

1:50PM Authorizing Seizure and Forfeiture of Property.....



## AGENDA

Legislative Monthly Meeting for September 15, 2011 at 2:00PM

Call to Order

Pledge of Allegiance

Roll Call of Legislators

Communications

Public Comment

Resolutions:

1. Appoint McLaughin to the Community Services Board
2. Create one temporary Deputy Sheriff position in the Sullivan County Sheriff's Office
3. Fill vacant Legal Secretary position in the Sullivan County District Attorney's Office
4. Request NYS DEC to extend the public comment period to 180 days on the SGEIS (Oil, Gas, and solution mining regulatory program)
5. Modify the 2011 County Budget
6. Authorize the use of money in the landfill closure designated fund for the purpose of paying short term debt that was issued to cap the landfill
7. Amend the Capital Plan for a new Traffic Signal at Exit 106 on Interstate 86 (Roll Call)
8. Approve Sullivan County Revolving Loans
9. Modify Resolution No. 223-10 with Zion Environmental, LLC
10. Amend Resolution No. 296-11 Tract #127 Quackenbush
11. Accept bid made on September 2011 Online Public Auction and Reject bids at the June 2011 Auction
12. Authorize the sale of property to the second highest bidders from June 2011 Auction
13. Convey MA 201-4.-32 to Berensten
14. Convey RO 28.A-1-46 to Dunn
15. Obtain Legislative approval for applying for funding from the FY 2012 Unified Hazard Mitigation Assistance Program
16. Authorize contract with Sullivan County Paving & Construction, Inc., for resurfacing a portion of CR 108
17. Authorize contract with Kristt Company for mailroom services
18. Authorize contract with NYSARC, Inc. for litter control
19. Authorize contract with BOCES for provision of OTDA Transitional Jobs 2 Program
20. Authorize contract with Verizon Wireless for Microwave Path Relocation

Recognition of Legislators

Announcements from Chair

Adjournment or Close

Resolution No. \_\_\_\_\_

**RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE.**

**RESOLUTION TO APPOINT ONE (1) MEMBER TO THE COMMUNITY SERVICES BOARD**

**WHEREAS**, there is a vacancy on the Community Services Board, and

**WHEREAS**, there is a need to appoint one (1) member to fill the vacancy on the Community Services Board.

**NOW, THEREFORE, BE IT RESOLVED**, the following individual to be appointed to fill a vacancy on the Sullivan County Community Services Board to reflect the date set opposite her name:

**APPOINTMENT TO THE CSB**

**TERM**

Stephen McLaughin  
(to fill a vacancy left by resignation of Rita Klafter)

09/01/2011 to 12/31/2013

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2011.

Resolution No. \_\_\_\_\_

**RESOLUTION INTRODUCED BY PERSONNEL COMMITTEE**

**RESOLUTION TO CREATE ONE TEMPORARY POSITION IN SULLIVAN COUNTY SHERIFF'S OFFICE**

**WHEREAS**, through resolution number 227 of 2011, the Sullivan County Legislature authorized the creation of up to eight temporary Deputy Sheriff positions for a time period expiring no later than October 14, 2011, and

**WHEREAS**, the Sheriff was able to fill only four of those positions, leaving four positions vacant, and

**WHEREAS**, the Sheriff requests a 90-day temporary position for an individual to work with the Chief of Patrol for the period October 1, 2011 through December 31, 2011.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of one temporary position for the staffing needs of the Sullivan County Sheriff's Office for the period October 1, 2011 through December 31, 2011 and abolishes four temporary Deputy Sheriff positions, which were due to expire October 14, 2011.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, **2011**

**RESOLUTION NO.                      INTRODUCED BY THE PERSONNEL  
COMMITTEE TO FILL THE VACANT SECRETARIAL POSITION IN THE  
SULLIVAN COUNTY DISTRICT ATTORNEY'S OFFICE**

**WHEREAS**, the Sullivan County District Attorney's Office has encountered an unanticipated resignation of one of its secretaries on August 3, 2011; and

**WHEREAS**, the District Attorney has expressed a desire to fill the position due to its vital role in the operations of the District Attorney's Office;

**WHEREAS**, the secretaries employed by the District Attorney's office perform typing, copying, filing and administrative duties to seven full time Assistant District Attorneys;

**WHEREAS**, since 1993, the District Attorney's Office has, on its own, eliminated three secretarial positions, including one secretarial position in the 2011 budget year;

**WHEREAS**, current staffing levels of only two secretarial positions will cause great administrative chaos and delay the proper processing of criminal cases;

**WHEREAS**, the proposed fill of this legal secretarial position will include an entry level salary;

**WHEREAS**, the County of Sullivan currently has a hiring freeze in place and filling this position must be critical to the operations of the District Attorney's office.

**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 legal secretarial position within the District Attorney's Office at Grade IV of the Teamster's Salary Schedule.

**Moved by    seconded by    , put to a vote, unanimously  
carried and declared duly adopted on motion**

**RESOLUTION NO. \_\_\_\_-11 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT & REAL PROPERTY COMMITTEE REQUESTING THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO EXTEND THE PUBLIC COMMENT PERIOD FOR THE REVISED DRAFT “SGEIS” ON THE OIL, GAS AND SOLUTION MINING REGULATORY PROGRAM, COVERING HORIZONTAL DRILLING AND HIGH-VOLUME HYDRAULIC FRACTURING IN THE MARCELLUS SHALE AND OTHER LOW-PERMAIBILITY GAS RESERVOIRS, TO 180 DAYS.**

**WHEREAS**, a large portion of the land area in the County of Sullivan is located within the Marcellus Shale Field Basin and therefore may be the location of natural gas exploration and development projects; and

**WHEREAS**, the County of Sullivan and several of its constituent municipalities have in the past voiced concerns to the New York State Department of Environmental Conservation (DEC) and to the New York State Legislature regarding issues of environmental safety and potential impacts resulting from natural gas development and related activities within the County of Sullivan, including, for example, noise, dust, integrity of nearby water wells, and the possibility of contamination resulting from storage and transport of fracking fluids; and

**WHEREAS**, DEC issued the full 2011 Revised Draft Supplemental Generic Environmental Impact Statement (SGEIS) on the Oil, Gas and Solution Mining Regulatory Program on September 7, 2011, simultaneously announcing that written comments will be accepted during the Public Comment Period that extends through the close of businesses December 12, 2011; and

**WHEREAS**, the Revised Draft SGEIS addresses permit conditions as well as socioeconomic issues, cumulative impacts and other issues of concern to local communities, such as impacts on local roads; and

**WHEREAS**, the Revised Draft SGEIS also contains analysis and references to other documents that are of a highly technical nature, requiring peer review and evaluation by experts in a wide range of fields to assess potential impacts of the proposed regulations;

**NOW, THEREFORE, BE IT RESOLVED**, the County of Sullivan hereby requests that DEC extend the Public Comment Period on the Revised Draft SGEIS to 180 days (through March 5, 2012), in order for the County and its residents to undertake the necessary review for preparing and submitting comments on the proposed regulatory program; and

**BE IT FURTHER RESOLVED** that the Chairman of the Legislature is hereby authorized to issue a letter to DEC Commissioner Joe Martens to this effect.

Moved by,  
Seconded by,  
and adopted on motion, \_\_\_\_ 2011

**RESOLUTION NO. INTRODUCED BY MANAGEMENT AND BUDGET  
COMMITTEE TO MODIFY THE 2011 COUNTY BUDGET**

**WHEREAS**, the County of Sullivan 2011 Budget requires modification,

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

**Moved by:**

**Seconded by:**

September 2011 Budget Modifications

G/L Account Number	Account Description	Revenue		Expense	
		Increase	Decrease	Increase	Decrease
A-1165-47-4724	DEPT DRUG FOREITURE PROCEEDS NYS			6,276.00	
A-1165-R2626-R247	FORFEITR CRIME PROCDs MISC FEE/REIMBURSMNT	6,276.00			
A-1010-42-4204	OFFICE POSTAGE				150.00
A-1010-45-4501	SPEC DEPT SUPPLY MISC/OTHER			150.00	
A-1230-46-4610	MISC SERV/EXP EMPL NOTARY/CERTIFICATION			60.00	
A-1230-47-4703	DEPT DUES				60.00
A-1320-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER			860.00	
A-1320-40-4002	CONTRACT ACCOUNT/AUDIT/ACTUARIAL SERVICES				860.00
A-1320-40-4002	CONTRACT ACCOUNT/AUDIT/ACTUARIAL SERVICES			3,000.00	
A-1325-14-41-4102	AUTO/TRAVEL LODGING				1,000.00
A-1325-14-41-4103	AUTO/TRAVEL MEALS			300.00	
A-1325-14-41-4104	AUTO/TRAVEL MILEAGE/TOLLS			300.00	
A-1325-14-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK			400.00	
A-1330-204-47-4710	DEPT MISC/OTHER				1,000.00
A-1330-204-47-4721	DEPT TAX ACQ PROPERTY MAINTENANCE			1,000.00	
A-1620-10-1011	PERSONAL SERVICES				10,752.00
A-1620-40-4013	CONTRACTING AGENCIES			10,752.00	
A-1620-197-47-4730	DEPT JANITORIAL EXPENSE				60.00
A-1620-20-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			60.00	
A-1620-21-40-4015	CONTRACT PROPERTY MAINTENANCE			3,500.00	
A-1620-21-44-4402	UTILITY FUEL OIL			24,000.00	
A-1620-21-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				500.00
A-1620-21-45-4524	SPEC DEPT SUPPLY LUMBER			125.00	
A-1620-21-45-4526	SPEC DEPT SUPPLY PAINT				100.00
A-1620-21-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC				150.00
A-1620-21-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			3,960.00	
A-1620-21-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			500.00	
A-1620-21-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS			40.00	
A-1620-21-47-4702	DEPT EQUIP SERVICE/REPAIRS				200.00
A-1620-21-47-4717	DEPT BLDG/PROP REPAIRS			325.00	

15

A-1620-22-21-2102	FIXED BUILDINGS		4,000.00
A-1620-22-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE		50.00
A-1620-22-45-4524	SPEC DEPT SUPPLY LUMBER	50.00	
A-1620-23-10-1011	PERSONAL SERV REGULAR PAY	24,000.00	
A-1620-23-44-4404	UTILITY PROPANE	1,000.00	
A-1620-23-45-4526	SPEC DEPT SUPPLY PAINT		100.00
A-1620-23-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY	100.00	
A-1620-23-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY	200.00	
A-1620-23-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS		200.00
A-1620-23-45-4542	SPEC DEPT SUPPLY WELDING		200.00
A-1620-23-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING	200.00	
A-1620-23-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING	1,000.00	
A-1620-24-44-4404	UTILITY PROPANE	1,000.00	
A-1620-24-45-4524	SPEC DEPT SUPPLY LUMBER	50.00	
A-1620-24-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY	150.00	
A-1620-24-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING	500.00	
A-1620-24-45-4549	SPEC DEPT SUPPLY SAFETY	350.00	
A-1620-24-46-4604	MISC SERV/EXP REAL ESTATE TAXES		1,805.00
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS		50.00
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS		500.00
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS		500.00
A-1620-24-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES	1,805.00	
A-1620-25-44-4402	UTILITY FUEL OIL	1,000.00	
A-1620-25-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY	25.00	
A-1620-25-47-4717	DEPT BLDG/PROP REPAIRS		25.00
A-1620-27-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES		1,000.00
A-1620-28-44-4402	UTILITY FUEL OIL	1,500.00	
A-1680-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER		14,000.00
A-1680-43-4301	COMPUTER SUPPLIES		4,000.00
A-1680-43-4303	COMPUTER SOFTWARE PURCHASE/LEASE	18,000.00	
A-1680-43-4303	COMPUTER SOFTWARE PURCHASE/LEASE	600.00	
A-1680-43-4303	COMPUTER SOFTWARE PURCHASE/LEASE	1,016.00	
A-1989-99-47-4736	DEPT CONTINGENT		3,000.00
A-1989-99-47-4736	DEPT CONTINGENT		178,000.00

56



A-3020-44-4406	UTILITY WIRELESS COMMUNICATIONS			
A-3020-47-4717	DEPT BLDG/PROP REPAIRS			
A-3140-16-41-4103	AUTO/TRAVEL MEALS	2,000.00		3,000.00
A-3140-16-47-4745	DEPT ALCOHOL/DRUG TESTING			
A-4010-33-41-4109	AUTO/TRAVEL FLEET CHARGEBACK			2,000.00
A-4010-33-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL			1,800.00
A-4010-33-45-4543	SPEC DEPT SUPPLIES FOOD	1,800.00		
A-4010-33-46-4603	MISC SERV/EXP EMPL UNIFORM ALLOWANCE			3,000.00
A-4010-34-20-2001	TRACKED EQUIP FURNITURE			
A-4010-34-40-4024	CONTRACT PERSONAL CARE	100.00		100.00
A-4010-44-45-4501	SPEC DEPT SUPPLY MISC/OTHER			250.00
A-4010-44-46-4609	MISC SERV/EXP SPECIAL SERV/OTHER	250.00		
A-4050-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE	1,229.00		
A-4050-47-4774	DEPT PUBLIC HEALTH EDUCATION			
A-4059-20-2001	TRACKED EQUIP FURNITURE			1,229.00
A-4059-42-4203	OFFICE OFFICE SUPPLIES	3,100.00		
A-4059-42-4204	OFFICE POSTAGE	425.00		
A-4059-R4401-R402	FED AID PUBLIC HEALTH ARRA	300.00		
A-5610-44-4402	UTILITY FUEL OIL		3,825.00	
A-5610-45-4502	SPEC DEPT SUPPLY GASOLINE	1,500.00		
A-5680-10-1011	PERSONAL SERV REGULAR PAY	1,000.00		
A-6293-10-1011	PERSONAL SERV REGULAR PAY	32,000.00		
A-6293-41-4104	AUTO/TRAVEL MILEAGE/TOLLS	45,549.00		
A-6293-42-4201	OFFICE ADVERTISING	1,500.00		
A-6293-42-4203	OFFICE OFFICE SUPPLIES	1,000.00		
A-6293-47-4780	DEPT CLIENT TRAINING	250.00		
A-6293-47-4780	DEPT CLIENT TRAINING	50,000.00		
A-6293-47-4780	DEPT CLIENT TRAINING	12,600.00		
A-6293-R4791-R336	FED AID WIA YOUTH		50,000.00	
A-6293-R4791-R336	FED AID WIA YOUTH		60,899.00	
A-7110-39-47-4766	DEPT CLEAN UP/BEAUTIFICATION			475.00
A-7110-39-47-4766	DEPT CLEAN UP/BEAUTIFICATION			
A-7110-82-20-2002	TRACKED EQUIP ELECTRONIC/COMPUTER			330.00
A-7110-82-45-4501	SPEC DEPT SUPPLY MISC/OTHER			300.00
A-7110-82-45-4501	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			175.00

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A-7110-82-45-4527	SPEC DEPT SUPPLY MISC STONE				100.00
A-7110-82-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY		50.00		
A-7110-82-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY		25.00		
A-7110-82-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			250.00	
A-7110-82-45-4549	SPEC DEPT SUPPLY SAFETY		25.00		
A-7110-84-45-4532	SPEC DEPT SUPPLY SEED/MULCH ETC		15.00		
A-7110-84-47-4717	DEPT BLDG/PROP REPAIRS				15.00
A-7310-42-4201	OFFICE ADVERTISING		100.00		
A-7310-42-4203	OFFICE OFFICE SUPPLIES				100.00
A-7450-202-44-4401	UTILITY ELECTRIC		1,000.00		
A-7450-202-47-4701	DEPT RENTALS		900.00		
A-7450-203-40-4013	CONTRACT OTHER				5,000.00
A-7450-203-47-4717	DEPT BLDG/PROP REPAIRS				30.00
A-7450-203-47-4717	DEPT BLDG/PROP REPAIRS				900.00
A-7450-203-47-4729	DEPT SPECIAL PROJECTS				
A-7450-203-47-4766	DEPT CLEAN UP/BEAUTIFICATION		5,000.00		
A-7520-42-4203	OFFICE OFFICE SUPPLIES		125.00		
A-7520-45-4501	SPEC DEPT SUPPLY MISC/OTHER		25.00		
A-7520-45-4503	SPEC DEPT SUPPLY RECREATION				300.00
A-7520-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE		250.00		
A-7520-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY		15.00		
A-7520-45-4549	SPEC DEPT SUPPLY SAFETY		10.00		
A-7520-46-4609	MISC SERV/EXP SPECIAL SERV/OTHER		165.00		
A-7520-47-4717	DEPT BLDG/PROP REPAIRS				40.00
A-7610-87-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				500.00
A-7610-87-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK		500.00		
A-9089-10-1015	PERSONAL SERV OTHER PAY				366,000.00
A-9901-90-9001	TRANSFERS COUNTY ROAD				600.00
A-9901-90-9001	TRANSFERS COUNTY ROAD		310,000.00		
A-9901-90-9002	TRANSFERS ROAD MACHINERY				1,016.00
A-9901-90-9002	TRANSFERS ROAD MACHINERY		142,500.00		
<b>Total General Fund</b>		<b>121,000.00</b>	<b>0.00</b>	<b>730,297.00</b>	<b>609,297.00</b>
CL-8160-45-4547	SPEC DEPT SUPPLY CHEMICALS				5,000.00

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CL-8160-47-4767	DEPT NYS/US REGLTRY FEES/FINES/ASSESS					5,000.00
	<b>Total Solid Waste Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>5,000.00</b>		<b>5,000.00</b>
D-3310-45-4511	SPEC DEPT SUPPLY PAINT - TRAFFIC					12,210.00
D-3310-45-4512	SPEC DEPT SUPPLY GLASS BEADS			12,650.00		
D-3310-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS					440.00
D-3310-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS					50.00
D-3310-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			50.00		
D-5020-10-1011	PERSONAL SERV REGULAR PAY			40,000.00		
D-5020-42-4203	OFFICE OFFICE SUPPLIES			150.00		
D-5020-42-4205	OFFICE PRINTING					150.00
D-5020-42-4205	OFFICE PRINTING					600.00
D-5110-45-10-1011	PERSONAL SERV REGULAR PAY			200,000.00		
D-5110-45-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE					475.00
D-5110-45-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE			300.00		
D-5110-45-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS					300.00
D-5110-45-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			475.00		
D-5142-10-1012	PERSONAL SERV OVERTIME PAY			70,000.00		
D-5142-21-2103	FIXED MACHINERY/EQUIPMENT			12,000.00		
D-5142-45-4534	SPEC DEPT SUPPLY SAND ICE CONTROL					12,000.00
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND		600.00			
D-9998-R5031-R209	INTERFUND TRANSFR GENERAL FUND	310,000.00				
	<b>Total County Road Fund</b>	<b>310,000.00</b>	<b>600.00</b>	<b>335,625.00</b>		<b>26,225.00</b>
DM-5130-48-21-2103	FIXED MACHINERY/EQUIPMENT					1,016.00
DM-5130-48-45-4502	SPEC DEPT SUPPLY GASOLINE			45,000.00		
DM-5130-48-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			100.00		
DM-5130-48-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			300.00		
DM-5130-48-45-4537	SPEC DEPT SUPPLY DIESEL FUEL			80,000.00		
DM-5130-48-45-4541	SPEC DEPT SUPPLY TOOLS					100.00
DM-5130-48-45-4541	SPEC DEPT SUPPLY TOOLS					300.00
DM-5130-49-44-4402	UTILITY FUEL OIL			5,000.00		
DM-5130-49-45-4502	SPEC DEPT SUPPLY GASOLINE			2,500.00		
DM-5130-49-45-4537	SPEC DEPT SUPPLY DIESEL FUEL			10,000.00		

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DM-5130-49-47-4702	DEPT EQUIP SERVICE/REPAIRS			320.00
DM-5130-49-47-4767	DEPT NYS/US REGISTRY FEES/FINES/ASSESS		320.00	
DM-9997-R5031-R209	INTERFUND TRANSFR GENERAL FUND	1,016.00		
DM-9997-R5031-R209	INTERFUND TRANSFR GENERAL FUND	142,500.00		
	<b>Total Road Machinery Fund</b>	<b>1,016.00</b>	<b>143,220.00</b>	<b>1,736.00</b>

57

**RESOLUTION INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE THE USE OF MONEY IN THE LANDFILL CLOSURE DESIGNATED FUND FOR THE PURPOSE OF PAYING SHORT TERM DEBT THAT WAS ISSUED TO CAP THE LANDFILL**

**WHEREAS**, there exists a Landfill Closure Designated Fund, to be categorized as Committed Funds with the implementation of Governmental Accounting Standards Board Statement No. 54, in the General Fund that was created and funded with the intent of using the funds to pay for the closure of the landfill, and

**WHEREAS**, during 2010 money was borrowed on a short term basis through a Bond Anticipation Note (BAN) to fund the cost of closing the landfill, and

**WHEREAS**, it is more prudent to use existing funds in the Landfill Closure Designated Fund to pay down the balance of money due on the BAN rather than to convert the BAN to Long-Term Debt, and

**WHEREAS**, it is in the best interest to use funds in the Landfill Closure Designated Fund for the purpose of paying off the entire amount of the short term BAN in five installments.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature authorizes the use of funds from the Landfill Closure Designated Fund for the purpose of retiring the BAN that was issued in 2010 in five installments.

**RESOLUTION INTRODUCED BY THE MANAGEMENT AND BUDGET COMMITTEE TO AMEND THE CAPITAL PLAN FOR A NEW TRAFFIC SIGNAL AT EXIT 106 ON INTERSTATE 86**

**WHEREAS**, the Department of Public Works is required to install a new traffic signal as part of the reconstruction of exit 106 on interstate 86, and

**WHEREAS**, it has been agreed that the Department of Public Works will purchase the signal and then get reimbursed by the contractor in charge of the reconstruction project, and

**WHEREAS**, there is a need to amend the 2011 Capital Budget.

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

1. Include funding and an associated reimbursement for the purchase of traffic signal at exit 106 on Interstate 86.
2. 

Increase Expense Account	D3310-21-2103	\$6,800
Increase Revenue Account	D9998-R2770-R247	\$6,800

**RESOLUTION NO.                    INTRODUCED BY THE MANAGEMENT & BUDGET  
COMMITTEE TO APPROVE SULLIVAN COUNTY REVOLVING LOANS**

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

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

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

<u>Borrower</u>	<u>Program</u>	<u>Amount</u>
Wilfred Hughson, Wil Hugh Farms	Agri-Business	\$80,000

**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 loans 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 borrowers in the amount indicated above.

Resolution No. \_\_\_\_\_

**RESOLUTION INTRODUCED BY GOVERNMENT SERVICES COMMITTEE**

**RESOLUTION TO MODIFY RESOLUTION NO. 223-10 WITH ZION ENVIRONMENTAL, LLC**

**WHEREAS**, pursuant to Resolution No. 223-10, adopted by the Sullivan County Legislature on April 29, 2010, the County Manager executed a contract dated May 20, 2010 with Zion Environmental, LLC (“original agreement”) for Engineering Services for Groundwater Quality Reports at the Sullivan County Landfill (R-10-04), and

**WHEREAS**, the original agreement authorized a one (1) year term with an option for two (2) additional, one year extensions, at an annual contract price not to exceed \$14,500.00.

**WHEREAS**, Resolution No. 223-10 should be amended to reflect the intention of the parties that Zion Environmental, LLC, was to be paid \$14,500.00 annually and not \$14,500.00 for the entire length of the original agreement.

**NOW, THEREFORE, BE IT RESOLVED**, Resolution No. 223-10 should be amended as detailed above.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2011.



**RESOLUTION INTRODUCED BY PLANNING, ENVIROMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE**

**AMEND RESOLUTION NUMBER 296-11 TO AUTHORIZE A REFUND ON  
TRACT #127 – FALLSBURG 17.-1-12.13 & 18.-3-12.**

**WHEREAS**, on July 7, 2011 the Sullivan County Legislature adopted Resolution No. 296-11 to Accept and/or Reject bids made at the June 2011 Public Auction for Real Property acquired by virtue of the In Rem Tax Foreclosure Proceedings, and

**WHEREAS**, Kenneth E Quackenbush purchased tract #127 for SEVENTEEN THOUSAND (\$17,000.00) DOLLARS, and

**WHEREAS**, Sullivan County Resolution No. 296-11 should be amended to authorize the County Treasurer to issue a refund of TWO THOUSAND (\$2,000.00) DOLLARS to Kenneth E Quackenbush due to the vandalism of heating system, baseboard, and appliances to the above referenced property which occurred after the auction and prior to the consummation of the sale, and

**NOW, THEREFORE, BE IT RESOLVED**, Resolution No. 296-11 is hereby amended to authorize the County Treasurer to issue a refund of TWO THOUSAND (\$2,000.00) DOLLARS to Kenneth E Quackenbush, for his acquisition of tract #127, and all other terms of said sale shall remain the same.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
And adopted on motion \_\_\_\_\_, 2011.

**RESOLUTION NO.            INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE**

**RESOLUTION TO ACCEPT THE BID MADE ON THE SEPTEMBER 2011 ONLINE PUBLIC  
AUCTION AND REJECT THE BIDS MADE AT THE JUNE 2011 AUCTION FOR REAL  
PROPERTIES IN THE TOWN OF FALLSBURG KNOWN AS FA11.-1-39.05./0129 & FA11.-1-  
39.05./0131, ACQUIRED BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDINGS.**

**WHEREAS**, the Sullivan County Legislature authorized auctions to be conducted by Haroff Auction and Realty, Inc. and Absolute Auctions and Realty, Inc. for real property acquired by virtue of the In Rem tax foreclosure proceedings, and

**WHEREAS**, properties located in the Town of Fallsburg designated on the Sullivan County Real Property Tax Map as FA11.-1-39.05./0129, Class 411, located on St Hwy 52 and FA11.-1-39.05./0131, Class 411, located on St Hwy 52 and are owned by the County of Sullivan and formerly owned by Lawrence J Cormier Family Limited Partnership, and

**WHEREAS**, the said properties were sold separately at the June 2011 auction and should have been sold as one unit, and

**WHEREAS**, the bids made at the June 2011 auction on the above referenced properties should be rejected and refunds should be issued, and

**WHEREAS**, Haroff Auction and Realty, Inc. and Absolute Auctions and Realty, Inc conducted an online auction ending on September 3<sup>rd</sup>, 2011, for said properties, and

**WHEREAS**, the Real Property Advisory Board recommends the bid made on the online auction ending on September 3<sup>rd</sup>, 2011 be accepted, and

**WHEREAS**, the successful bidder will pay the balance due immediately, pursuant to the terms and conditions of the auction, and

**NOW, THEREFORE, BE IT RESOLVED**, the bid recorded at the real property online auction ending on September 3<sup>rd</sup>, 2011, is hereby accepted, and the bids made on the above referenced properties at the June 2011 real property auction are hereby rejected and refunds will be issued and the Chairman of the Sullivan County Legislature is hereby authorized and directed to execute the necessary documents to convey such title to the successful bidder, or to the party to whom conveyance shall be made.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2011.

**RESOLUTION INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO AUTHORIZE THE SALE OF PROPERTY TO THE SECOND HIGHEST BIDDER(S) FROM THE JUNE 2011 REAL PROPERTY AUCTION.**

WHEREAS, Sullivan County held a real property auction on June 22<sup>nd</sup>, 2011 & June 23<sup>rd</sup>, 2011, and

WHEREAS, Sullivan County Resolution Number 296-11 was adopted on July 7<sup>th</sup>, 2011 accepting and rejecting bids from the June 2011 Real Property Auction, and

WHEREAS, pursuant to the June 2011 Real Property Auction Terms and Conditions, the first highest bidders were to remit any outstanding balance due to the Sullivan County Treasurer on or before 5:00 p.m. July 27<sup>th</sup>, 2011, and

WHEREAS, the first highest bidders did not complete the purchase on the following parcels and the second highest bidder(s) has/have agreed to purchase the property for the amount of bid price, plus a ten (10 %) percent auctioneer’s commission and additional costs and charges, pursuant to the June 2011 Real Property Terms and Conditions:

<u>Tract #</u>	<u>Town/Section/Block/Lot Number</u>	<u>Second Bidder</u>	<u>Amount Offered</u>
207	FR38.-1-16	Rodolfo C Wazlawik	\$2,250.00
387	RO38.-1-45	Marek Lubach	\$2,500.00
393	RO50.-1-55.2	Elliott Schneider	\$1,000.00
431	TH59.-1-75.4	Vincenza Fischer	\$4,000.00

WHEREAS, the purchaser(s) will be responsible for the levied 2011 Town and County tax bill, 2011-2012 School Taxes, 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 the second highest bidder(s) for their bid amount, plus a 10 % auctioneer’s commission and other costs & charges pursuant to the written Terms & Conditions of the June 2011 auction.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
And adopted on motion \_\_\_\_\_, 2011.

**RESOLUTION INTRODUCED BY PLANNING, ENVIROMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE**

**RESOLUTION TO CONVEY PROPERTY IN THE TOWN OF MAMAKATING  
KNOWN AS MA201.-4-32, ACQUIRED BY THE COUNTY OF SULLIVAN BY  
VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE  
2009 LIEN YEAR.**

**WHEREAS**, property located in the Town of Mamakating designated on the Sullivan County Real Property Tax Map as MA201.-4-32, Class 220, being 0.50 +/- acres, located on Main St, is owned by the County of Sullivan and formerly owned by Everett Tsoucalas, and

**WHEREAS**, Susan Berentsen has offered to purchase the said property for the sum of SEVEN HUNDRED FIFTY (\$750.00) DOLLARS, 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 Susan Berentsen for \$750.00 because this property was not sold at the June 2011 auction, and

**WHEREAS**, the purchaser will be responsible for the recording fees and any other applicable charges, including but not limited to, omitted.& pro rata taxes, 2011 Town/County taxes, 2010/2011 & 2011/2012 Village taxes, water and sewer charges, and

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to Susan Berentsen, upon her payment of \$750.00 to the County Treasurer, plus 10% of sale price for auctioneer's commission, plus fees for the County Clerk, plus the 2011 Town/County taxes, 2010/2011 & 2011/2012 Village taxes, including but not limited to, omitted & pro rata taxes and water and sewer charges, if any.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2011.

**RESOLUTION INTRODUCED BY PLANNING, ENVIROMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE**

**RESOLUTION TO CONVEY PROPERTY IN THE TOWN OF ROCKLAND  
KNOWN AS RO28.A-1-46, ACQUIRED BY THE COUNTY OF SULLIVAN BY  
VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE  
2009 LIEN YEAR.**

**WHEREAS**, property located in the Town of Rockland designated on the Sullivan County Real Property Tax Map as RO28.A-1-46, Class 314, being 1.70 +/- acres, located on Indian Ln, is owned by the County of Sullivan and formerly owned by Clifford M Roth, and

**WHEREAS**, Steve Dunn has offered to purchase the said property for the sum of **THREE HUNDRED (\$300.00) DOLLARS**, 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 Steve Dunn for \$300.00 because this property was not sold at the June 2011 auction, and

**WHEREAS**, the purchaser will be responsible for the recording fees and any other applicable charges, including but not limited to, omitted & pro rata taxes, 2011 . Town/County taxes, water and sewer charges, and

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to Steve Dunn, upon his payment of \$300.00 to the County Treasurer, plus 10% of sale price for auctioneer's commission, plus fees for the County Clerk, plus the 2011 Town/County taxes, including but not limited to, omitted & pro rata taxes and water and sewer charges, if any.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2011.

**RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE**

**RESOLUTION TO OBTAIN LEGISLATIVE APPROVAL FOR APPLYING FOR FUNDING FROM THE FY 2012 UNIFIED HAZARD MITIGATION ASSISTANCE (HMA) PROGRAM**

**WHEREAS**, New York State Office of Emergency Management (NYOEM) has indicated that 75% Federal funding from the Federal Emergency Management Agency (FEMA) is available for hazard mitigation projects; and

**WHEREAS**, the Division of Public Works (DPW) has completed a Flood Study for the evaluation of measures to relieve flooding along County Road 164 in Kohlertown, and recommends the installation of a storm water bypass culvert to reduce flooding; and

**WHEREAS**, \$1,000,000 is estimated to be necessary for the design and construction of a storm water culvert by County Forces; and

**WHEREAS**, the 25% County share of the project is anticipated to be funded by in-kind engineering and construction work provided by DPW.

**NOW, THEREFORE, BE IT RESOLVED**, the Legislature approves the flood mitigation project; and

**BE IT FURTHER RESOLVED**, that the Division of Public Works is authorized to apply for HMA Program funding; and

**BE IT FURTHER RESOLVED**, that the County Manager is authorized to execute a grant application and any other associated documents if needed for the submission of an application for HMA Program funding, in such form as the County Attorney shall approve.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2011.

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE  
TO AUTHORIZE TO FILL THE VACANT DISTRICT ATTORNEY  
INVESTIGATOR POSITION IN THE DISTRICT ATTORNEY'S OFFICE, AND  
WAIVING THE RESIDENCY REQUIREMENT FOR THIS POSITION**

**WHEREAS**, the District Attorney was authorized by Resolution No. 305-11 to fill a vacant DA Investigator position that became vacant due to a retirement, that has a county share; and

**WHEREAS**, the District Attorney has expressed his desire in filling the DA Investigator position due to its vital role in the District Attorney's Office; and

**WHEREAS**, the District Attorney has expressly stated that this position shall not be entitled to County Health, Prescription, Dental, or Vision benefits, nor will the position be entitled to New York State Public Pension benefits that would require a contribution from the County; and

**WHEREAS**, the District Attorney has reported to the Legislature that he has a desire to offer the DA Investigator position to a County Manager has advised the Sullivan person that is not a Sullivan County resident, and the District Attorney has requested a waiver for this position from the County's residency requirement policy, and

**WHEREAS**, the County Attorney has opined that the DA Investigator position could be interpreted as a member of a police department that is expressly exempted from residency requirements under New York State Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby waives said DA Investigator position in the District Attorney's Office from the residency requirement policy; and

**BE IT FURTHER RESOLVED**, that the District Attorney Investigator's position that is the subject of this resolution shall not be entitled to County Health, prescription, Dental, or Vision benefits, nor will the position be entitled to New York State Public Pension benefits that would require a contribution from the County, and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby directed to transmit a copy of this resolution to the Human Resources Department and the Payroll Department.

**RESOLUTION INTRODUCED BY GOVERNMENT SERVICES COMMITTEE**

**RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF CONTRACT**

**WHEREAS**, a quote was received for Mailroom Services for the Central Services Department, and

**WHEREAS**, Kristt Company, 369 Broadway, PO Box 548, Monticello, NY 12701, is the lowest responsible proposer for such work, and

**WHEREAS**, the Department of Purchasing & Central Services, approved said proposal and recommends that a contract be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute a contract with Kristt Company, at a contract price not to exceed \$43,000.00, for the contract period September 26, 2011 through September 25, 2013; there shall be a maximum increase of 3%, per year, from September 26, 2013 through September 25, 2016, if extended, on a yearly basis, by mutual agreement and in accordance with RFP#R-11-17, dated August 19th, 2011 said contract to be in such form as the County Attorney shall approve.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2011.



**RESOLUTION INTRODUCED BY GOVERNMENT SERVICES COMMITTEE**

**RESOLUTION TO AWARD AND AUTHORIZE CONTRACT WITH NYSARC, INC.**

**WHEREAS**, the County remains committed to maintaining the quality of operation of the former Sullivan County Sanitary Landfill by maintaining continuous litter control and maximizing recycling efforts ("Services"), and

**WHEREAS**, NYSARC, Inc., has provided such Services for the County and is prepared to do so in the future, and

**WHEREAS**, NYSARC, Inc., is prepared to perform the Services for the term of 1/1/2011 through 12/31/2011 at the following hourly rates; a) \$17.35/Job Coach, and b) \$4.61/Consumer (Recycling Staff)

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute an agreement with NYSARC, Inc., for the Services for the term (1/1/2011 through 12/31/2011) at the hourly rates detailed above. The agreement shall be in such form as the County Attorney shall approve.

**Moved by** \_\_\_\_\_

**Seconded by**

**adopted on motion** \_\_\_\_\_, 2011.

**Resolution No.**

**RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE  
RESOLUTION TO AUTHORIZE COUNTY MANAGER TO ENTER INTO  
AGREEMENT FOR THE PROVISION OF TRANSITIONAL JOBS 2 PROGRAM  
RELATED SERVICES FROM JANUARY 1, 2011 THROUGH DECEMBER 31, 2011**

**WHEREAS**, the County of Sullivan, through the Department of Family Services, has received approval of its Transitional Jobs 2 Program by the New York State Office of Temporary and Disability Assistance (OTDA); and

**WHEREAS**, the approved Transitional Jobs 2 Program plan includes reimbursement by the Department of Family Services to Sullivan County Board of Cooperative Educational Services (BOCES) of up to \$6,208 for the provision of services by BOCES); and

**WHEREAS**, the Department of Family Services will enter into agreement with BOCES for the provision of those services with those costs, not to exceed the OTDA approved amount, to be paid by DFS and reimbursed with state OTDA funding.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreement with Sullivan County BOCES for the provision of OTDA Transitional Jobs 2 Program related during the period from January 1, 2011 through December 31, 2011; and

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

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2011

Resolution No. \_\_\_\_\_

**RESOLUTION INTRODUCED BY THE PUBLIC SAFETY COMMITTEE FOR  
AUTHORIZATION TO ENTER INTO A MICROWAVE PATH RELOCATION  
AGREEMENT WITH VERIZON WIRELESS**

**WHEREAS**, Verizon Wireless has acquired a block of frequencies from the FCC to broaden wireless communications, and

**WHEREAS**, several of those frequencies are currently being utilized as interconnects between tower sites for Sullivan County's 911 Communication system, and

**WHEREAS**, as part of their frequency acquisition Verizon Wireless is to cover certain costs associated with the relocation of existing microwave paths, and

**WHEREAS**, Verizon Wireless and Sullivan County have reached a fair agreement by which Verizon Wireless will reimburse Sullivan County for updated equipment to continue this critical communication link;

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to enter into an agreement with Verizon Wireless, in such form as the County Attorney shall approve, in order to accept the relocation reimbursement and commence steps necessary for said relocation.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2011.