

GREENE COUNTY LEGISLATURE
REGULAR MEETING NO. 8
August 21, 2013

PLEASE NOTE: If you wish to speak at this meeting, please contact a Legislator from your district for introduction.

A. Silent prayer and Pledge of Allegiance to the Flag.

B. Roll Call

C. Approval of Minutes of Previous Meeting.

D. Standing Committee and Special Committee Reports.

E. Meeting Correspondence.

F. Resolutions:

1. 254-13, Authorization To Pay Claims.
2. 255-13, Authorization To Pay Claims – Highway Department.
3. 256-13, Adopting 2013 - 2014 Operating Budget Columbia-Greene Community College.
4. 257-13, Authorizing The County Of Greene To Commence Litigation Against The Association Of Property Owners Of Sleepy Hollow Lake, Inc. (“APO”).
5. 258-13, Authorizing Commencement Of Legal Action Against Timothy N. Ralph, D/B/A The Sirius Dog Food Company, Inc.
6. 259-13, Authorize Agreement – Greene County And Milliman For Retiree Drug Subsidy Services.
7. 260-13, Authorizing The County Of Greene To Enter Into An Asset Transfer Agreement (ATA) With Motorola Solutions, Inc.
8. 261-13, Authorizing Supplemental Agreement No. 1 Necessary For Te Construction Supervision And Inspection For The Rehabilitation Of The CR47 Bridge Over The Kaaterskill Creek, Town Of Catskill, (BIN 3-30282-0), PIN 1759.52.
9. 262-13, Awarding County Route 2 Roadway Stabilization And Reconstruction, Town Of Prattsville; (PW9903926).
10. 263-13, Awarding Food And Supplies Bids – Greene County Department Of Human Services (Department For The Aging) And Sheriff’s Department.
11. 264-13, Approving Reimbursement To Community Colleges.
12. 265-13, Authorizing Chargeback Of Assessment Roll Related Services And Materials.
13. 266-13, Negative Declaration For Sale Of In Rem Properties.
14. 267-13, Budget Amendment – Greene County Public Health.
15. 268-13, Establish Capital Project #82 - 911 Communication Project.

16. 269-13, Amending Resolution No. 242-11 Authorizing Contract – Greene County With Greene County Emergency Medical Services, Inc.
17. Motion To Waive Rule 11 To Allow Consideration Of The Following Late-Filed Resolution(s).
18. 270-13, Resolution No. 270-13 Of The Legislature Of The County Of Greene Increasing The Rate Of Taxes On Sales And Uses Of Tangible Personal Property And On Certain Services, And On Occupancy Of Hotel Rooms \ And Amusement Charges, Pursuant To Article 29 Of The Tax Law Of The State Of New York.

G. CHAIRMAN'S APPOINTMENT:

1. Appointing Members – Greene County Department For The Aging Advisory Council 2013 Membership.
- H. Unfinished Business and Announcements.
- I. Adjournment.

August 21, 2013

RESOLUTION NO. 254-13

AUTHORIZATION TO PAY CLAIMS

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, the Finance Committee has examined claims against the County of Greene amounting to \$ 2,316,291.06 and has recommended that the same be allowed for the amounts shown;

BE IT RESOLVED, that all claims be paid as allowed by the Greene County Treasurer from monies set up in the 2013 Budget of this County or as otherwise provided in the sum of:

| | | |
|------------------------------------|----|--------------|
| General Pre-Audit: | \$ | 62,488.36 |
| General Audit: | \$ | 2,054,570.07 |
| I Love NY: | \$ | 39,029.00 |
| Bataviakill Watershed: | \$ | 2,516.45 |
| CDBG CD8668.4: | \$ | 117,396.64 |
| Workers' Comp Benefits S1720.4000: | \$ | 40,290.54 |

TOTAL \$ 2,316,291.06 and that a detailed list of all vendor payments are on file in the Office of the Clerk of the Greene County Legislature.

Seconded by Legislator Lewis (10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Finance Committee: 8/19/13

STATE OF NEW YORK } ss.: COUNTY OF GREENE }

CC: Treas. M.S. CM ATT 1-File

APPROVED AS TO FORM [Signature] COUNTY ATTORNEY

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted August 21st, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this ____ day of August, 2013.

Tammy L. Sciavillo Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 255-13

AUTHORIZATION TO PAY CLAIMS - HIGHWAY DEPARTMENT

Legislator Hitchcock offered the following resolution and moved its adoption:

WHEREAS, the Finance Committee has examined claims against the County of Greene Highway Department amounting to \$ 1,299,713.15 and has recommended that the same be allowed for the amounts shown;

BE IT RESOLVED, that the following claims in the several accounts of the Greene County Highway Department be paid as allowed by the Greene County Treasurer from monies set up in the 2013 Budget of this County or as otherwise provided in the sum of:

| | | |
|--|----|------------|
| County Road Fund: | \$ | 494,976.39 |
| County Machinery Fund Pre-Audit: | \$ | 64,266.34 |
| County Machinery Fund: | \$ | 107,806.93 |
| 9W/SR81 Intersection Project H67: | \$ | 51,275.00 |
| Mtn House road/Spruce Creek Proj H69: | \$ | 97,071.89 |
| Lake Mills Rd over Catskill Proj. H72: | \$ | 333,858.58 |
| County Rails to Trails Proj H73: | \$ | 42,696.99 |
| FEMA Project H74: | \$ | 107,761.03 |

TOTAL \$ 1,299,713.15

and that a detailed list of all vendor payments are on file in the Office of the Clerk of the Greene County Legislature.

Seconded by Legislator Martinez

(10,000)

Ayes 14 Noes 0 Absent 0

*cc: Treas.
M.S.
C+V
1- file*

CARRIED.

Approved by Finance Committee: 8/19/13
STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

APPROVED AS TO FORM

Campbell

COUNTY ATTORNEY

I, the undersigned,

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Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 256-13

ADOPTING 2013 - 2014 OPERATING BUDGET
COLUMBIA-GREENE COMMUNITY COLLEGE

Legislator Hatton offered the following resolution and moved its adoption:

WHEREAS, the Trustees of the Columbia-Greene Community College have submitted a Proposed Operating Budget in the amount of \$17,380,000 for the fiscal year from September 1, 2013 to August 31, 2014 to the legislative bodies of Columbia and Greene Counties for their approval; and

WHEREAS, a Public Hearing on said Proposed Budget was held on August 21st, 2013 pursuant to notice duly published;

NOW, THEREFORE, BE IT RESOLVED, that the Proposed Operating Budget in the amount of \$17,380,000 be and hereby is adopted; and be it further

RESOLVED, that the Greene County Legislature include the Greene County share of the said Operating Budget, in an amount of \$2,337,192 in the 2014 Budget for Greene County and that it be raised by taxation in Greene County; and be it further

RESOLVED, that this resolution shall be in effect only after a resolution approving said College Operating Budget has been enacted by the Columbia-Greene Community College Board of Trustees and the Columbia County Board of Supervisors.

Seconded by Legislators Lewis, Gardner, H. Lennon, K. Lennon and Martinez

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0

*cc: Treas.
M. S.
Cty Atty
1 - College
1 - College Bd of Supervisors
1 - College Budget
3 - TAMMY*

Approved by County Resources Comm.: 8/7/13
Approved by Finance Comm.: 8/19/13

APPROVED AS TO FORM

Campbell

COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss:
COUNTY OF GREENE }

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Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 257-13

AUTHORIZING THE COUNTY OF GREENE TO COMMENCE LITIGATION AGAINST THE ASSOCIATION OF PROPERTY OWNERS OF SLEEPY HOLLOW LAKE, INC. ("APO")

Legislator Seeley offered the following resolution and moved its adoption:

WHEREAS, on March 5, 2007 the County and the APO entered into a contract which provided that if any parcels acquired by the County in the In Rem process and located within the Sleepy Hollow Lake development were unable to be sold in the auction, then the APO would purchase the unsold lots after a period of one (1) year in consideration of all unpaid dues, assessments, water, sewer charges, etc. that accrued for any given lot; and

WHEREAS, after the In Rem property auction held in October, 2012, fourteen (14) parcels located within the Sleepy Hollow Lake development remained unsold; and

WHEREAS, the County demanded of the APO that they purchase said vacant lots from the County in accordance with the terms of the contract dated March 5, 2007; and

WHEREAS, the APO has refused to repurchase the lots;

NOW, THEREFORE, BE IT RESOLVED, that the County is authorized to commence litigation seeking specific performance of the agreement by the APO in regard to the purchase of the fourteen (14) unsold parcels.

Seconded by Legislator K. Lennon (10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Gov. Ops. Comm.: 8/19/13
Approved by Finance Comm.: 8/19/13

APPROVED AS TO FORM
[Signature]
COUNTY ATTORNEY

cc to Trues.
M-D.
City Atty
2 file

STATE OF NEW YORK }
} ss.:
COUNTY OF GREENE }

I, the undersigned,

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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this ___ day of August, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 258-13

AUTHORIZING COMMENCEMENT OF LEGAL ACTION AGAINST
TIMOTHY N. RALPH, D/B/A THE SIRIUS DOG FOOD COMPANY, INC.

Legislator Seeley offered the following resolution
and moved its adoption:

WHEREAS, the County of Greene entered into a Quantum Fund Agreement
with Timothy N. Ralph, d/b/a The Sirius Dog Food Company, Inc. on the 17th day
of August, 2012 for the sum of \$25,000.00; and

WHEREAS, Timothy N. Ralph, d/b/a The Sirius Dog Food Company, Inc., is in
default of said agreement in that he has failed to provide documentation of the use
of the money as mandated in the Agreement and has failed to repay \$14,500.00
drawn down on the loan despite due demand therefore; and

WHEREAS, the Economic Development Committee has unanimously
recommended that legal action be commenced against Timothy N. Ralph to collect
the sums unpaid; and

WHEREAS, the office of the County Attorney has given notice of default to the
debtor; and

WHEREAS, pursuant to said mortgage, the County demanded payment of all
principal owed in the amount of \$14,500.00; and

WHEREAS, the debtor has failed to make said payment; and

WHEREAS, pursuant to said agreement and security agreement, the County of
Greene may commence a legal action against the said Timothy N. Ralph, d/b/a The
Sirius Dog Food Company, Inc., for non-payment of said loan and non-compliance
with loan terms;

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney is hereby
authorized to commence appropriate legal action against the said Timothy N.
Ralph, d/b/a The Sirius Dog Food Company, Inc. to recover the outstanding loan
balance plus costs and fees.

Seconded by Legislator Handel
(10,000)
Ayes 14 Noes 0 Absent 0

*cc: T. Seeley
M. Seeley
City Atty
2 - Planning
2 - Finance*

CARRIED.

Approved by Economic Development And Tourism Comm.:
Approved by Finance Comm.: 8/19/13

APPROVED AS TO FORM
8/19/13

Carroll Stevens
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of August, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 259-13

AUTHORIZE AGREEMENT – GREENE COUNTY AND MILLIMAN FOR RETIREE DRUG SUBSIDY SERVICES

Legislator Martinez offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Chairman of the Greene County Legislature be authorized to execute an Agreement, subject to approval as to form by the County Attorney, between Greene County and Milliman, Inc. to complete certain necessary tasks, including applications, reconciliations and certifications, associated with Retiree Drug Subsidy Services, for the term of September 10, 2013 to September 9, 2014; and be it further

RESOLVED, that this Agreement may be terminated by either party upon thirty (30) days written notice; and be it further

RESOLVED, that the cost of said services shall not exceed the sum of \$3,000.00.

Seconded by Legislator Seeley

(10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Gov. Ops. Comm.: 8/19/13

Approved by Finance Comm.: 8/19/13

*CC: Taxes
M. S. City Resources
1 - Human Resources
2 - files*

APPROVED AS TO FORM

Carroll Stevens

COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

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Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 260-13

AUTHORIZING THE COUNTY OF GREENE TO ENTER INTO AN ASSET TRANSFER AGREEMENT (ATA) WITH MOTOROLA SOLUTIONS, INC.

Legislator Handel offered the following resolution and moved its adoption:

WHEREAS, the County of Greene is currently in the process of improving and/or expanding its telecommunications 911 dispatch system; and

WHEREAS, in order to improve and/or expand said dispatch system it is necessary to acquire certain frequencies from Motorola Solutions, Inc.; and

WHEREAS, Motorola Solutions, Inc. has FCC authorizations to acquire the necessary frequencies and grant to the County certain channel use rights; and

WHEREAS, the County desires to become the FCC licensee and license holder of the frequencies offered by Motorola Solutions, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the County of Greene is hereby authorized to enter into an Asset Transfer Agreement with Motorola Solutions, Inc. for the purchase of a license agreement for the necessary communication frequencies to fulfill the improvements and/or expansion of the 911 dispatch system by paying a non-refundable deposit of \$50,000. Said deposit will be applied towards the total project cost which will be determined with the final evaluation of broadband capacity; and

BE IT FURTHER RESOLVED, that all contractual documents shall be subject to approval as to form by the County Attorney.

Seconded by Legislator Kozloski (10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Public Safety Comm.: 8/7/13 APPROVED AS TO FORM Approved by Finance Comm.: 8/19/13

STATE OF NEW YORK } ss.: COUNTY OF GREENE }

cc: Treas. M. J. City Atty - PMS-Services 1-5-Fannell - 2-4

Campbell, Stevens COUNTY ATTORNEY

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted August 21st, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this ____ day of August, 2013.

Tammy L. Sciavillo Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 261-13

AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 1 NECESSARY FOR THE CONSTRUCTION SUPERVISION AND INSPECTION FOR THE REHABILITATION OF THE CR47 BRIDGE OVER THE KAATERSKILL CREEK, TOWN OF CATSKILL, (BIN 3-30282-0), PIN 1759.52

Legislator Kozloski offered the following resolution and moved its adoption:

WHEREAS, this is a locally administered federal aid project (HBP); and

WHEREAS, Creighton Manning Engineering LLP has prepared design plans and specifications in a timely manner to receive federal highway bridge program (HBP) funding; and

WHEREAS, the County Superintendent of Highways, did request and receive a proposal from Creighton Manning Engineering LLP, for construction supervision and inspection services for the said rehabilitation of the CR47 Bridge; and

WHEREAS, this modification is beyond the original scope of services; and

WHEREAS, the New York State Department of Transportation has authorized the funding for said additional services; and

WHEREAS, the County Highway Department, with the assistance of the New York State Department of Transportation, has negotiated with and reached agreement with Creighton Manning Engineering LLP, a prequalified NYSDOT Region 1 consultant, for compensation of services for construction supervision and inspection of said project; and

WHEREAS, the total cost of said supplemental agreement is not to exceed \$175,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the County Highway Superintendent be and hereby is authorized to approve said Supplemental Agreement No. 1 with Creighton Manning Engineering LLP for construction supervision and inspection of said project, subject to approval as to form by the Greene County Attorney and to be paid from Project 79.

Seconded by Legislators H. Lennon, K. Lennon, Overbaugh and Seeley (10,000)

Ayes 14 Noes 0 Absent 0

CARRIED. APPROVED AS TO FORM

Approved by Public Works Comm.: 8/19/13

Approved by Finance Comm.: 8/19/13

Carroll Stevens

COUNTY ATTORNEY

*CC: Meas
M.S.
Att Highway
1- Highway
2- file*

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

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Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 262-13

AWARDING COUNTY ROUTE 2 ROADWAY STABILIZATION AND RECONSTRUCTION, TOWN OF PRATTSVILLE; (PW9903926)

Legislator Hitchcock offered the following resolution and moved its adoption:

WHEREAS, as a result of Hurricane Irene, (FEMA, 4020-DR-NY) Gary R. Harvey, County Highway Superintendent did request proposals for the CR2 roadway stabilization and reconstruction, located in the Town of Prattsville; and

WHEREAS, four (4) proposals were requested and received from the list of prequalified contractors for miscellaneous work with the lowest responsible proposal from HVB Construction, Inc., P.O. Box 662, 144 Route 17M, Suite B, Harriman, N.Y. 10926;

NOW, THEREFORE, BE IT RESOLVED, that the Highway Superintendent be and hereby is authorized to award the CR2 stabilization project to HVB Construction, Inc. for the total lump sum price of \$563,700; and

BE IT FURTHER RESOLVED, that the County Treasurer be and hereby is authorized to pay HVB Construction, Inc. the sum of \$563,700 upon completion and acceptance by the County Highway Superintendent from FEMA Project 74.

Seconded by Legislator Lewis

(10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Public Works Comm.: 8/19/13

Approved by Finance Comm.: 8/19/13

cc: Tracy
M. J.
City Atty
1- Highway
2- Dick

APPROVED AS TO FORM

Campbell

COUNTY ATTORNEY

STATE OF NEW YORK }
COUNTY OF GREENE } ss.:

I, the undersigned,

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Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 263-13

AWARDING FOOD AND SUPPLIES BIDS -
GREENE COUNTY DEPARTMENT OF HUMAN SERVICES
(DEPARTMENT FOR THE AGING) AND SHERIFF'S DEPARTMENT

Legislator Handel offered the following resolution
and moved its adoption:

WHEREAS, the Director of the Greene County Department of Human Services did advertise for bids for food and supplies for the Greene County Department for the Aging and the Greene County Sheriff's Department in the official newspaper of Greene County, the Catskill Daily Mail on Tuesday, May 28th, 2013; and

WHEREAS, said bids were received and opened publicly on Tuesday, June 18th, 2013;

NOW, THEREFORE, BE IT RESOLVED, that the bids be awarded to the lowest and most qualified vendors for the period July 1st, 2013 through September 30th, 2013:

- Ginsberg's Inc.
- Perkins-Mt. Ellis
- Calico Industries
- Leeds Wholesale
- Central Poly Corp.
- All American Poly Corp.

Seconded by Legislator Seeley
(10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by County Services Comm.: 8/19/13
Approved by Finance Comm.: 8/19/13

*CCY Treas.
Mo...
City Atty...
1- Human Services
1- Sheriff's
3- files - Bid
6 - vendors*

APPROVED AS TO FORM
Carol J. Glendon
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

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Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 264-13

APPROVING REIMBURSEMENT TO COMMUNITY COLLEGES

Legislator Hitchcock offered the following resolution and moved its adoption:

WHEREAS, Community College Chargebacks for the Summer '13 Semester amounted to \$13,935.64;

BE IT RESOLVED, that the Greene County Treasurer is hereby authorized to pay said expenses from Account No. A2490.4000 Community College Contractual Expenses; and be it further

RESOLVED, that said County Treasurer is authorized to charge forty percent to the following towns in said County in the amounts set opposite the name of said town hereinafter listed:

| | | Town 40% | County 60% |
|---------------|---------------|--------------|---------------|
| Ashland | \$1,678.00 | \$671.20 | \$1,006.80 |
| Athens | 561.00 | 224.40 | 336.60 |
| Cairo | 1,238.66 | 495.46 | 743.20 |
| Catskill | 1,865.00 | 746.00 | 1,119.00 |
| Coxsackie | 1,688.00 | 675.20 | 1,012.80 |
| Durham | 743.66 | 297.46 | 446.20 |
| Greenville | 1,437.33 | 574.93 | 862.40 |
| Hunter | 2,516.33 | 1,006.53 | 1,509.80 |
| Jewett | 0.00 | 0.00 | 0.00 |
| Lexington | 0.00 | 0.00 | 0.00 |
| New Baltimore | 2,090.66 | 836.26 | 1,254.40 |
| Prattsville | 0.00 | 0.00 | 0.00 |
| Windham | <u>117.00</u> | <u>46.80</u> | <u>70.20</u> |
| TOTAL: | \$13,935.64 | \$5,574.26 | \$8,361.38 |

Seconded by Legislator Lewis (10,000)

*cc: Treas
M. S.
Att
13 TOWNS - checks
2/12*

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by County Resources Comm.: 8/7/13
Approved by Finance Comm.: 8/19/13

APPROVED AS TO FORM
Carroll Blinn
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

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Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 265-13

AUTHORIZING CHARGEBACK OF ASSESSMENT ROLL RELATED SERVICES AND MATERIALS

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, the Director of Real Property Tax Services has furnished and/or obtained services and materials relative to assessment rolls, tax rolls or tax statements; and

WHEREAS, the Greene County Treasurer has been duly authorized to pay said expenses in the amount of \$1,572.66 (Tax Roll Binders) for the month of August from Account No. 1355.4400 Contracts;

BE IT RESOLVED, that said County Treasurer is authorized to chargeback the same to the following towns in said County in the amounts set opposite the name of said town hereinafter listed:

| | |
|---------------------|--------------|
| Ashland ----- | \$87.37 |
| Athens ----- | 174.74 |
| Cairo ----- | 87.37 |
| Catskill ----- | 174.74 |
| Coxsackie ----- | 174.74 |
| Durham ----- | 87.37 |
| Greenville ----- | 87.37 |
| Halcott ----- | 87.37 |
| Hunter ----- | 174.74 |
| Jewett ----- | 87.37 |
| Lexington ----- | 87.37 |
| New Baltimore ----- | 87.37 |
| Prattsville ----- | 87.37 |
| Windham ----- | <u>87.37</u> |

TOTAL: \$1,572.66

Seconded by Legislator Seeley (10,000)

Ayes 14 Noes 0 Absent 0
STATE OF NEW YORK }
COUNTY OF GREENE } ss.:

CARRIED.

APPROVED AS TO FORM

Approved by Gov. Ops. Comm.: 8/19/13
I, the undersigned,

Approved by Finance Comm.: 8/19/13

COUNTY ATTORNEY

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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of August, 2013.

*cc: Treas
M.S.
Ctu Atty
1-RPTC
All Town Supervisors (14)
All Town Assessors (14)
2 file*

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 266-13

NEGATIVE DECLARATION FOR SALE OF IN REM PROPERTIES

Legislator Lawrence offered the following resolution and moved its adoption:

WHEREAS, the County of Greene will be acquiring certain parcels of real property through the 2011 In Rem Proceeding for the 2010 levy; and

WHEREAS, the County Treasurer has prepared and reviewed a short form environmental assessment form in consultation with the Planning Department, and has determined that the sale of the aforementioned parcels of real property (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and part 617 of the NYCRR ("SEQRA") and (2) will not have a significant effect on the environment; and

WHEREAS, a true copy of the short form environmental assessment form and the Negative Declaration reflecting the finding of non-significance are annexed hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED, that this County Legislature hereby adopts and confirms the determination of the County Treasurer that the sale of the parcels of real property acquired by the County through the 2011 In Rem Tax Foreclosure Proceeding located in the various towns within the County will not have a significant effect on the environment.

Seconded by Legislator Lewis (10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Finance Comm.: 8/19/13

cc: TAPAS. w/ ORIGINAL Backup
M.S.
City Atty
1- PLANNING - w/ COPY of Backup
2- file

APPROVED AS TO FORM

Carroll Stevens

COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of August, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

| | |
|---|--|
| 1. APPLICANT/SPONSOR <u>Greene</u> | 2. PROJECT NAME <u>Sale of Properties</u> |
| 3. PROJECT LOCATION: Municipality <u>Entire County</u> County <u>Greene</u> | |
| 4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>Properties are located throughout Greene County</u> | |
| 5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration | |
| 6. DESCRIBE PROJECT BRIEFLY: <u>Greene County will sell properties that it has obtained as a result of failure to pay taxes. The purchase of these properties has no environmental significance. If anything, the purchase of several of these properties will result in the upgrade of deteriorated structures.</u> | |
| 7. AMOUNT OF LAND AFFECTED: Initially <u>100+</u> acres Ultimately _____ acres | |
| 8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly | |
| 9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other Describe: | |
| 10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: | |
| 11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: | |
| 12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Peter Markou, Greene County Treasurer</u> Date: <u>8/9/13</u> Signature: <u><i>Peter Markou</i></u> | |

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with its assessment

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.47 If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
NO

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
NO

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
NO

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
NO

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
NO

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:
NO

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
 Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Greene County Legislature
Name of Lead Agency
Wayne S. Speenburgh
Print or Type Name of Responsible Officer & Lead Agency

August 21, 2013
Date
Chairman, Greene County Legislature.
Title of Responsible Officer

August 21, 2013

RESOLUTION NO. 267-13

BUDGET AMENDMENT
GREENE COUNTY PUBLIC HEALTH

Legislator Overbaugh offered the following resolution and moved its adoption:

WHEREAS, the staffing agreement with Willcare and Greene County Public Health has taken longer than expected; and

WHEREAS, 2013 Greene County Budget did not appropriate enough funding:

BE IT RESOLVED, that the Greene County Treasurer be authorized to make the following budget amendment:

INCREASE REVENUE:

A 4010 1610 PH Fees \$107,000.00

INCREASE APPROPRIATION:

A 4010 4047 PH Sub-contractors \$107,000.00

Seconded by Legislator Van Slyke

(10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Health Services Comm.: 8/7/13

Approved by Finance Comm.: 8/19/13

*cc: Treas.
M. S.
CH & AM Health
2 - Public Health
2 - [unclear]*

APPROVED AS TO FORM

Campbell

COUNTY ATTORNEY

STATE OF NEW YORK }
} ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted August 21st, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this ____ day of August, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 268-13

ESTABLISH CAPITAL PROJECT #82
911 COMMUNICATION PROJECT

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, it is the desire of the Greene County Legislature to establish a Capital Project for the purpose of improving the 911 communications within Greene County; and

WHEREAS, \$50,000.00 from Greene County's Restricted Fund Balance is to be used to start the project;

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Treasurer be authorized to establish Capital Project #82 - 911 Communications Project and to establish the following accounts:

| | | |
|---------------|--------------------|------------------|
| H82 0000 2770 | Unclassified local | \$50,000.00 |
| H82 0000 5197 | Project Expense | \$50,000.00; and |

BE IT FURTHER, RESOLVED, that the Greene County Treasurer transfer \$50,000.00 from A 899.1010 Restricted Fund Balance to H82 0000 2770.

Seconded by Legislator Handel
(10,000)

| | | | |
|---------|--------|----------|----------|
| Ayes 14 | Noes 0 | Absent 0 | CARRIED. |
|---------|--------|----------|----------|

Approved by Public Safety Comm.: 8/7/13
Approved by Finance Comm.: 8/19/13

*cc: T. Neal S.
M. J.
City Atty
1 - emergency services → F. Farnley
2 - file*

APPROVED AS TO FORM

Campbell
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of August, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

August 21, 2013

RESOLUTION NO. 269-13

AMENDING RESOLUTION NO. 242-11
AUTHORIZING CONTRACT – GREENE COUNTY WITH
GREENE COUNTY EMERGENCY MEDICAL SERVICES, INC.

Legislator Lewis offered the following resolution and moved its adoption:

WHEREAS, by Resolution No. 242-11, adopted on July 20, 2011, a three year contract was authorized between Greene County and Greene County Emergency Medical Services, Inc. wherein Greene EMS is to be paid a certain amount for each of the three years: 2012, 2013 and 2014; and

WHEREAS, through no fault of their own, Greene County Emergency Medical Services, Inc. unexpectedly received a bill for workers' compensation insurance for approximately \$80,000 more than they usually pay; and

WHEREAS, in an attempt to raise these funds, Greene County Emergency Medical Services, Inc. has made changes to their original plans, such as delaying funding of an additional fly car and crew, and as a result they have been able to raise \$40,000 toward the workers' compensation insurance bill; and

WHEREAS, the County of Greene recognizes the importance of this service to county residents and in fairness would like to assist Greene County Emergency Medical Services, Inc. with the payment of this workers' compensation insurance bill by increasing the 2014 payment to them in the amount of \$40,000.;

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 242-11 be amended to increase the amount of the payment for the year 2014 from \$1,004,710 to \$1,044,710; and be it further

RESOLVED, the Chairman of the Legislature is authorized to sign an amendment to said contract, subject to approval as to form by the County Attorney; and be it further

RESOLVED, that all other aspects of Resolution No. 242-11 shall remain the same.

Seconded by Legislator Overbaugh

(9,369) (631)
Ayes 13 Noes 1 Absent 0
Seeley

CARRIED.

Approved by Health Services Comm.: 8/21/13

Approved by Finance Comm.: 8/19/13

APPROVED AS TO FORM

COUNTY ATTORNEY

*cc: Treas.
M.S.
City Atty
1- EMS - Mark Evans
All Town Supervisors (14)
2- [unclear]*

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of August, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

MOTION TO WAIVE RULE 11 TO ALLOW
CONSIDERATION OF THE FOLLOWING LATE-FILED RESOLUTION(S)

On motion by Legislator Lewis, seconded by Legislator H. Lennon,
Rule 11 was waived to allow consideration of the following late-filed resolution(s).

(10,000)

Ayes 14

Noes 0

Absent 0

CARRIED.

*cc: Treas
m. T.
Att
1- file*

APPROVED AS TO FORM

Camp Stevens

COUNTY ATTORNEY

August 21, 2013

RESOLUTION NO. 270-13

OF THE
LEGISLATURE OF THE COUNTY OF GREENE
INCREASING THE RATE OF TAXES ON SALES AND
USES OF TANGIBLE PERSONAL PROPERTY AND ON CERTAIN
SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND
AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29
OF THE TAX LAW OF THE STATE OF NEW YORK

Legislator Martinez offered the following resolution and moved its adoption:

BE IT ENACTED, by the Legislature of the County of Greene, as follows:

SECTION 1. The first sentence of section two of Resolution No. 102 as enacted in nineteen hundred sixty-eight, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after June 1, 1977 there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing March 1, 1993, and ending November 30, 2015 there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of Section three of Resolution No. 102 as enacted in nineteen hundred sixty-eight, as amended, is amended to read as follows:

- (f) With respect to the additional tax of one percent imposed for the period commencing March 1, 1993, and ending November 30, 2015, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to March 1, 1993, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to November 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February 28, 1993. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March 1, 1993, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 102 as enacted in nineteen hundred sixty-eight, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

- (a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March 1, 1993, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.
- (b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing March 1, 1993, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

- (c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1993 and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.
- (d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1993 and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.
- (e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.
- (f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing March 1, 1993, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service including the consideration for any tangible personal property transferred in conjunction with the performance of the service, and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are

described in paragraph three of subdivision (b) of section one.

- (g) For the purposes of clause (F) of subdivision (a) of this section, for the period commencing March 1, 1993, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Subdivision (k) of Section six of Resolution No. 102 as enacted in nineteen hundred sixty-eight, as amended, is amended to read as follows:

- (k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by sections 2 and 4, respectively, of this resolution for the period commencing March 1, 1993, and ending November 30, 2015.

SECTION 5. Paragraph B of subdivision one of section eleven of Resolution No. 102 as enacted in nineteen hundred sixty-eight, as amended, is amended to read as follows:

- (B) With respect to the additional tax of one percent imposed for the period beginning March 1, 1993, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to March 1, 1993.

SECTION 6. This enactment shall take effect December 1, 2013.

Seconded by Legislator K. Lennon

ROLL CALL VOTE:

(10,000)

Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Finance Comm.: 8/21/13

*cc: Taxes.
M.V.
City Atty
1 - NYS Tax + Finance
1 - Co. Clerk
1 - Sec. of State
1 - State comptroller
2 - file
to Linda*

APPROVED AS TO FORM



COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted August 21st, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of August, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

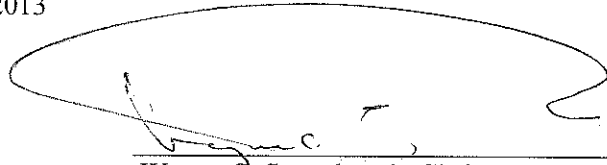
GREENE COUNTY DEPARTMENT FOR THE AGING
ADVISORY COUNCIL
2013 MEMBERSHIP

I, Wayne C. Speenburgh being duly authorized as Chairman of the Greene County Legislature, do hereby appoint, upon the recommendation of Terry McGee Ward, Executive Director of the Greene County Department of Human Services (Department for the Aging), the following as members of the Citizens Advisory Council for the Greene County Department of Human Services (Department for the Aging) for 2013:

Kim Kaplan Greene County Public Health 719-3600
kkaplan@discovergreene.com

Dawn Wallant Common Ground 943-0523
11 William Street, Catskill, New York 12414

Dated: August 21st, 2013



Wayne C. Speenburgh, Chairman

*cc: Treas
M. V.
City Atty
1- Human Services
1- Kim Kaplan
1- Dawn Wallant
2- [unclear]*