

**Sullivan County Legislature
Regular Meeting
June 15, 2017 at 2:00PM**

The Regular Meeting of the County Legislature was called to order at 2:17PM by Chairman Alvarez with the Pledge of Allegiance.

Roll Call indicated all legislators present.

Presentation:

Legislator Samuelson presented Elaine Giguere with a plaque that read as follows:

In immense gratitude and profound recognition of your lifelong contribution to the arts and culture of Sullivan County and New York State, and in acknowledgment of your well-deserved retirement, the Sullivan County Legislature celebrates your creation and 42-year operation of the Delaware Valley Arts Alliance. As is true of the finest artistry, your transformative efforts will resonate with citizens and artists far beyond our lifetimes.

Legislators Steingart and Perrello presented Bertha G. Williams with a Certificate of Special Recognition which stated as follows:

It is with great pride and appreciation that the Sullivan County Legislature presents this Certificate of Special Recognition to you in honor of the *Bertha Green Williams Early Childhood Development Center*. Under your leadership, guidance, and devotion, the children and families of Sullivan County have experienced and participated in a program of excellence for 45 plus years. The Sullivan County Legislature congratulates you on this most prestigious honor!

Legislator Ward presented Sullivan County Probation Officers Terina Touw and Caitlin Flanagan with Certificates of Special Recognition for administering NARCAN to a probationer and saving his life.

Communications

The Clerk read the following communications:

1. Copy of a resolution adopted by the Town of Thompson in opposition of the proposed Thompson Education Center (FKA China City)
2. Records Destruction Notification in accordance with SARA filed by the following departments:
Department of Solid Waste dated May 17, 2017 and DFS Services FVRT dated June 9, 2017
3. The 2018-2023 Capital Plan filed by Sullivan County Manager Josh Potosek on June 1, 2017

Public Comment:

1. Laurie Forest spoke about Spectrum Cable Services.

**RESOLUTION NO. 245-17 INTRODUCED BY PERSONNEL COMMITTEE TO
CREATE A DEPUTY DIRECTOR OF HUMAN RESOURCES IN THE
DEPARTMENT OF HUMAN RESOURCES**

WHEREAS, the Department of Human Resources handles all Civil Service Administration for all civil divisions within the Sullivan County's jurisdiction, as well as, providing all human resource support, including, but not limited to: contract negotiation; interpretation of CBA's and laws, rules and regulations affecting labor and employment for all divisions and departments; internal investigations; orientation; training; recruitment; retention and succession; etc.; and

WHEREAS, as a result of changes in State and Federal laws pertaining to labor and employment; updates to County policies and procedures; impending collective bargaining

level position to assist the Director of Human Resources/Personnel Officer in addressing issues in a timely manner; and

WHEREAS, the Director of Human Resources/Personnel Office has requested the creation of the position of Deputy Director of Human Resources to assist the Director of Human Resources/Personnel Officer with all of the aforementioned responsibilities of the Department.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby creates a new position of Deputy Director of Human Resources in the Sullivan County Department of Human Resources and the Director of Human Resources/Personnel Office is hereby authorized to fill this position effective immediately; and

BE IT FURTHER RESOLVED, the Sullivan County Legislature hereby sets the salary of the position of Deputy Director of Human Resources at \$70,000.00 per year.

Moved by Mrs. Ward, seconded by Mrs. Rajszyk, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 246-17 INTRODUCED BY THE PERSONNEL COMMITTEE TO RECLASSIFY AN ACCOUNT CLERK/DATABASE POSITION TO A SENIOR ACCOUNT CLERK/DATABASE POSITION IN THE DEPARTMENT OF FAMILY SERVICES

WHEREAS, the Services Unit provides FosterCare, Preventive, Child Protective and Adult Protective Services to residents of Sullivan County; and

WHEREAS, there is a need for a Senior Account Clerk/Database position in the Services Unit; and

WHEREAS, a Senior Account Clerk/Database position will ensure that foster parents and vendors are paid by opening cases, correcting errors, writing pay-lines and doing data entry in a timely manner while maintaining a variety of databases that track the day-to-day operations of Services unit; and

WHEREAS, the Senior Account Clerk/Database will work closely with Caseworkers and Social Welfare Examiners in compiling the necessary documentation to determine eligibility for Federal and State reimbursements.

NOW, THEREFORE, BE IT RESOLVED, that the Account Clerk/Database position, Budget Position#2901 be reclassified to a Senior Account Clerk/Database position.

Moved by Mrs. Ward, seconded by Mrs. Rajszyk, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION 247-17 INTRODUCED BY PERSONNEL COMMITTEE TO REALLOCATE POSITIONS ON THE TEAMSTER'S SALARY SCHEDULE IN THE DIVISION OF PLANNING AND ENVIRONMENTAL MANAGEMENT

WHEREAS, the County of Sullivan ("County") and the Teamsters Local 445, International Brotherhood of Teamsters ("Teamsters" or "Union"), are parties to a Collective Bargaining Agreement ("Agreement") for the term January 1, 2013 through December 31, 2017; and

WHEREAS, the Commissioner of the Division of Planning and Environmental Management has had a difficult time attracting and retaining qualified applicants to perform the planning functions in the Division; and

WHEREAS, Section 307 of the Agreement provides a mechanism for the County and Teamsters to meet in a Labor/Management setting for the purpose of discussing and agreeing to the reallocation of positions on the negotiated salary schedule; and

WHEREAS, the pursuant to Section 307 of the Agreement, the County and Teamsters have met in a Labor/Management setting and have come to an agreement in the hopes of attracting and retaining qualified applicants to the Division of Planning and Environmental Management.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the reallocation of the positions of Planner and Community Development and Grants Planner from a Grade XI to Grade XII effective immediately.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 248-17 INTRODUCED BY PERSONNEL COMMITTEE TO CREATE ONE (1) PART-TIME MUSEUM ATTENDANT POSITION IN THE SULLIVAN COUNTY DEPARTMENT OF PARKS, RECREATION AND BEAUTIFICATION

WHEREAS, the Sullivan County Museum requires a Museum Attendant be present during the hours that the County Museum is open to ensure the security of the facility and enhance the customer's experience; and

WHEREAS, the part-time employee who normally works at the Sullivan County Museum on Sundays is no longer available to work on Sundays; and

WHEREAS, there is a need to hire another part-time employee to cover the Sunday shift and any others that may require coverage at the Sullivan County Museum; and

WHEREAS, the Director of Parks, Recreation and Beautification has requested that one (1) part-time Museum Attendant position be created in the Department of Parks, Recreation and Beautification to allow for full coverage during the hours of operation of the County Museum.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature creates a one (1) new part-time Museum Attendant position in the Department of Parks, Recreation and Beautification and authorizes the Director of Parks, Recreation and Beautification to fill said new position effective immediately; and

BE IT FURTHER RESOLVED, that the salary for the part-time Museum Attendant shall be set at \$9.70/hour.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 249-17 INTRODUCED BY THE PERSONNEL COMMITTEE TO RECLASSIFY POSITIONS IN THE OFFICE OF SUSTAINABLE ENERGY

WHEREAS, the Sullivan County Office of Sustainable Energy has been successful in its municipal and community outreach efforts as multiple municipalities have requested assistance with various initiatives; and

WHEREAS, there is a need to reclassify the two existing part time Sustainability Analyst positions to two regular part time Sustainability Analyst positions to maintain the daily responsibilities of the Office of Sustainable Energy as well as to respond to the requests for assistance.

NOW, THEREFORE, BE IT RESOLVED the two part time Sustainability Analyst positions in the Office of Sustainable Energy are reclassified to two regular part time Sustainability Analyst positions in accordance with the Teamsters Salary schedule Grade XI.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 250-17 INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO MODIFY THE 2017 COUNTY BUDGET

WHEREAS, the County of Sullivan Budget requires modification,

NOW, THEREFORE, BE IT RESOLVED, that the attached budgetary transfers for 2017 be authorized.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 251-17 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AMEND THE SOLID WASTE MANAGEMENT RULES

WHEREAS, the Sullivan County Solid Waste Management Rules (hereinafter the Rules) were adopted by the County Legislature in accordance with Section 171-24 of the Sullivan County Code; and

WHEREAS, it has, from time to time, been necessary to modify and amend the Rules.

WHEREAS, the Commissioner of the Division of Public Works has recommended, and the County Manager has concurred with the Commissioner's recommendation, the adoption of the revised Sullivan County Solid Waste Management Rules, attached hereto as Schedule "A"; and

NOW, THEREFORE, BE IT RESOLVED, Section 620.1 Disposal Fees be amended to read as contained in the attached schedule "A"; and

BE IT FURTHER RESOLVED, that this amendment shall take effect July 1, 2017.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 252-17 INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO ABANDON A PORTION OF FORMER COUNTY ROAD NO. 93 AND CONVEY SAME TO THE ABUTTING LANDOWNER

WHEREAS, the County Superintendent of Highways has provided for the reconstruction of a portion of County Road 93 as shown on plans entitled, "1936 Project NO. 2, Town of Fremont, Plan and Profile of the Improvement of County Roads 93 & 94 from Mileses to Tennanah Lake"; and

WHEREAS, that portion of the old road, as it existed prior to the reconstruction, has been made useless as a result of the reconstruction and has, in fact, been abandoned as a County Road by virtue of said road reconstruction since 1936; and

WHEREAS, pursuant to Section 118-a of the Highway Law and upon recommendation of the County Superintendent of Highways, the Chair of the Legislature is authorized to execute a Quitclaim Deed, in the name of the County, of the land so abandoned and to deliver the same, to the abutting owner, Ronald J. Novak, for such consideration and upon such terms and conditions, as the County Legislature shall deem proper; and

WHEREAS, said Ronald J. Novak, as abutting owner, has requested the County to abandon to it, that portion of the former right of way which is of no further use for highway purposes; and

WHEREAS, the County Superintendent of Highways recommends that said portion of County Road 93 be abandoned to Ronald J. Novak.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the County Legislature is hereby authorized to execute, in the name of the County, a Quitclaim Deed of the land so abandoned and to deliver the same to, Ronald J. Novak, for no monetary consideration; and

BE IT FURTHER RESOLVED, that the Grantee will provide the appropriate legal description necessary and as requested by the County, at his cost and expense.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion June 15, 2017.**

RESOLUTION NO. 253-17 INTRODUCED BY THE MANAGEMENT & BUDGET COMMITTEE TO APPROVE A SULLIVAN COUNTY REVOLVING LOAN

WHEREAS, the Sullivan County Division of Planning & Environmental Management (“Division”) oversees the County Main Street and Agri-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>
Cochecton Corner LLC dba The Horse’s Mouth (Ezekiel Miller)	Main Street Business	\$25,000

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

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

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion June 15, 2017.**

RESOLUTION NO. 254-17 INTRODUCED BY THE PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO ACCEPT A GRANT AWARDED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES.

WHEREAS, the Division of Criminal Justice Services operates the Aid to Prosecution program which has awarded Contract # AP16-1052-D00 to the Sullivan County District Attorney’s Office, and

WHEREAS, the contract period for this grant is October 1, 2016 through September 30, 2017, and

WHEREAS, the Division of Criminal Justice Services has provided to the County of Sullivan, under the contract, the sum of \$38,800, and

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

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion June 15, 2017.**

RESOLUTION NO. 255-17 INTRODUCED BY THE PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO ACCEPT A GRANT AWARDED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES.

WHEREAS, the Division of Criminal Justice Services operates the Byrne Justice Assistance (JAG) grant which has awarded Contract # BJ16637388 to the Sullivan County District Attorney’s Office, and

WHEREAS, the contract period for this grant is October 1, 2016 through September 30, 2017, and

WHEREAS, the Division of Criminal Justice Services has provided to the County of Sullivan, under the contract, the sum of \$25,000.00, and

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

Moved by Mrs. Ward, seconded by Mrs. Rajszyk, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 256-17 INTRODUCED BY THE PUBLIC SAFETY AND LAW ENFORCEMENT COMMITTEE TO ACCEPT THE NEW YORK STATE DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES - OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS ROUND #5 STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA BASED GRANT PROGRAM (SICFBGP) AWARD, AND ENTER INTO AN AWARD AGREEMENT OR CONTRACT TO ADMINISTER THE FUNDING SECURED TO MAKE NECESSARY IMPROVEMENTS AND PROVIDE SUSTAINMENT OF LAND MOBILE RADIO SYSTEMS, MAINTENANCE OF COMPONENTS SUPPORTING INTEROPERABILITY, CONTINUOUS TRAINING AND EXERCISE AND SUSTAINMENT AND FURTHER DEVELOPMENT OF THE GOVERNANCE STRUCTURE.

WHEREAS, the New York State Division of Homeland Security and Emergency Services provides funds to support efforts of local county public safety answering points; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services – Office of Interoperable and Emergency Communications, administers Round #5 of the Statewide Interoperable Communications Formula Based Grant Program (SICFBGP) to provide funds to make necessary improvements and provide sustainment of land mobile radio systems, maintenance of components supporting interoperability, continuous training and exercise and sustainment and further development of the governance structure; and to facilitate the development, consolidation and / or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders; and

WHEREAS, the Sullivan County E911 Center seeks to improve public safety communications operations, and to support and enhance statewide interoperable communications for first responders; and

WHEREAS, the Sullivan County E911 Center has submitted a formula allocation grant application for the SICFBGP program seeking funding to improve communications facilities security, maintain the new public safety communications system and support the capabilities of a regional interoperability communications system; and

WHEREAS, Sullivan County is not required to provide any local cash or in-kind match in support of the SICFBGP.

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

BE IT FURTHER RESOLVED, the Sullivan County Division of Public Safety – E911 Center, shall administer the funds and the SICFBGP; and

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

Moved by Mrs. Ward, seconded by Mrs. Rajszyk, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 257-17 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AMEND THE 2017 STOP DWI PLAN AND AUTHORIZE THE COUNTY MANAGER TO SIGN ANY AND ALL AGREEMENTS NECESSARY FOR THE PLAN, AS AMENDED

WHEREAS, the 2017 STOP DWI Plan was approved by the Sullivan County Legislature on September 15, 2016 by Resolution No. 390-16 in the amount of \$262,000; and

WHEREAS, a copy of the 2017 STOP DWI Plan is on file in the County Manager's Office; and

WHEREAS, Sheriff Michael A. Schiff, the Sullivan County STOP-DWI Coordinator, desires to amend the 2017 STOP DWI Plan to add the Village of Woodridge Police Department as a law enforcement agency participating in designated DWI patrols and at Victim Impact Panels; and

WHEREAS, the 2017 STOP DWI Plan shall be amended by transferring the amount of \$2,500 from the Administration Budget portion of the Plan to the Enforcement Budget portion of the Plan and adding a line for the Village of Woodridge Police Department in said amount for the period June 1, 2017 through December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to sign the 2017 STOP DWI Plan, as amended, as well as any and all agreements necessary to carry out the 2017 STOP DWI Plan, as amended, said agreements to be in such form as the County Attorney shall approve.

Moved by Mrs. Ward, seconded by Mrs. Rajszyk, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 258-17 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO MODIFY RESOLUTION NO. 129-14 & RESOLUTION 149-16

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, this agreement shall be extended through December 31, 2017 for an additional amount not to exceed \$517,500.00, for the term January 1, 2017 through December 31, 2017.

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 amounts noted above, in accordance with RFP, R-13-56, said contract modification to be in such form as the County Attorney shall approve.

Moved by Mrs. Ward, seconded by Mrs. Rajszyk, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 259-17 INTRODUCED BY GOVERNMENT SERVICES COMMITTEE TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT WITH FRED A. COOK, JR. INCORPORATED

WHEREAS, bids were received for a Removal, Transport and Disposal of Leachate from the Sullivan County Transfer Stations, and

WHEREAS, Fred A. Cook, Jr. Incorporated, P.O. Box 70, Montrose, New York 10548, 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 Fred A. Cook, Jr., Incorporated, at an annual price not to exceed \$50,000.00, based on \$0.19/gallon, for the Removal, Transport and Disposal of Leachate from the Sullivan County Transfer Stations, B-17-26, for the contract period July 1, 2017 through June 30, 2018, with three (3) additional yearly extensions, under the same terms and conditions, said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 260-17 INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SULLIVAN COUNTY VISITORS ASSOCIATION

WHEREAS, over the years, the Sullivan County Visitors Association (“Visitors Association”) has promoted and supported Sullivan County in its efforts to optimize tourism, and

WHEREAS, the current Agreement with Visitors Association expires on December 31, 2017, and

WHEREAS, the Legislature wishes to enter into an Agreement effective January 1, 2018, for an extended period to enable the Visitors Association to undertake the efforts necessary to accommodate the tourism-related growth anticipated with regard to the casino project and ancillary growth throughout the County, including one or more County Visitors Centers.

NOW THEREFORE BE IT RESOLVED, the County Attorney and the County Manager are authorized to negotiate an Agreement with the Visitors Association that addresses the current economic realities of tourism and related business in the County of Sullivan as well as anticipated growth over the next five years.

Moved by Mrs. Ward, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 261-17 INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE AWARD AND EXECUTION OF CONTRACT WITH MICROBAC LABORATORIES, INC. FOR SOLIDS SAMPLING AND ANALYSIS

WHEREAS, the County of Sullivan, through the Division of Public Works operations, produces various solids which are required to have laboratory sampling and analysis performed per the New York State Department of Environmental Conservation, and

WHEREAS, the County, through the Division of Public Works and the Office of General Services prepared a detailed specification and sought laboratory vendors through a competitive bid process, and

WHEREAS, Microbac Laboratories, Inc, whose Corporate address is 101 Bellevue Road, Suite 301, Pittsburgh, PA 15229, with a more local office located in Cortland, NY, is qualified, available, and willing to provide services, and

WHEREAS, the Division of Public Works, has approved Microbac Laboratories, Inc. to provide these services and recommends that a contract be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute a contract with Microbac Laboratories, Inc., said contract to be in such form as the County Attorney shall approve.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 262-17 INTRODUCED BY THE AGRICULTURE AND SUSTAINABILITY POLICY COMMITTEE TO AUTHORIZE ROUND 1 CONTRACTS FOR THE 2017 ELECTRIC VEHICLE INFRASTRUCTURE REIMBURSEMENT PROGRAM

WHEREAS, the Sullivan County Legislature allocated \$50,000 in the FY 2017 budget to be distributed to Sullivan County municipalities through the Electric Vehicle Infrastructure Reimbursement Program; and

WHEREAS, the program is designed to accept applications on a rolling basis with periodic reviews; and

WHEREAS, one application was submitted prior to the first deadline by the Town of Thompson requesting \$5,000 for the installation of a level 2 charging station at the Town of Thompson Town Hall, located at 4052 Route 42, Monticello, NY 12701 (District 9); and

WHEREAS, the program review committee assessed the application and recommends approval by the Sullivan County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature approves the application submitted by the Town of Thompson and the disbursement of the associated funds, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the County Manager to enter into contracts with the award recipient for the project upon meeting the guidelines of the Electric Vehicle Infrastructure Reimbursement Program, said contract to be in a form approved by the County Attorney.

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 263-17 INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE TO ENTER INTO A BUSINESS ASSOCIATE AGREEMENT (BAA) WITH CATSKILL REGIONAL MEDICAL CENTER (CRMC) TO ENROLL INDIVIDUALS IN THE EMERGENCY ROOM (ER) INTO HEALTH HOME SERVICES.

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

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

WHEREAS, Catskill Regional Medical Center (CRMC) operates a hospital that is licensed pursuant to Article 28 of the New York State Public Health Law; and

WHEREAS, the County of Sullivan, through the Department of Community Services (DCS), has a need to enter into an agreement with Catskill Regional Medical Center (CRMC) for the purpose of exchanging data between agencies in order to enroll ER patients into Health Home Services; and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature authorizes the County Manager to execute an agreement between the Sullivan County Department of Community Services and Catskill Regional Medical Center.

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

Moved by Mrs. Ward, seconded by Mrs. Rajs, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

**RESOLUTION NO. 264-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO
SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO IMPOSE THE
WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO TAX LAW § 186-G**

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on June 15, 2017 a proposed Local Law to “Impose the Wireless Communications Surcharges Pursuant to Tax Law § 186-g”.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed Local Law by the Sullivan County Legislature on July 20, 2017 at 1:50 p.m., in the Legislative Chambers, 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 Mr. Samuelson, seconded by Mrs. Ward, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

**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 June 15, 2017, a proposed Local Law to “Impose the Wireless Communications Surcharges Pursuant to Tax Law § 186-g”.

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature’s Meeting Room, County Government Center, Monticello, New York, 12701, on July 20, 2017 at 1:50 p.m. at which time all persons interested will be heard.

DATED: June 15, 2017
Monticello, New York

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

**MODEL ENACTMENT # 1
WIRELESS COMMUNICATIONS SURCHARGE
For Use by a County or City that Does NOT Currently Impose a Wireless
Communications Surcharge**

This model enactment has been prepared by the New York State Commissioner of Taxation and Finance for use by a city having a population of one million or more, and a county, other than a county wholly within such a city, to elect the imposition of the Wireless Communications Surcharge described in Tax Law § 186-g on both prepaid and postpaid wireless communications effective December 1, 2017.

PLEASE FOLLOW INSTRUCTIONS CAREFULLY

[CHOOSE ONE-RESOLUTION/LOCAL
LAW/ORDINANCE]

of the

[INSERT PROPER TITLE OF LEGISLATIVE
BODY] of the [COUNTY/CITY] of [INSERT
COUNTY/CITY NAME], imposing the wireless
communications surcharges pursuant to the
authority of Tax Law § 186-g.

Be it enacted by the [INSERT PROPER TITLE OF LEGISLATIVE BODY] of the [COUNTY/CITY] of [INSERT COUNTY/CITY NAME], as follows:

SECTION 1. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the [COUNTY/CITY] of [INSERT COUNTY/CITY NAME] on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such [COUNTY/CITY], at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such [COUNTY/CITY], at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE], provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before the due date for that return and that payment.

SECTION 2. Administration of surcharges. The surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE] shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 3. Applicability of State law to surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE]. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE] with the same force and effect as if those provisions had been set forth in full in this [RESOLUTION/LOCAL LAW/ORDINANCE], except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE].

SECTION 4. Net collections received by this [COUNTY/CITY] from the surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE] shall be expended only upon authorization of the [INSERT PROPER TITLE OF LEGISLATIVE BODY] of the [COUNTY/CITY] of [INSERT COUNTY/CITY NAME] and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such [COUNTY/CITY], as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The [COUNTY/CITY] shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This [RESOLUTION/LOCAL LAW/ORDINANCE] shall take effect December 1, 2017.

INSTRUCTIONS FOR MODEL ENACTMENT # 1

- This model enactment has been drafted to achieve the purpose of imposing the Wireless Communications Surcharge authorized by Tax Law § 186-g. Any changes could render it insufficient to achieve that purpose. If you are considering changes to this model, please contact Stephanie Scalzo in the Department of Taxation and Finance's Office of Counsel at (518) 457-2153.
- A locality may enact the Wireless Communications Surcharge as a local law, ordinance or resolution. Please note that a local law can only be amended by local law; an ordinance can be amended by ordinance or local law; and a resolution can be amended by local law, ordinance, or resolution.
- This model enactment has been prepared for localities that want to impose the surcharges authorized by Tax Law § 186-g effective December 1, 2017. If the locality elects to impose such surcharges at a later date, please contact our office for further instruction. Please note that the Wireless Communications Surcharge can take effect **only** on the 1st day of March, June, September, or December.
- In order for the surcharges to take effect, the locality must adopt its enactment and mail a **certified copy** to the New York State Commissioner of Taxation and Finance by **certified or registered** mail at least **90 days** prior to the effective date. The Commissioner **may** reduce the period to not less than 30 days prior to the effective date if the locality requests a waiver in writing. For the surcharges to take effect December 1, 2017, any waiver request must be mailed by November 1, 2017.
- Mail the Tax Department's certified copy, with the clerk's raised seal, and waiver request, if applicable, to:

Deborah R. Liebman, Esq.
Deputy Counsel
New York State Department of Taxation and Finance
Building 9, Room 228
W.A. Harriman State Campus
Albany, New York 12227
- **Within five days of enactment**, the locality **must** also file certified copies of the enactment with:
 - Secretary of State;
 - State Comptroller; **and**
 - County or City clerk (as the case may be).

MODEL ENACTMENT # 2
WIRELESS COMMUNICATIONS SURCHARGE
For Use by a County or City that Currently Imposes a Wireless Communications
Surcharge authorized by the County Law

This model enactment has been prepared by the New York State Commissioner of Taxation and Finance for use by a city having a population of one million or more, and a county, other than a county wholly within such a city, to **repeal** the surcharge authorized by Article 6 of the County Law and **elect** the imposition of the Wireless Communications Surcharge described in Tax Law § 186-g on both prepaid and postpaid wireless communications effective December 1, 2017.

PLEASE FOLLOW INSTRUCTIONS CAREFULLY

[CHOOSE ONE-RESOLUTION/LOCAL LAW/ORDINANCE]

of the

[INSERT PROPER TITLE OF LEGISLATIVE BODY] of the [COUNTY/CITY] of [INSERT COUNTY/CITY NAME], repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of Tax Law § 186-g.

Be it enacted by the [INSERT PROPER TITLE OF LEGISLATIVE BODY] of the [COUNTY/CITY] of [INSERT COUNTY/CITY NAME], as follows:

SECTION 1. [INSERT TITLE OF THE INITIAL ENACTMENT THAT IMPOSED THE WIRELESS SURCHARGE CURRENTLY AUTHORIZED BY THE COUNTY LAW] [RESOLUTION/LOCAL LAW/ ORDINANCE] No. [INSERT IDENTIFYING NUMBER OF INITIAL WIRELESS SURCHARGE ENACTMENT], of [INSERT YEAR OF INITIAL ENACTMENT] as amended, is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the [COUNTY/CITY] of [INSERT COUNTY/CITY NAME] on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such [COUNTY/CITY], at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such [COUNTY/CITY], at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this [RESOLUTION/ LOCAL LAW/ORDINANCE], provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges imposed by this [RESOLUTION/LOCAL LAW/ ORDINANCE] shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this [RESOLUTION/LOCAL LAW/ ORDINANCE]. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE] with the same force and effect as if those provisions had been set forth in full in this [RESOLUTION/LOCAL LAW/ORDINANCE], except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE].

SECTION 5. Net collections received by this [COUNTY/CITY] from the surcharges imposed by this [RESOLUTION/LOCAL LAW/ORDINANCE] shall be expended only upon authorization of the [INSERT PROPER TITLE OF LEGISLATIVE BODY] of the [COUNTY/CITY] of [INSERT COUNTY/CITY NAME] and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design,

installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such [COUNTY/CITY], as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The [COUNTY/CITY] shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This [RESOLUTION/LOCAL LAW/ORDINANCE] shall take effect December 1, 2017.

INSTRUCTIONS FOR MODEL ENACTMENT # 2

- This model enactment has been drafted to achieve the purpose of imposing the Wireless Communications Surcharge authorized by Tax Law § 186-g. Any changes could render it insufficient to achieve that purpose. If you are considering changes to this model, please contact Stephanie Scalzo in the Department of Taxation and Finance's Office of Counsel at (518) 457-2153.
- A locality may enact the Wireless Communications Surcharge as a local law, ordinance or resolution. However, a local law can only be amended by local law; an ordinance can be amended by ordinance or local law; and a resolution can be amended by local law, ordinance, or resolution. Therefore, if a locality enacted its wireless surcharge as identified in Section 1 by local law, then it must be repealed by local law. If the surcharge had been enacted by ordinance, then it may be repealed by either local law or ordinance. Finally, if the surcharge had been enacted by resolution, then it may be repealed by either local law, ordinance, or resolution.
- If the locality's resolution/local law/ordinance identified in Section 1 enacted and/or amended additional items besides its initial wireless surcharge, specify the subdivision of the resolution/local law/ordinance enacting the wireless surcharge so that only that portion that is repealed.
- Retain the phrase "as amended" in Section 1 ONLY if the resolution/local law/ordinance being amended has been previously amended.
- This model enactment has been prepared for localities that currently impose a wireless communications surcharge pursuant to the authority of Article 6 of the County Law and

that want to impose the surcharges authorized by Tax Law § 186-g effective December 1, 2017. Because the authority to impose the surcharge in the County Law is repealed effective December 1, 2017, a locality that currently imposes that surcharge must impose the new surcharge effective December 1, 2017 if it wants collections of the surcharge to continue without interruption. If the locality elects to impose such surcharge at a later date, please contact our office for further instructions. Please note that the Wireless Communications Surcharge can take effect **only** on the 1st day of March, June, September, or December.

- In order for the surcharges to take effect, the locality must adopt its enactment and mail a **certified copy** to the New York State Commissioner of Taxation and Finance by **certified or registered** mail at least **90 days** prior to the effective date. The Commissioner **may** reduce the period to not less than 30 days prior to the effective date if the locality requests a waiver in writing. For the surcharges to take effect December 1, 2017, any waiver request must be mailed by November 1, 2017.
- Mail the Tax Department's certified copy, with the clerk's raised seal, and waiver request, if applicable, to:

Deborah R. Liebman, Esq.
Deputy Counsel
New York State Department of Taxation and Finance
Building 9, Room 228
W.A. Harriman State Campus
Albany, New York 12227

- **Within five days of enactment**, the locality **must** also file certified copies of the enactment with:
 - Secretary of State;
 - State Comptroller; **and**
 - County or City clerk (as the case may be).

RESOLUTION NO. 265-17 INTRODUCED BY EXECUTIVE COMMITTEE TO CREATE FIVE (5) DEPUTY SHERIFF POSITIONS IN THE SHERIFF'S OFFICE

WHEREAS, the Sullivan County Sheriff has requested that five (5) Deputy Sheriff positions be created in the Sheriff's Office; and

WHEREAS, in an effort to enhance public safety in Sullivan County as well as meet the staffing needs of the Sullivan County Sheriff's Office, the Sheriff wishes to create five (5) Deputy Sheriff positions; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of five (5) Deputy Sheriff positions in the Sheriff's Office.

Moved by Mr. Samuelson, seconded by Mrs. Ward, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 266-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO FILL THE VACANT INVESTIGATOR POSITION IN THE SULLIVAN COUNTY DISTRICT ATTORNEY'S OFFICE

WHEREAS, the Sullivan County District Attorney's Office has requested the Executive Committee's permission to fill Position #2967, District Attorney Investigator; and

WHEREAS, the Sullivan County District Attorney indicates that filing this position is critical to the public safety needs and operational efficiency of the Sullivan County District Attorney's Office

WHEREAS, the Executive Committee agrees that filling this position is critical to the public safety needs and operational efficiency of the Sullivan County District Attorney's Office; and

WHEREAS, the District Attorney and the Commissioner of Personnel make the following salary recommendations for Position #2967, District Attorney Investigator:

District Attorney Investigator - \$51,000 p/yr

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby finds that filling this position is critical to the primary function of the District Attorney's office and authorizes the immediate filling of the investigator position within the District Attorney's Office at the aforesaid salary.

Moved by Mr. Samuelson, seconded by Mrs. Ward, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 267-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO CREATE ONE (1) SENIOR COMMUNITY SERVICES EMPLOYMENT PROGRAM WORKER POSITION FOR THE CENTER FOR WORKFORCE DEVELOPMENT

WHEREAS, the Center for Workforce Development has a Memorandum of Understanding ("MOU") with the Sullivan County Office for the Aging for the federal Senior Community Services Employment Program (Title V of the Older American Act of 1965 as Amended) under Resolution #303-16, and

WHEREAS, under the MOU the Center for Workforce Development provides employment and training services to enrolled participants according to the plan and is reimbursed for eligible costs incurred, and

WHEREAS, there is a need to create one (1) additional Senior Community Services Employment Program Worker TFT position, and

WHEREAS, the Senior Community Services Employment Program Worker TFT will be paid the minimum wage rate according to New York State and the salary and benefits for this position will be reimbursable costs,

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the creation of one (1) Senior Community Services Employment Program Worker TFT position for the Center for Workforce Development.

BE IT FURTHER RESOLVED that this position is subject to available federal funding.

Moved by Mr. Samuelson, seconded by Mrs. Ward, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 268-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE RECLASSIFICATION OF CREW LEADER TO SENIOR CREW LEADER FOR THE CENTER FOR WORKFORCE DEVELOPMENT

WHEREAS, the Center for Workforce Development is in receipt of funds from NYS to operate the Summer Youth Employment Program (SYEP), and

WHEREAS, the Center for Workforce Development also receives funds under the federal Workforce Innovation and Opportunities Act Title 1B to provide youth services, and

WHEREAS, the Summer Youth Employment Program provides paid work experience opportunities for youth from July 10, 2017 through August 18, 2017, and

WHEREAS, one (1) Senior Crew Leader will provide daily supervision and education activities for eligible youth, and

WHEREAS, there is a currently a position (#2894) for Crew Leader and there is a need for creating an additional Senior Crew Leader position, and it is in the best interest of the program to reclassify Crew Leader to Senior Crew Leader, and

WHEREAS, the Senior Crew Leader will be paid \$17/hour

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes reclassification of a Crew Leader to a Senior Crew Leader and filling of one (1) Senior Crew Leader position for the Center for Workforce Development.

BE IT FURTHER RESOLVED, that all positions will be vacated at the end of the program season.

Moved by Mr. Samuelson, **seconded** by Mrs. Ward, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 269-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE AN AMENDMENT TO THE AGREEMENT WITH LABELLA ASSOCIATES, D.P.C. WITH RESPECT TO THE NEW SULLIVAN COUNTY JAIL

WHEREAS, pursuant to Resolution 8-06, the County of Sullivan entered into an agreement with LaBella Associates, D.P.C. ("LaBella") for architectural services related to the siting and building of a new jail complex; and

WHEREAS, pursuant to Resolution 192-15, the agreement was amended to reflect additional design services that were required but not specifically included in the original agreement; and

WHEREAS, since 2006, LaBella has been asked to engage in a variety of additional services to accommodate final determinations made with regard to the jail site including, but not limited to, bid alternate design work and off-site utility design, and

WHEREAS, in an effort to address the practical needs of the County as well as aspects of off-site utility design to accommodate the needs of the Village of Monticello, additional services are required.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a modification agreement with LaBella, to reflect a scope of services for the additional off-site utility design work to complete the new Sullivan County Jail project which work is to include a Topographic Land Survey, Utility Survey, Right Of Way survey and related deliverables, in an amount not to exceed \$36,859.

Moved by Mr. Samuelson, **seconded** by Mrs. Ward, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 270-17 INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY RESOLUTION NO. 469-16

WHEREAS, pursuant to Resolution No. 198-16, the Sullivan County Legislature authorized the preparation and submission of a Rural Business Development Grant (RBDG) application to fund a Gateway Study for the Route 17 Corridors in Monticello/Thompson for Sullivan County; and

WHEREAS, on July 06, 2016, in response to the grant application, the County was awarded two USDA Rural Business Development Grants totaling \$67,614.00 to conduct the Gateway Study; and

WHEREAS, pursuant to Resolution No. 469-16, the Sullivan County Legislature authorized the award and execution of a contract with Elan Planning, Design & Landscape Architecture, PLLC, to conduct the Gateway Study in the amount of \$69,436.90, as per the firm's proposal submitted in response to the RFP; and

WHEREAS, additional services were requested for the development of design site plans that are beyond the scope of the original contract and are in the amount of \$1,800.00; and

WHEREAS, additional services were requested for travel to and from the project location that are beyond the scope of the original contract and are in the amount of \$1,071.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager to execute a contract modification with Elan Planning, Design & Landscape Architecture, PLLC, in an amount not to exceed total project budget of \$72,307.90, said contract to be in such form as the County Attorney shall approve.

Moved by Mr. Samuelson, seconded by Mrs. Ward, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 271-17 INTRODUCED BY THE EXECUTIVE COMMITTEE AUTHORIZING THE ACCEPTANCE OF A SEQRA DETERMINATION FOR THE REMAINING SULLIVAN COUNTY GREATER CATSKILLS FLOOD REMEDIATION PROGRAM PROJECT

WHEREAS, pursuant to Resolution No. 131-09 which authorized the Sullivan County Legislature to act as the Lead Agency for the SEQRA of the Greater Catskills Flood Remediation Program; and

WHEREAS, pursuant to Resolution No. 252-09 a SEQRA determination was made by the County in regard to the Greater Catskills Flood Remediation Program, said determination did not include a parcel at 967 Callicoon Center Road, Callicoon Center ("Subject Parcel"); and

WHEREAS, the Greater Catskills Flood Remediation Program is deemed an Unlisted Action under Article 8 of the Environmental Conservation Law, regulations 6 NYCRR Part 617; and

WHEREAS, the Division of Planning and Environmental Management has completed Part II of the Short Environmental Assessment Form (EAF) for Unlisted Actions on the Subject Parcel and has deemed that the inclusion of Subject Parcel to the Greater Catskills Flood Remediation Program project does not exceed any Type I threshold in 6 NYCRR, Part 617.4; and

WHEREAS, the Division of Planning and Environmental Management, pursuant to Part II of the EAF short form, determines that the inclusion of Subject Parcel to the Greater Catskills Flood Remediation Program project will not have potential adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature as lead agency determines that the proposed action will not have a significant environmental impact and a Draft Environmental Impact Statement is not required; and

THEREFORE, BE IT FURTHER RESOLVED, that the Sullivan County Legislature in accordance with SEQRA declares a negative declaration in regard to the Greater Catskills Flood Remediation Program project located at 967 Callicoon Center Road, Callicoon Center.

Moved by Mr. Samuelson, seconded by Mrs. Ward, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 273-17 INTRODUCED BY EXECUTIVE COMMITTEE TO MODIFY RESOLUTION NO. 23-15 BY APPOINTING A NEW NYSEG REPRESENTATIVE TO THE VOTING MEMBERSHIP OF THE SULLIVAN COUNTY ELECTRICAL LICENSING BOARD

WHEREAS, on January 22, 2015, the Legislature adopted Resolution 23-15 appointing members to the Sullivan County Electrical Licensing Board, and

WHEREAS, an email was received from Ms. Cindy Waasdorp (NYSEG Representative) indicating she could no longer serve as she travels from Rochester, New York.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to §103-3 of the Sullivan County Code, the following person is appointed to the Sullivan County Board of Electrical Licensing replacing Cindy Waasdorp and No. 347-14 will be modified to include his Term Expiration which are now set next to his name:

<u>Voting Member Appointees</u>	<u>Term Expires</u>
NYSEG Representative Mark Otto (Replacing Cindy Waasdorp)	December 31, 2017

Moved by Mrs. Ward, seconded by Mr. Perrello, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 274-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ACCEPT NYSDOT AVIATION CAPITAL AGREEMENT FOR THE DESIGN OF THE TRANSIENT AIRCRAFT PARKING APRON EXTENSION AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA).

WHEREAS, Sullivan County has received grants from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following projects at Sullivan County International Airport:

Transient Aircraft Parking Apron Extension (Design).
FAA AIP Project No. 3-36-0060-XX-2017

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grants for 50% of the non-federal share of eligible costs; and

WHEREAS, Sullivan County has committed funds for the local share of project costs. Funding shares for project costs are as follows:

Transient Aircraft Parking Apron Extension (Design)	
Federal	\$ 68,940
State	\$ 3,830

Local	\$ 3,830
Total Project Cost	\$ 76,600

WHEREAS, if Sullivan County and/or the FAA notifies the NYSDOT that Sullivan County has requested and received an increase in federal funding for a project based on increased eligible costs, and has authorized the proportionate increase in local funding, the New York State share noted above shall be increased proportionately up to a maximum increase of 15%.

NOW, THEREFORE, BE IT RESOLVED that Sullivan County enter into an agreement with the State of New York for financial assistance for the project described above at Sullivan County International Airport; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, and / or Chairman of the County Legislature (*as required by the funding source*) to accept the award and enter into an award agreement / contract; to execute all necessary documents on behalf of Sullivan County with NYS in connection with the projects; and to administer the funding secured, in such form as the County Attorney shall approve; and

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

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

Moved by Mr. Samuelson, seconded by Mrs. Ward, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 275-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO ACCEPT NYSDOT AVIATION CAPITAL AGREEMENT FOR DESIGN AND CONSTRUCTION TO REPLACE GUIDANCE SIGNS AND MITL AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)

WHEREAS, Sullivan County has received grants from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following projects at Sullivan County International Airport; and

Replace Guidance Signs and MITL (Design /Construction)
 FAA AIP Project No. 3-36-0060-XX-2017

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grants for 50% of the non-federal share of eligible costs; and

WHEREAS, Sullivan County has committed funds for the local share of project costs. Funding shares for project costs are approximately as follows:

Replace Guidance Signs and MITL (Design/Construction)	
Federal	\$ 733,351.68
State	\$ 40,741.76
Local	\$ 40,741.76
Total Project Cost	\$ 814,835.20

WHEREAS, if Sullivan County and/or the FAA notifies the NYSDOT that Sullivan County has requested and received an increase in federal funding for a project based on increased eligible costs, and has authorized the proportionate increase in local funding, the New York State share noted above shall be increased proportionately up to a maximum increase of 15%.

NOW, THEREFORE, BE IT RESOLVED that Sullivan County enter into an agreement with the State of New York for financial assistance for the project described above at Sullivan County International Airport; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, and / or Chairman of the County Legislature (*as required by the funding source*) to accept the award and enter into an award agreement / contract; to execute all necessary documents on behalf of Sullivan County with NYS in connection with the projects; and to administer the funding secured, in such form as the County Attorney shall approve; and

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

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

Moved by Mr. Samuelson, seconded by Mrs. Ward, put to a vote and unanimously carried as amended and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 276-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE SULLIVAN COUNTY OFFICE FOR THE AGING TO APPLY FOR AND ACCEPT THE NY CONNECTS EXPANSION AND ENHANCEMENT ALLOCATION (FEDERAL BALANCING INCENTIVE PROGRAM – BIP) IN THE AMOUNT OF \$259,956.00 FOR THE PERIOD 1/1/17 TO 3/31/18.

WHEREAS, the allocation will allow the SULLIVAN NYCONNECTS Program (“Program”) to meet the requirements of the federal Balancing Incentive Program (*BIP*); and

WHEREAS, there is no matching funds requirement to the allocation; and

WHEREAS, the Sullivan County Office for the Aging as the administrator of the Program will collaborate with the County’s Division of Health & Family Services and with other partnering agencies; and

WHEREAS, implementation of the three (3) required structural changes in the Program will allow SULLIVAN NYCONNECTS to assist individuals of any age or disability who need long term services and support, as well as their caregivers and professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the Director of the Office for the Aging, the County’s authorized representative (*as required by the funding source*) to execute any and all necessary documents to submit the NY Connects Expansion and Enhancement allocation application and to accept the awarding of funds, in such form as the County Attorney’s Office shall approve; and

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

Moved by Mrs. Ward, seconded by Mr. Perrello, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 277-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE ACCEPTANCE OF THE LABOR SHED AND LARGE SCALE ECONOMIC DEVELOPMENT IMPACT STUDY

WHEREAS, under Resolution #193-15 the Sullivan County Legislature authorized the County Manager to execute any and all necessary documents to submit an application under the USDA/Rural Development RBDG Program for funding, to accept the award, and enter into an award agreement to conduct a labor shed and large scale economic development impact study, with the Center for Workforce Development administering the funds under the grant program, and

WHEREAS, under RFP 15-41 and Resolution #17-16 adopted by the Sullivan County Legislature on January 28, 2016 an Agreement was entered as of February 1, 2016 between the County of Sullivan and Capacity Business Consulting, and

WHEREAS, the grant award ending date is June 30, 2017 and the final report has been submitted to the County Legislature for formal acceptance, and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby formally accepts the Labor Shed Study and the County Manager is hereby authorized to sign the final report as required by the funding source award agreement. Said report and letter to be in a form approved by the County Attorney.

Moved by Mrs. Ward, seconded by Mr. Perrello, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 278-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE AN AGREEMENT WITH THE WORKFORCE DEVELOPMENT BOARD OF SULLIVAN INC FOR THE PROVISION OF ONE STOP OPERATOR SERVICES UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT.

WHEREAS, the Workforce Investment and Opportunity Act (“WIOA”) requires a One Stop Operator to coordinate the delivery of services by the required One Stop system partners and service providers, and

WHEREAS, the WIOA Section 121(d)(2)(a) requires that the One Stop Operator be selected through a competitive process, and

WHEREAS, Purchasing and Central Services issued a Request for Proposal, RFP #17-07, and there were no respondents, and

WHEREAS, the Workforce Development Board and the County agree that the functions of the One Stop Operator will be performed by the Center for Workforce Development at an amount not to exceed \$3,000, and

WHEREAS, the agreement will be effective from July 1, 2017 through June 30, 2018 with the option of annual renewals through June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to enter into an agreement with the Workforce Development Board as described above. Said agreement to be in form approved by the County Attorney.

Moved by Mrs. Ward, seconded by Mr. Perrello, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

RESOLUTION NO. 279-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE A MODIFICATION AGREEMENT BETWEEN THE COUNTY OF SULLIVAN AND SULLIVAN COUNTY BOCES TO PROVIDE SERVICES UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT.

WHEREAS, the Center for Workforce Development is responsible for the administration and implementation of the federal Workforce Innovation and Opportunity Act (“WIOA”) Title 1B Youth funds, and

WHEREAS, the WIOA Section 123 requires that local provisions of education, employment and training services to youth be competitively bid, and

WHEREAS, Purchasing and Central Services issued a Request for Proposal, RFP #16-09 and Sullivan County BOCES submitted the successful proposal to provide Occupational Skills Training, Tutoring and Study Skills Training, and Basic Skills Upgrade and High School Equivalency training to WIOA enrolled youth, and

WHEREAS, Sullivan County BOCES has been providing these services pursuant to an Agreement dated May 1, 2016 authorized by Resolution #238-16 (“Original Agreement”). The Original Agreement is for a total amount not to exceed \$50,000 and is set to expire on June 30, 2017, and

WHEREAS, the Center for Workforce Development has reviewed and determined that it is to the best interest of the County to extend this Contract to allow for additional training with an extension of the original agreement through June 30, 2018 with the total amount still not to exceed \$50,000.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an extension agreement with Sullivan County BOCES as described above. Said agreement to be in form approved by the County Attorney.

BE IT FURTHER RESOLVED, that the above agreement will be contingent upon the County receiving the necessary Federal allocations.

Moved by Mrs. Ward, seconded by Mr. Perrello, put to a vote and unanimously carried and **declared duly adopted on motion June 15, 2017.**

RESOLUTION NO 280-17 INTRODUCED BY EXECUTIVE COMMITTEE TO CONVEY PROPERTY ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2015 LIEN YEAR IN THE TOWN OF LIBERTY KNOWN AS LI46.-1-40.2

WHEREAS, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as Liberty 46.-1-40.2, being 30.00 x 125.20 +/- feet, located on State Route 55 is owned by the County of Sullivan by virtue of an Article 11 foreclosure for 2015 taxes; and

WHEREAS, The Town of Liberty has offered to purchase said property for the amount of delinquent taxes owed to the county and

WHEREAS, it is in the best interest of the County of Sullivan to sell this parcel to Town of Liberty for the amount of delinquent taxes owed to the county this piece of property will be beneficial to the community and the town and

WHEREAS, the purchaser will also be responsible for the recording fees, 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 Town of Liberty upon payment of amount of delinquent taxes owed to the County, plus fees for the County Clerk, and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, if any.

Moved by Mrs. Ward, seconded by Mr. Perrello, put to a vote and unanimously carried and **declared duly adopted on motion June 15, 2017.**

RESOLUTION NO. 281-17 INTRODUCED BY THE EXECUTIVE COMMITTEE TO INCLUDE PAST SERVICE PERFORMED BY CERTAIN COUNTY EMPLOYEES AS ACTING DEPARTMENT HEADS TO QUALIFY FOR A SALARY INCREASE.

WHEREAS, Resolution No. 193-07 adopted by the Sullivan County Legislature ("Legislature") on April 26, 2007, enacted a policy to authorize a compensation increase for designated department head deputies who, upon a vacancy in the office, perform the duties of a department head for more than ninety (90) consecutive days, and

WHEREAS, the policy provides for a deputy department head to be paid the budgeted salary of the department head and for the compensation to be retroactive to day one of performing such services, and

WHEREAS, Resolution No. 242-17 adopted by the Legislature on May 18, 2017, expanded the above-mentioned policy to include all managerial officers, officials or employees (hereafter, "Managerial Officer") regardless of the title or position they hold, and

WHEREAS, there are times when a Managerial Officer has been asked to step into the position of a vacant department head for periods of time that never reach the consecutive ninety (90) day threshold, and the Legislature now seeks to expand the opportunities to qualify for additional compensation.

NOW THEREFORE BE IT RESOLVED, the policies previously adopted by the Legislature by resolutions 193-07 and 242-17 are further amended as follows:

1. Separate from the qualifications set forth in the prior resolutions, there are times when the ninety (90) day requirement for a Managerial Officer to perform the duties of a department head may be met by an accumulation of said ninety (90) days over the four (4) year period prior to the then current request to act.
2. The accumulation of said ninety (90) days shall be confirmed by the County Manager and the Human Resources Director/Personnel Officer.
3. Notwithstanding the retroactive accumulation of time for purposes of qualification, the increase in compensation to the Managerial Officer who qualifies under the terms of this Resolution shall not be retroactive to any period of time after which the Managerial Officer qualified, but shall be effective on the first day the Managerial Officer acts as a department head pursuant to a then-current request.
4. The remaining terms and conditions in the policy adopted by the Legislature on April 26, 2007 and amended on May 18, 2017 shall remain in full force and effect.
5. This amendment to the policy shall take effect immediately.

Moved by Mrs. Ward, seconded by Mr. Perrello, put to a vote and unanimously carried and declared duly adopted on motion June 15, 2017.

RESOLUTION NO. 282-17 INTRODUCED BY CATHERINE OWENS, LEGISLATOR, DISTRICT 4, TO REQUEST THE ASSISTANCE OF THE DISTRICT ATTORNEY AND UNITED STATES ATTORNEY TO DETERMINE WHETHER THERE WAS UNDUE INFLUENCE IN A FEDERAL LITIGATION BROUGHT AGAINST THE SULLIVAN COUNTY BOARD OF ELECTIONS.

WHEREAS, on March 9, 2015, numerous plaintiffs, including Moshe Smilowitz, filed a federal lawsuit against the Sullivan County Board of Elections, Commissioner Ann Prusinski and Commissioner Rodney Gaebel, claiming alleged discrimination regarding voter registrations in the Village of Bloomingburg, ("Civil Case"), and

WHEREAS, in an effort to limit ongoing expenses of a federal litigation, including discovery and trial, the parties entered into a formal settlement, as a Consent Decree, so-ordered by the Federal District Judge on February 1, 2016, and

WHEREAS, as part of the Consent Decree, the defendants agreed to remit payment of a sum of money to the plaintiffs and as well as to the plaintiffs' law firm, and voluntarily agreed to undertake certain actions that they were not otherwise legally required to undertake, and

WHEREAS, in December 2016 the United States Attorney filed criminal charges against Shalom Lamm, Kenneth Nakdimen and Volvy Smilowitz for conspiracy to defraud the United States in an election in the Village of Bloomingburg, and

WHEREAS, Kenneth Nakdimen and Shalom Lamm have pled guilty to Conspiracy to Corrupt the Electoral Process in the Village of Bloomingburg, and

WHEREAS, the Sullivan County Legislature previously expressed concern over the criminal charges and now desires to learn whether there is any relationship between the criminal matters and the federal Civil Case against the Board of Elections.

NOW THEREFORE BE IT RESOLVED, the Sullivan County Legislature hereby requests the County Attorney, District Attorney and United States Attorney to conduct or continue any investigation necessary to determine whether the actions of the criminal defendants were related to, interfered with, or otherwise undermined the federal Civil Case litigation process.

Moved by Mrs. Owens, seconded by Mrs. Rajsz, put to a vote and unanimously carried and **declared duly adopted on motion** June 15, 2017.

Deputy County Manager Depew wished everyone a Happy Father's Day!

There being no further business, Mr. Sorensen moved to adjourn, seconded by Mr. Perrello subject to the call of the Chairman. The full board meeting was adjourned at 2:34PM.

ANNMARIE MARTIN, CLERK
Sullivan County Legislature

May 2017 Budget Modifications (Resolution)
 Modifications to the 2017 Sullivan County Budget

G/L Account	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1165-47-4724 - DEPT DRUG FORFEITURE PROCEEDS NYS			10000*	
A-1355-41-4104 - AUTO/TRAVEL MILEAGE/TOLLS			164	
A-1355-R1250-R283 - REAL PROP TAX MAP REIMBURSE- TRAVEL	164			
A-1420-47-4705 - DEPT COUNSEL/WITNESS EXPENSE				
A-1989-99-47-4736 - DEPT CONTINGENT			7,500	
A-1989-99-47-4736 - DEPT CONTINGENT				4,938
A-1989-99-47-4736 - DEPT CONTINGENT				7,500
A-3010-43-4302 - COMPUTER HARDWARE PURCHASES/LEASES			3,947	
A-3010-43-4304 - COMPUTER MAINTENANCE/SERVICE FEES			991	
A-7110-39-41-4109 - AUTO/TRAVEL CO FLEET CHARGEBACK			1,000	
General Fund Total	164	-	13,602	13,438
H03-5997-40-4038 - CONTRACT CONSTRUCTION			498,020	
H42-3997-40-4006 - CONTRACT ENGINEER/ARCHITECT/DESIGN SERV			738	
H65-1997-21-2102 - FIXED BUILDINGS AND BUILDING IMPRVMTS			1,043	
H65-1997-21-2102 - FIXED BUILDINGS AND BUILDING IMPRVMTS			345	
H68-5197-47-4720 - DEPT LABORATORY/XRAY EXPENSE			5,950	
H69-3997-40-4038 - CONTRACT CONSTRUCTION			3,240,956	
Total			3,747,052	

* Covered with Drug Forfeiture Fund Balance

rules. Haulers shall forward a copy of the names and addresses of those customers having committed a violation as defined in Title VII of these Rules to the County.

- b. Sullivan County and other municipal/private Solid Waste Management Facility operators
 1. All solid waste shall be subject to inspection by County Solid Waste Management Facility operators to determine facility user compliance with local law, New York State Regulations and these rules. All violations shall be reported to the County Division of Solid Waste office.
 2. The Commissioner shall be responsible for notifying those persons in violation of the Local law and these Rules and to execute enforcement proceedings where warranted.

(609 through 619 purposely reserved)

620. Fee and Recycling Credit Schedule 1

620.1 Disposal Fees

All persons depositing solid waste at a Solid Waste Management Facility operated by the County shall in addition to the Solid Waste / Recycling Fee pay the following fees as may be amended from time to time by the Sullivan County Legislature:

a) **Compacted Solid Waste in Bulk:**

\$95.00 per ton at Transfer Stations equipped with weight scales with a minimum fee of \$10.75 for all loads of 250 pounds or less at Transfer Stations equipped with weight scales.

If there are no scales or the scales are not functioning then a charge of \$42.50 per cubic yard with a \$25.00 minimum fee for quantities of 1/4 cubic yard or less will be charged. (loads shall be measured by facility attendant and rounded to the nearest 1/4 cubic yard),

b) **Construction & Demolition Debris (C&D) and Bulk Waste:**

\$95.00 per ton at Transfer Stations equipped with weight scales. There will be a minimum fee of \$10.75 for all loads of 250 pounds or less,

¹ The County of Sullivan intends to implement the use of credit cards for payment of services included in these Rules. To the extent there is a fee charged for the use of a credit card, such fee not be a County charge to the customer, and shall be between the customer and the credit card company.

If there are no scales or the scales are not functioning then a charge of \$42.50 per cubic yard with a \$25.00 minimum fee for quantities of 1/4 cubic yard or less will be charged. (loads shall be measured by facility attendant and rounded to the nearest 1/4 cubic yard),

A maximum of two (2) yards of C&D will be accepted at Transfer Stations which are not equipped with a scale.

A maximum amount of four (4) yards of C&D will be accepted at the Transfer Stations equipped with a scale. Any amount in excess of four (4) yards shall be brought to the Monticello Transfer Station during normal operating hours.

- c) Individual Drop:
 - 1) \$2.00 per 1-30 gallon can or clear bag.
 - 2) \$4.00 per 1-30 gallon opaque bag.
- d) Regulated wastes with special NYSDEC permit only, and subject to approval by the Commissioner:
 - Oil soaked debris and soils, \$95.00 per ton, with a minimum fee of \$15.00 for all loads of 375 pounds or less,
- e) Special Waste Fees:
 - 1) Waste Tires (up to a 19-inch rim size): \$3.00 per tire, \$300.00 per ton in bulk.
 - 2) Waste Tires (20 inch rim or larger): \$30.00 per tire.
 - 3) Refrigeration/Air Conditioning Appliances, \$15.00 per unit;
 - 4) Handling Fee for Unseparated Waste: loads of solid waste containing quantities of recyclable items identified in Title III Section 303(f), which are required to be separated from solid waste shall charged a disposal fee two (2) times the applicable rate for solid waste and the charges shall apply to the entire load deposited.
 - 5) Untarped Load Surcharge: A \$10.00 surcharge will be applied for any untarped loads being transported into the facility on commercial vehicles.
- f) Service fee for issuance of certified weight receipt for vehicles not seeking access to County Solid Waste Disposal and Recycling Facilities shall be \$10.00.

- h) Handling fee for labor and machinery shall equal the actual cost for removal and remediation of unauthorized waste at the transfer station tipping floor, as determined by the commissioner.
- i) Commercial Hauler License Fee: All commercial solid waste haulers (public and private) shall be charged a license fee of \$150.00 plus \$25.00 per truck.
- j) Bulk Scrap Metal and Non-CFC appliances Handling Fee: at the discretion of the Commissioner with the concurrence of the County Manager, based on market conditions and handling costs incurred by the County.
- k) Propane tanks, 20 lbs. tanks only: \$2.00 each. Tanks greater than 20 lbs. not accepted.
- l) Rubble/Aggregate, \$95.00 per ton.
- m) Select Building Demolition Debris (minimum transaction quantity of 40 cubic yards, \$95.00 per ton.
- n) Fluorescent Bulbs, \$1.00 per bulb

621. Compacted Bulk Solid Waste - Calculation of Fees

Unless weighed, the charge to permit holders and contract haulers for depositing compacted solid waste at a County Solid Waste Management Facility shall be based upon a measurement by the facility attendant and the calculated quantity rounded to the next highest 1/4 of the rated truck body capacity.

622. Loose Bulk Solid Waste - Calculation of Fees

If unweighed, the quantity of all loose bulk solid waste to be deposited at a County Solid Waste Management Facility shall be determined by the facility attendant's estimated measure of the volume of the load of the vehicle rounded to the nearest 2 cubic yard.

623. Required Weighing

If there shall be a scale at a solid waste management facility, the vehicle, conveyance or detachable solid waste container shall be weighted prior to and after deposit of solid waste.

624. Minimum Solid Waste Deposit Fee

Any person, not an account customer (permit restriction notwithstanding), shall be required to deposit the following minimum fee before proceeding to unload: