



Legislative Addendum for June 16, 2016 at 2:00PM

I. RESOLUTIONS :

1. Update the Sullivan County Cancer Screening Policy
2. Authorize contract with AIRBNB, Inc, to enable collection of the room occupancy tax.
3. Apportion cost of the County Self-Insurance Plan and Levy Taxes Therefore
4. Authorize easement requested by NYS Electric and Gas for installation of a new pole and equipment on county owned property in the Town of Thompson
5. Authorize modification agreement with the Infinigy Solutions LLC
6. Reclassify a Crew Leader position to a Senior Crew Leader Position for the Center for Workforce Development
7. Creating a Senior Crew Leader Position for the Center for Workforce Development
8. Authorize contract with Keystone Associates in accordance with Bid No. B-16-27
9. Directing review of Warrants for a Traffic Signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue in Hurleyville
10. Authorize Sullivan County Public Health Services to apply for, accept and contract with the New York State Office of Children and Family Services for the Healthy Families 2016 Grant
11. Authorize modification agreement with the Coodinated Care Services, Incorporated
12. Authorize agreement with Livingston Manor Central School District, Monticello Central School District and Tri Valley Central School District to provide each a School Resource Officer
13. Accept and/or reject bids made at the June 2016 Public Auction for Real Property acquired by virtue of the In Rem Tax Foreclosure Proceedings
14. Issue a replacement Quitclaim Deed to Mary F. Mitchell

15. Authorize Round 1 Contracts for the 2016 Plans and Progress
(Town of Mamakting)
16. Establishing a Standard Work Day for officials
17. Authorize the formation and incorporation of the Sullivan County
Land Bank Corporation
18. Request that the Mid-Hudson Empire State Development Council
support the designation of the New York Resort for Seniors in
Monticello as a priority project for 2016 Round 6 Funding
19. Authorize the County Manager to enter into an agreement with
DirectTV to provide television programming at the Sullivan County
Jail
20. Authorize the submission of an application to the United States
Department of Agriculture (USDA) for the USDA Community
Facilities Loan Program for the County Jail/Sheriff Road Patrol
Project
21. Mandate the Sullivan County Legislature to seek all available
means to reduce the 2020 Tax Levy
22. Appoint Nicholas Speranza and John Kiefer to the Sullivan
County Board of Ethics

Resolution No. _____

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO UPDATE THE SULLIVAN COUNTY CANCER SCREENING POLICY.

WHEREAS, Resolution No. 412-06, adopted by the Sullivan County Legislature on November 16, 2006, created a Policy to provide employees with up to four hours a year for breast cancer screening, and

WHEREAS, thereafter the policy was amended to include Prostate Screenings, and

WHEREAS, the Legislature wishes to have the policy include screenings for all types of cancer and has attached the proposed 2016 Sullivan County Cancer Screening Policy.

NOW, THEREFORE, BE IT RESOLVED, that the 2016 Sullivan County Cancer Screening Policy will provide up to four hours per calendar year of excused absence from employment for all types of cancer screenings.

BE IT FURTHER RESOLVED, that the 2016 Sullivan County Cancer Screening Policy shall be effective prospectively and immediately.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016.

1

SULLIVAN COUNTY CANCER SCREENING POLICY

I. PURPOSE:

Sullivan County recognizes that early detection for cancer is a priority for diagnosis and treatment for its employees. Although currently there is no cure for cancer, the need for ample time to undergo routine cancer screenings will be afforded by this policy without detriment or prejudice to the employees who benefit from this program.

II. POLICY:

New York Civil Service Law Sections 159-b and 159-c entitle Sullivan County employees excused leave not to exceed four hours on an annual basis to undertake screenings for breast and prostate cancers. The County Legislature extends the intent of the law to cover all cancer screenings. Excused leave will not be charged against the employee's sick, vacation, personal, compensatory or other time accruals. The employee will be compensated at his or her regular hourly rate, not exceeding four hours per annum, in accordance with this policy.

The four hours of excused paid time off per annum is effective every January 1st. If the employee does not exercise his/her rights to the four hours of excused paid leave during the calendar year, the hours are not carried forward to the next year. The four hours of excused time may include travel time to and from the appointment and any subsequent follow up consultation visits. In addition, the four hours of excused time may be staggered throughout the year until the maximum time has been reached. Any additional time exceeding the annual four hours of paid leave must be compensated by use of sick time or other accruals.

III. DEFINITIONS:

- A. Employer:** The County of Sullivan.
- B. Employee:** A public employee working for the County of Sullivan, including officers, managers, supervisors and department heads.
- C. Workplace:** Any location away from an employee's domicile, permanent or temporary, where an employee performs any work related duty in the course of his or her employment by the County of Sullivan.

IV. REQUIREMENTS:

An employee who seeks to benefit from this Policy must submit sufficient documentation to support his/her request, such as a letter, note, or similar from a medical professional qualified to represent the date and time of the screening.

1A

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE AN AGREEMENT WITH AIRBNB, INC. TO ENABLE COLLECTION
OF THE ROOM OCCUPANCY TAX.**

WHEREAS, the County of Sullivan (“County”) has a Lodging Facility Room Occupancy Tax (“Room Occupancy Tax”) enacted pursuant to the Sullivan County Code Chapter 182 Part 3, and

WHEREAS, many rooms are currently being rented through the use of internet booking agents and often times the Room Occupancy Tax is neither collected nor remitted to the Sullivan County Treasurer (“Treasurer”), and

WHEREAS, one of the internet booking agents, Airbnb, Inc. has agreed to collect the Room Occupancy Tax in regard to rooms located within Sullivan County that are booked using their internet platform, and

WHEREAS, in order to have Airbnb, Inc. collect and remit the Room Occupancy Tax to the Treasurer it will be necessary for the Treasurer to enter into an agreement with Airbnb, Inc..

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Treasurer be hereby authorized to enter into an agreement with Airbnb, Inc. to allow for the collection and remittance of the Room Occupancy Tax in regard to rooms located within Sullivan County that are booked using Airbnb Inc.’s platform.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016.

**RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE
RESOLUTION TO APPORTION COST OF THE COUNTY SELF-INSURANCE PLAN AND
LEVYING TAXES THEREFORE**

WHEREAS, the Risk Management & Insurance Department (“Risk Management”) hereby files a report by which it has estimated that the sum of \$4,823,783.00 will be necessary for the calendar year 2017 to meet the payments and expenses of the Workers’ Compensation Self - Insurance Plan; and

WHEREAS, Risk Management has determined the share of such estimated amount chargeable to each participant of the County Workers’ Compensation Self Insurance Plan as provided by Local Law No. 5-1979, as well as provisions of the Workers Compensation Law; and

WHEREAS, the amount chargeable to each participant of the County Workers’ Compensation Self-Insurance Plan is detailed on the Self Insurance Fund Charges, attached hereto as Appendix I and by this reference made a part hereof; and

WHEREAS, the total amount of \$4,823,783.00 to be raised for the 2017 calendar year was calculated as detailed in the Estimate of Expenses to run the Self-Funded Workers’ Compensation Plan for Sullivan County, attached hereto as Appendix II and by this reference made a part hereof; and

WHEREAS, Appendix I and Appendix II shall collectively be considered Risk Management’s 2017 calendar year’s report for the funding estimate and participant apportionment costs for the County’s Workers’ Compensation Self-Insurance Plan,
(Risk Management’s 2017 Plan)

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby adopts Risk Management’s 2017 Plan and directs that the amount set opposite the name of each participant on Appendix I of the County Workers’ Compensation Self - Insurance Plan be apportioned and charged to each respectively; with such amount so apportioned to the County and the Towns be levied and raised by tax in the next annual tax levy against the taxable property of the County and the Towns and such amount apportioned to the Villages to be directly billed to the Villages by Risk Management; and

BE IT FURTHER RESOLVED, that the amount apportioned to the County and the Towns shall be collected by inclusion in the next succeeding tax levy of each Town, and that when collected such amount shall be paid by the respective tax collectors to the County Treasurer, said amounts to be credited to the County Workers’ Compensation Self - Insurance Fund and the amount billed to the Villages shall be paid directly to the Sullivan County Treasurer.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016

2017 SELF-INSURANCE PLAN
FUND CHARGES

PARTICIPANTS		SHARE
County	of Sullivan	\$2,609,013.00
TOWNS		
Town of	Bethel	\$119,490.00
Town of	Callicoon	\$103,962.00
Town of	Cochecton	\$42,140.00
Town of	Delaware	\$61,139.00
Town of	Fallsburg	\$324,393.00
Town of	Forestburgh	\$70,069.00
Town of	Fremont	\$57,486.00
Town of	Highland	\$68,273.00
Town of	Liberty	\$124,475.00
Town of	Lumberland	\$55,813.00
Town of	Mamakating	\$226,715.00
Town of	Neversink	\$121,939.00
Town of	Rockland	\$61,680.00
Town of	Thompson	\$255,136.00
Town of	Tusten	\$45,276.00
VILLAGES		
Village of	Jeffersonville	\$5,242.00
Village of	Liberty	\$85,429.00
Village of	Monticello	\$287,966.00
Village of	Woodridge	\$87,211.00
Village of	Wurtsboro	\$10,936.00
TOTAL		\$4,823,783.00

APPENDIX I

3A

2017 ESTIMATE OF EXPENSES TO RUN THE SELF FUNDED WORKERS' COMPENSATION PLAN FOR SULLIVAN COUNTY

Claim Expenses	\$4,550,783.00
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Total	\$4,550,783.00
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Less Recoveries	\$100,000.00
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Total Net Claim Cost Estimate	\$4,450,783.00
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M1710 Administrative Costs	\$373,000.00
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Estimate for Expenses of the Plan including; Indemnity; Medical Expense; Medicare Reimbursement Expense; Recoveries; Assessments; Administrative Costs; and/or any other expenses of the Plan

Total	\$4,823,783.00
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Amount to Request for Plan Year 2017	\$4,823,783.00
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Amount Requested for Plan Year 2016	\$5,258,806.00
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Dollar Amount over Last Year	(\$435,023.00)
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% Increase/Decrease Over Last Year	-8.27%
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APPENDIX II

3b

**RESOLUTION NO. _____ INTRODUCED BY THE EXECUTIVE TO
AUTHORIZE EASEMENT REQUESTED BY NEW YORK STATE ELECTRIC &
GAS ("NYSEG") FOR INSTALLATION OF A NEW POLE AND EQUIPMENT ON
COUNTY OWNED PROPERTY ALONG PITTALUGA DR IN THE TOWN OF
THOMPSON.**

WHEREAS, the County of Sullivan owns a parcel of land depicted on the Real Property Tax Map in the Town of Thompson as of June 2016, shown as Section 12, Block 1, Lot 26; and

WHEREAS, the County of Sullivan plans to erect an emergency communication tower which will require electrical service; and

WHEREAS, NYSEG already holds an easement for transmission lines which traverse the property, and

WHEREAS, NYSEG is requesting an updated easement to enter and place equipment on the described property along Pittaluga Dr in order to provide electrical service to the communications tower

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan is authorized to execute any necessary easement documents, as prepared by NYSEG and approved by the Sullivan County Department of Law to supply power and access to the communications site; 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.

4

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE MODIFICATION AGREEMENT WITH THE INFINIGY SOLUTIONS, LLC

WHEREAS, a proposal was received from Infinigy Solutions, LLC, 1033 Watervliet Shaker Road, Albany, New York 12205, for additional services, including labor and machinery, for unanticipated subsurface ground conditions and the need for moderate rock excavation required for the Underground Primary Electrical Installation for the communications tower in the Town of Delaware, and

WHEREAS, Infinigy Solutions, LLC, is our current vendor for these services as per the Resolution No. 200-16, adopted by the Sullivan County Legislature on April 21, 2016 (“Original Agreement”), and

WHEREAS, it is necessary to continue services with Infinigy Solutions, LLC, to complete this project, and

WHEREAS, a proposal, dated June 3, 2016, has been provided by Infinigy Solutions, LLC, outlining the additional services required, and

WHEREAS, the Division of Emergency Management has reviewed the proposal and recommends award.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a modification agreement with Infinigy Solutions, LLC, in an amounts listed, as needed:

- .Equipment mobilization one time charge = \$1159.00
- .Labor: Daily Rate = \$2,562.00/day
- .Equipment: Daily Rate = \$1,220.00/day,

and shall be in such form as the County Attorney shall approve.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016.

5

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE:

RESOLUTION TO RECLASSIFY A CREW LEADER POSITION TO A SENIOR CREW LEADER POSITION FOR THE CENTER FOR WORKFORCE DEVELOPMENT

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

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

WHEREAS, the Summer Youth Employment Program provides paid work experience opportunities for youth from July 11, 2016 through August 19, 2016, and

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

WHEREAS, there is a currently a position for Crew Leader and there is a need for creating of Senior Crew Leader, and it is in the best interest to the program to reclassify Crew Leader to Senior Crew Leader, and

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

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

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

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016

6.

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE:

RESOLUTION TO CREATE ONE (1) SENIOR CREW LEADER POSITION FOR THE CENTER FOR WORKFORCE DEVELOPMENT

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

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

WHEREAS, the Summer Youth Employment Program provides paid work experience opportunities for youth from July 11, 2016 through August 19, 2016, and

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

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

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

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

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016

7

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE

RESOLUTION TO AUTHORIZE AWARD & EXECUTION OF CONTRACT

WHEREAS, bids were received for Soil Borings/Geotechnical Services, and

WHEREAS, Keystone Associates, 58 Exchange Street, Binghamton, New York 13901, is the low bidder meeting specifications, and

WHEREAS, the Sullivan County Division of Public Works has reviewed the bids 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 Keystone Associates, in accordance with Bid No. B-16-27, for a total amount not to exceed \$67,664.80, said agreement to be in such form as the County Attorney shall approve.

Moved by _____,

Seconded by _____,

and adopted on motion _____, 2016.

A handwritten signature, possibly of the County Manager, is located at the bottom center of the page.

RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE DIRECTING REVIEW OF WARRANTS FOR A TRAFFIC SIGNAL ON MAIN STREET (CR 104) AT MONGAUP ROAD AND RAILROAD AVENUE IN HURLEYVILLE

WHEREAS, the New York State Department of Transportation and the Town of Fallsburg have executed an Agreement, which provides a grant of \$1,270,000.00 for the development of the “Milk-Train Rail Trail”- an accessible recreational municipal park that is bisected by Main Street (CR 104) in the Hamlet of Hurleyville, which is unique, and which will be a destination recreational opportunity for the mobility challenged, and

WHEREAS, The Center For Discovery, Inc. has petitioned the Town of Fallsburg and the County of Sullivan to provide for a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue in Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, and

WHEREAS, the Hurleyville Parking District was created in 2015 and the sole property owner within the Hurleyville Parking District is the Center for Discovery, Inc. , and

WHEREAS, the Hurleyville Parking District has agreed to be responsible for all the costs associated with the design, review and installation of the traffic signal, and

WHEREAS, the Hurleyville Parking District has agreed to deposit funds with the County sufficient to pay the costs associated with the design, review and installation of the traffic signal, and

WHEREAS, it is estimated that a significant number of people will use the crosswalk to go between the new recreational and work facilities at or near the intersection and the community at large will all benefit from the installation of a traffic signal, and

WHEREAS, the Town Board of the Town of Fallsburg (“Town Board”) is in support of the special conditions for the warrants for the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue in Hurleyville, and

WHEREAS, the Town Board hereby requests that the Commissioner of the Division of Public Works approve the special conditions for the warrants for the installation of a traffic signal on Main Street (CR104) at Mongaup Road and Railroad Avenue in Hurleyville, and

WHEREAS, the Town Board has requested that the Sullivan County Legislature adopt a Resolution regarding the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue in Hurleyville, and

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature hereby directs the Commissioner of the Division of Public Works, acting in his capacity as the County Superintendent of Highways, to review the special conditions for the warrants regarding the proposed installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue in Hurleyville, and

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to execute an agreement with the Hurleyville Parking District for the deposit of funds with the County of Sullivan sufficient to cover all of the costs associated with the installation of the traffic signal, said agreement to be in a form approved by the County Attorney's Office.

Moved by _____,

Seconded by _____,

and adopted on motion _____, 2016

QA

ENGINEERS
PLANNERS
SURVEYORS



June 9, 2016

Mr. David P. Fanslau
Vice President for Operation and Administration
The Center for Discovery, Inc.
PO Box 840
Harris, New York 12742

RE: Signal Warrant Analysis, The Center for Discovery (CFD), Hamlet of Hurleyville, Sullivan County, New York; CM Project No. 114-160

Dear Mr. Fanslau:

Recent developments in the Hamlet of Hurleyville include the Hurleyville Maker's Lab/education center, the Hurleyville Arts Centre, and expansion of the "Milk-Train" Rail Trail. These projects will increase the volume of pedestrian travel across Main Street (County Road 104), especially for special-needs individuals travelling between the Hurleyville Maker's Lab (HML) and the Hurleyville Arts Centre (HAC). Creighton Manning Engineering, LLP (CM) completed a traffic signal warrant analysis to determine the need for installation of a traffic signal across Main Street to facilitate pedestrian crossings. Below is a summary of the analysis.

1.0 Pedestrian and Vehicle Volume Conditions

The primary purpose of a traffic signal on Main Street near Railroad Avenue and Mongaup Road would be to provide special-needs pedestrians opportunities to cross Main Street under controlled conditions. The April 29, 2016 Center for Discovery (CFD) letter (Attachment A) provided useful background information regarding the physical and cognitive abilities of students, schedule of activities, and number of users at the HML and HAC.

Review of the usage information indicates that the Maker's Lab and Arts Centre are expected to experience consistent activity throughout the day and evenings, seven days a week; the time period of heaviest pedestrian crossings will occur on weekdays from approximately 9:00 a.m. to 3:00 p.m. when the 190-students at the Maker's Lab/education center will travel to/from the Arts Centre (crossing Main Street) for dance and music therapy classes. It is expected that there will be approximately 132 crossings per hour associated with these students. Exhibit IV in the April 29, 2016 letter shows that these pedestrians will be travelling at approximately 2.0 feet per second; much slower than the MUTCD standard travel speed of 3.5 feet per second.

In addition to the students travelling between the Maker's Lab and the Arts Centre, users of the Milk-Train Rail Trail and existing pedestrian travel across Main Street are expected to account for an additional 30 crossings per hour. This equates to approximately 162 crossings during the weekdays when school is in session.

Automatic traffic recorders (ATRs) were installed on Main Street, Railroad Avenue, and Mongaup Road to identify existing traffic volume and travel speed data for a period of several days. Data was collected by CM from Tuesday, April 5, 2016 through Thursday, April 14, 2016 and was used in the signal warrant evaluation.

2.0 Signal Warrant Evaluation

A detailed signal warrant analysis was completed at the Main Street intersections with Railroad Avenue and Mongaup Road. The following data was included in the signal warrant analysis:

- Two-way traffic volumes and travel speeds on Main Street over a 24-hour period
- Eastbound traffic volumes (entering the intersection) on Railroad Avenue and Mongaup Road over a 24-hour period
- Existing and anticipated pedestrian traffic volumes and travel speeds
- The length and number of gaps in vehicle traffic along Main Street

The data was compared to the signal warrant criteria contained in the *2009 Manual of Uniform Traffic Control Devices* (National MUTCD), published by The Federal Highway Administration (FHWA). This publication specifies the minimum criteria which must be met in order for a new traffic signal to be justified. The satisfaction of a signal warrant in itself is not necessarily justification for a traffic signal. Other engineering and operational factors need to be considered. The National MUTCD contains eight warrants which were reviewed for this project, five of which were evaluated in detail:

- Warrant 1, Minimum Vehicular Volume – This warrant is satisfied if for any eight hours of an average day the traffic volumes for Condition A or Condition B specified in Table 4C-1 of the MUTCD are met for the main arterial and the higher volume side road approach to the intersection.
- Warrant 2, Four-Hour Vehicular Volume – This warrant is met when for any four hours of an average day, points plotted on the graph presented on Figure 4C-2 of the National MUTCD fall above the appropriate curve.
- Warrant 3, Peak Hour – This warrant is met when for any one hour of an average day, points plotted on the graph presented on Figure 4C-4 of the National MUTCD fall above the appropriate curve.
- Warrant 4, Pedestrian Volume – This warrant is met when for any four hours of an average day, points plotted on the graph presented on Figure 4C-6 of the National MUTCD or for any one hour of an average day, points plotted on the graph presented on Figure 4C-8 of the National MUTCD fall above the appropriate curve.
- Warrant 5, School Crossing – This warrant is met when the number of adequate gaps in the traffic stream during the period when schoolchildren are using the crossing is less than the number of minutes in the same period and there are a minimum of 20 schoolchildren during the highest crossing hour.

The signal warrant evaluation was completed for the existing passenger vehicle volumes and future pedestrian volume conditions using the ATR automatic traffic recorder data collected by CM in April 2016 and a review and assessment of the usage information included in the April 29, 2016 CFD letter. The following is noted regarding the evaluation:

- Warrants 1, 2, and 3 (Vehicular Volume) – Review of the traffic volumes shows that the number of vehicles traveling through the intersections does not satisfy Warrants 1, 2, and 3. The detailed evaluations are contained in Attachment B.
- Warrant 4 (Pedestrian Volume) – Based upon criteria contained in the National MUTCD, the volumes can be compared to the 70% Factor figures (4C-6 and 4C-8) since the study site is located within an isolated community with a population of less than 10,000 and the pedestrian volume requirement can be reduced by 50% to account for the slower travel speeds of the subject pedestrian users. Using these criteria, the conditions for installation of a traffic signal based upon

pedestrian volumes and traffic volumes over a 4-hour period are satisfied. The detailed evaluation is included in Attachment C.

- Warrant 5 (School Crossing) – It is anticipated that it will require approximately 54-seconds for a group of 33 students and aids to cross Main Street when travelling between the Arts Centre and the Maker's Lab, as required between music and dance therapy classes. Gap data collected by CM shows that there are 1 to 11 gaps per hour long enough to accommodate students travelling between the two facilities between 10:00 a.m. and 3:00 p.m. Moving a group of students walking between classes under these conditions would require several trips by staff members to bring students across Main Street in smaller groups. Since the number of available gaps (1 to 11) is less than 60 (minutes in the analysis period), this warrant criteria is satisfied. The detailed evaluation is included in Attachment D.

The signal warrant analysis shows that the traffic signal warrant criteria for Warrant 4 (Pedestrian Volume) and Warrant 5 (School Crossing) are satisfied.

3.0 Other Considerations

Although Warrants 4 and 5 are expected to be met based on the projected activity between the Makers Lab and Arts Centre, consideration was given to other traffic control treatments. Pavement striping and signing modifications, advance warning beacons, and even Hawk signals were considered, but these treatments are less desirable under the proposed circumstances of the expected users to identify gaps in traffic and cross at a standard pace. See Exhibit IV of the CFD letter. Under these conditions, a three-color traffic signal will provide a standard treatment and the highest level of control over traffic to accommodate pedestrian crossings.

4.0 Conclusions and Recommendations

Pedestrian travel across Main Street, especially pedestrian travel by special-needs individuals, will increase in the short-term with completion of the Hurleyville Makers Lab/education center, the Hurleyville Arts Centre, and the accessibility improvements to the Milk-Train Rail Trail. CM completed an evaluation to determine whether installation of a traffic signal is warranted for these near-term future conditions.

Review of the usage information indicates that the time period of heaviest pedestrian crossings will occur on weekdays from approximately 9:00 a.m. to 3:00 p.m. when the 190-students at the Maker's Lab/education center will travel to/from the Arts Centre (crossing Main Street) for dance and music therapy classes. During this timeframe, approximately 162 crossings per hour are expected; with the groups of students crossing about four times per hour. Review of the National MUTCD signal warrant criteria shows that the criteria for installation of a traffic signal are met for Warrant 4 (Pedestrian Volume) and Warrant 5 (School Crossing). It is recommended that a three-color traffic signal be installed on Main Street between the Maker's Lab and the Arts Centre to provide a fully controlled crossing for pedestrians; specifically to accommodate the needs of the 190 special-needs students travelling between the two facilities on a daily basis. Since Main Street is designated County Road 104, design and operation of the traffic signal will require review and approval from Sullivan County.

Mr. David Fanslau
June 9, 2016
Page 4 of 4

If you have any questions regarding the above analysis, please feel free to contact our office.

Respectfully submitted,
Creighton Manning Engineering, LLP



Kenneth Wersted P.E., PTOE
Associate



Alanna M. Moran, I.E.
Project Engineer

Attachments

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Attachment A
April 29, 2016 Letter

The Center for Discovery
Hamlet of Hurleyville, New York



Health. Wellness. And Wonders.

PO Box 840, Hamlet, NY 12142 | 845.794.1400

April 29, 2016

Kenneth Wersted, P.E., PTOE
Creighton Manning Engineering, LLP
2 Winners Circle
Albany, NY 12205

RE: Traffic Assessment for The Center For Discovery (CFD), Hamlet of Hurleyville, Sullivan County, NY; CME Project No. 114-160

Dear Ken:

Creighton Manning Engineering, LLP conducted a Traffic Assessment for the mixed use development located along Main Street (County Road 104) near the intersections with Railroad Avenue and Mongaup Road (both Town Roads) in the Hamlet of Hurleyville. This evaluation is based on the latest site plan entitled "S.D.T.C. - The Center For Discovery", last revised October 2015 prepared by Glenn L. Smith Consulting Engineer, P.C.

A. Introduction and Background

The project consists of the following additions and renovations:

1. Adaptive reuse renovation of the existing building (12,000 SF) located at 202 Main Street that formerly was the Samuel French warehouse into the Hurleyville Maker's Lab/education center. An 8-space parking lot will also be constructed in the rear of the building, primarily for use by staff working in the school facility. The Hurleyville Maker's Lab/educational center received a Temporary Certificate of Occupancy from the Fallsburg Code Enforcement Officer in late 2015.
2. Construction of the Hurleyville Arts Centre is nearly complete. The Arts Centre is a 26,000 SF multi-use cultural center, located at 219 Main Street, which includes an 8,000 SF world-class ballroom for international wheelchair dance competitions; 4,000 SF of dance therapy instruction school suites; a 135-seat accessible cinema (4,200 SF); and an accessible Cooking School classroom (2,500 SF). The remaining 4,300 SF consists of an atrium, bathrooms, elevator, mechanical rooms, and common areas. A parking lot of 80 spaces will be constructed on property located west of the Hurleyville post office between Railroad Avenue and Mongaup Road.
3. The 9.2 mile "Milk-Train" Rail Trail, owned by The Center for Discovery, and leased to The Town of Fallsburg for use as a public municipal park, will be the first accessible rail trail in New York State. The New York State Department of Transportation (NYSDOT) has awarded a \$1.27 million grant to the Town of Fallsburg for the development of the "Milk-Train" Rail Trail. Construction will commence in spring of 2016, with completion of development anticipated by August 31, 2016. A municipal parking lot of 60 spaces will be constructed on property east of Main Street adjacent to the "Milk-Train" Rail Trail, located on the now vacant parcel of 212 Main Street. At the request of the Sullivan County Division of Public Works and Fallsburg Engineer, the ingress and egress to this parking lot will align opposite Mongaup Road, creating a "T" intersection. The current municipal parking lot, next to the Pickled Owl Gastropub at 218 Main Street, will be transformed into a pedestrian plaza, with regularly scheduled events during a peak afternoon hour on Friday of each weekend.

The project will also include improvements to the existing pedestrian accommodations to improve connectivity between the multiple buildings, accessible "Milk-Train" Rail Trail, and parking.

The projects locations are shown on the figure below are completed and:

- a. The Hurleyville Maker's Lab/educational center is operational.
- b. The Hurleyville Arts Centre is expected to receive a conditional certificate of occupancy in May 2016, and will be operational subsequent to the completion of site work, parking lots, pedestrian accommodations, and the installation of a traffic signal to provide for safe pedestrian crossing and control of pedestrian – vehicle interactions at Main Street and Railroad Avenue, and Main Street and Mongaup Road. This is anticipated to be coordinated with the development of the "Milk Train" Rail Trail, which will commence in May 2016, with completion by September 30, 2016.
- c. The development of the "Milk-Train" Rail Trail, which will commence in July 2016, with completion by October 31, 2016, which is a public works project, designed and funded by NYSDOT, with grant management of the \$1.27 million facilitated by the Town of Fallsburg.

B. Existing Conditions

Main Street (CR 104) is classified as a rural minor arterial that provides north-south access through the study area. The posted speed limit in Hurleyville is 30 mph. North of the site, Main Street intersects with NY Route 52 in Loch Sheldrake, which provides regional east-west access. South of the project site, Main Street continues as Anawana Lake Road (CR 103), intersecting NY Route 42 into Monticello and NY Route 17/Interstate 86, which provides highway access through Sullivan County. In the vicinity of the project site, Main Street has a 30-mph posted speed limit and is a two-lane road with two 10-foot wide travel lanes and shoulders varying in width between 1 and 10 feet. There is on-street parking located along Main Street in various locations, including both sides of Main Street near the newly constructed Hurleyville Arts Centre, and the operational Hurleyville Maker's Lab/educational center. During the Friday afternoon peak hour, it is anticipated that all available on-street parking will be fully utilized, creating some sight distance obstructions at Main Street and Railroad Avenue, and at Main Street and Mongaup Road.

There are existing predominantly inaccessible non-ADA compliant sidewalks with detectible warnings along both sides of Main Street along the project frontage, ending on the east side at Cunes Road. Sidewalks along Mongaup Road and Railroad Avenue are limited to one unconnected segment in front of the Hurleyville post office. No crosswalks or other pedestrian accommodations (signals, warning signs, etc.) are provided. **C.**

C. Governmental Support

The Center for Discovery has received legislative support at the local, district, and state levels for a traffic signal on Main Street (CR 104) at the intersection of Mongaup Road and Railroad Avenue in the Hamlet of Hurleyville.

1. The Town of Fallsburg, lessee of the "Milk-Train" Rail Trail in the Hamlet of Hurleyville, has issued an official resolution of support warranting a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, to control pedestrian circulation for the public safety. The resolution cites NYSDOT's grant for the transformation to an accessible rail trail as a destination for the mobility challenged, as well as letters of support from the Sullivan County Sheriff and the Sullivan County Commissioner of Public Safety. The full body of the Town of Fallsburg's resolution can be found in **EXHIBIT I**.
2. On two separate occasions, The Center For Discovery was visited by Senator Charles Schumer (D-NY) and Assemblywoman Aileen Gunther (D,I,WF-Forestburgh) respectively. Senator Schumer was hosted at the Hurleyville Maker's Lab in January 2016 and spoke on the Americans with Disabilities Act (ADA)

and the role it has played in making communities accessible and inclusive of individuals with disabilities, stating, "*legislation could really make peoples' lives a lot better.*"

Assemblywoman Gunther was hosted at the Hurleyville Arts Centre in March 2016 and commented on The Center for Discovery's revitalization of Hurleyville and directly mentioned hopes for a traffic light to provide for handicap accessibility. A full transcription of these comments, taken directly from the press conferences, can be found in EXHIBIT II.

D. Current and Proposed Programs at the Hurleyville Maker's Lab and the Hurleyville Arts Centre

The Hurleyville Makers Lab and Education Center was approved by the Fallsburg Planning Board for a special use permit for education. This 12,000 SF facility, with an occupancy load of 1,219 people, will be used Monday through Friday for classrooms for the developmentally disabled population, which are students of the 853 private schools operated by The Center For Discovery, Inc. (TCFD). The programming will start about 9:00 each morning, with 20 buses transporting 35 community students and 5 residential students. This will be followed at about 9:30 by 14 buses operated by TCFD, which will bring about 150 students, inclusive of 62 in wheelchairs. These 190 students will attend a flexible schedule of classes at the Makers Lab, and they will transfer to dance therapy classes and music therapy classes at the Hurleyville Arts Centre located at 219 Main Street. This will require these 190 students, accompanied by staff, to cross Main Street to attend classes at both the Hurleyville Makers Lab and the Hurleyville Arts Centre. The classes will rotate every 35 to 45 minutes, throughout the day. In addition to the TCFD school program, SUNY Sullivan is offering classes at the Makers Lab throughout the week and on weekends.

1. The Makers Lab will provide memberships to the greater Sullivan County community after school hours and on weekends. It is anticipated that about 900 memberships will be awarded during the first year of their offering. The weeknight hours will range from 4:00 to either 7:00 or 8:00. The membership population will involve a number of community pedestrians, as well as vehicular travelers, utilizing municipal parking lots on both the east and the west side of Main Street. Those parking in the lot west of Main Street will require crossing Main Street to get to the Hurleyville Makers Lab. There will be about 80 parking spots, which will generate about 160 pedestrians crossing Main Street to access the Makers Lab, and returning to the vehicles. The weekend hours will generally be between 8:00 and 5:00. Also, there will be a guest artist lecture series each weekend, concurrent with the membership operations at the Maker's Lab and accommodating approximately 100 participants. These will begin at about 11:00 and will include practical demonstrations and lessons on the "Milk Train" Rail Trail, particularly west of Main Street towards Krum Road, which will require participants, many of whom will be in wheelchairs or using mobility assistance devices, to cross Main Street and return to the Maker's Lab across Main Street for the conclusion of the lecture. One such example of an individual requiring a mobility assistance device attempting to cross Main Street at this location can be seen in EXHIBIT III.
2. The Hurleyville Arts Centre is a 23,000 SF community facility, with an occupancy load of 1,500, which has (1) a 130-seat state-of-the-art cinema that will feature first-run movies, TED talks, and screenings of film productions created at the sound studio at the Hurleyville Makers Lab; (2) an 8,000 SF ballroom, which features a regulation-size dance floor and may host international wheelchair dance competitions, which could realize over 500 attendees for an event; (3) two dance studios, about 1,800 SF and 1,000 SF, resulting in a potential peak occupancy of 257 and 142 persons respectively; (4) a 2,000 SF cooking school, which would have an occupancy of about 100, including students and staff; and (5) the balance of the building is comprised of a lower level and an upper level lobby, which could serve as event space. The programs for the Hurleyville Arts Centre will (1) occupy the building throughout the week, with

classes held at the cinema and dance studios, Monday through Friday from 8:00 AM to 6:00 PM, which will interact with the classes held at the Hurleyville Makers Lab, requiring participants to cross Main Street several times throughout the day; (2) there are plans to show first-run movies on a regular basis, with an early evening showing during weeknights, and two afternoon matinees & two evening shows on Saturdays, with an afternoon matinee and an early evening showing on Sundays; (3) a dance company will lease the two dance studios every weeknight and on weekends, with several hourly classes of about 100 students, with two to three classes each weeknight between 6:00 and 9:00, and about six classes each Saturday and Sunday from 10:00 AM to 4:00 PM; (4) the cooking school will hold classes each Friday, Saturday, and Sunday, from 6:00 to 10:00 PM, with children's programs Monday through Thursday between 5:00 and 8:00, and on Saturday and Sunday between 10:00 AM and 1:00 PM; (4) the ballroom will be used by community groups throughout the week for community activities from 5:00 to 9:00 PM; and (5) the ballroom will hold capacity-level banquets, meetings, weddings, dance competitions, social dances, etc., each weekend, generally between the hours of 10:00 AM and 12:00 midnight.

E. Current and Proposed Use of the "Milk Train" Rail Trail

The 9.2 mile "Milk-Train" Rail Trail, owned by The Center for Discovery, will be the first accessible rail trail in New York State. The leasing of this trail to The Town of Fallsburg warrants it a public municipal park, thus requiring community access inclusive of individuals of all abilities. The current municipal parking lot next to the Pickled Owl Gastropub at 218 Main Street will require individuals participating in programming at the Hurleyville Arts Centre, as well as community members and residents of Hurleyville coming from other parts of town, to cross Main Street to access the trailhead of the "Milk-Train" Rail Trail.

1. The "Milk Train" Rail Trail is a 9.2 linear mile trail, which is leased to the Town of Fallsburg as a municipal park for a 99-year term. Construction and development under the \$1.27 million NYSDOT grant, will asphalt pave the trail about 1.25 miles in both the east of Main Street and west of Main Street direction, with the balance of the trail being crusher run and stone dust. The trail will connect the Hamlets of South Fallsburg and Hurleyville in the Town of Fallsburg, with the Hamlet of Ferndale in the Town of Liberty. Empirical research on the occupancy of rail trails is limited. However, there are 5,280 SF in a linear mile, and using just the linear miles that will be asphalt paved, and the 7 SF per person assembly occupancy of a building, we would anticipate that there would be about 1,885 pedestrians occupying the rail trail, traversing Main Street several times per day. There would be several regular events planned on the rail trail in conjunction with the Fallsburg Parks and Recreation Department, which would bring concentrated numbers of pedestrians to the Hamlet of Hurleyville for these events. The events would likely be scheduled each weekend from April 1st through November 30th each year. And, there will likely be planned ice skating and ice fishing events on the water systems adjacent to the rail trail, using the rail trail as a pedestrian and participant circulation route for these events, which would be held on most weekends, weather-permitting, between December 1st and March 31st of each year. All of these activities would necessitate pedestrians to cross Main Street in Hurleyville several times per day. Also, it is anticipated that the rail trail will get fully utilized by thousands of people on a daily and regular basis, looking for both passive and active recreational and exercise related opportunities, which will realize the crossing of Main Street several times per day to access the full 9.2 mile trail in both east and west directions from Main Street.
2. The Center for Discovery plans to enlarge our traditional Adventure Sports Challenge, with about 200 participants, predominantly in wheelchairs, and about 300 spectators, on weekends between April and October of each year. The course and challenges will be strategically charted on the rail trail throughout

the entire asphalted area of about 2.5 linear miles. The rail trail asphalt-paved area will be ten-feet wide and level, providing for full ADA-compliant accessibility.

3. The Center for Discovery is committed to creating a fully-integrated community in Hurleyville where individuals with physical, visual, and neurological impairments can safely access the businesses and activities on Main Street. The completed "Milk-Train" Rail Trail will be of special interest to individuals with multiple disabilities, physical impairments, and autism spectrum disorders because of its significance as New York State's first fully-accessible rail trail. The implications of these impairments and the dangers presented by the crossing of Main Street for disabled individuals are fully-detailed by physical and occupational therapy clinicians in a justification found in **EXHIBIT IV.**

In summary, TCFD believes that the warrants for special conditions meet the intent of the MUTCD, and we believe that the assets described above, in full operation, will meet and exceed the numerical warrants to justify a traffic signal in the Hamlet of Hurleyville at Main Street and Railroad Avenue and Mongaup Road. Controlled crossings by pedestrians at a traffic signal, with crosswalks timed to meet the needs of persons with mobility challenges, is critical to the public safety and enjoyment of community assets, including a 9.2 mile municipal park, the Hurleyville Arts Centre and the Hurleyville Makers Lab.

If you have any questions, please contact me.

Regards,



David P. Fanslau, M.G.A., ICMA-CM
Vice President for Operations and Administration
The Center For Discovery, Inc.

EXHIBIT I

RESOLUTION SUPPORTING WARRANTS FOR A TRAFFIC SIGNAL ON MAIN STREET (CR 104) AT MONGAUP ROAD AND RAILROAD AVENUE, AT THE BISECTION OF THE "MILK TRAIN RAIL TRAIL" IN THE HAMLET OF HURLEYVILLE, TO CONTROL PEDESTRIAN CIRCULATION AND VEHICULAR AND PEDESTRIAN INTERACTIONS

WHEREAS, The Center for Discovery, Inc. has petitioned the Town of Fallsburg and the County of Sullivan to provide for traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, to provide for the public safety, and

WHEREAS, the New York State Department of Transportation (NYSDOT) and the Town of Fallsburg have executed an Agreement, which provides a grant of \$1.27 million, for the development of the "Milk-Train Rail Trail" - an accessible recreational municipal park that is bisected by Main Street (CR 104) in the Hamlet of Hurleyville which is unique, and which will be a destination recreational opportunity for the mobility challenged, and

WHEREAS, The Center For Discovery, Inc. and their benefactors, have invested multiple millions of dollars to revitalize the Hamlet of Hurleyville, with the Michael Ritchie Big Barn Environmental Education Center, the Hurleyville Baker's Lab, and the Hurleyville Arts Centre, and

WHEREAS, the Sullivan County Sheriff and the Sullivan County Commissioner of Public Safety have issued letters supporting the warrants for the installation of a traffic light on Main Street (CR 104) at Railroad Avenue and Mongaup Road, and

WHEREAS, the Hurleyville Parking District, which was created in 2015 shall underwrite the cost of the traffic light, and the sole property owner within the Hurleyville Parking District is the Center for Discovery, Inc., and

WHEREAS, a timed video demonstration proved that a physically and mobility challenged adult would need a signalized crosswalk to safely cross Main Street, with a timed red light providing 45 seconds for such individual to safely cross Main Street, and

WHEREAS, the impact on individuals that have visual - perceptual challenges such that they cannot judge the speed of, or even perceive, an approaching vehicle, and,

WHEREAS, the nature of many of the people that are served by The Center For Discovery, supports the urgency of the need for the signal, and

WHEREAS, there will be hundreds of people using the crosswalk to go between the new recreational and work facilities at or near the intersection, and the existence of classes and Day program / work for individuals with challenges and student groups and individuals with disabilities utilizing the assets, and the community at large will all benefit from the installation of a traffic signal, and

WHEREAS, it is in the best interest of the Town of Fallsburg to for the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, to provide for the public safety.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Fallsburg, in the best interest of the public safety, hereby supports the special conditions for the warrants for the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, and

BE IT FURTHER RESOLVED, that the Town Board hereby requests that the Commissioner of the Division of Public Works recommend to the Sullivan County Legislature, to approve the special conditions for the warrants for the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, and

BE IT FURTHER RESOLVED, that the Town Board hereby requests that the Sullivan County Legislature adopt a resolution authorizing the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, providing for installation to be completed by August 31, 2016, and

BE IT FURTHER RESOLVED, that the Hurleyville Parking District, which was created in 2015 shall underwrite the cost of the traffic light, and the sole property owner within the Hurleyville Parking District is the Center for Discovery, Inc., and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Sullivan County Legislature, the Sullivan County Manager, the Sullivan County Attorney, the Sullivan County Commissioner of the Division of Public Works, the Sullivan County Sheriff, the Sullivan County Commissioner of Public Safety, the Fallsburg Planning Board, the Fallsburg Engineer, the Chief of Police of the Town of Fallsburg, and The Center for Discovery, Inc.

THE
CENTER FOR
DISCOVERY

BY ORDER OF THE TOWN OF FALLSBURG TOWN BOARD


State of New York, County of Sullivan
Town Clerk's Office of the Town of Fallsburg Certification

I, Donna Akerley, Town Clerk of the Town of Fallsburg, Sullivan County, New York, do hereby certify that I have compared the annexed copy of:

Resolution Supporting Warrants for a Traffic Signal on Main Street (CR104) at Mongaup Road and Railroad Avenue, at the Bisection of the "Milk Train Rail Trail" in the Hamlet of Hurleyville, to control Pedestrian Circulation and Vehicular and Pedestrian Interactions

with one remaining on record in this office and that the same is a correct transcript and copy thereof, and of the whole of said original. In testimony whereof, I have hereunto set my hand and affixed the seal of the Town of Fallsburg

This 28th Day of March 2016 A.D.



Donna Akerley, Town of Fallsburg Town Clerk, Sullivan County, New York

EXHIBIT II

SIDEWALKS STOPLIGHT

<https://vimeo.com/158929771>

INT. HURLEYVILLE MAKER'S LAB - DAY

Medium shot of SENATOR CHARLES SCHUMER speaking at a podium.

SENATOR CHARLES SCHUMER

And I was a proud sponsor in the early days, 1990, of the ADA - the Americans with Disabilities Act. And that was the idea, that people who had disabilities are not discriminated against and rightfully integrated into society. And how did I learn about it? We all learned about it through friends.

We have a family that lives across the hall from us - we live in an apartment building in New York City. And they had a young boy then, Joey, he's now an adult, I still stay in touch with him, who had cerebral palsy. And he was confined to a wheelchair. One of the great things is his wheelchair has become more and more and more advanced over the years and he can even really now communicate using his head. It's amazing.

But Joey's dad was explaining to me one night when he was about 40 years old how the fact that - this was in the 80s - how the fact that the street corners on our street in Brooklyn didn't have curb cuts. So Joey's entire life was confined to that block. And because of the ADA, every new sidewalk that's either done or redone in New York has curb cuts, and that's just expanded the horizons in a very simple, easy, and non-costly way for the disabled. And that's happened a thousand times over, over, and over again. And so that was what ADA did, and it just hit home to me how legislation could really make peoples' lives a lot better.

CUT TO

INT. HURLEYVILLE ART'S CENTRE - DAY

Medium shot of ASSEMBLYWOMAN AILEEN GUNTHER speaking at a podium.

ASSEMBLYWOMAN AILEEN GUNTHER

We thank The Center for Discovery for going, coming into Hurleyville and revitalizing this beautiful little town. It looks phenomenal, and it's gonna keep going, and hopefully we'll have that light, and we'll be able to have the sidewalks handicap accessible. And I think that's very important, so I'm really proud of the work that you're doing.

THE CENTER FOR
DISCOVERY

EXHIBIT III

RAILROAD AVE

<https://vimeo.com/156439506>

FADE IN:

TITLE CARD ON BLACK

"...crossing Main Street in Hurleyville this morning was a very frightening experience."

-Lee Karasik

FADE OUT:

EXT. RAILROAD AVE - MAIN STREET HURLEYVILLE - DAY

Side profile close-up shot of a man with an assistive mobility walker, LEE, on the sidewalk in front of the Hurleyville Arts Centre. Pickled Owl, Izzy's Aunt, and Nadia's storefronts are all visible across the street. As he steps off the sidewalk at 00:00:00:05, a red vehicle approaching from the left of the frame stops in the middle of the road across from Pickled Owl.

The car comes to a complete stop at 00:00:03:05. As Lee crosses the street, the camera pans out to a wide view of Main Street and his full body becomes visible. The red vehicle starts driving slowly forward again at 00:00:17:07, just before we see Lee cross the double solid lines into the right lane. The red vehicle drives out of frame as Lee continues to cross Main Street at a curved downhill gradient. He fully arrives on the sidewalk at the exit of the Milk Train Rail Trail/Pickled Owl parking lot at 00:00:58:01.

CUT TO:

TITLE CARD ON BLACK

"...a traffic light is imperative, for the safety and well-being of those of us with physical challenges who enjoy being independent and the freedom to visit Hurleyville on a regular basis."

-Lee Karasik

FADE OUT.

END.

EXHIBIT IV

Hurleyville Traffic Signal Justification

John Damiao, MS, OTR/L, ATP/SMS & Jason Kean, COTA/L.

Dr. Nicole G. Kinney, PT, DPT, C/NDT

The Center for Discovery serves over 500 people, all of whom present with significant physical, medical, behavioral, intellectual and/or psychiatric impairments. The diagnostic significance of these impairments creates incredible safety issues and concerns for these individuals in being able to safely cross a street. These grave concerns have and will continue to eliminate the ability of these children and adults to cross Main Street, secondary to the absence of a signalized crosswalk at Main Street and Railroad Avenue and Mongaup Road in the Hamlet of Hurleyville. In order to afford the hundreds of people served by the Center for Discovery with the right to access the crossing of Main Street independently, a signalized crossing, allowing for traffic to be controlled and stopped, is a necessity.

Medical Co-Morbidities and Functional Implications within a Community:

Physical Impairments (non-ambulatory individuals)-

Many of the individuals we serve have been prescribed mobility devices such as wheelchairs and walkers. In turn, they are unable to stop their movement through space quickly, as a neurotypical ambulatory individual would. This is due to impaired neuromuscular control as well the intellectual challenges of the majority of these mobility device users. Unfortunately, without the benefits and accommodation of a safely designated traffic signaled area, these individuals will not be able to independently integrate into the Hurleyville community through the safe access of Main Street, making them unable to access businesses or participate in community activities.

Operation of power wheelchairs by individuals with physical and intellectual challenges negatively impacts the speed at which they are able to move through space safely. These devices have been programmed with a limited top speed of 2-2.5 feet per second, making the crossing of a street extremely dangerous without traffic stopped at a signalized crossing.

Many power wheelchairs are not controlled by joysticks due to an individual's inability to grasp and use their hand appropriately to control the joystick. Rather, an array of switches designed to control the directionality of the wheelchair user's movement through space is prescribed. The driver of such devices uses body parts like the head, foot, chin, etc. to control their wheelchair. These devices lack the proportional control of a joystick and thus require that the 'driver' make continuous steering correction changes in order to travel from point A to point B. This significantly slows the speed of travel to less than 2 feet per second, gain making the crossing of Main Street too dangerous to consider at this time.

Individuals using their head or chin through common alternative power wheelchair controls such as a head array or chin switch, are unable to look both ways in order to cross a street while also controlling the movement of the power wheelchair, therefore they need the safety of knowing when traffic is stopped and it is safe to cross the street.

Physical Impairments (ambulatory individuals)-

Physical impairments in ambulatory individuals creates difficulty in navigating changes in gradient such as uphill and/or downhill slopes as well as the ability to step on and off of curbs.

Most ambulatory individuals at TCFD presenting with physical impairments wear some form of orthoses (foot/ankle/knee bracing). These prescribed braces help to maintain proper alignment and support the joints of the legs/feet, but can negatively affect ambulation in terms of speed and balance. Again, this underscores the need for traffic to be stopped in order to cross a street safely.

Visual Perceptual Impairments-

A large number of individuals at the Center for Discovery present with some sort of visual impairment. Below are some of the common impairments that our individuals have been diagnosed with:

Impaired visual perceptual function and/or poor visual acuity (sharpness of vision) creates significant problems in detecting vehicles both near and far as well as impairs ones perception of the speed of moving vehicles.

Nystagmus (rapid involuntary movements of the eyes) and other visual tracking diagnoses (the inability to process and locate, identify, and determine the dynamic nature of one or many moving objects) impairs or negates an individual's ability to identify and track oncoming traffic

Other Neurological Impairments and Injury Related Implications

The vast numbers of the individuals that we serve have been diagnosed with an existing co-morbid seizure disorder (a seizure is a sudden disruption of the brain's normal electrical activity accompanied by altered consciousness and/or other neurological and behavioral manifestations). This altered consciousness may manifest as drowsiness. Seizures may be triggered by stress, loud noise, and/or environment overstimulation.

Many of our ambulatory individuals present with "drop seizures". A drop seizure is when the muscles of the body suddenly lose strength. During a drop seizure, an individual's eyelids may droop, their head may nod, the person may drop things, and they often fall to the ground. These seizures are sudden, often requiring the assistance of two staff members to assist in bringing the individual to a safe location. Obviously, this creates an unsafe situation for both the individual and assisting staff and requires time to bring the affected person to a safe location.

Restrained Community Access

Based on the medical diagnosis and bodily impairments described above, the individuals at The Center for Discovery require a dedicated traffic signal in Hurleyville in order to cross Main Street, thus allowing for the community access and community integration that all neurotypical individuals are afforded.

The Center for Discovery is greatly committed to the community integration for individuals with multiple disabilities and autism spectrum disorders in order to continue the process of de-institutionalization of all. Again, the addition of a traffic signal providing a safe place to cross the main road of Hurleyville, will allow a much greater level of independence and participation for these individuals who would otherwise be restrained in their ability to access storefronts, educational programs, employment, entertainment, and leisure opportunities created by the revitalization of Hurleyville.

Attachment B
Signal Warrants 1, 2, & 3 Assessment

The Center for Discovery
Hamlet of Hurleyville, New York

Project: 114-160
 Intersection: Main Street/Railroad Ave/Mongaup Rd
 Date: 4/19/2016
 Analyst: AKP

Select your lane configuration



Warrant 1, A
 100% (a) 500
 80% (b) 400
 70% (c) 350
 56% (d) 280

Warrant 1, B
 80% (b) 600
 70% (c) 525
 100% (a) 750
 56% (d) 64

Warrant 1, C
 100% (a) 150
 80% (b) 120
 70% (c) 105
 56% (d) 84

Warrant 1, D
 100% (a) 420
 80% (b) 525
 70% (c) 630
 56% (d) 42

Hour	Main Street				Railroad Ave				Mongaup Rd				Side Street 1				Side Street 2							
	100%		80%		70%		56%		100%		80%		70%		56%		100%		80%		70%		56%	
	Main	SS 1	SS 2	Overall	Main	SS 1	SS 2	Overall	Main	SS 1	SS 2	Overall	Main	SS 1	SS 2	Overall	Main	SS 1	SS 2	Overall	Main	SS 1	SS 2	Overall
12:00 AM	34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:00 AM	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:00 AM	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:00 AM	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:00 AM	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 AM	23	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:00 AM	63	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:00 AM	212	13	26	11	13	14	18	11	13	14	18	11	13	14	18	11	13	14	18	11	13	14	18	11
8:00 AM	281	14	26	11	14	15	26	11	14	15	26	11	14	15	26	11	14	15	26	11	14	15	26	11
9:00 AM	246	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11
10:00 AM	227	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11
11:00 AM	282	11	26	11	11	11	26	11	11	11	26	11	11	11	26	11	11	11	26	11	11	11	26	11
12:00 PM	285	11	23	11	11	11	23	11	11	11	23	11	11	11	23	11	11	11	23	11	11	11	23	11
1:00 PM	319	12	24	11	12	12	24	11	12	12	24	11	12	12	24	11	12	12	24	11	12	12	24	11
2:00 PM	342	12	27	11	12	12	27	11	12	12	27	11	12	12	27	11	12	12	27	11	12	12	27	11
3:00 PM	303	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11	15	15	26	11
4:00 PM	321	10	18	11	10	10	18	11	10	10	18	11	10	10	18	11	10	10	18	11	10	10	18	11
5:00 PM	307	11	25	11	11	11	25	11	11	11	25	11	11	11	25	11	11	11	25	11	11	11	25	11
6:00 PM	185	8	17	11	8	8	17	11	8	8	17	11	8	8	17	11	8	8	17	11	8	8	17	11
7:00 PM	170	7	19	11	7	7	19	11	7	7	19	11	7	7	19	11	7	7	19	11	7	7	19	11
8:00 PM	136	7	14	11	7	7	14	11	7	7	14	11	7	7	14	11	7	7	14	11	7	7	14	11
9:00 PM	82	2	7	11	2	2	7	11	2	2	7	11	2	2	7	11	2	2	7	11	2	2	7	11
10:00 PM	72	4	2	11	4	4	2	11	4	4	2	11	4	4	2	11	4	4	2	11	4	4	2	11
11:00 PM	60	0	2	11	0	0	2	11	0	0	2	11	0	0	2	11	0	0	2	11	0	0	2	11
Hours Met																								
Required																								
Warrant Met?																								

NOTES:

- (A) Basic minimum hourly volume.
 - (B) Used for combination of Conditions A and B after adequate trial of other remedial measures.
 - (C) May be used when the major-street speed exceeds 40 mph or in an isolated community with a population of less than 10,000.
 - (D) May be used for combination of Conditions A and B after adequate trial of other remedial measures when the major street speed exceeds 40 mph or in an isolated community with a population of less than 10,000.
- Reference: Federal Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), 2009 Edition
 New York State Supplement to the MUTCD

Figure 4C-2
Reduced Four-Hour Vehicular Volume Warrant
Source: Federal MUTCD

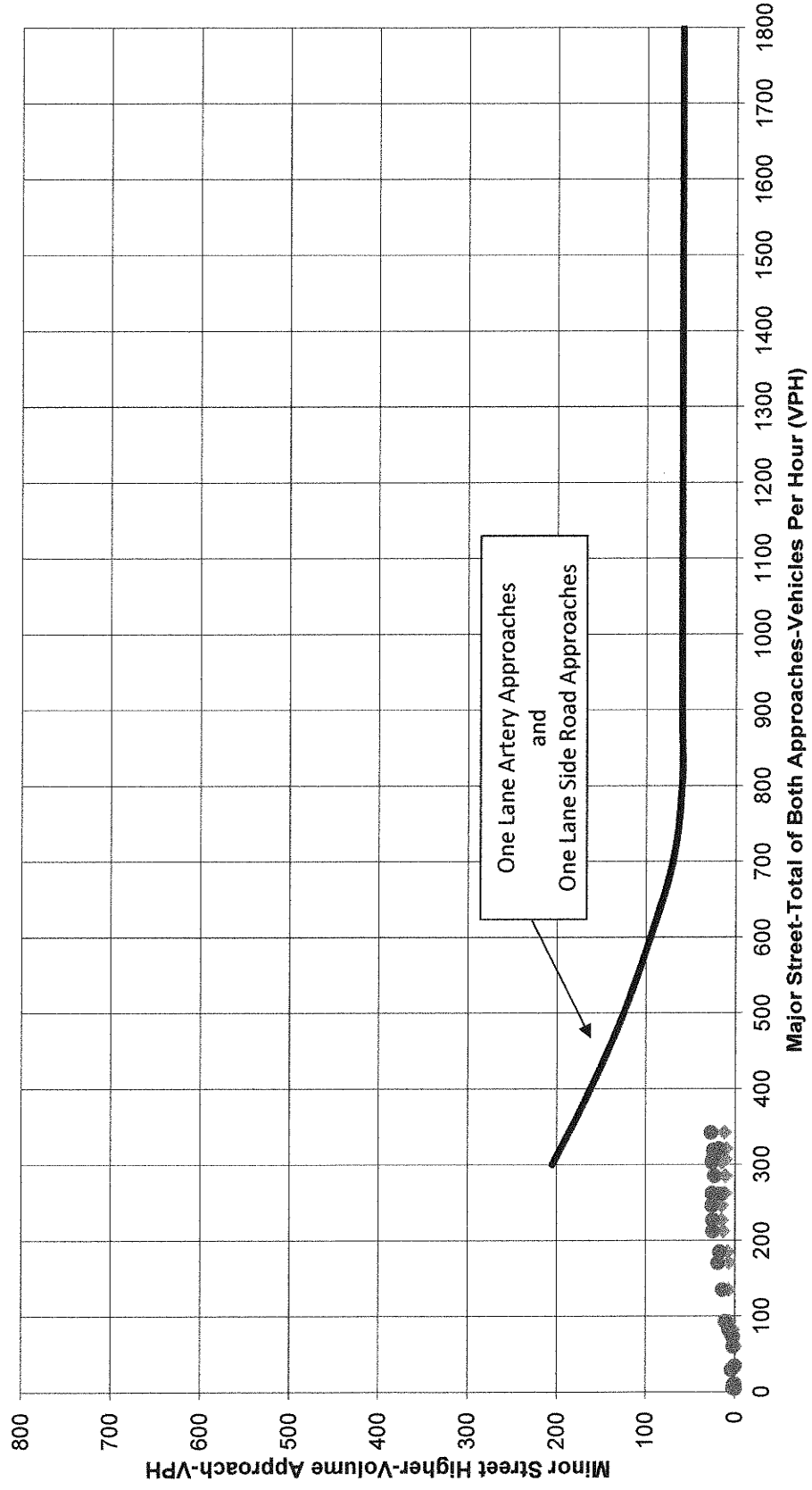
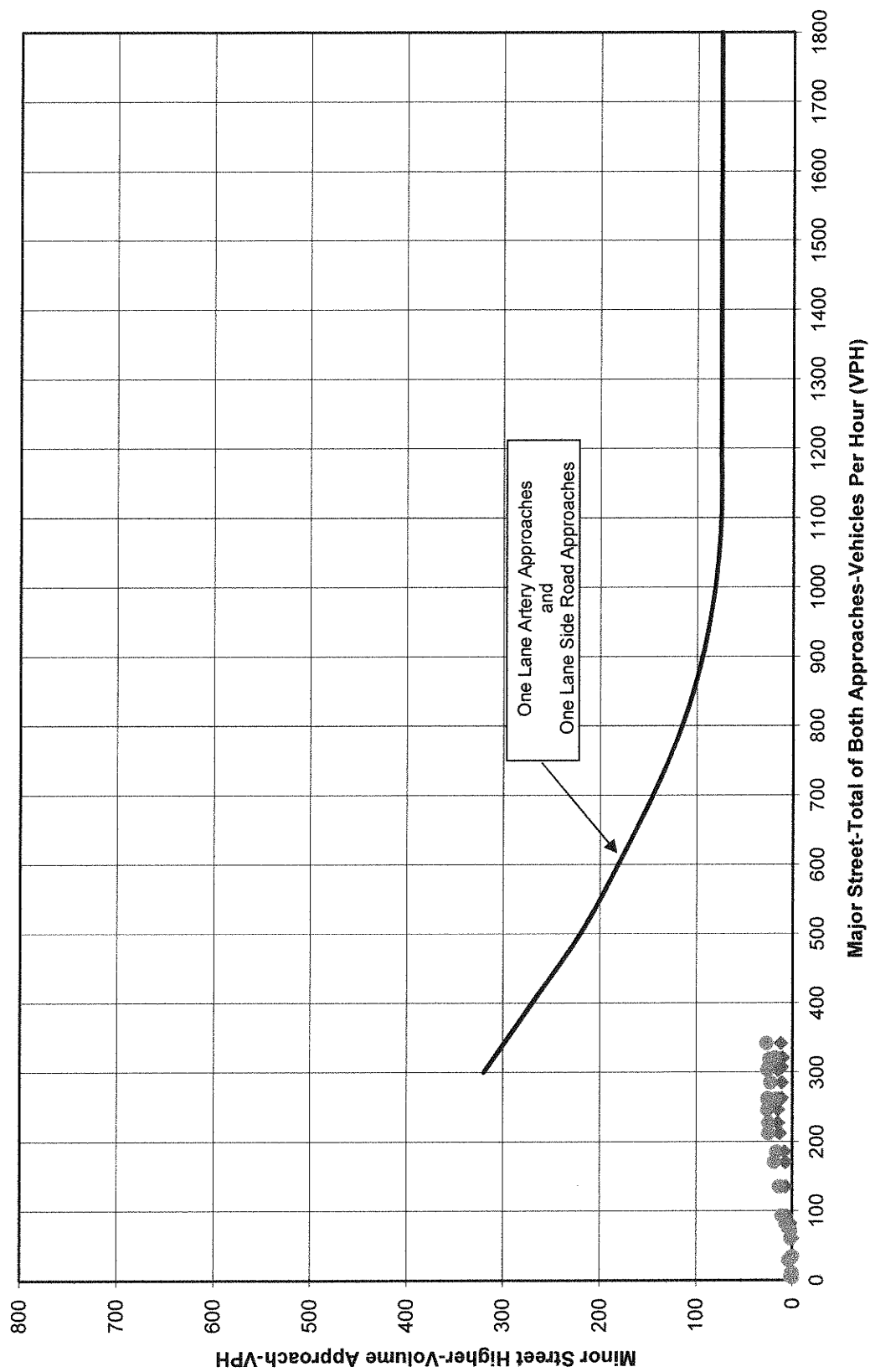


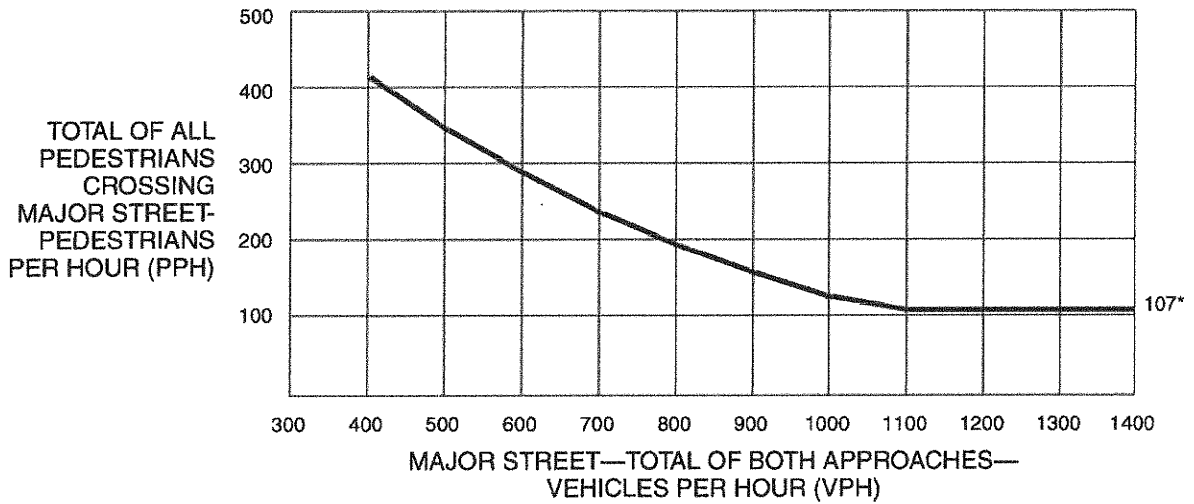
Figure 4C-4
Reduced Peak Hour Volume Warrant
 Source: Federal MUTCD



Attachment C
Signal Warrant 4 Assessment

The Center for Discovery
Hamlet of Hurleyville, New York

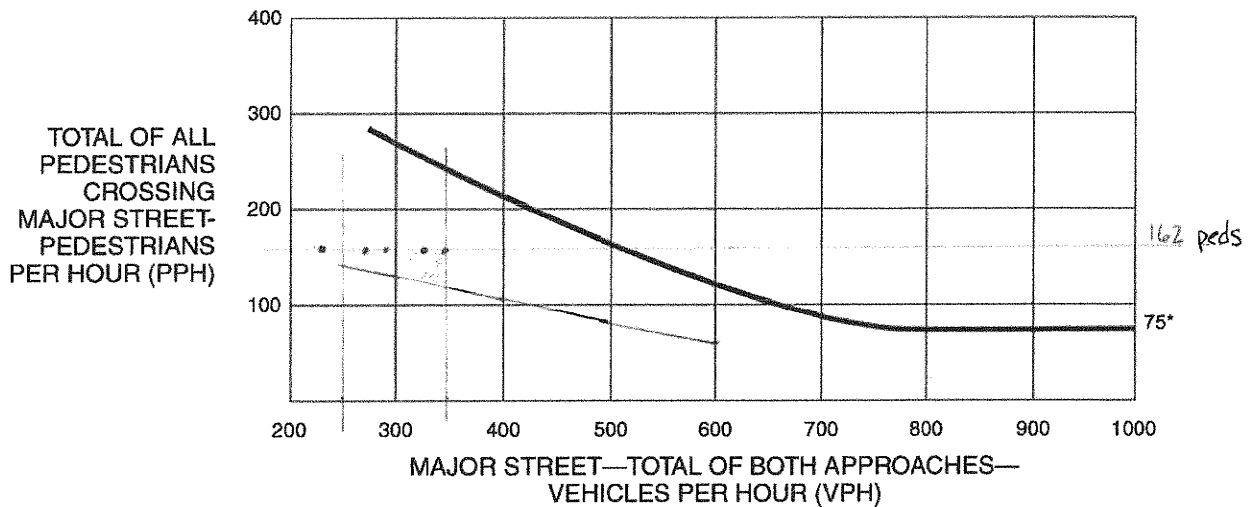
Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume



*Note: 107 pph applies as the lower threshold volume.

• 1/2 pedestrian volume requirement due to slower walking speeds.

Figure 4C-6. Warrant 4, Pedestrian Four-Hour Volume (70% Factor)



*Note: 75 pph applies as the lower threshold volume.

Attachment D
Signal Warrant 5 Assessment

The Center for Discovery
Hamlet of Hurleyville, New York

Section 4C.05 Warrant 4, Pedestrian Volume

Support:

01 The Pedestrian Volume signal warrant is intended for application where the traffic volume on a major street is so heavy that pedestrians experience excessive delay in crossing the major street.

Standard:

- 02 **The need for a traffic control signal at an intersection or midblock crossing shall be considered if an engineering study finds that one of the following criteria is met:**
 - A. For each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) all fall above the curve in Figure 4C-5; or
 - B. For 1 hour (any four consecutive 15-minute periods) of an average day, the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) falls above the curve in Figure 4C-7.

Option:

03 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 35 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-6 may be used in place of Figure 4C-5 to evaluate Criterion A in Paragraph 2, and Figure 4C-8 may be used in place of Figure 4C-7 to evaluate Criterion B in Paragraph 2.

Standard:

04 **The Pedestrian Volume signal warrant shall not be applied at locations where the distance to the nearest traffic control signal or STOP sign controlling the street that pedestrians desire to cross is less than 300 feet, unless the proposed traffic control signal will not restrict the progressive movement of traffic.**

05 **If this warrant is met and a traffic control signal is justified by an engineering study, the traffic control signal shall be equipped with pedestrian signal heads complying with the provisions set forth in Chapter 4E.**

Guidance:

- 06 *If this warrant is met and a traffic control signal is justified by an engineering study, then:*
 - A. *If it is installed at an intersection or major driveway location, the traffic control signal should also control the minor-street or driveway traffic, should be traffic-actuated, and should include pedestrian detection.*
 - B. *If it is installed at a non-intersection crossing, the traffic control signal should be installed at least 100 feet from side streets or driveways that are controlled by STOP or YIELD signs, and should be pedestrian-actuated. If the traffic control signal is installed at a non-intersection crossing, at least one of the signal faces should be over the traveled way for each approach, parking and other sight obstructions should be prohibited for at least 100 feet in advance of and at least 20 feet beyond the crosswalk or site accommodations should be made through curb extensions or other techniques to provide adequate sight distance, and the installation should include suitable standard signs and pavement markings.*
 - C. *Furthermore, if it is installed within a signal system, the traffic control signal should be coordinated.*

Option:

07 The criterion for the pedestrian volume crossing the major street may be reduced as much as 50 percent if the 15th-percentile crossing speed of pedestrians is less than 3.5 feet per second.

08 A traffic control signal may not be needed at the study location if adjacent coordinated traffic control signals consistently provide gaps of adequate length for pedestrians to cross the street.

Section 4C.06 Warrant 5, School Crossing

Support:

01 The School Crossing signal warrant is intended for application where the fact that schoolchildren cross the major street is the principal reason to consider installing a traffic control signal. For the purposes of this warrant, the word "schoolchildren" includes elementary through high school students.

Standard:

02 **The need for a traffic control signal shall be considered when an engineering study of the frequency and adequacy of gaps in the vehicular traffic stream as related to the number and size of groups of schoolchildren at an established school crossing across the major street shows that the number of adequate gaps in the traffic stream during the period when the schoolchildren are using the crossing is less than the number of minutes in the same period (see Section 7A.03) and there are a minimum of 20 schoolchildren during the highest crossing hour.**

+ 1 hour period

+ 132 school crossings (4 groups)

Separation Statistics by Hour

SepStatHour-486

Site: 114-160.0.1NS

Description: Located on Main St, 15' North of Mongaup Rd

Filter time: 11:00 Wednesday, April 06, 2016 => 11:00 Thursday, April 07, 2016

Filter: GapX(>0)

Hour Bins

Time	Bin	Mean	Sep	Sep	Sep	Sep	Sep	Sep	Sep	Sep	Sep	Sep	Sep
			0.0	10.0	20.0	30.0	40.0	50.0	60.0	70.0	80.0	90.0	100.0
0000	72	47.3	42	4	5	2	1	0	0	0	0	18	3600.0
0100	22	123.7	12	0	0	0	0	0	0	0	0	9	60.0
0200	11	333.0	8	0	0	1	0	0	0	0	0	2	54.0
0300	21	192.5	13	0	0	0	0	0	0	0	0	8	60.0
0400	10	391.8	5	0	0	1	0	0	0	0	0	4	3600.0
0500	70	54.7	44	2	1	2	2	0	0	3	16	20	
0600	204	17.9	150	13	9	5	7	0	0	0	0	11	
0700	468	7.7	369	39	22	12	10	2	2	3	11	5	
0800	599	6.0	479	61	29	12	11	1	1	1	1	7	
0900	556	6.5	459	37	22	15	10	4	4	2	2	7	
1000	520	6.9	414	47	28	9	5	6	6	2	1	9	
1100	618	5.8	495	56	36	20	8	1	1	0	2	2	
1200	655	5.5	540	56	26	15	11	5	5	1	2	1	
1300	771	4.6	644	68	33	16	8	1	1	0	1	0	
1400	800	4.5	683	68	26	9	7	0	0	2	2	5	
1500	707	5.1	586	59	35	13	10	2	2	0	3	2	
1600	752	4.8	635	55	32	17	8	0	0	3	0	2	
1700	750	4.8	625	63	37	16	4	2	2	0	3	3	
1800	425	8.5	329	26	23	20	11	3	3	5	5	8	
1900	388	9.2	302	21	28	11	5	2	2	3	3	16	
2000	319	11.4	232	28	14	16	8	1	1	4	4	16	
2100	209	16.4	145	13	8	14	8	1	1	4	4	16	
2200	162	23.3	108	7	8	6	5	2	2	3	3	23	
2300	125	28.6	79	4	8	7	2	2	2	2	2	21	
----	9234		7398	727	430	239	141	35	42	42	222		

+ number of gaps is less than the time period (60 minutes)

RESOLUTION SUPPORTING WARRANTS FOR A TRAFFIC SIGNAL ON MAIN STREET (CR 104) AT MONGAUP ROAD AND RAILROAD AVENUE, AT THE BISECTION OF THE "MILK TRAIN RAIL TRAIL" IN THE HAMLET OF HURLEYVILLE, TO CONTROL PEDESTRIAN CIRCULATION AND VEHICULAR AND PEDESTRIAN INTERACTIONS

WHEREAS, The Center For Discovery, Inc. has petitioned the Town of Fallsburg and the County of Sullivan to provide for traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, to provide for the public safety, and

WHEREAS, the New York State Department of Transportation (NYSDOT) and the Town of Fallsburg have executed an Agreement, which provides a grant of \$1.27 million for the development of the "Milk-Train Rail Trail" - an accessible recreational municipal park that is bisected by Main Street (CR 104) in the Hamlet of Hurleyville, which is unique, and which will be a destination recreational opportunity for the mobility challenged, and

WHEREAS, The Center For Discovery, Inc. and their benefactors, have invested multiple millions of dollars to revitalize the Hamlet of Hurleyville, with the Michael Ritchie Big Barn Environmental Education Center, the Hurleyville Maker's Lab, and the Hurleyville Arts Centre, and

WHEREAS, the Sullivan County Sheriff and the Sullivan County Commissioner of Public Safety have issued letters supporting the warrants for the installation of a traffic light on Main Street (CR 104) at Railroad Avenue and Mongaup Road, and

WHEREAS, the Hurleyville Parking District, which was created in 2015 shall underwrite the cost of the traffic light, and the sole property owner within the Hurleyville Parking District is the Center for Discovery, Inc., and

WHEREAS, a timed video demonstration proved that a physically and mobility challenged adult would need a signalized crosswalk to safely cross Main Street, with a timed red light providing 45 seconds for such individual to safely cross Main Street, and

WHEREAS, the impact on individuals that have visual- perceptual challenges such that they cannot judge the speed of, or even perceive, an approaching vehicle, and,

WHEREAS, the nature of many of the people that are served by The Center For Discovery, supports the urgency of the need for the signal, and

WHEREAS, there will be hundreds of people using the crosswalk to go between the new recreational and work facilities at or near the intersection, and the existence of classes and Day program / work for individuals with challenges! and student groups and individuals with disabilities utilizing the assets, and the community at large will all benefit from the installation of a traffic signal, and

WHEREAS, it is in the best interest of the Town of Fallsburg to for the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, to provide for the public safety.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Fallsburg, in the best interest of the public safety, hereby supports the special conditions for the warrants for the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, and

BE IT FURTHER RESOLVED, that the Town Board hereby requests that the Commissioner of the Division of Public Works recommend to the Sullivan County Legislature, to approve the special conditions for the warrants for the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, and

BE IT FURTHER RESOLVED, that the Town Board hereby requests that the Sullivan County Legislature adopt a resolution authorizing the installation of a traffic signal on Main Street (CR 104) at Mongaup Road and Railroad Avenue, at the bisection of the "Milk-Train Rail Trail" in the Hamlet of Hurleyville, to control pedestrian circulation and vehicular and pedestrian interactions, providing for installation to be completed by August 31, 2016, and

BE IT FURTHER RESOLVED, that the Hurleyville Parking District, which was created in 2015 shall underwrite the cost of the traffic light, and the sole property owner within the Hurleyville Parking District is the Center for Discovery, Inc., and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Sullivan County Legislature, the Sullivan County Manager, the Sullivan County Attorney, the Sullivan County Commissioner of the Division of Public Works, the Sullivan County Sheriff, the Sullivan County Commissioner of Public Safety, the Fallsburg Planning Board, the Fallsburg Engineer, the Chief of Police of the Town of Fallsburg, and The Center For Discovery, Inc.

BY ORDER OF THE TOWN OF FALLSBURG TOWN BOARD

**State of New York, County of Sullivan
Town Clerk's Office of the Town of Fallsburg Certification**

I, **Donna Akerley**, Town Clerk of the Town of Fallsburg, Sullivan County, New York, do hereby certify that I have compared the annexed copy of:

Resolution Supporting Warrants for a Traffic Signal on Main Street (CR104) at Mongaup Road and Railroad Avenue, at the Bisection of the "Milk Train Rail Trail" in the Hamlet of Hurleyville, to control Pedestrian Circulation and Vehicular and Pedestrian Interactions

with one remaining on record in this office and that the same is a correct transcript and copy thereof, and of the whole of said original. In testimony whereof, I have hereunto set my hand and affixed the seal of the Town of Fallsburg.

This 28th Day of March 2016 A.D.



Donna Akerley, Town of Fallsburg Town Clerk, Sullivan County, New York

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTORIZE SULLIVAN COUNTY PUBLIC HEALTH SERVICES TO APPLY FOR,
ACCEPT AND CONTRACT WITH THE NEW YORK STATE OFFICE OF CHILDREN
AND FAMILY SERVICES FOR THE HEALTHY FAMILIES 2016 GRANT**

WHEREAS, Sullivan County Public Health Services has successfully operated a Healthy Families program since 2002, and

WHEREAS, existing funding from the New York State Office of Children and Family Services (NYS OCFS) and the Sullivan County Department of Family Services is insufficient to fill a staff vacancy for Program Supervisor as required by OCFS to meet the requirement for full compliance with the program model, and

WHEREAS, one Family Support Worker position was eliminated in 2011 and restoration of that position would provide preventive services for at least 20 resident families in need, and

WHEREAS, Sullivan County Public Health Services has the opportunity to apply for funding for these two positions through the Healthy Families 2016, which contract would begin December 1, 2016 and end November 30, 2021.

NOW, THEREFORE, BE IT RESOLVED, that Sullivan County Public health Services be authorized to apply, accept and contract with the NYS OCFS for the Healthy Families 2016 grant, and

BE IT FURTHER RESOLVED, if funding is awarded that the Sullivan County Manager is hereby authorized to sign all necessary agreements with NYS OCFS to accept the Healthy Families 2016 award, to fund staff positions in Sullivan County's Healthy Families Program.

**Moved by
Seconded by
and declared duly adopted on motion**

**RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE
MODIFICATION AGREEMENT WITH THE COORDINATED CARE SERVICES,
INCORPORATED**

WHEREAS, a proposal was received from Coordinated Care Services, Incorporated, 1099 Jay Street, Building J, Rochester, New York 14611-1153, for additional services, effective June 1, 2016, for specialized financial services for Community Services. These additional services will be more cost effective for the County and shall include various budgetary, accounting and reporting services. These services will provide more enhanced and timely interim and financial reporting to the department, state agencies, as well as, the Commissioner of Management and Budget, and

WHEREAS, Coordinated Care Services, Incorporated, is our current vendor, as per the Resolution No. 361-12, adopted by the Sullivan County Legislature on October 18, 2012 (“Original Agreement”), and Resolution No. 404-14, adopted by the Sullivan County Legislature on October 16, 2014, and

WHEREAS, in accordance with Request for Proposal, R-12-18, this agreement can be extended, on a yearly basis, including 2016 and 2017.

WHEREAS, the additional cost for 2016 will be, \$4,525.00, for a total contract cost of \$31,025.00; 2017 will be, \$8,775.00, for a total contract cost of \$35,275.00,

WHEREAS, the Department of Community Services has reviewed the proposal and recommends award.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute a modification agreement with Coordinated Care Services, Incorporated, in an amounts listed above, said modification agreement to be in such form as the County Attorney shall approve.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016.

RESOLUTION INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH LIVINGSTON MANOR CENTRAL SCHOOL DISTRICT, MONTICELLO CENTRAL SCHOOL DISTRICT AND TRI-VALLEY CENTRAL SCHOOL DISTRICT TO PROVIDE EACH A SCHOOL RESOURCE OFFICER

WHEREAS, the Sullivan County Sheriff's Office provided a Deputy Sheriff as a School Resource Officer to the Livingston Manor, Monticello and Tri-Valley Central School Districts for the term of February 1, 2014 to June 30, 2016, and

WHEREAS, due to the success of the program and due to the need for law enforcement in certain school districts, three school districts desire to have a School Resource Officer on their campus, and

WHEREAS, the Sullivan County Sheriff's Office desires to enter into a Memorandum of Understanding with the Livingston Manor Central School District, the Monticello Central School District, and the Tri-Valley Central School District to provide a School Resource Officer in each district, and

WHEREAS, the school districts will reimburse the County of Sullivan 70% of the School Resource Officer's cost with a maximum reimbursement of \$70,000, and

WHEREAS, the Memorandum of Understanding will be for the period September 1, 2016 to June 30, 2017, and the contract can be extended for up to three additional one year terms.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute a Memorandum of Understanding with the Livingston Manor Central School District, the Monticello Central School District, and the Tri-Valley Central School District to provide a School Resource Officer in each district, for the period of September 1, 2016 to June 30, 2017, in such form as the County Attorney shall approve, and

BE IT FURTHER RESOLVED, the contract can be extended for up to three additional one year terms extensions, mutually agreed upon by both parties.

12

RESOLUTION INTRODUCED BY EXECUTIVE COMMITTEE TO ACCEPT AND/OR REJECT BIDS MADE AT THE JUNE 2016 PUBLIC AUCTION FOR REAL PROPERTY 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, Haroff Auction and Realty, Inc. and Absolute Auctions and Realty, Inc conducted an auction on June 8, 2016 and June 9, 2016; and

WHEREAS, by the Terms of Sale, the County reserved the right to withdraw any property listed in the notice of sale from the auction and further required that all such bids at the auction be approved or rejected by the Sullivan County Legislature; and

WHEREAS, due to the filing of a Chapter 13 Bankruptcy Proceeding by the former owner on June 8, 2016, the bids on the following parcels will be rejected and the down payment paid shall be returned to the successful bidders:

Parcel #132 – FA44.-1-39
Parcel #178 – LI104.-1-19
Parcel #231 – LI35.-2-24
Parcel #359 – NE38.-1-17; and

WHEREAS, with the exception of the parcels referred to above, the Real Property Advisory Board recommends all other bids made at said auction be accepted; and

WHEREAS, pursuant to the terms and conditions of the auction, the successful bidders will have until 5:00 p.m. on Friday, July 22, 2016 (postmark accepted) to pay the balance due to the Sullivan County Treasurer's Office or any deposit remitted will be forfeited; and

WHEREAS, the successful bidders must purchase all parcels they were the successful bidders for; and

WHEREAS, pursuant to the terms and conditions of the auction, if the successful bidder(s) do not remit the balance of the bid amount(s) by Friday, July 22, 2016 (postmark accepted), the parcel(s) will be offered for sale and the deposit(s) will be forfeited, and

NOW, THEREFORE, BE IT RESOLVED, the bids recorded at the real property auction held on June 8, 2016 and June 9, 2016, are hereby accepted, with the exceptions mentioned above which are hereby rejected, 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; and

13

BE IT FURTHER RESOLVED, pursuant to the terms and conditions of the auction, the Sullivan County Treasurer is authorized to forfeit and retain any deposits made on bids that are not paid in full on or before 5:00 p.m. July 22, 2016 (postmark accepted).

Moved by _____,
Seconded by _____,
and adopted on motion June _____, 2016.

13A

RESOLUTION NO. ____ INTRODUCED BY THE EXECUTIVE COMMITTEE TO ISSUE A REPLACEMENT QUITCLAIM DEED TO MARY F. MITCHELL

WHEREAS, on or around July 16, 1969, the County of Sullivan issued a deed to Mary F. Mitchell, then residing at 22 Firethorn Lane, Valley Stream, New York, with respect to a 1 acre parcel in the Town of Highland described as follows: “Great Lot 23, Div 7, Lot 5; bounded N-Berg, S – H’way. E- Brook, W – H’way; containing 1 acres., more or less; assessed on the 1963 Tax Roll of said Town to Mary Mitchell”; and

WHEREAS, the aforesaid property is now designated on the Town of Highland Tax Map as Section 21, Block 1, Lot 18; and

WHEREAS, the aforesaid deed was never submitted by Mary F. Mitchell to the Clerk of Sullivan County for recording and has subsequently been lost; and

WHEREAS, Ms. Mitchell subsequently conveyed the stated property by deed to herself and Maryann Rooney, as joint tenants with rights of survivorship and that such deed was recorded by the Clerk of Sullivan County on March 3, 1995, in Liber 1797, page 76; and

WHEREAS, Ms. Mitchell has since passed away and Ms. Rooney is attempting to transfer the property, but the title company of the proposed buyer discovered the gap in the chain of title resulting from the fact that the July 16, 1969, deed was never recorded; and

WHEREAS, the title company has recommended, and the parties have agreed, that to resolve the issues with the chain of title, first, a new deed should be issued by the County of Sullivan to Mary F. Mitchell to replace the July 16, 1969, deed and, second, the Estate of Mary F. Mitchell should issue a new deed from it to Maryann Rooney.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of Sullivan County Legislature is hereby authorized to execute a replacement deed from the County of Sullivan to Mary F. Mitchell with respect to the stated property in such form as the County Attorney shall approve.

Moved by: _____,

Seconded by: _____,

and adopted on motion dated: _____, 2016

**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE ROUND 1 CONTRACTS FOR THE 2016 PLANS AND PROGRESS SMALL
GRANTS PROGRAM**

WHEREAS, the Sullivan County Legislature allocated \$100,000 in the FY 2016 budget to be distributed to local communities, non-profits and civic-organizations through the Plans and Progress Small Grants program; and

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

WHEREAS, the program review committee assessed a first round of applications and presented its recommendations to the Sullivan County Legislature;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature approves the award of \$10,000 to the Town of Mamakating for the purchase and installation of exterior lighting at its Town Hall, and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature authorizes the County Manager to enter into contract with this award recipient for this project upon meeting the guidelines of the Plans and Progress small grants program, said contract to be in a form approved by the County Attorney.

15.

RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE ESTABLISHING A STANDARD WORK DAY FOR ELECTED OFFICIALS

WHEREAS, effective August 12, 2009, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System, and

WHEREAS, one (1) three month record of work activities were submitted to the Clerk of the Legislature by those elected officials that do not maintain a daily record of actual time worked.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Legislature hereby establishes the following as standard work days for elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature.

Title of Elected Official	Name	Standard Work Day/(hrs/day)	Term	Participates in Employers Time Keeping System	Days per month based on Record of Activities	Filed 30 or 90 day record
Legislator	Mark McCarthy	6	01/01/16-12/31/19	N	22.73	90
Legislator	Alan Sorensen	6	01/01/16-12/31/19	N	Filed Form RS 2419	90
Legislator	Ira Steingart	6	01/01/16-12/31/19	N	Filed Form RS 2419	90
Legislator	Terri Ward	6	01/01/16-12/31/19	N	17.42	90
Legislator	Nadia Rajsz	6	01/01/16-12/31/19	N	16.73	90
Legislator	Joseph Perrello	6	01/01/16-12/31/19	N	28.44	90

Title of Appointed/at Pleasure	Name	Standard Work Day/(hrs/day)	Term	Participates in Employers Time Keeping System	Days per month based on Record of Activities	Filed 30 or 90 day record
Clerk to the Legislature	AnnMarie Martin	7	01/01/16-12/31/19	Y	N/A	N/A
Legislative Secretary	Kathleen Yennie	7	1/1/16-12/31/19	Y	N/A	N/A
County Attorney	Cheryl McCausland	7	01/01/16-12/31/19	Y	N/A	N/A
Deputy County Attorney	Thomas Cawley	7	01/01/16-12/31/19	Y	N/A	N/A
Assistant County Attorney	Lori Bertch-Brustmann	7	01/01/16-12/31/19	Y	N/A	N/A
Assistant County Attorney	Andrew Ford	7	01/01/16-12/31/19	Y	N/A	N/A
Confidential Secretary	Christina Kautz	7	01/01/16-12/31/19	Y	N/A	N/A
Veterans Director	John Crotty	7	01/01/16-12/31/19	Y	N/A	N/A
Board of Elections Commissioner	Lori Benjamin	7	9/17/15-12/31/16	Y	N/A	N/A
Board of Elections Commissioner	Cora Edwards	7	3/18//16-12/31/16	Y	N/A	N/A
Deputy Election Commissioner	Pam Murran	7	1/1/13-12/31/16	Y	N/A	N/A
Deputy Election Commissioner	Honora Wall	7	1/1/13-6/3/2016	Y	N/A	N/A
Deputy Election Commissioner	Deanna Rajsz	7	6/4/2016-12/31/16	Y	N/A	N/A

BE IT FURTHER RESOLVED, that the Sullivan County Legislature does hereby attest that the above elected officials have submitted a three month log of activities or signed Form RS 2419 Recertification of the Record of Activities and such is on file with the Clerk to the Legislature.

16A

RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO AUTHORIZE THE FORMATION AND INCORPORATION OF THE SULLIVAN COUNTY LAND BANK CORPORATION

WHEREAS, the County of Sullivan is a foreclosing governmental unit under Not-for-Profit Corporation Law §1602(c) in all areas of the County of Sullivan, excluding the Village of Liberty, and

WHEREAS, the County of Sullivan annually conducts an in rem tax foreclosure and a real property tax auction, and

WHEREAS, the Enforcing Officer of the County of Sullivan also conducts foreclosures within and for the Village of Bloomingburg, Village of Jeffersonville, Village of Monticello, Village of Woodridge and Village of Wurtsboro as a foreclosing governmental unit for delinquent property taxes in said villages, and

WHEREAS, the County of Sullivan is willing to enter into an inter-municipal agreement with the Village of Liberty for the Enforcing Officer of the County of Sullivan to begin tax foreclosures in the future for the Village of Liberty regarding delinquent property taxes, and

WHEREAS, the Department of Planning and Environmental Management is preparing an application to Empire State Development for approval of a land bank corporation in Sullivan County; and

WHEREAS, the Planning Environmental Management and Real Property Committee has heretofore supported the formation of a county land bank and the filing of an application at its May 5, 2016 meeting, and

WHEREAS, the Planning Environmental Management and Real Property Committee has heretofore supported funding the land bank with \$100,000.00 per year for a maximum of two years at its June 9, 2016 meeting, and

WHEREAS, the name proposed for the county land bank is Sullivan County Land Bank Corporation; and

WHEREAS, an authorizing resolution is both necessary and desirable to formally submit an application to Empire State Development regarding the land bank,

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the formation and incorporation of the Sullivan County Land Bank Corporation under the applicable provisions of Article 16 of the Not-for-Profit Corporation Law, and

BE IT FURTHER RESOLVED, that there shall be nine (9) initial directors of the corporation and they shall serve a term of two (2) years from the date of incorporation unless

appointed by virtue of a director's elected public office in which case it shall run concurrently with the term of office, whichever is less; the initial directors are as follows:

NAME	ADDRESS
Joshua Potosek Sullivan County Manager	100 North Street Monticello, New York 12701
Nancy Buck Sullivan County Treasurer	100 North Street Monticello, New York 12701
Freda Eisenberg Sullivan County Commissioner of Planning	100 North Street Monticello, New York 12701
Alan Sorensen Sullivan County Legislator	100 North Street Monticello, New York 12701
Terri Ward Sullivan County Legislator	100 North Street Monticello, New York 12701
Ira Steingart Sullivan County Legislator	100 North Street Monticello, New York 12701
Daniel Wright Village of Liberty Trustee	167 North Main Street Liberty, New York 12754
David Sager Village of Monticello Manager	2 Pleasant Street Monticello, New York 12701
Jacquelyn Leventoff Senior Director Community & Employee Relations	Granite Associates, LP 1 Cablevision Center Liberty, New York

AND BE IT FURTHER RESOLVED, that the Chairman of the Legislature be and is hereby authorized to sign the annexed Certificate of Incorporation as Incorporator; and

BE IT FURTHER RESOLVED, that the Corporation and Chairman of the Legislature be and are hereby authorized, subject to the approval of the village boards of the Villages of Bloomingburg, Jeffersonville, Liberty, Monticello, Woodridge and Wurtsboro, to include them as participating foreclosing governmental units in the land bank on mutually agreeable terms and conditions regarding foreclosed village tax liens and village tax properties; and

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BE IT FURTHER RESOLVED, that this Legislature authorizes the expenditure of \$100,000.00 per year, for a maximum of two years, to fund the land bank upon its incorporation; and

BE IT FURTHER RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to §617.5(c)(20)(21) and/or (27) of Title 6 of the New York Code of Rules and Regulations (6NYCRR) and within the meaning of Section 8-0109(2) of the New York State Environmental Conservation Law as a promulgation of rules, regulations, policies, procedures and legislative decisions in connection with continuing agency administration, management, tax enforcement and information collection; and

BE IT FURTHER RESOLVED, that this resolution is expressly subject to the approval of the Empire State Development Corporation pursuant to §1603 of the Not-for-Profit Corporation Law and, accordingly, this Certificate of Incorporation shall not be filed with the Secretary of State unless and until it is first approved by the Empire State Development Corporation.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016.

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**CERTIFICATE OF INCORPORATION
OF THE
SULLIVAN COUNTY LAND BANK CORPORATION**

**A Not-for-Profit Land Bank Corporation
Under Article 16 of the Not-for-Profit
Corporation Law of the State of New York**

THE UNDERSIGNED, being over the age of eighteen years, for the purpose of forming a not-for-profit land bank corporation pursuant to Article 16 of the Not-for-Profit Corporation Law of the State of New York, hereby certifies as follows:

- FIRST:** The name of the corporation shall be Sullivan County Land Bank Corporation (hereinafter referred to as the "Corporation").
- SECOND:** The Corporation will be a corporation as defined in subparagraph (a)(5) of Section 102 of the Not-for-Profit Corporation Law of the State of New York and, as provided in Section 1603(f) of the Not-for-Profit Corporation Law, will be a Type C Corporation as defined in Section 201 of the Not-for-Profit Corporation law. The Corporation shall be a public instrumentality of and supporting organization for, but separate and apart from Sullivan County, New York (the "County").
- THIRD:** The purposes for which the Corporation is to be formed and operated are exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, to combat community deterioration by facilitating the return of vacant, abandoned, and tax-delinquent properties to productive use in order to eliminate the harms and liabilities caused by such properties, and lessen the burden of government and act in the public interest. In furtherance of said purposes, the Corporation's powers shall include all powers and duties granted to land bank corporations as set forth in Article 16 of the Not-for-Profit Corporation Law of the State of new York, as it may be amended from time-to-time, which powers are incorporated herein by reference as if fully stated herein, and shall also include:
- (a) Any other act or thing incidental to or connected with the foregoing purposes or in advancement thereof, but not for the pecuniary profit or financial gain of its members, directors, officers or any private person.
 - (b) In general, to perform any and all acts and things, and exercise any and all powers which may now or hereafter be lawful for the Corporation to do or exercise under pursuant to the laws of the State of New York for the purpose of accomplishing any of the foregoing purposes of the Corporation.
- FOURTH:** The Corporation's public objective and mission, which the Corporation's purpose will achieve, includes the lessening of the burdens of government by undertaking,

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promoting, and facilitating the return of vacant, abandoned, and tax delinquent properties to productive use in order to eliminate the harms and liabilities caused by such properties and to combat community deterioration in the County, that will include real estate development and management, real estate project finance, and other community-based economic and human services development activities permissible under the Not-for-Profit Corporation Law. The Corporation may contract with other foreclosing governmental units within the County to achieve these purposes on terms agreeable to the Corporation.

- FIFTH: The operations of the Corporation will be principally conducted within the territory of the County.
- SIXTH: All income and earnings of the Corporation shall be used exclusively for its corporate purposes with the intent being that all income and earnings will be expended or deposited in appropriate reserves for corporate purposes.
- SEVENTH: The property of the Corporation is irrevocably dedicated to charitable purposes.
- EIGHTH: The Corporation shall not attempt to influence legislation by propaganda or otherwise, or participate in or intervene, directly or indirectly, in any political campaign on behalf of or in opposition to any candidate for public office.
- NINTH: The Corporation shall not engage in any activities not permitted to be carried on by an organization exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder.
- TENTH: In the event of the dissolution of the Corporation or the winding up of its affairs, the Board of Directors shall, after paying or making provision for the payment of all debts and liabilities of the Corporation of whatsoever kind or nature, distribute all of the remaining assets and property of the Corporation to the County as set forth in Section 1613 of the Not-for-Profit Corporation Law.
- ELEVENTH: The office of the Corporation shall be located in the County of Sullivan, State of New York.
- TWELFTH: The types or classes of Membership in the Corporation and the number of Members of the Corporation shall be described in the By-Laws. The initial Members of the Corporation shall be identified in the By-Laws.
- THIRTEENTH: The Corporation shall be initially managed by nine (9) directors, whom shall be appointed by the Sullivan County Legislature. All directors must either be a resident of or employed in Sullivan County. The term of office for a director shall be two (2) years unless a director serves by virtue of a public, elective office in which case the term for a director shall run

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concurrently with the term of office or two years, whichever is less. Any subsequent increase or decrease in the size of the Board of Directors will require the unanimous approval of the Members, and shall be in accordance with Article 16 of the Not-for-Profit Corporation Law of the State of New York.

FOURTEENTH: The names and addresses of the initial Directors of the Corporation will be as follows:

<u>Name</u>	<u>Address</u>
Joshua Potosek Sullivan County Manager	100 North Street Monticello, New York 12701
Nancy Buck Sullivan County Treasurer	100 North Street Monticello, New York 12701
Freda Eisenberg Sullivan County Commissioner of Planning	100 North Street Monticello, New York 12701
Alan Sorensen Sullivan County Legislator	100 North Street Monticello, New York 12701
Terri Ward Sullivan County Legislator	100 North Street Monticello, New York 12701
Ira Steingart Sullivan County Legislator	100 North Street Monticello, New York 12701
Daniel Wright Village of Liberty Trustee	167 North Main Street Liberty, New York 12754
David Sager Village of Monticello Manager	2 Pleasant Street Monticello, New York 12701
Jacquelyn Leventoff Senior Director Community & Employee Relations	Granite Associates, LP 1 Cablevision Center Liberty, New York

FIFTEENTH: The duration of the Corporation shall be perpetual.

SIXTEENTH: The Corporation shall indemnify each Member, each Director, each officer, and, to the extent authorized by the Board of Directors, each other

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person authorized to act for the Corporation or on its behalf, to the full extent to which indemnification is permitted under the Not-for-Profit Corporation Law.

SEVENTEENTH: The Secretary of New York is designated as agent of the Corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the Corporation served upon him is as follows: Sullivan County Attorney's Office, Government Center, 100 North Street, PO Box 5012, Monticello, New York 12701.

EIGHTEENTH: The By-Laws of the Corporation may be adopted, amended or repealed by a majority of the voting Directors of the Corporation.

NINETEETH: The Corporation will not do any of the following:

- (a) Without the affirmative vote of all Members of the Corporation, increase or decrease the number of Members of the Corporation or increase or decrease the number of Directors of the Corporation.
- (b) Without the affirmative vote of a majority of the voting Directors of the Corporation and all of the Corporation's members, (i) dissolve or liquidate, in whole or in part, or institute proceedings to be adjudicated bankrupt or insolvent, (ii) consent to the institution of bankruptcy or insolvency proceedings against it, (iii) file a petition seeking or consenting to reorganization or relief under any applicable federal or state law relating to bankruptcy or insolvency, (iv) consent to the appointment of a receiver, liquidator, assignee, trustee, sequestrator or other similar official of the Corporation of a substantial part of its property, (v) make a general assignment for the benefit of creditors, (vi) admit in writing its inability to pay its debts generally as they become due or (vii) take any corporate action in furtherance of the actions set forth in clauses (i) through (vi) of this paragraph.
- (c) Without the affirmative vote of all the Directors of the Corporation and all of the Corporation's Members, merge or consolidate with any other corporation, company or entity or, except to the extent contemplated by paragraph THIRD hereof, sell all or substantially all of its assets or acquire all or substantially all of the assets or capital stock or other ownership interest of any other corporation, company or entity.

TWENTIETH: Pursuant to Section 1603 of the Not-for-Profit Corporation Law, the creation of the Sullivan County Land Bank Corporation was duly authorized by Resolution No. ___ of the Sullivan County Legislature

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RESOLUTION

RESOLUTION NO. _____ INTRODUCED BY _____ REQUESTING THAT THE MID-HUDSON EMPIRE STATE DEVELOPMENT COUNCIL SUPPORT THE DESIGNATION OF THE NEW YORK RESORT FOR SENIORS IN MONTICELLO AS A PRIORITY PROJECT FOR 2016 ROUND 6 FUNDING

WHEREAS, the Village of Monticello, New York is the County Seat of Government; and

WHEREAS, Broadway (New York State Route 42) is in the heart of the Monticello Downtown Business District and recently benefited from a \$12 Million NYSDOT streetscape enhancement project; and

WHEREAS, the Village of Monticello is a distressed village and there has been a persistently high commercial vacancy rate for buildings on Broadway resulting in a lack of commercial vitality in the heart of Sullivan County; and

WHEREAS, the construction of the 472-475 New York for Seniors Assisted Living Project is a priority project for Sullivan County that will act as a catalyst to revitalize the Broadway Commercial District; and,

WHEREAS, the Sullivan County Legislature hereby supports the New York Resorts for Seniors Assisted Living Project located at 472-476 Broadway application as a Priority Project for 2016 Empire State Development funding.

NOW THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby respectfully requests that the Mid-Hudson Empire State Development Council award the New York Resort for Seniors in Monticello funding as a priority project for the 2016 round of Empire State Development funding, and

BE IT FURTHER RESOLVED that the Clerk of Sullivan County Legislature is hereby directed to forward a copy of this Resolution to Megan Taylor, Director of the EDC Mid-Hudson Council and to all the Mid-Hudson Council Members individually.

Moved by _____, seconded by _____, put to a vote, unanimously carried and declared duly adopted on motion _____ 2016.

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**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO
AUTHORIZE THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH
DIRECTTV TO PROVIDE TELEVISION PROGRAMMING AT THE SULLIVAN COUNTY
JAIL**

WHEREAS, the Sullivan County Sheriff's Office permits television programming at the Sullivan County Jail for inmates' use; and

WHEREAS, the television programming at the Sullivan County Jail is paid for by inmate funds; and

WHEREAS, the current television programming at the Sullivan County Jail is provided by Time Warner Cable, and

WHEREAS, due to an increase in cost it is necessary to find an alternate vendor to provide television programming at the Sullivan County Jail; and

WHEREAS, DirectTV has submitted a cost proposal for television programming at the Sullivan County Jail which is acceptable to the Sheriff's Office;

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is hereby authorized to execute an Agreement with DirectTV to provide television programming at the Sullivan County Jail which shall be paid for by inmate funds, in such form as the County Attorney shall approve.

Moved by _____

Seconded by _____

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RESOLUTION _____ INTRODUCED BY THE EXECUTIVE COMMITTEE

RESOLUTION TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) FOR THE USDA COMMUNITY FACILITIES LOAN PROGRAM FOR THE COUNTY JAIL / SHERIFF ROAD PATROL PROJECT.

WHEREAS, the USDA makes available the Community Facilities Loan Program, wherein assistance is afforded to provide affordable funding to develop essential community facilities in rural areas that provides an essential service to the local community for the orderly development of the community in a primarily rural area; and

WHEREAS, the USDA Community Facilities Loan Program, provides loan funding to public bodies, community-based non-profit corporations and federally-recognized Tribes; and

WHEREAS, Sullivan County Government Officials have spoken with its USDA Rural Development Specialist concerning interest, and have been advised that the County Jail / Sheriff Road Patrol project would be eligible for the Community Facilities Loan Program of up to \$95,000,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby authorizes the County Manager, Chairman of the County Legislature, and / or their authorized representative (*as required by the funding source*) to execute any and all necessary documents to submit the USDA Community Facilities Loan Program application for loan funding; and

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

**Moved by,
Seconded by,
and adopted on motion, 2016**

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**RESOLUTION NO. INTRODUCED BY THE EXECUTIVE COMMITTEE TO MANDATE
THE LEGISLATURE TO SEEK ALL AVAILABLE MEANS TO REDUCE THE 2020 TAX
LEVY**

WHEREAS, the County of Sullivan is constructing a new jail at a cost of \$95 million dollars; and

WHEREAS, it may be necessary to exceed the New York State property tax cap; and

WHEREAS, Montreign Casino/Adelaar Resort is scheduled to open in 2018, and

WHEREAS, the County of Sullivan anticipates an increase in revenue from the new casino and other businesses associated therewith;

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature is hereby mandated to seek all available offsets of the tax burden to the taxpayers of the County of Sullivan imposed by the construction of the new jail and to reduce the 2020 tax levy.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2016.

**RESOLUTION NO. INTRODUCED BY EXECUTIVE COMMITTEE TO
CONFIRM THE APPOINTMENT OF TWO MEMBERS OF THE SULLIVAN
COUNTY BOARD OF ETHICS**

WHEREAS, pursuant to the provisions of Section 102 of Local Law Number 3 of 2013, the County Manager has appointed members to the Sullivan County Board of Ethics with various terms, and

WHEREAS, there are currently two vacancies on the board due to the resignation of Judie Goldberg and Susan Miller, and

WHEREAS, the County Manager recommends the appointment of the following individuals to serve a three (3) year term:

Member	Term
Nicholas P. Speranza	June 16, 2016 – June 16, 2019
John W. Kiefer	June 16, 2016 – June 16, 2019

WHEREAS, the appointments to the Sullivan County Board of Ethics, by the County Manager, require confirmation by the County Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the appointments listed above are hereby confirmed as set forth in Section 102 of Local Law Number 3 of 2013, to be effective on June 16, 2016.

**Moved by,
seconded by
declared duly adopted on motion 2016.**