

**Public Hearing: Ag Districts 1:50PM**



**AGENDA**

**Legislative Monthly Meeting for June 21, 2012 at 2:00PM**

**Call to Order**

**Pledge of Allegiance**

**Roll Call of Legislators**

**Communications**

**Presentations:**

**Jim Galligan**

**Mae Bonnaci**

**Public Comment**

**Resolutions:**

1. Set public hearing on the Tentative 2012-2013 Budget for Sullivan County Community on July 19, 2012 at 4:20 **(AMEND)**
2. Set public hearing on the proposed local law entitled "Local Law to Exceed the New York State Property Tax Cap for 2013" for July 19, 2012 at 4:10PM **(AMEND)**
3. Appoint one member Worden to the RSVP Advisory Committee
4. Amend the Capital Plan for the electronic identification machine **(Roll Call)**
5. Amend the Rules of the Legislature to create "Public Safety and Law Enforcement Committee" **(Roll Call)**
6. Modify the 2012 County Budget
7. Apportion the Mortgage Tax
8. Request the NYS Legislature to provide for local preference rules for procurement of goods and services
9. Authorize the payment of expenses for prisoners boarded at county jails outside of Sullivan County
10. Accept the recommendations of the S.C. Solid Waste/Recycling Fee Grievance Committee second appeals
11. Accept the recommendations of the Sullivan County Solid Waste/Recycling Fee Grievance Committee
12. Create 20 Summer Youth positions for the Center for Workforce Development
13. Create 2 Senior Crew Leader and 2 Crew Leader positions for the Center for Workforce **(AMEND)**
14. Authorize an easement NYSEG requested for placing a Stub Pole and Anchor on HI 24-1-18
15. Authorize lease agreement with a third party land owner on CA 4-1-32.44
16. Authorize MOU with NYS Police to share automated vehicle location (AVL) Data/Information
17. Extend original agreement as modified between SCCC and the Sullivan County Sheriff's Office
18. Authorize contract with Sullivan County BOCES to provide services under the Workforce Investment Act
19. Authorize contracts for the provisions of various medical assistance program services
20. Authorize contract for informal caregiver training and assistance services for Office for the Aging
21. Authorize contract with NY and other state or commonwealth approved foster care related service providers
22. Authorize contract with CGS ENAPGNY
23. Authorize contract with Pictometry for serial flyover and imagery
24. Authorize contract with Sullivan County Paving for various county roads **(AMEND)**
25. Authorize contract with Fairway Testing, Co. Inc. for Quality Assurance Asphalt Plant Inspection for

## **Public Hearing: Ag Districts 1:50PM**

2012 contract

26. Authorize lease modification and award new lease with Kristt Company for coin up copiers
27. Authorize contract extension with NYS Office of Indigent Legal Services
28. Cancel unenforceable taxes, penalties and interest on a parcel owned by the NYSDOT located in Liberty 5-1-62
29. Convey FA 44-1-74 to the Town of Fallsburg
30. Convey FR 36-1-13.3 to Armbrust
31. Convey TU 16.-6-2 and 6.6-3.6 to the Town of Tusten
32. Obtain legislative approval to apply for funding from the Community Development Block Grant Program
33. Amend the grant agreements with Rural Health Network Subcontractors
34. Authorize application to Bureau of Justice Assistance to Participate in Bulletproof Vest Partnership
35. Authorize preparation of a grant application under the NYD Division of Homeland Security and Emergency Services
36. Authorize the preparation of a consolidated funding announcement grant for towns in the Upper Delaware River Corridor in partnership with Orange County, NY
37. Request that the NYSDEC prohibit the use of by products and waste products of hydraulic fracturing of oil
38. Prohibit the use of byproducts and waste products of hydraulic fracturing of oil and roads and property of the County of Sullivan

**Recognition of Legislators**  
**Announcements from Chair**  
**Adjournment or Close**

**RESOLUTION NO. INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE TO SET A PUBLIC HEARING ON THE TENTATIVE 2012 – 2013 BUDGET FOR SULLIVAN COUNTY COMMUNITY COLLEGE**

**WHEREAS**, there has been introduced and presented at a meeting of the Sullivan County Legislature held on June 21, 2012 a tentative 2012- 2013 budget for the Sullivan County Community College.

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held on said tentative 2012- 2013 budget for the Sullivan County Community College by the Sullivan County Legislature on July 19, 2012 at 4:20 p.m., in the Legislative Hearing Room, County Government Center, Monticello, New York, and at least six (6) days' notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

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 21, 2012, a tentative 2012-2013 budget for the Sullivan County Community College.

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid tentative 2012- 2013 budget for the Sullivan County Community College at the Legislature's Hearing Room, County Government Center, Monticello, New York, 12701, on July 19, 2012at 4:20 p.m. at which time all persons interested will be heard.

DATED: June 21, 2012

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

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO SET A PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED LOCAL LAW TO EXCEED THE NEW YORK STATE PROPERTY TAX CAP FOR 2013**

**WHEREAS**, there has been introduced and presented at a meeting of the Sullivan County Legislature held on June 21, 2012 a proposed Local Law entitled “**A LOCAL LAW TO EXCEED THE NEW YORK STATE PROPERTY TAX CAP FOR 2013.**”

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held on said proposed local law by the Sullivan County Legislature on July 19, 2012 at 4:10 p.m., in the Legislative Hearing Room, County Government Center, Monticello, New York, and at least six (6) days’ notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

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 21, 2012, a proposed Local Law entitled "A Local Law to exceed the New York State Property Tax Cap for 2013."

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed Local Law at the Legislature's Hearing Room, County Government Center, Monticello, New York, 12701, on July 19, 2012 at 4:10 p.m. at which time all persons interested will be heard.

DATED: June 21, 2012

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

**Resolution No.**

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE**

**RESOLUTION TO APPOINT ONE MEMBER TO THE RSVP ADVISORY COMMITTEE**

**WHEREAS**, there is a vacancy to fill an unexpired term on the Retired Senior Volunteer Program Advisory Committee (RSVP) due to expire on January 31, 2013, and

**WHEREAS**, it is the desire to appoint Deborah L. Worden to fill the vacancy, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby appoint the following members to the RSVP Advisory Committee, for the term to expire on the date opposite of name.

**RSVP APPOINTMENT:**

**TERM:**

Deborah L. Worden  
Director of Volunteer and Community Services  
Achieve Rehab and Nursing Facility  
170 Lake Street  
Liberty NY 12754

1/31/2016

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AMEND THE CAPITAL PLAN FOR THE SHERIFF'S OFFICE**

**WHEREAS**, the Sheriff's Office has requested a budget modifications to the road patrol budget that requires a capital amendment; and

**WHEREAS**, the Sheriff desires to use available Federal Homeland Security funds to purchase an electronic identification machine; and

**WHEREAS**, there is a need to amend the 2012 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. Increase the Sheriff's Patrol Electronic computer and wireless communications account by \$8,000 to be funded from Federal Homeland Security funds.

Increase Expense Account	A3110-29-21-2106	\$6,500
Increase Expense Account	A3110-29-44-4406	\$1,500
Increase Revenue Account	A3110-29-R4320-R232	\$8,000



**RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
AMEND THE RULES OF THE SULLIVAN COUNTY LEGISLATURE TO  
CREATE THE PUBLIC SAFETY LAW ENFORCEMENT COMMITTEE**

**WHEREAS**, the Sullivan County Legislature desires to change the name of the Public Safety Committee to the Public Safety and Law Enforcement Committee.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature, through the Executive Committee hereby amends the Rules of the Sullivan County Legislature to rename the Public Safety Committee to the Public Safety and Law Enforcement Committee.

**RESOLUTION NO. INTRODUCED BY MANAGEMENT AND BUDGET  
COMMITTEE TO MODIFY THE 2012 COUNTY BUDGET**

**WHEREAS**, the County of Sullivan 2012 Budget requires modification,

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

**Moved by:**

**Seconded by:**

June 2012

Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-1430-42-4205	OFFICE PRINTING			141	
A-1430-46-4612	MISC SERV/EXP EMPL TRAINING				141
A-1620-22-45-4527	SPEC DEPT SUPPLY MISC STONE			100	
A-1620-22-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS			210	
A-1620-23-47-4710	DEPT MISC/OTHER			325	
A-1620-23-47-4717	DEPT BLDG/PROP REPAIRS				325
A-1620-24-45-4541	SPEC DEPT SUPPLY TOOLS			200	
A-1620-24-46-4611	MISC SERV/EXP EMPL SAFETY/PHYSICAL EXAMS			210	
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				520
A-1620-24-47-4717	DEPT BLDG/PROP REPAIRS				200
A-1620-25-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			50	
A-1620-25-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			25	
A-1620-25-47-4717	DEPT BLDG/PROP REPAIRS				25
A-1620-25-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				50
A-1620-27-47-4710	DEPT MISC/OTHER			50	
A-1620-27-47-4717	DEPT BLDG/PROP REPAIRS				50
A-1620-28-47-4710	DEPT MISC/OTHER			125	
A-1620-28-47-4717	DEPT BLDG/PROP REPAIRS				125
A-1620-28-47-4717	DEPT BLDG/PROP REPAIRS				40
A-1620-28-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				40
A-1680-42-4201	OFFICE ADVERTISING			406	
A-1680-42-4203	OFFICE OFFICE SUPPLIES				406
A-4010-33-40-4013	CONTRACT OTHER			9,000	
A-4010-33-44-4405	UTILITY PHONE LAND LINES				200
A-4010-33-45-4543	SPEC DEPT SUPPLY FOOD			200	
A-4010-33-R3401-R167	ST AID PUBLIC HEALTH DEPARTMENTAL AID	9,000			
A-4010-35-43-4301	COMPUTER SUPPLIES				540
A-4010-35-45-4501	SPEC DEPT SUPPLY MISC/OTHER			590	
A-4010-35-45-4507	SPEC DEPT SUPPLY MEDICAL/CLINICAL				50
A-4010-44-42-4204	OFFICE POSTAGE				50

June 2012  
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-4010-44-43-4301	COMPUTER SUPPLIES				250
A-4010-44-45-4543	SPEC DEPT SUPPLY FOOD			200	
A-4050-10-1011	PERSONAL SERV REGULAR PAY				2,500
A-4050-41-4108	AUTO/TRAVEL OTHER				80
A-4050-44-4406	UTILITY WIRELESS COMMUNICATIONS			80	
A-4050-47-4702	DEPT EQUIP SERVICE/REPAIRS			2,500	
A-4059-10-1011	PERSONAL SERV REGULAR PAY				8,576
A-4059-41-4107	AUTO/TRAVEL VOLUNTEER/CLIENT			7,500	
A-4059-R4401-R215	FED AID PUBLIC HEALTH EI & CSHCN ADMIN		1,076		
A-4082-10-1011	PERSONAL SERV REGULAR PAY				500
A-4082-42-4201	OFFICE ADVERTISING			500	
A-5610-47-4717	DEPT BLDG/PROP REPAIRS				1,400
A-5610-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES			1,400	
A-6293-10-1011	PERSONAL SERV REGULAR PAY			34,530	
A-6293-40-4013	CONTRACT OTHER			6,000	
A-6293-47-4708	DEPT INSURANCE			320	
A-6293-47-4760	DEPT CLIENT EXPENSES			4,000	
A-6293-47-4760	DEPT CLIENT EXPENSES				6,000
A-6293-80-8001	EMPL BENFTS FICA AND MEDICARE			2,641	
A-6293-80-8006	EMPL BENFTS WORKERS COMPENSATION			1,727	
A-6293-80-8007	EMPL BENFTS DISABILITY			560	
A-6293-R3789-R314	ST AID ECONOMIC ASSIST SUMMER YOUTH TANF	43,778			
A-7110-82-45-4541	SPEC DEPT SUPPLY TOOLS			15	
A-7110-82-47-4702	DEPT EQUIP SERVICE/REPAIRS			325	
A-7110-82-47-4702	DEPT EQUIP SERVICE/REPAIRS			300	
A-7110-82-47-4717	DEPT BLDG/PROP REPAIRS				300
A-7110-82-47-4717	DEPT BLDG/PROP REPAIRS				340
A-7110-84-47-4710	DEPT MISC/OTHER			75	

June 2012  
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A-7110-84-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				75
A-7110-85-47-4710	DEPT MISC/OTHER			25	
A-7110-85-47-4779	DEPT BLDG/PROP MAINTNCE SERVICES				25
A-7450-202-47-4710	DEPT MISC/OTHER			25	
A-7450-202-47-4717	DEPT BLDG/PROP REPAIRS				30
A-7450-202-47-4766	DEPT CLEAN UP/BEAUTIFICATION			5	
A-7450-203-47-4717	DEPT BLDG/PROP REPAIRS				5
A-7450-203-47-4766	DEPT CLEAN UP/BEAUTIFICATION			5	
A-7520-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			50	
A-7520-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			50	
A-7520-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY			50	
A-7520-47-4710	DEPT MISC/OTHER			50	
A-7520-47-4717	DEPT BLDG/PROP REPAIRS				50
A-7520-47-4717	DEPT BLDG/PROP REPAIRS				50
A-7520-47-4717	DEPT BLDG/PROP REPAIRS				50
A-7520-47-4766	DEPT CLEAN UP/BEAUTIFICATION				50
A-7610-87-41-4104	AUTO/TRAVEL MILEAGE/TOLLS			1,000	
A-7610-87-41-4109	AUTO/TRAVEL CO FLEET CHARGEBACK				1,000
A-7610-88-41-4103	AUTO/TRAVEL MEALS			9	
A-7610-88-41-4104	AUTO/TRAVEL MILEAGE/TOLLS				9
A-7610-89-43-4308	COMPUTER MIS CHARGEBACKS			700	
A-7610-89-R2705-R338	GIFT/DONATION OTHER	700			
<b>General Fund Totals</b>		53,478	1,076	76,364	23,962
CL-8160-21-2103	FIXED MACHINERY/EQUIPMENT				3,000
CL-8160-47-4702	DEPT EQUIP SERVICE/REPAIRS			3,000	
CL-8160-47-4710	DEPT MISC/OTHER			50	
CL-8160-47-4717	DEPT BLDG/PROP REPAIRS				50
<b>Solid Waste Fund Totals</b>		0	0	3,050	3,050

June 2012  
 Modifications to the 2012 Sullivan County Budget

Account Code	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
D-3310-45-4505	SPEC DEPT SUPPLY BLDG/PROP MAINTENANCE				100
D-3310-45-4515	SPEC DEPT SUPPLY REFLECTIVE SHEETS			2,500	
D-3310-45-4517	SPEC DEPT SUPPLY BARRICADES, LIGHTS, CONES			2,700	
D-3310-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			100	
D-5110-45-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				2,500
D-5110-45-45-4516	SPEC DEPT SUPPLY POSTS, NUTS, BOLTS				2,700
D-5110-47-40-4037	CONTRACT PAVING			1,150,000	
D-5110-47-40-4038	CONTRACT CONSTRUCTION				1,170,000
D-5110-47-45-4501	SPEC DEPT SUPPLY MISC/OTHER				5,000
D-5110-47-45-4520	SPEC DEPT SUPPLY TRUE/LEVELING PATCH			5,000	
D-5110-47-45-4531	SPEC DEPT SUPPLY WATERPROOFING			20,000	
<b>County Road Fund Totals</b>		0	0	1,180,300	1,180,300
DM-5130-48-45-4524	SPEC DEPT SUPPLY LUMBER			950	
DM-5130-48-45-4538	SPEC DEPT SUPPLY TIRES			10,000	
DM-5130-48-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS			98,325	
DM-5130-48-45-4548	SPEC DEPT SUPPLY ELECTRICAL/PLUMBING			1,500	
DM-5130-48-47-4702	DEPT EQUIP SERVICE/REPAIRS			175	
DM-5130-49-45-4530	SPEC DEPT SUPPLY HARDWARE/MISC SUPPLY				950
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				10,000
DM-5130-49-45-4540	SPEC DEPT SUPPLY PARTS/FLUIDS/FILTERS				100,000
<b>Road Machinery Fund Totals</b>		0	0	110,950	110,950

**RESOLUTION NO.                    INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE  
TO APPORTION MORTGAGE TAX**

**WHEREAS**, Section 261 of the Tax Law of the State of New York requires apportionment of the mortgage tax, and

**WHEREAS**, the County Clerk and the County Treasurer have submitted a quarterly report, for the period of January 2012 to March 2012, to the Clerk of the Legislature, and

**WHEREAS**, The County Legislature has apportioned, among the various towns and incorporated villages of the County of Sullivan, the equitable share of the mortgage tax;

**NOW, THEREFORE, BE IT RESOLVED**, that the County Treasurer draw checks for each of the towns and villages the quarterly mortgage tax so apportioned, as follows:

<b>TOWNS</b>	
Bethel	12,165.48
Callicoon	11,867.84
Cohecton	9,488.43
Delaware	5,037.36
Fallsburg	16,598.65
Forestburgh	2,458.97
Fremont	4,114.96
Highland	10,919.71
Liberty	15,365.98
Lumberland	9,686.69
Mamakating	42,625.74
Neversink	6,446.95
Rockland	8,153.43
Thompson	24,918.62
Tusten	5,370.17

<b>VILLAGES</b>	
Bloomingsburg	543.58
Jeffersonville	581.82
Liberty	2,688.47
Monticello	2,598.76
Woodridge	769.89
Wurtsboro	1,806.41

<b>TOTAL</b>	<b>194,207.91</b>
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<b>Moved by</b>	<b>seconded by</b>	<b>declared duly</b>
<b>adopted on motion</b>		

**RESOLUTION NO. -12 INTRODUCED BY THE GOVERNMENT SERVICES COMMITTEE  
REQUESTING THE STATE LEGISLATURE TO PROVIDE FOR LOCAL PREFERENCE  
RULES FOR PROCUREMENT OF GOODS AND SERVICES**

**WHEREAS**, the State of New York is a Home Rule State and Sullivan County is a Charter County, and

**WHEREAS**, New York State Constitution Article IX provides that every local government shall have broad powers to enact local legislation relating to the welfare of its citizens, but preemption by the State regarding procurement policies fundamentally limits those powers, and Charter Counties must have the ability to provide for public policy that is in the best socio-economic interest of its citizens, and

**WHEREAS**, New York has a multitude of procurement statutes applicable to public entities, with the underlying purpose is to assure the prudent use of public moneys and to facilitate the acquisition of high quality goods and services at the lowest possible cost, and

**WHEREAS**, the Sullivan County Legislature hereby finds and declares that millions of dollars worth of contracts for goods and services are expended by Sullivan County each year that are necessary to perform essential functions of Sullivan County government, and

**WHEREAS**, the County Legislature further finds that the current economic downturn being experienced by the Hudson Valley, as a result of the continued “Great Recession”, is adversely affecting local business through a reduction in business activity and a concomitant loss of jobs, and

**WHEREAS**, the Sullivan County Legislature further finds and determines that many of these contracts are awarded to individuals or entities that are located outside of Sullivan County and the Hudson Valley, and

**WHEREAS**, the Sullivan County Legislature also finds and determines that the award of such contracts to individuals or entities outside of both Sullivan County and the Hudson Valley at a time when Sullivan County is experiencing an economic downturn and less economic activity than many neighboring regions have achieved tends to exacerbate the economic difficulty currently experienced in Sullivan County, and

**WHEREAS**, the Sullivan County Legislature also determines that the award of such contracts to individuals or entities located within Sullivan County and the Hudson Valley would help promote local economic activity and thereby generate additional sales tax revenues which would alleviate fiscal and budgetary constraints currently being experienced by Sullivan County, and

**WHEREAS**, the purpose of permitting local governments to provide for local preference procurement rules is to limit the award of such contracts to individuals or entities located and doing business within Sullivan County and the Hudson Valley when practical and in the best interests of the County and to promote the use of local businesses as County vendors and consultants so as to encourage increased economic activity in Sullivan County and the Hudson Valley by putting County tax dollars to work at home, and

**WHEREAS**, the Sullivan County Legislature understands the rationale of the statutory mandate that contracts be awarded to the “lowest responsible bidder”, but finds and declares that local preference rules shall be limited to provide for a maximum of ten percent (10%) variance from the established lowest



responsible and responsive bidder, if same is not an in-County vendor, would be in the best socio-economic interest of Sullivan County, and

**WHEREAS**, there is a need to amend New York State General Municipal Law sections 100-a and 103 to provide an exception to County Governments to enact Local Laws that would provide for local preference rules for the procurement of goods and services and shall be limited to provide for a maximum of ten percent (10%) variance from the established lowest responsible and responsive bidder, if same is not an in-County vendor, related to the principle of the “lowest responsible bidder” doctrine.

**NOW, THEREFORE, BE IT REOLVED** by the Sullivan County Legislature that the New York State Legislature is hereby requested to provide local governments the ability to provide for local preference rules for procurement of goods and services, and

**BE IT FURTHER RESOLVED** that the Sullivan County Legislature hereby finds and declares that millions of dollars worth of contracts for goods and services are expended by Sullivan County each year that are necessary to perform essential functions of Sullivan County government, and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature further finds that the current economic downturn being experienced by the Hudson Valley, as a result if the continued “Great Recession”, is adversely affecting local business through a reduction in business activity and a concomitant loss of jobs, and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature further finds and determines that many of these contracts are awarded to individuals or entities that are located outside of Sullivan County and the Hudson Valley, and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature also finds and determines that the award of such contracts to individuals or entities outside of both Sullivan County and the Hudson Valley at a time when Sullivan County is experiencing an economic downturn and less economic activity than many neighboring regions have achieved tends to exacerbate the economic difficulty currently experienced in Sullivan County, and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature also determines that the award of such contracts to individuals or entities located within Sullivan County and the Hudson Valley would help promote local economic activity and thereby generate additional sales tax revenues which would alleviate fiscal and budgetary constraints currently being experienced by Sullivan County, and

**BE IT FURTHER RESOLVED**, that the purpose of permitting local governments to provide for local preference procurement rules is to limit the award of such contracts to individuals or entities located and doing business within Sullivan County and the Hudson Valley when practical and with the best interests of the County and to promote the use of local businesses as County vendors and consultants so as to encourage increased economic activity in Sullivan County and the Hudson Valley by putting County tax dollars to work at home, and

**BE IT FURTHER RESOLVED**, that the Sullivan County Legislature understands the rationale of the statutory mandate that contracts be awarded to the “lowest responsible bidder”, but finds and declares that local preference rules shall be limited to provide for a maximum of ten percent (10%) variance, from the

established lowest responsible and responsive bidder, if same is not an in-County vendor, would be in the best socio-economic interest of Sullivan County, and

**BE IT FURTHER RESOLVED**, that there is a need to amend New York State General Municipal Law sections 100-a and 103 to provide County Governments the ability to enact Local Laws that would provide for local preference rules for the procurement of goods and services and shall be limited to provide for a maximum of ten percent (10%) variance from the established lowest responsible and responsive bidder, if same is not an in-County vendor , related to the principle of the “lowest responsible bidder” doctrine, and

**BE IT FURTHER RESOLVED** that the Clerk of the County Legislature is hereby directed to transmit a certified copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader Dean G. Skelos, Senate Minority Leader John L. Sampson, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian M. Kolb, State Senator John J. Bonacic, Assemblywoman Aileen M. Gunther, all Towns and Villages in Sullivan County, the Sullivan County Economic Development Corporation, all New York State Counties, and the New York State Association of Counties.

**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE EXECUTIVE COMMITTEE TO  
AUTHORIZE THE PAYMENT OF EXPENSES FOR PRISONERS BOARDED AT  
COUNTY JAILS OUTSIDE OF SULLIVAN COUNTY**

**WHEREAS**, the Sullivan County Sheriff (“Sheriff”) is required to house all defendants and prisoners remanded to the County Jail by our local Courts, and

**WHEREAS**, the Sheriff has the need to house prisoners out of the County due to medical or Court related issues as well as at times where our local Jail is over capacity, and

**WHEREAS**, the Sheriff must be in compliance with the Commission of Corrections mandates with regard to the population of the County Jail, and

**WHEREAS**, due to special circumstances with an individual inmate and over capacity of the mandated amount of prisoners in the County Jail prisoners must be boarded out of Sullivan County, and

**WHEREAS**, other County Sheriffs operate secure facilities that can meet the needs to house said prisoners, and

**WHEREAS**, the Sheriff cannot provide any estimate or prediction of any cost for the abovementioned requirement because the Sheriff has no control over the number of individuals remanded to his custody and no control over inmates requiring special housing.

**IT IS THEREFORE RESOLVED**, that the Sullivan County Legislature recognizes the continuing obligation and requirements of the Sheriff and hereby:

1. authorizes the Sullivan County Auditor and the Sullivan County Treasurer to pay the bills associated with the housing of inmates in County Jails outside of Sullivan County, and
2. the Sheriff or Sullivan County Jail Administrator shall attach a supplemental memorandum to the aforesaid bills that the expense is necessary.

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

**RESOLUTION OF THE MANAGEMENT AND BUDGET COMMITTEE  
ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID  
WASTE/RECYCLING FEE GRIEVANCE COMMITTEE SECOND APPEALS.**

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

**WHEREAS**, Local Law No. 7 of 2009 as amended provides for a Sullivan County Solid Waste/Recycling Fee Appeals Committee (“Committee”) after reviewing written appeals that have been denied from property owners, that they have an opportunity to personally meet with the Appeal Board, and

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

**WHEREAS**, the Committee has information from the owner and assessor and it recommends a reduction of the fee for properties TH30.-3-13.

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislature acknowledges receipt of the Committee’s recommendations

**BE IT FURTHER RESOLVED**, that the Legislature hereby authorizes the Sullivan County Treasurer, on behalf of the Committee to notify the property owners regarding reduction in amount of their respective second appeals.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

**RESOLUTION OF THE MANAGEMENT AND BUDGET COMMITTEE  
ACCEPTING THE RECOMMENDATIONS OF THE SULLIVAN COUNTY SOLID  
WASTE/RECYCLING FEE GRIEVANCE COMMITTEE.**

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

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

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

**WHEREAS**, the Committee has reviewed appeals and it recommends approving reduction/elimination of the user fee for properties FO33.-1-3.1 for the 2012 tax year, and

**WHEREAS**, the Committee has reviewed appeals and it recommends denying reduction/elimination of the user fee for properties FO 33.-1-3.1 for the tax year 2011.

**NOW, THEREFORE, BE IT RESOLVED**, that the Legislature acknowledges receipt of the Committee’s recommendations and hereby ratifies said recommendations.

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

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY THE PERSONNEL COMMITTEE**

**RESOLUTION TO CREATE 20 SUMMER YOUTH POSITIONS FOR THE CENTER FOR WORKFORCE DEVELOPMENT**

**WHEREAS**, the Center for Workforce Development is in receipt of additional funds from NYS to expand and operate the Summer Youth Employment Program (SYEP) from June 1, 2012 through September 30, 2012, and

**WHEREAS**, these additional funds will provide paid work experience for twenty (20) additional eligible Sullivan County youth, and

**WHEREAS**, new participants will be paid \$7.25/hour and returning youth will be paid \$7.50/hour.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of twenty (20) additional summer youth positions to be paid as stated for the Center for Workforce Development.

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

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY THE PERSONNEL COMMITTEE:**

**RESOLUTION TO CREATE 2 SENIOR CREW LEADER POSITIONS AND 2 CREW LEADER POSITONS FOR THE CENTER FOR WORKFORCE DEVELOPMENT**

**WHEREAS**, the Center for Workforce Development is in receipt of additional funds from New York to expand and operate the Summer Youth Employment Program (SYEP) from June 1, 2012 through September 30, 2012, and

**WHEREAS**, two (2) Senior Crew Leaders and two (2) Crew Leaders will provide daily supervision of eligible youth, and

**WHEREAS**, the Senior Crew Leaders will be paid \$17/hour and the Crew Leaders will be paid \$15/hour.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature hereby authorizes the creation of two (2) Senior Crew Leader positions and two (2) Crew Leader positions for the Center for Workforce Development.

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

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

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

**RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE**

**RESOLUTION TO AUTHORIZE AN EASEMENT NYSEG REQUESTED FOR PLACING A STUB POLE AND ANCHOR ON COUNTY OWNED PROPERTY**

**WHEREAS**, the County of Sullivan owns a parcel of land depicted on the Real Property Tax Map in the Town of Highland as of May 2012, shown as Section 24, Block 1, Lot 18; and

**WHEREAS**, electrical service is required for that area and the existing pole is defective and must be removed; and

**WHEREAS**, NYSEG is requesting to place a stub pole and anchor on the described property, and

**WHEREAS**, NYSEG requires an Easement (Guying) to install the stub pole and anchor to be located upon the County property; and

**WHEREAS**, the easement area shall be ten (10) feet by forty-one (41) feet beginning at the centerline of the York Lake Road (TH 7) and extending northerly approximately twenty-three (23) feet to the stub pole plus an additional eighteen (18) feet to the ground anchor.

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Sullivan is authorized to execute the easement, as prepared by NYSEG and approved by the Sullivan County Department of Law; and

**BE IF FURTHER RESOLVED**, that the Chairman of the Legislature be authorized to execute the necessary easement documents, in said form to be approved by the County Attorney.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.



**RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE**

**RESOLUTION TO AUTHORIZE THE TERMS OF LEASE AGREEMENT WITH A THIRD PARTY LAND OWNER FOR PROPERTY WITH AN EXISTING COMMUNICATION TOWER WHICH PROVIDES EMERGENCY SERVICE WITHIN THE COUNTY**

**WHEREAS**, Resolution No. 157-12 authorizes the negotiation of the renewal of agreements with third party land owners for the use of parcels of property for communication towers; and

**WHEREAS**, in order to provide continued communication service for the County, the Shandalee tower lease needs to be renewed; and

**WHEREAS**, the lease is for a portion of a parcel of land, situate in the Town of Callicoon, identified on the Real Property Tax Map Section 4, Block 1 and Lot 32.44, which the record owner is Anna J. Yatecysn.

**WHEREAS**, it is in the best interest of the County to renew the existing lease agreement on the same terms as the previous agreement, to ensure continued communication capabilities.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chair of the County Legislature shall be authorized to execute a renewal lease with the property owner, for the sum of \$850 per year in such a form as the County Attorney shall provide.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012

**RESOLUTION INTRODUCED TO PUBLIC SAFETY COMMITTEE:**

**RESOLUTION TO AUTHORIZE EXECUTING A MEMORANDUM OF UNDERSTANDING WITH THE NEW YORK STATE POLICE TO SHARE AUTOMATED VEHICLE LOCATION (AVL) DATA/INFORMATION**

**WHEREAS**, Sullivan County has an existing AVL system in which 911 dispatchers can view locations of County law enforcement resources and,

**WHEREAS**, The New York State Police utilize their own AVL system statewide and,

**WHEREAS**, Sullivan County and the New York State Police realize the importance of sharing data between systems for dispatch and officer safety purposes and would like to enter into a joint Memorandum of Understanding enabling data sharing between systems and,

**WHEREAS**, There would be no cost to configure the data sharing, however there will be an added software licensing fee for the additional displayed units in the County AVL system,

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager and Sheriff are authorized to execute a memorandum of understanding with the New York State Police . Such agreement is to be in a form as approved by the County Attorney's Office.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

**RESOLUTION NO. \_\_\_\_\_ INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO EXTEND THE ORIGINAL AGREEMENT AS MODIFIED BETWEEN SULLIVAN COUNTY COMMUNITY COLLEGE AND THE SULLIVAN COUNTY SHERIFF'S OFFICE**

**WHEREAS**, an original Agreement was entered into between Sullivan County Community College ("College") and the Sullivan County Sheriff's Office ("Sheriff") dated August 28, 2006 pursuant to Resolution No. 268-06 adopted by the Sullivan County Legislature on July 20, 2006, and

**WHEREAS**, said original Agreement was entered into to provide on-campus security for the College and was modified on August 27, 2007, September 1, 2008, September 17, 2009 and August 8, 2011 to extend the original Agreement, and

**WHEREAS**, it is hereby agreed by and between the College and the Sheriff to further modify the Agreement to extend the term from May 31, 2012 to May 31, 2014, with all other terms remaining the same, and

**WHEREAS**, said modification shall incorporate and reflect the County's actual costs that will be impacted by the anticipated arbitration determination with the SCPBA.

**NOW, THEREFORE, BE IT RESOLVED** that the County Manager and the Sheriff are hereby authorized to execute a Modification Agreement with the College extending the aforementioned term in a form approved by the County Attorney's Office, and

**BE IT FURTHER RESOLVED** that said modification shall incorporate and reflect the County's actual costs that will be impacted by the anticipated arbitration determination with the SCPBA..

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012

**RESOLUTION INTRODUCED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO AUTHORIZE AN AGREEMENT WITH SULLIVAN COUNTY BOCES TO PROVIDE SERVICES UNDER THE WORKFORCE INVESTMENT ACT.**

**WHEREAS**, the Center for Workforce Development is responsible for the implementation of the Title I provisions of the federal Workforce Investment Act of 1998, and

**WHEREAS**, the Center for Workforce Development is looking to bid the provision of certain services for the adult, dislocated worker and youth populations, and

**WHEREAS**, the Sullivan County BOCES (“BOCES”) submitted the winning bid, and

**WHEREAS**, BOCES services meet all of the requirements under the Workforce Investment Act, and

**WHEREAS**, the BOCES will provide comprehensive employment, education and training services to eligible participants from July 1,2012 through June 30, 2013, and

**WHEREAS**, amount to be charged by BOCES for the above referenced services shall not exceed \$50,000.00.

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

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

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

**Resolution No.**

**RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE  
RESOLUTION TO AUTHORIZE COUNTY MANAGER TO ENTER INTO  
AGREEMENTS FOR THE PROVISION OF VARIOUS MEDICAL ASSISTANCE  
PROGRAM SERVICES**

**WHEREAS**, the County of Sullivan, Department of Family Services, desires to enter into agreements for the provision of various Medical Assistance (Medicaid) program services; and

**WHEREAS**, Any Time Home Care, Inc and Mid-Hudson Managed Home Care, Inc are capable of providing Personal Care program services at New York State approved rates; Sullivan County Public Health Services is capable of providing Long Term Home Health Care Program services at New York State approved rates; through agreements with the local Social Services district, Sullivan County Department of Family Services.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements with the above named providers during the period from July 1, 2012 through June 30, 2013; and

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

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

**Resolution No.**

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

**RESOLUTION TO AUTHORIZE CONTRACT FOR INFORMAL CAREGIVER TRAINING AND ASSISTANCE SERVICES FOR THE SULLIVAN COUNTY OFFICE FOR THE AGING.**

**WHEREAS**, the Sullivan County Office for the Aging is designated as a Caregiver Resource Center and receives funding from the New York State Office for the Aging to provide training and assistance for Informal Caregivers of the elderly, and

**WHEREAS**, the Cornell Cooperative Extension can arrange, coordinate, promote and conduct training programs for Informal Caregivers of the Elderly.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute a contract with Cornell Cooperative Extension, to arrange, coordinate, promote and conduct such training programs for the Office for the Aging, at a cost not to exceed \$43,000.00 per year for the period 4/1/12-3/31/14, and

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

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.

**Resolution No.**

**RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES COMMITTEE  
RESOLUTION TO AUTHORIZE COUNTY MANAGER TO EXECUTE AGREEMENTS  
WITH NEW YORK AND OTHER STATE OR COMMONWEALTH APPROVED  
FOSTER CARE RELATED SERVICE PROVIDERS**

**WHEREAS**, the County of Sullivan, through the Department of Family Services, is mandated to make available Foster Care related services as needed for children/youth; and

**WHEREAS**, various New York State and other State or Commonwealth approved providers are capable and willing to enter into agreement to provide Foster Care services for Sullivan County children/youth at State or Commonwealth approved rates; and

**WHEREAS**, certain New York State and other State or Commonwealth approved providers are additionally capable and willing to provide New York State Office of Children and Family Services (OCFS) allowable designated program activities, including aftercare services, during the trial discharge phase to be provided to the child and family for the duration of the aftercare period when the child remains in the care and custody of a local social services official during a period of aftercare/trial discharge to be paid at a per diem rate as the need arises.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Legislature does hereby authorize the County Manager to execute agreements with New York State and other State or Commonwealth approved Foster Care related service providers for Sullivan County youth during the period from July 1, 2012 through June 30, 2013; and

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

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

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

**RESOLUTION INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE TO AUTHORIZE  
AWARD & EXECUTION OF LEASE AGREEMENT**

**WHEREAS**, a Software License and Services Agreement is needed for the CGS-ENAPGNY – New York State Specific Implementation of CGS-Enhanced APS Software for Community Services, and

**WHEREAS**, 3M Company, 575 West Murray Boulevard, Murray, Utah 84123-4611, is the most responsible vendor for such work, and

**WHEREAS**, the Department of Management and Information has approved said Agreement 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 3M Company, at a total price not to exceed \$3,634.00, said Agreement to be in such form as the County Attorney shall approve.

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

**Seconded by** \_\_\_\_\_,

**and adopted on motion** \_\_\_\_\_, **2012.**



**RESOLUTION INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO AUTHORIZE AGREEMENTS FOR AERIAL DATA IMAGERY RE-FLY UPDATE; PICTOMETRY ONLINE; AND SUPPORT SERVICES WITH PICTOMETRY INTERNATIONAL CORPORATION.**

**WHEREAS**, as authorized by resolution 436-06, the County of Sullivan ("County") entered into an agreement with Pictometry International Corp. ("Pictometry") on February 9, 2007 to provide aerial imagery of the entire County to be used in conjunction with their software; and

**WHEREAS**, in addition, Pictometry's imaging products and services have been fully integrated into key applications countywide and are utilized daily by the public (via Imagemate Online) and numerous County departments including but not limited to Real Property, E-911, Public Works, and Public Safety; and

**WHEREAS**, the existing 5-year old imagery is out-of-date and in need of updating to properly reflect current county property conditions.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to enter into agreements with Pictometry for an updated aerial flyover and imagery, licensed access to Pictometry Online and an amended agreement for support services at a total cost not to exceed \$80,608.

**BE IT FURTHER RESOLVED**, that said agreements to be in such form as the County Attorney shall approve.

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

**Seconded by** \_\_\_\_\_,

**and adopted on motion** \_\_\_\_\_, 2012.

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

**RESOLUTION INTRODUCED BY GOVERNMENT SERVICES COMMITTEE  
RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an agreement with Sullivan County Paving & Construction, Inc., at a total price not to exceed \$3,148,968.11, for Resurfacing Portions of Various County Roads, in accordance with B-12-28, said contract to be in such form as the County Attorney shall approve.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012.

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

**RESOLUTION INTRODUCED BY GOVERNMENT SERVICES COMMITTEE  
RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF AGREEMENT**

**WHEREAS**, proposals were received for Quality Assurance Asphalt Plant Inspection for 2012 paving contract (B-12-28) and

**WHEREAS**, Fairway Testing Co., Inc., 22 North Liberty Drive, P.O. Box 578, Stony Point, NY 10980, is the responsible proposer for this project, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to execute an agreement with **Fairway Testing Co., Inc.**, at a total price not to exceed **\$20,000.00**, for Asphalt Plant Testing for Quality Assurance, in accordance with R-12-13, said contract to be in such form as the County Attorney shall approve.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, **2012.**

**RESOLUTION INTRODUCED BY MANAGEMENT AND BUDGET COMMITTEE RESOLUTION TO AUTHORIZE MODIFICATION OF EXISTING LEASE AND AWARD & EXECUTION OF NEW LEASE AGREEMENT**

**WHEREAS**, the current copier lease for the County Clerk’s Office has been in effect for 3½ years and the copiers are in need of replacement; and

**WHEREAS**, said lease was entered into on January 1, 2009 pursuant to resolution #120-04, expired on January 23, 2012 and needs to be extended to June 30, 2012; and

**WHEREAS**, a proposal was received for the lease of three (3) coin-op copiers, for the County Clerk’s Office which will be dedicated for public use and will allow for continued service to the community; and

**WHEREAS**, Kristt Company, 369 Broadway, Monticello, New York 12701, is the most responsible firm for such lease; and

**WHEREAS**, the Management and Information Systems Department has approved said proposal and recommends that a lease agreement be executed.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be and hereby is authorized to enter into a modification agreement of the current lease extending it to June 30, 2012 and execute a new lease agreement with Kristt Company at a monthly lease price not to exceed \$639.00/month PLUS Service and Supplies to be charged at \$.0049/copy, for three (3) years, from July 1, 2012 through June 30, 2015, as per written quote dated April 17, 2012, said lease to be in such form as the County Attorney shall approve.

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

**Seconded by** \_\_\_\_\_,

**and adopted on motion** \_\_\_\_\_, **2012.**

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

**RESOLUTION INTRODUCED BY MANAGEMENT & BUDGET COMMITTEE TO  
ENTER INTO AN EXTENSION AGREEMENT WITH NEW YORK STATE OFFICE  
OF INDIGENT LEGAL SERVICES**

**WHEREAS**, Resolution Number 561-11 adopted on December 22, 2011 authorized the County Manager to enter into agreements with New York State Office of Indigent Legal Services (“NYSOILS”) for funding in the amount of \$35,607 in order to improve the quality of indigent legal services provided by the County pursuant to Article 18-b of the County Law; and

**WHEREAS**, the County of Sullivan executed a contract with NYSOILS that expired May 31, 2012, therefore there is a need to authorize an extension agreement between the County of Sullivan and NYSOILS for the period of June 1, 2012 through May 31, 2013.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager is authorized to enter into an extension agreement and any other documents necessary to acquire the funding from NYSOILS, said documents to be in a form approved by the County Attorney’s Office.

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

**Seconded by** \_\_\_\_\_,

**and adopted on motion** \_\_\_\_\_, 2012.

RESOLUTION NO \_\_\_\_\_

**INTRODUCED BY PLANNING, ENVIROMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE TO CANCEL UNENFORCAEABLE TAXES, PENALTIES AND INTEREST ON A PARCEL OWNED BY THE STATE OF NEW YORK DOT, LOCATED IN THE TOWN OF LIBERTY KNOWN AS LIBERTY 5.-1-62**

**WHEREAS**, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as Liberty 5.-1-62 was acquired by the State of New York/Dept of Transportation by Acquisition Map No 241 parcel number 545 filed and recorded in the Sullivan County Clerk's Office on September 8, 2010 Instrument no 2010-57948

**WHEREAS**, a tax bill for the lien year 2011 was generated for this parcel, and

**WHEREAS**, said parcel has been deleted from the assessment roll, and

**WHEREAS**, the tax bill for the lien year 2011 has remained unpaid, accruing delinquent taxes, penalties and interest through June , 2012

**WHEREAS**, the aforementioned parcel purchased by the State of New York is exempt from taxation under Section 404 of the Real Property Tax Law of the State of New York, and

**WHEREAS**, these said taxes, penalties and interest are unenforceable, the County Treasurer should cancel any outstanding taxes, penalties and interest due and owing on the aforementioned parcel pursuant to Section 558 of the Real Property Tax Law of the State of New York, and

**NOW, THEREFORE, BE IT RESOLVED**, the County Treasurer is so authorized to cancel the delinquent taxes, penalties and interest assessed to Liberty 5.-1-62 and charge back the tax to the appropriate tax districts pursuant to Section 558 of the Real Property Tax Law of the State of New York

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

Seconded by \_\_\_\_\_

And adopted on motion \_\_\_\_\_, 2012

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

**RESOLUTION TO CONVEY PROPERTY IN THE TOWN OF FALLSBURG KNOWN  
AS FA44.-1-74 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 Fallsburg designated on the Sullivan County Real Property Tax Map as Fallsburg 44.-1-74, being 1.30 +/- acre, located on Cty Hwy 54, and

**WHEREAS**, the Town of Fallsburg has offered to purchase said property for Town purposes, for the amount of delinquent taxes, in the sum of TWO THOUSAND TWENTY-FIVE (\$2,025.37) 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 sell the parcels privately to the Town of Fallsburg for the amount of TWO THOUSAND TWENTY-FIVE (\$2,025.37) DOLLARS, 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, 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 the Town of Fallsburg upon payment of TWO THOUSAND TWENTY-FIVE (\$2,025.37) DOLLARS to the County Treasurer, plus fees for the County Clerk, and

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.

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

**RESOLUTION TO CONVEY PROPERTY IN THE TOWN OF FREMONT  
KNOWN AS FR36.-1-13.3, ACQUIRED BY THE COUNTY OF SULLIVAN BY  
VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE  
2010 LIEN YEAR.**

**WHEREAS**, property located in the Town of Fremont designated on the Sullivan County Real Property Tax Map as FR36.-1-13.3, Class 692, being 35.00 x 230.00 +/- feet, located on a NOH adjacent to Cty Hwy 94, is owned by the County of Sullivan and formerly owned by CW Flickenschild, was included in the foreclosure of 2010 liens, and

**WHEREAS**, Cheryl Armbrust has offered to purchase said property for the sum of, SIX HUNDRED SIX (\$606.00) DOLLARS, more than the amount of the delinquent taxes owed to the County, and

**WHEREAS**, Cheryl Armbrust has a deeded ROW for ingress & egress to her property (36.-1-13.2)

**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, 2012 Town/County 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 Cheryl Armbrust, upon payment of SIX HUNDRED SIX (\$606.00) DOLLARS to the County Treasurer, plus fees for the County Clerk, plus the 2012 County/Town taxes, said deed to provide a requirement that she maintain access to other adjoining landowners who have similar deeded right of way.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.



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

**RESOLUTION TO CONVEY PROPERTIES IN THE TOWN OF TUSTEN KNOWN AS TU16.-5-7, TU16.-6-2 & TU16.-6-3.6 ACQUIRED BY THE COUNTY OF SULLIVAN BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE 2010 LIEN YEAR**

**WHEREAS**, properties located in the Town of Tusten designated on the Sullivan County Real Property Tax Map as Tusten 16.-5-7, being 50.00 x 200.00 +/- feet, located on S Trail 3, Tusten 16.-6-2, being 50.00 x 200.00 +/- feet, located on NYS Route 97 & Tusten 16.-6-3.6, being 50.00 x 200.00 +/- feet, located on NYS Route 97, and

**WHEREAS**, the Town of Tusten has offered to purchase said properties for Town purposes, for the amount of delinquent taxes, in the sum of ONE THOUSAND SIX HUNDRED TWENTY-THREE (\$1,623.64) DOLLARS, 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, 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 the Town of Tusten upon payment of ONE THOUSAND SIX HUNDRED TWENTY-THREE (\$1,623.64) DOLLARS to the County Treasurer, plus fees for the County Clerk, and

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE**

**RESOLUTION TO OBTAIN LEGISLATIVE APPROVAL TO APPLY FOR FUNDING FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)**

**WHEREAS**, New York State Community Development Block Grant Program has indicated that up to \$750,000 in Federal funding is available for Counties to fund flood/storm water projects without any County share of cost; 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**, \$750,000 is estimated to be necessary for the design and construction of a storm water culvert by County Forces to divert flood waters in the vicinity of Bridge 240 (DEL) to reduce flood impacts.

**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 New York State Community Development Block Grant Program funding whenever such is being made available; and

**BE IT FURTHER RESOLVED**, that a Public Meeting be implemented immediately to obtain public comment with respect to the grant application; and

**BE IT FURTHER RESOLVED**, that the County Manager and / or the Chairman of the County Legislature (*as required by the funding source award agreement*) is authorized to execute a grant application and any other associated documents if needed for the submission of an application for CDBG funding, in such form as the County Attorney shall approve.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2012.

**RESOLUTION INTRODUCED BY HEALTH AND FAMILY SERVICES TO AMEND THE GRANT AGREEMENTS WITH RURAL HEALTH NETWORK SUBCONTRACTORS**

**WHEREAS**, Resolution # 112-12 of March 15, 2012 accepted the Rural Health Network Grant for the period February 1, 2012 – January 31, 2013 in the amount of \$214,487, and

**WHEREAS**, Sullivan County Public Health Services has recently been advised by the NYS Department of Health that grant funding has increased to the amount of \$252,686 and the NYS Department of Health has extended the contract period to a fourteen month term to continue the Rural Health Network Program for the period February 1, 2012 – March 31, 2013, and

**WHEREAS**, to perform the responsibilities of the grant, it is necessary to contract with various vendors to the increased amounts, as follows:

- Recovery Center (also known as the Council on Alcohol and Drug Abuse)** for staff facilitation for the Community That Cares Coalition (CARECORPS) which reduces the use of substance abuse by young people, for an amount not to exceed \$35,000.
- Maternal Infant Services Network (MISN)** to provide educational interventions to reduce poor maternal and child health outcomes for an amount not to exceed \$17,500.
- PRASAD Children’s Dental Health Program** to provide dental health education and treatment to Sullivan County children in need for an amount not to exceed \$25,980.
- Catskill Regional Medical Center (CRMC)** for support of an Outreach Worker for the Cancer Prevention Program to serve western Sullivan County for an amount not to exceed \$23,920, and for partial support of the Rape Intervention Services and Education (RISE) program for an amount not to exceed \$27,420, and \$1200, for a Cyraphone translation system for underserved Sullivan County residents.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager be authorized to sign contracts with the above providers not to exceed the amounts shown above for the contract period February 1, 2012 – March 31, 2013, and ongoing contracts, if funded by the NYS Department of Health, and

**BE IT FURTHER RESOLVED** that should the NYS Department of Health reduce or eliminate the grant funding for the Rural Health Network for the grant period February 1, 2012 – March 31, 2013, then the above contracts shall be reduced and or abolished in an amount per vendor at the discretion of the County Legislature, and

**BE IT FURTHER RESOLVED** that the Sullivan County General Fund or property tax levy shall not absorb any reduction or elimination of grant funds from the NYS Department of Health, as that shall not be construed as a local expense; and

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

Moved by,  
Seconded by  
Put to a vote, unanimously carried and declared duly  
Adopted on motion

**RESOLUTION INTRODUCED BY PUBLIC SAFETY COMMITTEE**

**RESOLUTION TO AUTHORIZE APPLICATION TO BUREAU OF JUSTICE ASSISTANCE TO PARTICIPATE IN BULLETPROOF VEST PARTNERSHIP (BVP) FY2012**

**WHEREAS**, the Bureau of Justice Assistance (BJA) has announced available funding for Fiscal Year 2012 towards the purchase of bulletproof vests for Sullivan County Sheriff’s Deputies and Sullivan County Probation Officers, application for which must be made by June 27, 2012, and

**WHEREAS**, the program will aid in the purchase of vests required for replacement of those currently deployed, if needed, as well as vests for new hires, and

**WHEREAS**, the program will reimburse 50% of the cost of the vests, which must meet National Institute of Justice standards and be American-made.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Manager or his designee is hereby authorized to apply to the Bureau of Justice Assistance for FY2012 BVP funds and, if awarded, execute any and all documents required for the purchase of bulletproof vests, said documents to be in a form as approved by the County Attorney’s Office, and

**BE IT FURTHER RESOLVED**, that should funding be terminated, the County of Sullivan and Sullivan County Sheriff’s Office will be under no obligation to continue with the program.

**Moved by** \_\_\_\_\_,  
**Seconded by** \_\_\_\_\_,  
**and adopted on motion** \_\_\_\_\_, 2012

**RESOLUTION NO. \_\_\_\_-12 INTRODUCED BY THE PUBLIC SAFETY COMMITTEE TO AUTHORIZE PREPARATION OF A GRANT APPLICATION UNDER THE NEW YORK STATE DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES - OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS ROUND #2 OF THE STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT (SICG) PROGRAM TO FACILITATE THE DEVELOPMENT, CONSOLIDATION AND /OR IMPROVED OPERATION OF PUBLIC SAFETY COMMUNICATIONS TO SUPPORT AND ENHANCE STATEWIDE INTEROPERABLE COMMUNICATIONS FOR FIRST RESPONDERS.**

**WHEREAS**, the New York State Division of Homeland Security and Emergency Services provides funds to support efforts of emergency management/homeland security; and

**WHEREAS**, the New York State Division of Homeland Security and Emergency Services – Office of Interoperable and Emergency Communications, administers Round #2 of the Statewide Interoperable Communications Grant (SICG) Program to provide funds 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 Division of Public Safety – Department of Emergency Management seeks to improve public safety communications operations, and to support and enhance statewide interoperable communications for first responders; and

**WHEREAS**, the Sullivan County Division of Public Safety – Department of Emergency Management wishes to file an application for the SICG program to seek funding to upgrade communications infrastructure to support the development 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 SICG program.

**NOW, THEREFORE, BE IT RESOLVED**, that the Sullivan County Division of Public Safety – Department of Emergency Management is hereby authorized to prepare an application for funding under the NYS DHSES-OIEC SICG program for upgrades to communications infrastructure to support the development of a regional communications interoperability system.

**BE IT FURTHER RESOLVED**, that the County Manager be and is hereby authorized to sign said SICG program application on behalf of the County; and

**BE IT FURTHER RESOLVED**, that if awarded SICG program funding, that the County Manager be and is hereby authorized to execute any and all necessary documents to accept the SICG program grant award and access the funding, in such form as the County Attorney shall approve; and

**BE IT FURTHER RESOLVED**, that if awarded SICG program funding, the Sullivan County Division of Public Safety – Department of Emergency Management, shall administer the funds and the SICG program; and

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

**RESOLUTION NO. -12 INTRODUCED BY THE PLANNING,  
ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE  
AUTHORIZING THE PREPARATION OF A CONSOLIDATED FUNDING  
ANNOUNCEMENT GRANT FOR TOWNS IN THE UPPER DELAWARE RIVER  
CORRIDOR IN PARTNERSHIP WITH ORANGE COUNTY, NY**

**WHEREAS,** the New York State Department of State (NYS DOS) administers funding to advance preparation, refinement or implementation of Local Waterfront Revitalization Programs (LWRP), made available to local governments under Title 11 of the New York State Environmental Protection Fund Local Waterfront Revitalization Program; and

**WHEREAS,** the LWRP encourages municipalities to plan for the future of their waterfronts and undertake improvement projects to implement their plans; and

**WHEREAS,** the Upper Delaware River is an Approved Inland Waterway under the LWRP and the NYS DOS Division of Coastal Resources; and

**WHEREAS,** the Sullivan 2020 Strategic Plan set forth a strategy for the Sullivan County Division of Planning and Environmental Management (SCDPEM) to provide technical assistance to Towns, and

**WHEREAS,** SCDPEM has been coordinating and facilitating local planning efforts within and between Towns along the Delaware River in Sullivan County (Fremont, Delaware, Cochection, Tusten, Highland, Lumberland) as well as collaborating with Delaware County, NY, Orange County, NY and Pike County, PA under an LWRP grant received in 2009 to create a regional plan for the Upper Delaware River Corridor; and

**WHEREAS,** SCDPEM has been awarded a second LWRP grant to advance initiatives identified in the regional planning efforts for the Upper Delaware River Corridor; and

**WHEREAS,** SCDPEM and Orange County Planning have identified complimentary projects to put forth in a grant application under the State Consolidated Funding round as an advancement of the regional plan.

**NOW, THEREFORE BE IT RESOLVED,** SCPEM is authorized to continue collaboration with Sullivan County municipalities and the County of Orange in an effort to capitalize on ongoing local and regional visions and plans, and

**BE IT FURTHER RESOLVED,** Sullivan County shall be a sub recipient of an application for funds to be filed by Orange County requesting State Assistance Payments under the CFA, Year 2012-2013, in the amount to be determined, including a County Share not to exceed \$8,000 for in-kind services. The Sullivan County Legislature hereby authorizes Orange County to request funds in which Sullivan County will be a sub recipient, and

**BE IT FURTHER RESOLVED**, the Sullivan County Legislature hereby authorizes the County Manager to sign any and all agreements necessary to acquire the funding, and

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

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

**Seconded by** \_\_\_\_\_,

**And adopted on motion** \_\_\_\_\_, **2012**

**RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO REQUEST THAT THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PROHIBIT THE USE OF BY-PRODUCTS AND WASTE PRODUCTS OF HYDRAULIC FRACTURING OF OIL AND/OR GAS WELLS ANYWHERE IN THE STATE OF NEW YORK**

**WHEREAS:** the Sullivan County Legislature is aware that by-products and waste products of the hydraulic fracturing of oil and/or gas wells, including brines, have been used in certain applications on roads and other properties and lands, and

**WHEREAS:** the Sullivan County Legislature is aware that fluids used in the hydraulic fracturing of oil and/or gas wells contain undisclosed substances and/or chemical, some of which may be toxic or hazardous, and

**WHEREAS:** the Sullivan County Legislature believes that any fluids used in the hydraulic fracturing of oil and/or gas wells, and any fracturing fluids recovered from such wells, including any by-products or waste products of such fluids, including brine, such be properly treated and disposed of in an appropriate waste water treatment plant and should not be allowed to be used on any roads or lands for any purpose, and

**WHEREAS,** the Sullivan County Legislature is advised that the New York State Department of Environmental Conservation sometimes issues “Beneficial Use Determinations” which allow fluids used in the hydraulic fracturing of oil and/or gas wells, and any fracturing fluids recovered from such wells, including any by-products or waste products of such fluids, including brine, to be sold for use on roads and other lands and properties rather than requiring that such material be properly treated and disposed of in an appropriate and approved wastewater treatment plant.

**NOW THEREFORE BE IT RESOLVED THAT,**

The Sullivan County Legislature hereby calls upon the New York State Department of Environmental Conservation to:

1. Immediately cease issuing “Beneficial Use Determinations” which allow fluids used in the hydraulic fracturing of oil and/or gas wells, and any fracturing fluids recovered from such wells, including any by-products or waste products of such fluids, including brine, to be sold for use on roads and other lands and properties, and
2. Immediately require that all fluids used in the hydraulic fracturing of oil and/or gas wells, and any fracturing fluids recovered from such wells, including any by-products or waste products of such fluids, including brine, be properly treated and disposed of in approved wastewater treatment plants.



**RESOLUTION INTRODUCED BY PUBLIC WORKS TO PROHIBIT THE USE OF BYPRODUCTS AND WASTE PRODUCTS OF HYDRAULIC FRACTURING OF OIL AND/OR GAS WELLS ON THE ROADS AND PROPERTY OF THE COUNTY OF SULLIVAN**

**WHEREAS:** the Sullivan County Legislature is aware that by-products and waste products of the hydraulic fracturing of oil and/or gas wells, including brines, have been used in certain applications on roads and other properties and lands, and

**WHEREAS:** the Sullivan County Legislature is aware that fluids used in the hydraulic fracturing of oil and/or gas wells contain undisclosed substances and/or chemical, some of which may be toxic or hazardous, and

**WHEREAS:** the Sullivan County Legislature believes that any fluids used in the hydraulic fracturing of oil and/or gas wells, and any fracturing fluids recovered from such wells, including any by-products or waste products of such fluids, including brine, such be properly treated and disposed of in an appropriate waste water treatment plant and should not be allowed to be used on any roads or lands for any purpose.

**NOW THEREFORE BE IT RESOLVED,**

That the Sullivan County Legislature hereby states and directs:

1. It shall be the policy of the County of Sullivan that no fluids used in the hydraulic fracturing of oil and/or gas wells, anywhere, and no fracturing fluids recovered from any such wells, and no by-products or waste products of such fluids, including brine, shall be used on any County roads or lands, and
2. The Department of Public Works is directed to see to it that no such materials are acquired, used or distributed, by any means, on County road, bridges and lands, whether directly by the Department or by any other entity pursuant to contract or agreement with the County.