 - JEFFERSONVILLE	53033 - SWAN LAKE
53013 - KAUNEONGA LAKE	53034 - WESTBROOKVILLE
53014 - KENOZA LAKE	53035 - WHITE LAKE
53015 - LAKE HUNTINGTON	53036 - WHITE SULPHUR SPRINGS
53016 - LAVA	53037 - WOODBOURNE
53017 - LIBERTY	53038 - WOODRIDGE
53018 - LIVINGSTON MANOR	53039 - WURTSBORO
53019 - LONG EDDY	53040 - YOUNGSVILLE
53020 - LOCH SHELDRAKE	53041 - YULAN

18 Approval of plan by the County Fire Advisory Board, Sullivan County Public Safety Committee and the Sullivan County Legislature.

A. Approved by the Sullivan County Fire Advisory Board at its regular meeting

on _____

Signed: _____
Chairperson

Dated: _____

B. Approved by the Sullivan County Public Safety Committee at its regular meeting

on _____

Signed: _____
Chairperson

Dated: _____

C. Approved by the Sullivan County Legislature at its regular meeting

on _____

Signed: _____
Chairperson

Dated: _____

**RESOLUTION NO. 185-15 INTRODUCED BY PLANNING ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO RESCIND A REVERTER
CLAUSE**

WHEREAS, in 1997 the County of Sullivan (“County”) agreed to sell a parcel of real property designated on the Town of Fallsburg tax map as Section 10. Block 1 lot 15.2 (the, “Property”) to Sullivan Estates, Inc. for the sum of thirty-five thousand (\$35,000) dollars, and

WHEREAS, the Property was transferred pursuant to a Deed dated July 1, 1997 which was recorded in the Sullivan County Clerk’s Office on February 26, 1998 in Liber 2001 at Page 0074 (the, “Deed”), and

WHEREAS, the Deed contained reverter language in a clause beginning with the words “ANY conveyance by the purchasers...” and ending with the words “terms therein set forth.” (the, “Reverter Clause”), and

WHEREAS, the Reverter Clause creates a right to a reconveyance back to the County in the event that Sullivan Estates, Inc. or any subsequent successor in interest seeks tax exempt status for the Property unless the owner of the Property agrees to make a payment in lieu of taxes equal to the full amount of taxes owed without the application of the exemption, and

WHEREAS, Sullivan Estates, Inc. has requested that the Reverter Clause be removed from the Deed, and

WHEREAS, the Sullivan County Legislature believes that it is in the best interest of the County and prudent public policy to remove the Reverter Clause from the Deed.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Sullivan County Legislature is hereby authorizing to execute the document(s) necessary to rescind the Reverter Clause from the Deed, said document(s) to be in a form approved by the County Attorney’s Office.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

**RESOLUTION NO. 186-15 INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PROPERTY IN
THE TOWN OF LIBERTY KNOWN AS LI18.-1-45, ACQUIRED BY THE COUNTY OF
SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR
THE 2013 LIEN YEAR.**

WHEREAS, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as LI18.-1-45, Class 311, being 0.52 +/- acres, located on California Ave, is owned by the County of Sullivan (formerly owned by Daniel L & Elizabeth A McConnell) and was included in the foreclosure of 2013 liens, and

WHEREAS, America Project Services Inc. has offered to purchase said property for the sum of, ONE THOUSAND (\$1,000.00) DOLLARS, and

WHEREAS, property owned by them has an encroachment with this property, and

WHEREAS, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcel to America Project Services Inc. for ONE THOUSAND (\$1,000.00) DOLLARS, and

WHEREAS, the purchaser will also be responsible for the recording fees plus 10% of sale price for auctioneer’s commission, plus the 2015 County/Town taxes and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, if any, and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to America Project Services Inc., upon payment of \$1,000.00 to the County

Treasurer, plus 10% of sale price for auctioneer's commission, plus fees for the County Clerk, plus the 2015 County/Town taxes and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, if any.

BE IT FURTHER RESOLVED, that upon this conveyance, the buyers will file a combination request with the Liberty Assessor to combine this property with LI18.-1-44.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 187-15 INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CONVEY PARCELS TO THE FORMER OWNERS, THAT WERE ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF AN IN REM TAX FORECLOSURE PROCEEDING, PURSUANT TO SULLIVAN COUNTY LOCAL LAW NO. 5 OF 2003, AS AMENDED.

WHEREAS, the County of Sullivan took title to various parcels by virtue of tax foreclosure proceedings by Deed dated the 26th day of February, 2015, and recorded in the Sullivan County Clerk's Office on the 26th day of February, 2015 as Instrument #2015-1194, and

WHEREAS, the County has received applications requesting certain parcels (See Attached Schedule "A") be reacquired by the former owner(s) in consideration for the amount of delinquent taxes, interest and penalties; plus ten (10%) percent of the delinquent taxes, interest and penalties; a surcharge of five (5%) percent of the equalized full assessed value; and other costs & charges, as required by said local law, and

WHEREAS, the former owner(s) will be responsible to pay any delinquent Village taxes, if any, the 2015 Town and County Taxes and special district taxes, if any, in addition to any future taxes and charges levied against the property, and

WHEREAS, the conveyance of such parcels indicated on the attached Schedule "A" will restore the former owner(s) and any lien holders to their respective status prior to the foreclosure once a Court Order is executed restoring said liens and title is conveyed to the former owner(s), and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to re-convey the properties listed on the attached Schedule "A" to the former owners for the total sum of the delinquent taxes, interest, and penalties; plus ten (10%) percent of the delinquent taxes, interest and penalties; a surcharge of five (5%) percent of the full equalized assessed value, and other costs & charges, pursuant to Sullivan County Local Law No. 5 of 2003, as amended.

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

Schedule "A"

- 1.) Lema Irrevocable Trust wishes to repurchase Town of Bethel, Tax Map #'s 24.-1-15 & 24.-1-16.
- 2.) Gale Road Realty Inc wish to repurchase Town of Bethel, Tax Map #24.-1-26.
- 3.) Joseph & Anna Lynch wish to repurchase Town of Bethel, Tax Map #'s 25.-1-4.4 & 25.-1-5.1.
- 4.) Lema Bovzas Inc wishes to repurchase Town of Bethel, Tax Map #'s 38.-1-18 & 51.-1-2.1.
- 5.) Joel & Lynn Nachamie Selonick wish to repurchase Town of Bethel, Tax Map #42.-22-10.
- 6.) Susan & Alan M. Baumohl wish to repurchase Town of Bethel, Tax Map #45.-6-4
- 7.) IlJaz Redzep wishes to repurchase Town of Bethel, Tax Map # 46.-4-1.3.
- 8.) Elvira Tsirlina wishes to repurchase Town of Bethel, Tax Map #46.-7-1.4.
- 9.) Bernard & Mary Ann Vento-Perez wish to repurchase Town of Bethel, Tax Map #47.-18-4.
- 10.) Matthew A Zampelli wishes to repurchase Town of Bethel, Tax Map #47.-24-11.

- 11.) Jack Locicero wishes to repurchase Town of Callicoon, Tax Map #18.-1-91.2.
- 12.) Juserene, LLC wish to repurchase Town of Callicoon, Tax Map #21.-1-16.3.
- 13.) Joseph McFadden wishes to repurchase Town of Cochection, Tax Map #2.-1-55.
- 14.) Brian Sykes wishes to repurchase Town of Delaware, Tax Map #14.-5-13.2.
- 15.) Tony Evans Shure wishes to repurchase Town of Delaware, Tax Map #26.-1-13.
- 16.) Elizabeth Calle wishes to repurchase Town of Fallsburg, Tax Map #7.-1-26.
- 17.) Alan Gary Greenblatt wish to repurchase Town of Fallsburg, Tax Map #11.-1-39.05./0246
- 18.) Marlene L Ross & Serena Gildersleeve wish to repurchase Town of Fallsburg, Tax Map # 11.-1-39.01./0311.
- 19.) Stephen B & Marilyn Carter wish to repurchase Town of Fallsburg, Tax Map #11.-1-39.08./0115.
- 20.) Carlos Negron wishes to repurchase Town of Fallsburg, Tax Map #11.-1-39.08./0224.
- 21.) Luxor Owners Corp wishes to repurchase Town of Fallsburg, Tax Map #12.-1-41.4/8801.
- 22.) Kenneth H Walter Trustee & Michelle E Truitt Trustee wish to repurchase Town of Fallsbug, Tax Map #17.-1-40.
- 23.) Smajl Haxjaj wishes to repurchase Town of Fallsburg, Tax Map #17.-1-53.
- 24.) Rosalina Arias wishes to repurchase Town of Fallsburg, Tax Map #19.-10-18.2.
- 25.) Adis & Maria & Behram & Cama Gutic wish to repurchase Town of Fallsburg, Tax Map #20.-1-30.
- 26.) Chris J Carpinone wishes to repurchase Town of Fallsburg, Tax Map #34.-9-4.
- 27.) Phillip & Sally Eisenberg wish to repurchase Town of Fallsburg, Tax Map #'s 42.-1-10.4 & 43.-1-24.3.
- 28.) Garden View East, LLC wish to repurchase Town of Fallsburg, Tax Map #'s 44.-1-3.1 & 44.-1-3.2.
- 29.) 770 Development LLC wish to repurchase Town of Fallsburg, Tax Map #45.-1-10
- 30.) Alan Marguilies, LLC wishes to repurchase Town of Fallsburg, Tax Map #47.-1-9.1.
- 31.) Bentzion & Batya Z Herman wish to repurchase Town of Fallsburg, Tax Map #52.-4-18.1.
- 32.) 770-18 Development, LLC wish to repurchase Town of Fallsburg, Tax Map # 58.C-4-17
- 33.) Jacob Kahan wishes to repurchase Town of Fallsburg, Tax Map #60.-1-15.1/4401.
- 34.) Amado Zapanta wishes to repurchase Town of Fallsburg, Tax Map #65.-1-18.20.
- 35.) Wendi Madsen wishes to repurchase Town of Fallsburg, Tax Map #104.-2-3 & 104.-2-9
- 36.) Gregory & Mary Hansen wish to repurchase Town of Forestburgh, Tax Map #12.-1-5.17.
- 37.) Marley Santurio & Vincent J Montanaro wish to repurchase Town of Forestburgh Tax Map #13.-1-1.10
- 38.) Louis Turick wishes to repurchase Town of Forestburgh Tax Map # 13.-1-19.13
- 39.) Kenneth & Lois Reebe wish to repurchase Town of Fremont, Tax Map #5.-2-2.3.
- 40.) Jack & Barbara Bodolosky wish to repurchase Town of Liberty, Tax Map #'s 14.-1-7.14 & 14.-1-7.19.
- 41.) Eugenio Scarpelli wishes to repurchase Town of Liberty, Tax Map #24.-1-20.2.
- 42.) T Kassidis & Gloria Franco wish to repurchase Town of Liberty, Tax Map #31.-1-48.5.
- 43.) B & J Bodolosky LLC wish to repurchase Town of Liberty, Tax Map #'s 48.-1-27 & 48.-1-28.

- 44.) Nicholas & Phyllis Fadelici wish to repurchase Town of Liberty, Tax Map #48.-2-8.10.
- 45.) Alberto & Lucy Fley wish to repurchase Town of Liberty, Tax Map #48.-2-22.5.
- 46.) Brinnm, LLC wish to repurchase Town of Liberty, Tax Map #112.-2-1.
- 47.) Jonathan & Cheree Reyes wish to repurchase Town of Lumberland, Tax Map #3.F-1-33.
- 48.) Ivan & Jeannette Davis wish to repurchase Town of Lumberland, Tax Map #5.-3-24.1.
- 49.) Stanley W & Deborah Fuller wish to repurchase Town of Lumberland, Tax Map #21.-1-71.1.
- 50.) 770-18 Development, LLC wishes to repurchase Town of Mamakating, Tax Map #3.-2-3.1 n/k/a 3.-2-3.2
- 51.) Quality Craft Construction Inc wishes to repurchase Town of Mamakating, Tax Map #4.-1-14.
- 52.) Bernard Petosa wishes to repurchase Town of Mamakating, Tax Map #'s 39.-6-6 & 39.-6-7.
- 53.) Luke Dwyer wishes to repurchase Town of Mamakating, Tax Map #39.-15-2.
- 54.) Michael & Deborah Webster wish to repurchase Town of Mamakating, Tax Map #40.-9-3.
- 55.) Edward T Dietz III wishes to repurchase Town of Mamakating, Tax Map #40.-21-4.
- 56.) Joseph J Russo wishes to repurchase Town of Mamakating, Tax Map #42.-20-12.
- 57.) DG Sullivan Street LLC wish to repurchase Town of Mamakating, Tax Map #'s 44.-1-69 & 107.-4-20.1
- 58.) Joseph P Stricko Jr wishes to repurchase Town of Mamakating, Tax Map #54.-5-29.
- 59.) Dianne Knoll wishes to repurchase Town of Mamakating, Tax Map #56.-1-6.
- 60.) Emanuela Teglio wishes to repurchase Town of Rockland, Tax Map #12.-1-38.15.
- 61.) Donald L Tuttle wishes to repurchase Town of Rockland, Tax Map #26.-1-32.
- 62.) Alan Adrian wishes to repurchase Town of Rockland, Tax Map #26.-1-48.22
- 63.) Allie H & Ann M Kleingardner wish to repurchase Town of Rockland, Tax Map #47.-1-15.
- 64.) Zarouhi Tiratsuvan & Tigran Tertervan wishes to repurchase Town of Thompson, Tax Map #2.-1-15.
- 65.) Trst under will of Alice Masha wish to repurchase Town of Thompson, Tax Map #3.-1-29.2.
- 66.) Ronald Diamond wishes to repurchase Town of Thompson, Tax Map #7.-1-17.1.
- 67.) Bayis Ne Emon wishes to repurchase Town of Thompson, Tax Map # 11.-1-24.1
- 68.) Judith Davidson, Mark Stein & Helene R Glotzer wish to repurchase Town of Thompson, Tax Map #13.-1-32.
- 69.) Dennis Partridge wishes to repurchase Town of Thompson, Tax Map #13.-5-4.1.
- 70.) William Goldman wishes to repurchase Town of Thompson, Tax Map #24.-1-22.2.
- 71.) Empire Estates of Monticello, LLC wish to repurchase Town of Thompson, Tax Map #'s 28.-1-10.1 & 28.-1-10.2.
- 72.) Michael Katzenellenbogen wishes to repurchase Town of Thompson, Tax Map #29.-1-20.2/0401.
- 73.) Salvatore & Michael Vasapolli, Keith Stone & Barbara Slawinski wish to repurchase Town of Thompson, Tax Map #30.-4-6.
- 74.) Patricia Croissant & James Whalan wish to repurchase Town of Thompson, Tax Map #'s 56.-1-4.23, 56.-1-63, 57.-5-1 & 57.-5-2.

- 75.)Micro Thermax, Inc wishes to repurchase Town of Thompson, Tax Map #109.-1-24.
- 76.)Harun Muratagic wishes to repurchase Town of Thompson, Tax Map #115.-2-4.
- 77.)RSN Developers Corp. wishes to repurchase Town of Thompson, Tax Map #131.-1-1
- 78.)Monarch Hudson Dev. LLC wishes to repurchase Town of Thompson, Tax Map #s 131.-1-2 & 131.-1-3
- 79.)Kiamesha Water Co wishes to repurchase Town of Thompson, Tax Map #555.-6-1.
- 80.)Raymond L Stills wishes to repurchase Town of Tusten, Tax Map #2.-1-1.1.
- 81.)Clinton 174 Realty Assoc LLC wish to repurchase Town of Tusten, Tax Map #4.-1-10.
- 82.)Jamie J Joe wishes to repurchase Town of Tusten, Tax Map #6.-1-3.13.
- 83.)Aarathi Chander wishes to repurchase Town of Tusten, Tax map #6.-1-3.40.

RESOLUTION NO. 188-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO REAPPOINT MEMBERS OF THE SULLIVAN COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

WHEREAS, pursuant to Resolution No. 496 of 2010, the terms of two members of the Sullivan County Agricultural and Farmland Protection Board (Board), Harold Russell, an active farmer and John Gorzynski, an active farmer, have expired as of December 31, 2014; and

WHEREAS, the Clerk to the Legislature published the Board vacancy announcement in accordance with Resolution No. 407 of 2011; and

WHEREAS, Harold Russell and John Gorzynski responded to the vacancy announcement, each requesting to serve another term on the Board, and no other persons responded to the vacancy announcement; and

WHEREAS, the Agriculture and Farmland Protection Board recommended at their meeting dated February 2, 2015, that Harold Russell and John Gorzynski be reappointed for four-year terms.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby makes the following reappointments to the Board, to commence immediately and terminate on December 31, 2018:

Harold Russell, Active Farmer
John Gorzynski, Active Farmer

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 189-15 INTRODUCED BY SULLIVAN COUNTY DISTRICT 9 LEGISLATOR ALAN SORENSEN AND EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO AUTHORIZE THE SALE AND USE OF SPARKLING DEVICES

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on April 23, 2015 a proposed Local Law entitled “a Local Law to Authorize the Sale and Use of Sparkling Devices;” and

NOW THEREFORE BE IT RESOLVED, that a public hearing be held on said proposed local law by the Sullivan County Legislature on May 21, 2015 at 1:50 PM, in the Legislative Chambers, County Government Center, Monticello, New York, at least six (6) days notice of public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspaper of the County.

Moved by Ms. Vetter, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

**RESOLUTION NO. 190-15 INTRODUCED BY EXECUTIVE COMMITTEE
RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

WHEREAS, bids were received for Resurfacing Portions of Various County Roads and

WHEREAS, Sullivan County Paving & Construction Inc., 420 Bernas Road, Cohecton, NY 12726, is the lowest responsible bidder for this project, and

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

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Sullivan County Paving & Construction, Inc., at a total price not to exceed **\$6,676,150.64**, plus the fluctuating cost of asphalt as per “Asphalt price Adjustment” as published by the PGB Index price and in accordance with B-15-17, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

**RESOLUTION NO. 191-15 INTRODUCED BY EXECUTIVE COMMITTEE
RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

WHEREAS, proposals were received for Asphalt Plant Testing for Quality Assurance & In Place Density Testing of Hot Mix Asphalt of Quality Control (R 15-16), and

WHEREAS, the hot mix asphalt placed in the 2015 resurfacing program has to be tested to assure the quality, and

WHEREAS, Advance Testing Company, Inc., 3348 Route 208, Campbell Hall, New York 10916, is the responsible proposer for this project, and

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

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute an agreement with Advance Testing Company, Inc., at a total price not to exceed \$35,000.00, for Asphalt Plant Testing for Quality Assurance, in accordance with R 15-16, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

**RESOLUTION NO. 192-15 INTRODUCED BY EXECUTIVE COMMITTEE
RESOLUTION TO AUTHORIZE MODIFICATION AGREEMENT TO THE
CONTRACT WITH LABELLA ASSOCIATES, P.C. AND AUTHORIZE USE OF THE
COMMITTED FUND BALANCE**

WHEREAS, pursuant to Resolution 8-06, adopted by the Sullivan County Legislature on January 26, 2006, the County of Sullivan (“County”) entered into a contract with LaBella

Associates, P.C. (“LaBella”), dated March 27, 2007 (“Original Contract”), and

WHEREAS, the Original Contract provided for LaBella to perform professional services, including architectural and engineering services, to the County in regard to the proposed construction of a new County Jail, and

WHEREAS, additional services not included in the Original Contract are now being requested by the County, said additional services consisting of design of a new Sheriff’s Administration and Road Patrol building, and

WHEREAS, the additional design of a new Sheriff’s Administration and Road Patrol building requested will require additional fees not to exceed \$299,000.00, and

WHEREAS, the additional design services and fees are detailed in a proposal from LaBella, dated March 25, 2015, said proposal is attached hereto as Exhibit A, and

WHEREAS, in order to acquire the additional design services and authorize payment of the additional fees, the County and Labella can enter into a Modification Agreement, and

WHEREAS, the additional fees to be authorized in the Modification Agreement, can be paid from the committed fund balance that was appropriated and set aside pursuant to Resolution No. 371-13, adopted by the Sullivan County Legislature on October 17, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a Modification Agreement with LaBella, in order to acquire the additional design services and authorize payment of the additional fees as outlined above, said Modification Agreement to be in a form approved by the County Attorney’s Office, and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to utilize the committed fund balance that was appropriated pursuant to Resolution No. 371-13 to pay LaBella the additional fees authorized in the Modification Agreement.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and declared duly adopted on motion April 23, 2015.

RESOLUTION NO. 193-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE PREPARATION AND SUBMISSION OF A RURAL BUSINESS DEVELOPMENT GRANT (RBDG) APPLICATION TO FUND A LABOR AVAILABILITY STUDY FOR SULLIVAN COUNTY

WHEREAS, the United States Department of Agriculture Rural Development (USDA) and Rural Development of New York administer the Rural Business Development Grant (RBDG) program to promote sustainable economic development in rural communities with exceptional needs by making grants to organizations for economic development planning, technical assistance, or training; and

WHEREAS, the planned Montreign Casino/Adelaar resort projects and the additional economic development growth will significantly increase the demand for a skilled workforce that will include workers from Sullivan County and the entire region; and

WHEREAS, USDA/Rural Development is seeking funding proposals for FY2014; and

WHEREAS, the Center for Workforce Development, with the assistance of the Division of Planning, Department of Grants Administration, and the Partnership for Economic Development, seeks to engage a workforce consultant to conduct a labor availability study of the Sullivan County labor shed area focused on identifying the number and skillsets of the labor shed’s available workforce, with emphasis on underemployed individuals.

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

BE IT FURTHER RESOLVED, that if funding is made available, the Center for Workforce Development shall administer the funds and the grant program with technical support from the Department of Grants Administration; and

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

Moved by Mr. Steingart, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 194-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE EXTENSION OF AN AGREEMENT WITH SULLIVAN COUNTY BOCES TO PROVIDE SERVICES UNDER THE WORKFORCE INVESTMENT ACT.

WHEREAS, resolution 259-14 extended the contract between the County of Sullivan and Sullivan County BOCES through June 30, 2015, and

WHEREAS, the needs of the program undertaken require an extension through August 31, 2015, and

WHEREAS, the initial contract contained certain approved vocational training courses, and

WHEREAS, BOCES has recently developed a new Certified Nurse's Aide Prep course that is necessary for students to be successful, and

WHEREAS, Federal regulations address the percentage of indirect cost rates for relevant NYS Education Department grant programs that prohibit supplanting, and

WHEREAS, the administrative indirect cost rate is set each July, and on July 1, 2014 the rate increased from 1.7% to 2%, and

WHEREAS, the increase does not change the overall cost of the contract to the County.

NOW THEREFORE, BE IT RESOLVED, that the County Manager be authorized to enter into a contract modification and extension, as follows:

1. The contract end date is now August 31, 2015.
2. The Certified Nurse's Aide Prep course is added to the list of courses.
3. The BOCES Administrative indirect rate is now capped at 2%.

BE IT FURTHER RESOLVED, that the Modification and Extension be in such form as approved by the County Attorney.

Moved by Mrs. LaBuda, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 195-15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO APPOINT KAREN ELLSWEIG AND ROBERT KAPLAN TO THE SULLIVAN COUNTY REVOLVING LOAN FUND (RLF) ADVISORY BOARD

WHEREAS, pursuant to Resolution 142-11, members were appointed to the Sullivan County Revolving Loan Fund (RLF) Advisory Board, for the purpose of reviewing and making recommendations to the County Legislature with respect to County loan funds; and

WHEREAS, vacancies exist on the Board and they were advertised on the County website under Board Vacancies, as required; and

WHEREAS, a letter of interest was received from both Karen Ellsweig and Robert Kaplan and the Advisory Board recommends their appointment.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby appoints Karen Ellsweig and Robert Kaplan to the Sullivan County Revolving Loan Fund Advisory Board.

Moved by Ms. Vetter, seconded by Mr. Sorensen, put to a vote with Mr. Benson opposed and Mrs. Edwards absent, resolution carried and declared duly adopted on motion April 23, 2015.

RESOLUTION NO. 196 -15 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE APPLICATION FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE’S FARMERS MARKET PROMOTION PROGRAM

WHEREAS, in Sullivan County recently updated its Agriculture and Farmland Protection Plan in December of 2014; and

WHEREAS, priority Initiatives of the Agriculture and Farmland Protection Plan include Agri-Tourism Enhancement and a Buy Local Initiative, with specific action steps of the plan that call for “develop[ment of] a coordinated effort between Sullivan County’s farmers’ markets”, “expand[ing] marketing of farms, farmers markets...” and to “continue existing consumer education efforts and farmers’ markets to help the public understand the importance of agriculture”; and

WHEREAS, Sullivan County currently has six different farmers markets and the Agriculture and Farmland Protection Plan recommends joint promotion in order to increase consumer participation and support our local farms; and

WHEREAS, the Division of Planning and Environmental Management, with assistance from Cornell Cooperative Extension Sullivan County, has identified the Farmers Market Promotion Program (FMPP) of the federal Farmers Market and Local Food Promotion Program as a source of potential funding to address the recommendations in the Agriculture and Farmland Protection Plan pertaining to farmers markets, a buy local campaign and agri-tourism expansion; and

WHEREAS, the Farmers Market Promotion Program provides grants of between \$15,000 and \$100,000 and does not require a local funding match;

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

BE IT FURTHER RESOLVED, that if funding is made available, the Division of Planning & Environmental Management shall administer the funds and the grant; and

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

Moved by Ms. Vetter, seconded by Mr. Sorensen, put to a vote with Mrs. Edwards absent, unanimously carried and declared duly adopted on motion April 23, 2015

RESOLUTION NO. 197-15 INTRODUCED BY EXECUTIVE COMMITTEE TO EXTEND THE AGREEMENT WITH CONSTELLATION ENERGY SERVICES OF NEW YORK (FORMERLY INTEGRYS ENERGY SERVICES OF NEW YORK)

WHEREAS, by Resolution 282-08 the Sullivan County Legislature authorized the County Manager to enter into a contract with Integrys Energy Services of New York (“Integrys”); and

WHEREAS, effective April 1, 2015 Integrys Energy Services of New York, Inc. changed its name to Constellation Energy Services of New York, Inc. (“Constellation”); and

WHEREAS, no changes are being made to the terms of the existing contract; and

WHEREAS, Constellation (formerly Integrys) has been awarded the most recent bid through the Municipal Electric and Gas Alliance (MEGA); and

WHEREAS, Constellation has provided the County with a price quote of \$0.06598/kWh for the period commencing January 1, 2016 through October 25, 2018; and

WHEREAS, this price represents a savings of \$0.00182/kWh, or approximately \$16,000 per year based on current County electricity usage; and

WHEREAS, it would be in the best interest of the County to lock in the aforesaid fixed prices in order to provide for long term stability of the County's electricity supply costs.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute the Constellation "Confirmation" which will extend the power sale agreement effective August 8, 2008 for an additional period commencing January 1, 2016 and terminating October 25, 2018 in accordance with the terms of the confirmation, said confirmation to be in a form approved by the County Attorney's Office; and

BE IT FURTHER RESOLVED, that the remaining terms of the existing power sale agreement shall remain unchanged.

Moved by Mr. Benson, seconded by Mr. Steingart, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 198-15 OF THE EXECUTIVE COMMITTEE ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID WASTE/RECYCLING FEE GRIEVANCE COMMITTEE.

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

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

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

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

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

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

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

Moved by Mr. Sorensen, seconded by Mr. Benson, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

RESOLUTION NO. 199-15 INTRODUCED BY THE EXECUTIVE SERVICES COMMITTEE TO SET A PUBLIC HEARING ON THE TENTATIVE 2015 - 2016 BUDGET FOR SULLIVAN COUNTY COMMUNITY COLLEGE

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on April 23, 2015 a tentative 2015- 2016 budget for the Sullivan County Community College.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said tentative 2015- 2016 budget for the Sullivan County Community College by the Sullivan County Legislature on Thursday, May 7, 2015 at 9:00AM, in the Legislative Hearing Room, County Government Center, Monticello, New York, and at least six (6) days' notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

Moved by Mrs. LaBuda, seconded by Mr. Benson, put to a vote with Mrs. Edwards absent, unanimously carried and **declared duly adopted on motion** April 23, 2015.

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 April 23, 2015, a tentative 2015-2016 budget for the Sullivan County Community College.

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid tentative 2015- 2016 budget for the Sullivan County Community College at the Legislature's Hearing Room, County Government Center, Monticello, New York, 12701, on Thursday, May 7, 2015 at 9:00AM at which time all persons interested will be heard.

DATED: April 23, 2015

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

**RESOLUTION NO. 200-15 INTRODUCED BY EXECUTIVE COMMITTEE TO
APPOINT AN INTERIM COUNTY CORONER**

WHEREAS, due to the tragic death of Thomas Warren a vacancy exists in the office of the County Coroner, and

WHEREAS, the Sullivan County Clerk, Daniel Briggs, has placed the County Legislature on notice of the vacancy; and

WHEREAS, the County Legislature has the authority to fill the vacancy pursuant to County Charter Section 2.02(J), and

WHEREAS, the Legislature believes it is in the best interest of the County to appoint Patrick Harrison as interim County Coroner until such time as there is a certification of the next election.

NOW, THEREFORE, BE IT RESOLVED, pursuant to the authority vested by Section 2.02 (J).of the Sullivan County Charter, the Sullivan County Legislature hereby appoints Patrick Harrison to the currently vacant position of Sullivan County Coroner, and

BE IT FURTHER RESOLVED that said appointment will commence immediately and Mr. Patrick Harrison shall hold the office of Sullivan County Coroner by virtue of said appointment until the certification of the results of the next general election held for the office of the Sullivan County Coroner.

Moved by Mr. Rouis, seconded by Mr. Steingart, put to a vote with Mr. Benson opposed and Mrs. Edwards absent, resolution carried and declared duly adopted on motion April 23, 2015.

Recognition of Legislators

None

There being no further business, Mr. Rouis moved to adjourn, seconded by Mrs. LaBuda . The meeting was declared closed at 2:17PM, subject to the call of the Chairman.

AnnMarie Martin, Clerk to the Legislature

April 2015 Budget Modifications via Resolution
Modifications to the 2015 Sullivan County Budget

G/L Account Number	Account Description	Revenue		Appropriation	
		Increase Amount	Decrease Amount	Increase	Decrease
A-1989-99-47-4736	DEPT CONTINGENT				55,000
A-4010-36-42-4203	OFFICE OFFICE SUPPLIES				12
A-4010-36-47-4703	DEPT DUES			12	
A-4010-44-40-4001	CONTRACT AGENCIES				3,000
A-4010-44-40-4036	CONTRACT ADDICTION SERVICES				1,500
A-4010-44-45-4501	SPEC DEPT SUPPLY SPEC DEPT SUPPLY MISC/OTHER			4,000	
A-4010-44-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			700	
A-4010-44-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			670	
A-4010-44-45-4509	SPEC DEPT SUPPLY PATIENT EDUCATNL MATERIAL			3,000	
A-4010-44-47-4701	DEPT RENTALS				1,500
A-4010-44-R3401-R167	ST AID PUBLIC HEALTH DEPARTMENTAL AID	1,700			
A-4010-44-R3401-R167	ST AID PUBLIC HEALTH DEPARTMENTAL AID	670			
A-4050-40-4005	CONTRACT DIETICIAN/NUTRITIONIST SERVICES				6,750
A-4050-47-4752	DEPT MISC PROGRAM EXP			6,750	
A-6010-38-40-4002	CONTRACT ACCOUNT/AUDIT/ACTUARIAL SERVICES			55,000	
	General Fund Total	2370	0	70,132	67,762

April 17, 2015

Mr. Joshua A. Potosek
County Manager
Sullivan County Government Center
100 North Street
Monticello, New York 12701

Re:

Architectural/Engineering & Construction Management Services
New Sullivan County Sheriff Administration & PSB Addition – Bid Alternate Services
LaBella Project #206049

Dear Mr. Potosek:

After a review of your letter asking LaBella to reevaluate our fee for this bid alternate, including follow-up phone call to discuss, LaBella Associates is willing to reduce our total fixed fee for this phase of the work by \$30,000. While we feel that our original fee was a fair fee and included a tremendous amount of service for the county we are willing to make this adjustment based on our long-term relationship with the county and to help with the possible approval of this alternate. All other portions of our proposal to design a new Sheriff's Administration and Road Patrol building addition as a bid alternate to the jail project, which is currently under design, will remain the same from our original March 25, 2015 letter.

As requested these fees are for design services only and do not include the traditional bidding phase, construction administration phase or any construction management time.

This proposal is based on designing the jail and this bid alternate all at the same time to maximize efficiency of joint design review meetings, presentations, estimates and project schedules. If the county chooses to postpone this design effort until after the jail project is complete then some additional design fees will be necessary because we would be designing this as a standalone project.

BASIC SERVICES:

LaBella assembled our scope of services based on the efforts that were completed with the Sheriff's Office to establish the basic programmatic requirements for this alternate. In general, these include the following professional scope of services for a +/- 20,000 SF new Sheriff Administration & PSB Addition (as a design bid-alternate) with a construction cost in the range of \$5 to \$6 million dollars.

a) Schematic Design Phase

The Architect shall review the program, schedule and construction budget to ascertain the requirements of the Project and shall arrive at a mutual understanding of such requirements with the Owner.

The Architect shall review with the Owner proposed site use and improvements; selection of materials, building systems and equipment.

The Architect shall review with the Owner alternative approaches to design and construction of this bid alternate. Based on the mutually agreed-upon program, schedule and construction budget requirements, the Architect shall prepare, for approval by the Owner, Schematic Design Documents consisting of drawings and other documents illustrating the scale and relationship of project components.

b) Design Development Phase

Based on the approved Schematic Design Documents and any adjustments authorized by the Owner in the program, schedule or construction budget, the Architect shall prepare Design Development Documents for the Owners review and approval. The Design Development Documents shall be based upon data and estimates and shall consist of drawings, outline specifications and other documents that establish and describe the size and character of the project as to architectural, structural, mechanical and electrical systems, materials and such other elements as appropriate.

c) Construction Documents Phase

Based on the approved Design Development Documents and any further adjustments authorized by the Owner in the scope or quality of the Project or in the construction budget, the Architect, utilizing data and estimates shall prepare, for approval by the Owner, Construction Documents consisting of Drawings and Specifications setting forth in detail the requirements for the construction of the Project. The Architect shall assist the Owner in the preparation of the necessary bidding information, bidding forms, the Conditions of the Contracts, and the forms of Agreement between the Owner and the Contractors.

Upon completion of the Construction Documents Phase, the Architect shall provide Construction Documents for the Owners approval.

d) Bidding and Negotiations Phase - Not Included at this time

e) Construction Administration Phase - Not Included at this time

OTHER PROFESSIONAL SERVICES

f) NYS DEC Code required Storm Water Pollution Prevention Plan Design. As necessary, modifications will be made to the jail plan to accommodate this bid alternate.

g) Furniture, Fixtures & Equipment and Signage Design. Services to include preparation of Design Development and Construction Documents for loose office furniture, interior room and way finding signage and exterior site and building signage.

Construction Management Preconstruction Services

h) Schedule - The Construction Manager shall prepare and periodically update a Project Schedule for

the review and acceptance by the Owner. In the Project Schedule, the Construction Manager shall coordinate and integrate the Construction Manager's services, the Architects services and the Owner's responsibilities with anticipated construction schedules. The schedule shall include phasing of construction, times of commencement and completion required of each Contractor, ordering and delivery of products requiring long lead time, and the occupancy requirements of the Owner, highlighting critical and long-lead-time items.

i) Estimate - As the Architect progresses with the preparation of the Schematic, Design Development and Construction Documents for this bid alternate, the Construction Manager shall prepare and update the Construction Cost of increasing detail and refinement. The estimated cost of each Contract shall be indicated with supporting detail. The Construction Manager shall advise the Owner and Architect if it appears that the Construction Cost may exceed the latest approved Project budget and make recommendations for corrective action.

j) Contracts - The Construction Manager shall advise on the division of the Project into individual Contracts for various categories of Work, including the method to be used for selecting Contractors and awarding Contracts. The Construction Manager shall provide recommendations and information to the Owner and Architect regarding the assignment of responsibilities for temporary Project facilities and equipment, materials and services for common use of the Contractors. The Construction Manager shall verify that such requirements and assignment of responsibilities are included in the proposed Contract Documents.

k) Bidding - Construction Manager- Not Included at this time

l) Construction – Construction Management - Not Included at this time

Additional Services Fees:

Professional services to design this bid alternate will be an additional Fixed Fee to the project based on the scope of work as outlined above. As noted, these services are for design only and do not include bidding phase services, construction phase services and any construction management services. The total fixed fee to provide this service is: \$299,000

Reimbursable Expenses

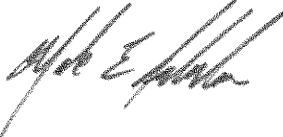
This fixed fee also includes miscellaneous expenses related to travel expenses (lodging, mileage, meals, etc.), printing of progress sets to the team, and mailings. As applicable, all other expenses not mentioned here will be invoiced to the county at our cost.

It is proposed that these Professional Services will be amendment to our current Agreement dated March 27, 2007. All other terms and conditions remaining in full effect. If this amendment is acceptable, please execute by signing two (2) copies of the Acceptance listed below and return one (1)

signed copy to our office. This will serve as our agreement for the proposed additional services.

After you review this information, please do not hesitate to call me with any questions or comments as we work towards this amendment to our contract with Sullivan County.

Respectfully submitted,
LABELLA ASSOCIATES, P.C.



Mark E. Kukuvka, AIA
Client Manager

CC: Edward McAndrew, PE
Robert Healy, President, LaBella Associates
Sheriff Michael Schiff

Sullivan County Acceptance:

Signature: _____

Title: _____

Dated: _____

LaBella Associates, D. P.C.

Signature: _____

Title: _____

Dated: _____

APPENDIX A - RECOMMENDED APPROVAL LIST

Apr-15

TOWN	SBL	CLASS CODE	PRIMARY OWNER	ADDRESS	TWN ST ZIP	FEE	New Bill	IMPACT
FALLSBURG	FA2.-1-2.3	210	TIMOTHY SMITH	113 Lindholm Road	Hurleyville, NY 12747	\$120.00	\$ 108.00	\$ 12.00

APPENDIX B - RECOMMENDED DENIAL LIST

TOWN	SBL	CLASS CODE	PRIMARY OWNER	ADDRESS	TWN ST ZIP	FEE
FALLSBURG	FA34.-6-4	484	HURLEVILLE SULLIVAN FIRST	PO Box 372	Hurleyville, NY 12747	\$120.00
FORESTBURGH	FO38.-1-15.40	210	JUSTIN R. EVANS	4 Hemlock Terrace	Kinnelon, NJ 07405	\$120.00
LIBERTY	LI11.-1-1.2	240	GINA MOLINET	PO Box 391	Livingston Manor, NY 12758	\$108.00
LIBERTY	LI11.-2-3	210	ARNOLD T. CHERUBINO	450 Benton Hollow Road	Livingston Manor, NY 12758	\$120.00
LIBERTY	LI25.-1-3.9	210	MARY & FREDERICK HYZER	788 Fox Mountain Road	Livingston Manor, NY 12758	\$120.00
LIBERTY	LI45.-5-2	210	HERMAN LAMMEUX	11 Birch Lane	Swan Lake, NY 12783	\$120.00
LUMBERLAND	LU18.-1-79	210	BENJAMIN & CATARINA CANCENMI	238 Beaver Drive	Mastic Beach, NY 11951	\$120.00
ROCKLAND	RO47.-3-3	482	GINA MOLINET	PO Box 391	Livingston Manor, NY 12758	\$300.00