



Sullivan County

Public Works Committee

Meeting Agenda - Final

100 North Street
Monticello, NY 12701

Chairman Joseph Perrello
Vice Chairman Brian McPhillips
Committee Member Amanda Ward
Committee Member Luis Alvarez
Committee Member Matt McPhillips
Committee Member Nicholas Salomone Jr.
Committee Member Terry Blosser-Bernardo

Thursday, October 17, 2024

10:30 AM

Government Center

Call To Order and Pledge of Allegiance

Roll Call

Comments:

Reports:

1. Division of Public Works Monthly Report

[ID-6833](#)

Attachments: [October Monthly Report](#)

Discussion:

Public Comment

Resolutions:

1. Resolution to authorize the County Manager to execute utility work agreements in accord with the Federal Aid requirements of the project to replace County Bridge 82 which is 95% Federally funded
2. To authorize the County Manager to execute a modification to extend the Household Hazardous Waste (HHW) contract for the additional years stated in the contract so the County can hold events in 2025, 2026, 2027 & 2028.
3. Resolution to authorize the County Manager to execute an agreement with McFarland Johnson for the development of an FAA Categorical Exclusion for an above ground water storage tank at the SCIA. This document is required to accompany our grant application for the design and construction of a water storage tank at the SCIA. This portion of the project is reimbursable if the grant is awarded to the County.

[ID-6796](#)

[ID-6799](#)

[ID-6800](#)

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4. To authorize the County Manager to execute an agreement with H. Osterhoudt Excavating for the Grinding of Concrete for Sullivan County on an as needed basis. [ID-6801](#)
 5. Resolution to authorize the County of Sullivan to enter into a 3-year contract with the Towns for snow and ice removal on various County Roads [ID-6802](#)
 6. Resolution to authorize the County Manager to execute an agreement with NYSDOT to provide 95% funding for the Preliminary Engineering/Design work needed to replace County Bridge 51. [ID-6803](#)
 7. Resolution to authorize the County Manager to execute an agreement with NYSDOT to provide 95% funding for the Preliminary Engineering/Design work needed to replace County Bridge 283. [ID-6804](#)
 8. Resolution to authorize amendments to Section 620.1, 624 and 632 of the Sullivan County Solid Waste Management Rules. See Schedule A. [ID-6805](#)
Attachments: [ID 6805 SWMR effective January 1st, 2025](#)
[ID 6805 Ammend Solid Waste fees effective January 2025 Schedule A](#)
 9. Resolution to authorize the County Manager to execute an agreement with NYSDOT to provide 95% funding for the Construction and Construction Support/Inspection work needed to replace County Bridge 82 [ID-6828](#)
 10. Resolution to schedule a public hearing for the lease of Hangar 4 - Bay 7 to Edward Herling and Hangar 6 - Bay 13 to Kenneth Bowdren. [ID-6829](#)
Attachments: [ID 6829 SCIA - To Set a Public Hearing for Two \(2\) Vacant Hangar Spaces - NOTICE OF PUBLIC HEARING](#)
 11. Resolution to authorize the County Manager to execute an agreement with Fisher Associates D.P.C. for engineering services for the improvement of County Road 75 in the vicinity of County Bridge 171. [ID-6830](#)
 12. Resolution to authorize the filing of a pre-application for submission of a full application for a State Grant in-aid for Municipal Waste Reduction and Recycling Coordinator/Education project and authorizing the County Manager to execute the associated state contract if offered under the appropriate laws of New York State. [ID-6835](#)

Adjourn



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6833

Agenda Date: 10/17/2024

Agenda #: 1.

PUBLIC WORKS
Monthly Report October 17, 2024

SHOP STAFF

- Continue services & New York State Inspections\
- Continue repairs on solid waste roll-off trucks and containers
- Make necessary repairs to DPW and outside agency equipment
- Completed estimates on damaged vehicles
- Prepared new DPW and Sheriff vehicles for service
- The Maplewood shop is in desperate need of hiring new Mechanics. At our present staffing level, it will be difficult to have Plow trucks ready for the upcoming snow season
- Working with Enterprise on a replacement Box Truck and one Utility truck
- Working with Henderson Equipment on Plow Truck orders for this year
- Received a second new Tahoe for Emergency Management and one new Dodge Charger for the Sheriff's Dept
- Working with Kenworth Northeast on single axle flatbed truck orders
- The PO went out for the purchase of the new Knuckle boom truck for the bridge department

SIGN SHOP

- Started pavement markings on crosswalks and town requests
- Fabricated signs for county and towns
- Continued School Zone Pavement Markings
- Decaled new Vehicles
- Continued Sign upgrades for CR 32 and 41
- Installed work zone and Detours for CB 473 & CB 474
- Continued brushing signs
- Sign Complaints
- Continued Cartograph upgrade trainings
- Completed 278 miles of Striping for County & Town Roads
- Started Welcome to Sullivan County Sign Fabrication
- Removed Detour for CB 472
- Installed radar sign and traffic counter on CR 172
- Started fabricating CR 171 sign upgrades

BODY SHOP

- Repaired accident damages on county vehicles (H&F, CS, SH, PH & DPW)
- Bus 4 repairs
- Routine maintenance on DPW vehicles and equipment
- Wrote estimates on damaged county vehicles
- Sandblast & Paint Bridge Parts
- Continued sandblasting plows & wings
- Prep vehicles for auction
- Replaced door & glass on BH 120

AIRPORT

- Repairs completed in Hangar 4 – Bay 3: electrical repairs.
- 2025 – 2029 ACIP submitted to the FAA.
- Wildlife Management Training completed by airport staff.
- Physicals completed by airport ARFF staff.
- CPR training completed for airport ARFF staff.
- Conducted mowing of airport grounds.
- Provided fuel services.
- Construction of the new Terminal building in progress.

BRIDGES

- Addressed NYSDOT bridge flags for Bridges: 225 (DEL), 270 (NEV).
- Continued project administration work for the Bridge 82 (FOR) replacement project.
- Continued coordination with utilities for their relocation for the Bridge 82 (FOR) replacement project.
- Continued project administration work for the Bridge 77 (HIG) replacement project that will also replace the Toaspern Dam Spillway.
- Participated at progress meetings held at the construction site for the Bridge 77 (HIG) replacement project.
- Continued project administration for construction work for the Bridge 5 (LUM) Joint Replacement project.
- Continued the coordination and administration of engineering services and permit applications for the re-alignment of Benton Hollow Road to eliminate Bridge 277 (LIB).
- Continued inspection of construction work and the procurement of materials for the replacement of Bridge 261 (LIB).
- Continued procurement of materials for the replacement of Bridge 296 (LIB) and planning for construction in the Spring of 2025.
- Continued project administration work for the Bridge 301 (NEV) replacement project.
- Work to obtain a permit to work upon the property of New York City adjacent to Bridge 301 (NEV) is complete.
- Completed engineering assistance and inspections for DPW Forces replacement of the Bridge 472 (COC).
- Started the preparation of an application for seeking a grant to provide funding for the replacement of Bridge 368 (NEV), subsequent to the pre-application being accepted.
- Continuing the process for obtaining a NYSDEC permit for the slip-lining of Bridge 400 (THO).
- Continued administration and inspection of work for the geotechnical services to be provided for eight bridges.
- Started preliminary planning and administration work for the Bridge 283 (ROC) 95% Federally funded replacement project and completed review of consultants for recommending a firm to provide planning and design services.
- Started preliminary planning and administration work for the Bridge 51 (LIB) 95% Federally funded replacement project and completed review of consultants for

- recommending a firm to provide planning and design services.
- Completed negotiation of a fee for retaining Fisher Associates to provide design work for the improvement of County Road 75/Harris Bushkill Road (LIB).
- Continued design and material procurement for the replacement of Bridge 201 (CAL) bridge and approach rail.
- Started engineering assistance and inspections for DPW Forces for the replacement of Bridge 473 (LIB).
- Completed engineering assistance and inspections for DPW Forces replacement of the Bridge 474 (FAL).
- Participated in Cartegraph training for implementing a maintenance and improvement program for tracking and planning work for our bridges and highways and also for recording program costs.
- Started design and engineering for the replacement of Bridge 270 (NEV).
- Completed engineering assistance and inspections for DPW Forces replacement of a portion of CR 173 sidewalk and ADA ramp.

BUILDINGS & ENVIRONMENTAL COMPLIANCE

- Participated in regular calls and meetings overseeing Airport Terminal Project
- Conducted progress construction inspections as required per NYS Building Code at Airport Terminal Project
- Provided support for FM Global risk assessment at Jail complex
- Provided documents required by DOH Survey to Adult Care Center management
- Conducted space survey and provided feedback to NYS Courts following a Department of Labor inspection of their Drug Court location
- Closed out SCGC Roof Top Unit Controls replacement project
- Continue to coordinate restart of Housing Gateway Center project
- Continue providing support to DPW Operations for County Clerk Office Renovations
- Worked with engineering consultant on Redundant Water Tower Project telemetry
- Prepared and submitted the SCIA and Human Service Complex mandated monthly water chlorination system Operation Reports to NYSDOH
- Prepared and submitted the NYSDOH mandated quarterly biological sampling results for SCIA and Human Service Complex public water supplies
- Provided technical support for County facility operations and maintenance
- Prepared Monthly Report
- Participated in County sponsored Leadership Training sessions
- Participated in DPW safety meeting
- Provided support as needed with aspects of fire drills
- Reviewed and approved various invoices and vouchers for payment
- Coordinated monthly rinse rack outfall sampling event with testing contractor at Maplewood
- Reviewed and reported rinse rack outfall sampling results
- Continued work with Engineering Consultant on environmental issue at SCIA
- Assisted operations in Above Ground Tank coordination at various sites

HIGHWAYS

- Provided ROW and record mapping research to the public, other County departments

- and SCDPW operations - (5) instances
- Continued working to close out the East Broadway/County Road 173 (THO) reconstruction project with NYSDOT, consultant (Stantec) and contractor Argenio Bros. - working on final close-out documents (Consultant audit) required by DOT
 - Continued work with contractor (Sullivan County Paving & Construction, Inc.) (SCP) for the 2024 contract paving, repair and re-striping of approximately 33 miles of county road – ongoing coordination with county operations on schedule and road preparations - field marked partial depth repair sections on multiple County Roads – prepared and distributed restricted highway notices for each road to the affected municipality - provided daily inspection and quantity tracking of the paving operations – coordinated plant testing of asphalt materials – prepared detailed estimates of each completed road section for payment backup (CR’s 26, 32 and 58 - phase 1 paving repairs completed for the season – roads restriped – final paving next year; CR’s 41, 47, 103 and 104 final paving & striping complete – 28 miles of 33 completed to date) (CR 107 paving started – last road)
 - Completed work with contractor (Peckham Road Corp.) for the 2024 crack sealing, chip sealing and re-striping of approximately 37 miles of county road – work was completed before the July 4th holiday as planned (final maintenance bond and sub payment verifications received – retainage released – contract complete)
 - Continued work with contractor (EMI Guide Rail, LLC) for the 2024 replacement and installation of approximately 10,000 LF of guide rail on various county roads that were paved in 2023 (installation complete on CR 145 – CR 143 next)
 - Completed paving estimate and provided inspection for the paving of County Bridge 230 (CAL) on County Road 144 through our Job Order Contract (JOC) with SCP
 - Completed the design and field layout with offsets for a drainage system on CR 58 near its intersection with Rock Hill Drive in preparation for 2025 paving of CR 25
 - Completed field layout of guide rail on CR’s 47 and 115 for County operations installation
 - Continued with as-built location of all head stones and markers at the Veterans Cemetery
 - Completed leadership training as necessary and a webinar on 3D utility mapping for continuing education credit
 - Reviewed and/or researched the following for safety issues, potential impacts to and conflicts with the County’s right-of-way (ROW), drainage, infrastructure and maintenance on County Roads (CR): CR 13 (BET) - No Passing Zone assessment (coordinated brushing by operations on the inside curve – extended no passing by 40 feet northerly; CR 42 (LUM) – ongoing curve assessment; CR 103 (THO) - traffic counting in progress; CR 171 (MAM) – curve warning signs assessment with sign shop and reviewed survey prepared by Conrad and Close surveyors for the County parcel on Pittaluga Road
 - Provided comments to county planning for G.M.L. 239 review on the following projects on or adjacent to a County Road (CR): CAL24-02 (Buddenhagen Rd.) Subdivision; HIG24-03 (CR 11 and SR 97) Hamlet Dream; FAL24-22 (SR 52) Sushi Boats and COC24-03 (CR 116) Verizon Cell Tower
 - Issued permits on various County Roads – (4) M (Misc./Access) permits – (2) D (Dig) permits - (0) O (Overweight) permits and (0) U (Utility) permits – Field

inspected (19) existing/proposed access locations for compliance and/or closeout related to permitting including (3) sight distance measurements at proposed access points on County Road's 15, 23 and 113

SOLID WASTE & RECYCLING

Month	2022 MSW/CD	2023 MSW/CD	2024 MSW/CD
January	4423	5592	5096
February	4256	5147	4856
March	6163	6287	6452
April	5935	6550	7031
May	7392	8631	7800
June	9323	9778	9044
July	12137	13395	14367
August	13021	14405	13463
September	8903	7293	6000
October	6106	7043	
November	5972	5985	
December	4968	5497	
TOTAL	88599	95603	

Current month total estimated

- *Education/Outreach:* The Recycling Coordinator is continuing with outreach programs and speaking with County residents daily
 - o Met with the Liberty Garden Club and the Professional Women of Sullivan County at the end of September. Meeting with the Crawford Library in October and working with Cornell Cooperative Extension for a Pumpkin Smash Event on November 2.
- *Accounts:*
 - continue to address any delinquent accounts so they remain current with payment and provide electronic communication for customers
 - User permits for 2025 to be sent out in October
- *Annual Reports:* continue to track data for NYSDEC reporting
- *Composting:*
 - Pilot program in full swing. Public Education is continuing as new participants enroll. Weekly trips continue to deliver compost to Ulster County Resource Recovery Agency.
 - Started grant research for Phase 2: constructing a compost facility.
 - All compost kits have been distributed to the community.
- Public meeting held September 19 to present Draft Solid Waste Management Plan and accept public comment. Public comment being accepted until October 15
- PaintCare launched at the Monticello Transfer Station on September 16. Working on setting up collection at all Transfer Stations.
- Order of Consent received from DEC
- Working on a modification request for the Monticello Transfer Station permit
- Working with Carolina Software to automated reports to be sent to accounts automatically to assist County Treasure

- Pest Tech providing weekly visits to tip floor to solve pest issue
- Radiation detectors set up for calibration
- Fall Town clean-ups are underway
- Roadside & Trail Litter pluck taking place April 1-October 31
- Began collecting cardboard in our blue MRF. Working with two vendors to determine which is most cost effective. (Hauling ourselves vs. vendor pick up)
- HHW scheduled for October 20.
- Working with Cornerstone on RFI for Energy from Waste Facility.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6796

Agenda Date: 10/17/2024

Agenda #: 1.

Narrative of Resolution:

Resolution to authorize the County Manager to execute utility work agreements in accord with the Federal Aid requirements of the project to replace County Bridge 82 which is 95% Federally funded

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? N/A

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE UTILITY WORK AGREEMENTS FOR THE RELOCATION OF UTILITIES FOR THE REPLACEMENT OF BRIDGE 82 (CR 49 OVER THE NEVERSINK RIVER) IN THE TOWN OF FORESTBURGH.

WHEREAS, Resolution 171-22 authorized the County Manager to execute an agreement with NYSDOT that provided for 95% Federal Funding of the project to replace Bridge 82 (Project) located in the Town of Forestburgh; and

WHEREAS, the Federal Aid requirements of the project require the execution of Utility Work Agreements with utilities that need to relocate their utilities for the construction of the project; and

WHEREAS, the utilities shall be relocated at no cost to the County of Sullivan; and

WHEREAS, Utility Work Agreements are needed with Frontier Communications and Charter Spectrum utilities.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Legislature duly convened; and

BE IT FURTHER RESOLVED, that the County Legislature approves of having Utility Work

Agreements to expedite the replacement of Bridge 82; and

BE IT FURTHER RESOLVED, that the County Manager of the County of Sullivan be and is hereby authorized to execute Utility Work Agreements with Frontier Communications and Charter Spectrum utilities, said agreements to be in such form as the County Attorney shall approve.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6799

Agenda Date: 10/17/2024

Agenda #: 2.

Narrative of Resolution:

Resolution introduced by the Public Works Committee to authorize the County Manager to execute a modification to extend the Household Hazardous Waste (HHW) contract for the additional years stated in the contract so the County can hold events in 2025, 2026, 2027 & 2028.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$29,497.42

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

B-24-07

RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE TO AUTHORIZE A MODIFICATION TO RESOLUTION NUMBER 157-24 THAT ALLOWS FOR A YEAR EXTENSION AT A 1.5% INCREASE FOR THE 2025 HOUSEHOLD HAZARDOUS WASTE CONTRACT AS PER B-24-07.

WHEREAS, Resolution #157-24 authorized the County Manager to execute an agreement with North Ward Carting LLC dba North Ward Environmental Services, with a corporate address of 16 Woodland Drive, Woodland Park New Jersey 07424, with a branch located at 75 Lane Road, Fairfield, New Jersey 07004, in accordance with #B-24-07; Household Hazardous Waste Collection for the period January 1, 2024 through December 31, 2024, with the option to extend on a yearly basis for four (4) additional consecutive years, and

WHEREAS, the Division of Public Works proposes an extension of said services for the period of January 1, 2025 through December 31, 2025, at a cost not to exceed \$14,748.71 per event, with the option to extend on a yearly basis for three (3) additional consecutive years in accordance with bid summary unit price/per schedule event for each annual extension.

NOW, THEREFORE, BE IT RESOLVED that the County Manager be and hereby is authorized to execute a modification agreement with North Ward Carting LLC dba North Ward Environmental Services extending services for the period January 1, 2025 through December 31, 2025, at an approximated cost of \$14,748.71 per event, with the option to extend on a yearly basis for three (3) additional consecutive years in accordance with bid summary unit price/per schedule event for each annual extension. Resolution No. 157-24 is hereby modified as per the above and all other provisions of Resolution No. 157-24 shall remain unchanged, said contract to be in such form as the County Attorney shall approve.



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6800

Agenda Date: 10/17/2024

Agenda #: 3.

Narrative of Resolution:

Resolution to authorize the County Manager to execute an agreement with McFarland Johnson for the development of an FAA Categorical Exclusion for an above ground water storage tank at the SCIA. This document is required to accompany our grant application for the design and construction of a water storage tank at the SCIA. This portion of the project is reimbursable if the grant is awarded to the County.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$5,200.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH MCFARLAND JOHNSON FOR THE DEVELOPMENT OF AN FEDERAL AVIATION ADMINISTRATION (FAA) CATEGORICAL EXCLUSION FOR AN ABOVE GROUND WATER STORAGE TANK AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT

WHEREAS, the Sullivan County International Airport currently lacks adequate available water storage for fire suppression for further development on airport property; and

WHEREAS, the County desires to apply for grant assistances from the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) and the New York State Department of Transportation (NYSDOT) for the construction of a water tower to rectify the deficiency; and

WHEREAS, for this project, the County of Sullivan will be required to submit an FAA Categorical Exclusion with an application for grant assistance; and

WHEREAS, the County desires to engage the engineering design services of McFarland Johnson, the Sullivan County International Airport Designated Airport Engineers for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature authorizes the County Manager to sign any and all of the necessary agreements, contracts and documentation, in such form as the County Attorney shall approve, to contract for said services not to exceed \$5,200.00 and inclusive of a \$678.15 fixed fee; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be attached to any necessary agreements in connection with this project; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6801

Agenda Date: 10/17/2024

Agenda #: 4.

Narrative of Resolution:

Resolution introduced by the Public Works Committee to authorize the County Manager to execute an agreement with H. Osterhoudt Excavating for the Grinding of Concrete for Sullivan County on an as needed basis.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$100,000.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

B-24-41

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH H. OSTERHOUDT FOR GRINDING OF CONCRETE FOR SULLIVAN COUNTY

WHEREAS, bids were received for #B-24-41; Grinding of Concrete for the County of Sullivan, and

WHEREAS, H. Osterhoudt Excavating, 11 Spring Street, Ellenville, NY 12428, is the lowest responsible bidder for such work, and

WHEREAS, the Sullivan County Division of Public Works has reviewed said bid and recommends that an agreement be executed.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be and hereby is authorized to execute any and all required documents to enter into a contract with H. Osterhoudt Excavating at a total cost not to exceed \$100,000.00 per year, in accordance with bid submission B-24-41, for a one (1) year period, with option to extend for an additional four (4) years on an annual basis with provisions allowing all mutually agreed upon extensions to adjust in cost to accommodate for the increased Prevailing Wage Rate Schedule, said contracts to be in such form as the County Attorney shall approve.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6802

Agenda Date: 10/17/2024

Agenda #: 5.

Narrative of Resolution:

Resolution to authorize the County of Sullivan to enter into a 3-year contract with the Towns for snow and ice removal on various County Roads

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$1,500,000.00 per year

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY OF SULLIVAN TO ENTER INTO A 3 YEAR CONTRACT WITH THE TOWNS FOR SNOW AND ICE REMOVAL

WHEREAS, Section 135-a of the Highway Law of the State of New York authorizes the County to enter into contracts with the Towns for the control of snow and ice conditions on County Roads located within the Towns; and

WHEREAS, said section of the Highway law of the State of New York requires the approval by resolution of the legislative bodies of the County and the involved Towns; and

WHEREAS, it is the recommendation of the Division of Public Works that the County enter into three (3) year contracts with the involved Towns subject to annual appropriation by the Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager be hereby authorized to execute contracts, commencing on July 1, 2024 and terminating on June 30, 2027, with the any Town in Sullivan County that chooses to participate at a total annual cost not to exceed \$1,500,000 in the first year of the contract; and

BE IT FURTHER RESOLVED, that the County of Sullivan pay the amount of \$6,185.13 per centerline mile for two-lane highways and \$9,277.70 for three-lane highways to the aforementioned

Towns for the contract year July 1, 2024-June 30, 2025. The rate for Contract years 2025-2026 & 2026-2027 will be presented to the Legislature by resolution for approval; and

BE IT FURTHER RESOLVED, The County shall pay the Town a single payment of two hundred dollars (\$200) per centerline mile in addition to the current base rate per mile if the number of call-outs of County forces from the SCDPW Livingston Manor Storm Station exceeds thirty (30) in a season for the duration of this contract; and

BE IT FURTHER RESOLVED, that the contracts be in a form approved by the Sullivan County Attorney.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6803

Agenda Date: 10/17/2024

Agenda #: 6.

Narrative of Resolution:

Resolution to authorize the County Manager to execute an agreement with NYSDOT to provide 95% funding for the Preliminary Engineering/Design work needed to replace County Bridge 51.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$500,000.00

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE IMPLEMENTATION AND FUNDING OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGENY FUNDS.

WHEREAS, a project for the **CR 142 over Swan Lake Outlet (BIN 3356020) Bridge Replacement (BNY23), Town of Liberty, County of Sullivan, P.I.N. 9755.94** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the County of Sullivan will design, let and construct the Project: and

WHEREAS, the County of Sullivan desires to advance the Project by making a commitment of 100% of the costs of the **Preliminary Engineering/Design** work for the Project or portions thereof.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature, duly convened does hereby approve the Project; and

BE IT FURTHER RESOLVED that the Sullivan County Legislature hereby authorizes the County of Sullivan to pay 100% of the cost of **Preliminary Engineering/Design** work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from BridgeNY funds; and

BE IT FURTHER RESOLVED, that the sum of **\$500,000** is hereby appropriated from the Division of Public Works Budget pursuant to this Project and made available to cover the cost of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby agrees that the County of Sullivan shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid,

or BridgeNY funding awarded to the County of Sullivan; and

BE IT FURTHER RESOLVED, that in the event the Project costs not covered by Federal-aid, State-aid, or BridgeNY funding exceed the amount appropriated above, the Sullivan County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Commissioner of Public Works of the County of Sullivan; and

BE IT FURTHER RESOLVED, that the County of Sullivan hereby agrees that construction of the Project shall begin no later than twenty four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months thereafter; and

BE IT FURTHER RESOLVED, that the County Manager of the County of Sullivan be and is hereby authorized to execute on behalf of the County of Sullivan all necessary agreements, certifications or reimbursement requests in such form as approved by the County Attorney for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Sullivan's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

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

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6804

Agenda Date: 10/17/2024

Agenda #: 7.

Narrative of Resolution:

Resolution to authorize the County Manager to execute an agreement with NYSDOT to provide 95% funding for the Preliminary Engineering/Design work needed to replace County Bridge 283.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$512,000.00

Are funds already budgeted? No

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE IMPLEMENTATION AND FUNDING OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGENY FUNDS.

WHEREAS, a project for the **CR 149/Shandee Road over Cattail Brook (BIN 3356090) Bridge Replacement (BNY23), Town of Rockland, County of Sullivan, P.I.N. 9755.95** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the County of Sullivan will design, let and construct the Project: and

WHEREAS, the County of Sullivan desires to advance the Project by making a commitment of 100% of the costs of the **Preliminary Engineering/Design and Right-of-Way Incidentals** work for the Project or portions thereof.

NOW, THEREFORE, BE IT RESOLVED, the Sullivan County Legislature, duly convened does hereby approve the Project; and

BE IT FURTHER RESOLVED that the Sullivan County Legislature hereby authorizes the County of Sullivan to pay 100% of the cost of **Preliminary Engineering/Design and Right-of-Way Incidentals** work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from BridgeNY funds; and

BE IT FURTHER RESOLVED, that the sum of **\$512,000** is hereby appropriated from the Division of Public Works Budget pursuant to this Project and made available to cover the cost of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby agrees that the County

of Sullivan shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or BridgeNY funding awarded to the County of Sullivan; and

BE IT FURTHER RESOLVED, that in the event the Project costs not covered by Federal-aid, State-aid, or BridgeNY funding exceed the amount appropriated above, the Sullivan County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Commissioner of Public Works of the County of Sullivan; and

BE IT FURTHER RESOLVED, that the County of Sullivan hereby agrees that construction of the Project shall begin no later than twenty four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months thereafter; and

BE IT FURTHER RESOLVED, that the County Manager of the County of Sullivan be and is hereby authorized to execute on behalf of the County of Sullivan all necessary agreements, certifications or reimbursement requests in such form as approved by the County Attorney for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Sullivan's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

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

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6805

Agenda Date: 10/17/2024

Agenda #: 8.

Narrative of Resolution:

Resolution to authorize amendments to Section 620.1, 624 and 632 of the Sullivan County Solid Waste Management Rules. See Schedule A.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? N/A

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE AUTHORIZING THE REVISION OF SECTION 620.1, 624, AND 632 OF THE SOLID WASTE MANAGEMENT RULES TO TAKE EFFECT ON JANUARY 1, 2025

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

WHEREAS, from time to time it is necessary to adjust rates based on items such as but not limited to contract obligations, CIP increases and equitable distribution of actual costs; and

WHEREAS, the Commissioner of the Division of Public Works has recommended and the County Manager has concurred with the Commissioner’s recommendation, the adoption of the revisions to the Sullivan County Solid Waste Management Rules. Specifically, Section 620.1, 620.4, and 632 will be modified effective January 1st, 2025 (summary):

- **See Schedule A as attached for summary of changes**

NOW, THEREFORE, BE IT RESOLVED, the Solid Waste Management Rules be modified to read as contained in the attached Schedule “A”; and

BE IT FURTHER RESOLVED, this amendment shall take effect on January 1, 2025.

SULLIVAN COUNTY
SOLID WASTE MANAGEMENT RULES

NADIA RAJSZ
Chair of the Sullivan County Legislature

JOSHUA A. POTOSEK
County Manager

EDWARD McANDREW, P.E.
Commissioner of Public Works

ROBERT H. FREEHILL
County Attorney

Amendments to Rules effective January 1st, 2025

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HISTORY

Adopted by Resolution 299 of 1983 effective September 12, 1983; and amended by:

Resolution 423/83; adopted 12/28/83; Sections 610-632

Resolution 289/84; adopted 11/13/84; Sections 605, 620, 624, 632

Resolution 211/85; adopted 6/10/85; Sections 632

Resolution 46/88; adopted 2/8/88; Section 632

Resolution 47/88; 2/8/88; Section 320

Resolution 285/88; adopted 7/11/88; Section 620

Resolution 224/89; adopted 6/12/89; Sections 504, 611

Resolution 225/89; adopted 6/12/89; Sections 620, 650

Resolution 304/89; adopted 7/10/89; Section 602, 642

Resolution 479/89; adopted 12/13/89; Section 620

Resolution 416/90; adopted 11/13/90; Section 624

Resolution 362/90; adopted 9/19/90; Section 620

Resolution 448/91; adopted 10/10/91; Section 602, 632

Resolution 156/92; adopted 4/9/92; Section 620

Resolution 292/92; adopted 6/11/92; all sections were revised to be in conformance with Local Law No. 1 of 1992 entitled *AA Local Law Entitled Sullivan County Solid Waste Management Law of 1992*" adopted by Resolution 217/92 by the Sullivan County Board of Supervisors.

Resolution 312/92; adopted 7/9/92; Section 620.2; repeal Title VI, Section 620.2b and change 620.2 effective Jan. 1, 1993.

Resolution 599/92; repeal credits and postpone recycling processing fees until 4/1/93.

Resolution 23/93; adopted 1/10/93; amend Section 650

Resolution 266/93; adopted 5/13/93; repeal Title VI, Section 620.2 immediately

Resolution 267/93; adopted 5/13/93; amend Section 632(c)

Resolution 360/93; adopted 7/8/93; amend Section 620.1(f)(4)

Resolution 490/93; adopted 10/10/93; waiver of the prohibition of Section 401 (expiration date 12/31/97)

Resolution 489/93; adopted 10/14/93; amend Section 620.1(a)(b)

Resolution 260/94; adopted 6/13/94; amend Section 201(s), add Section 201(jj), add Section 417, 504 and Section 620.1(f)(5)

Resolution 396/94; adopted 10/13/94; amended Resolution 490/93 (Section 401)

Resolution 395/94; adopted 10/13/94; amended Section 620.1 (a)(b)(c)(d)(e)(f)(g)

Resolution 454/94; adopted 11/4/94; amended Section 620.1(a)(b)

Resolution 159/95; adopted 5/11/95; amended Section 620.1(e)

Resolution 160/96; adopted 6/17/96; added Section 620.1(h)

Resolution 407/97; adopted 9/18/97; deleted Sections 401, 402

Resolution 456/02; adopted 9/19/02; amended Section 620.1 (a)(b)

Resolution 280/04; adopted 8/19/04; amended Section 620.1 (a)-(i)

Resolution 115/06; adopted 3/16/06; amended Section 620.1 (c)-(f)(j)(k)

Resolution 418-06; adopted 11/16/06; amended Section 620.1 (e)(3-5)(j)

Resolution 143-07; adopted 4/26/07; amended Section 204 (r)(mm) and Section 620.1 (l)(m)

Resolution 334-09; adopted 8/20/09; amended Section 620.1 (d) (1 and 3)

Resolution 114-10; adopted 2/18/10; amended Section 605

Resolution 167-11; adopted 4/21/11; amended Section 171-24

Resolution 324-11; adopted 7/21/11; amended Section 201, 302, 303, 501, 502, 620.1 (a)(b)(d)(g)(n)

Resolution 416-13; adopted 11/21/13; amended Section 632 (a)(b)(c)(d) and Section 302 (a)

Resolution 440-13; adopted 12/19/13; amended Section 620.1 (a)(b)(d)(l)(m)

Resolution 351-16; adopted 8/18/16 amended sections 602, 620.1 and section 632

Resolution 251-17; adopted 6/15/17; amend Section 620.1 quantities for C&D

Resolution 345-17; adopted 8/17/17; amended Section 620.1 (c) coupon books, price reduction

Resolution 52-18; adopted 2/8/18; amended Section 620.1 (o) CRT/monitor fee

Resolution 270-18 adopted 6/14/18, amended Section 620.1 (p) SSR \$20 ton

Resolution 356-18 adopted 8/16/18, amend Section 620.1 (p) SSR variable rate

Resolution 536-18 adopted 12/13/18, amend Section 620.1 rate schedule and SSR rate

Resolution 464-20 adopted 12/17/20 amend section 620.1 rate schedule.

Resolution 330-21 adopted 08/19/21 amend section 620.1 (p) SSR \$10 ton

Resolution 473-22 adopted 11/17/22 amend section 620.1 rate schedule and SSR rate

Resolution 204-23 adopted 4/1/23 amend section 303 (f) and section 620.1(n), (o) (p) Fluorescent Bulb and CRT TV & Monitors and SSR rate

Resolution XXX-XX adopted 10/24/25 ammend sections 620.1, 632 and delete 624

TITLE I

GENERAL PROVISIONS

- 101. Title:** These Rules shall be known as the Sullivan County Solid Waste Management Rules
- 102. Authority:** These Rules are adopted pursuant to the provisions of Sections 215 and 226-b of the County Law, notwithstanding any other provision of the law and pursuant to the Sullivan County Solid Waste Management Law, Local law No. 1 of 1992.
- 103. Applicability:** These Rules supersede any and all other Rules heretofore adopted pursuant to law.

TITLE II

DEFINITIONS

201. As used in these Rules, the following terms shall mean:

Account Customer: Any commercial enterprise, industry, institution, municipality and permitted solid waste collector or hauler, utilizing County solid waste management facilities, paying fees on a scheduled basis as established in these Rules.

Adopt-A-Road Program: Municipally-designated program which permits individuals to deposit roadside litter for no-cost disposal at Sullivan County Solid Waste Management Facilities.

Alternate Daily Cover: Substitute material(s) used in place of six inches of natural soils. Use must be approved by the Department.

Bulky Scrap Metal: Any large major appliance (such as a refrigerator, washer, dryer, stove, etc., also known as “white goods”).

Commercial User: All other persons not defined in section 201 as a Solid Waste Collector Hauler or a Residential User in these Rules who transport solid waste to a County solid waste management facility for disposal.

Commissioner: Commissioner of the Division or his designee.

Components: Paper, glass, metals, plastics, garden and yard wastes and may include other elements of solid waste as may be defined by law or the Rules.

Construction and Demolition Debris: Uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of structures and roads; and uncontaminated solid waste consisting of vegetation resulting from land clearing and grubbing, utility line maintenance and seasonal and storm related cleanup. Such waste includes, but is not limited to, brick, concrete, construction and other masonry materials, soil, rock, wood, wall covering, plaster,

drywall, plumbing fixtures, non-asbestos roofing shingles, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes, electrical wiring and components containing no hazardous liquids, and metals that are incidental to any of the above. Solid waste that is not construction and demolition debris (even if resulting from the construction, remodeling, repair and demolition of structures, roads and land clearing) includes, but is not limited to, asbestos waste, garbage, corrugated container board, electrical fixtures containing hazardous liquids (such as fluorescent light ballasts or transformers), carpeting, furniture, appliances, tires, drums and containers, and fuel tanks.

- County: County of Sullivan
- County Landfill: The Sullivan County Sanitary Landfill located in the Village of Monticello, New York, stopped accepting waste 12/31/09.
- County Solid Waste Management Facility: A solid waste management facility operated by or under the supervision of the County.
- Disposal: The deposit at a solid waste management facility of any permitted or authorized solid waste.
- Division: Sullivan County Division of Public Works.
- Electronic waste: “e-waste” electronic equipment or components that have been discarded or are no longer wanted by the owner or for any other reason enters the waste collection, recovery, treatment, processing, or recycling system.
- Export Facility: Facility that accepts Municipal Solid Waste and Single Stream Recyclables for exportation to disposal or recovery markets.
- Food Waste: Food that is discarded, lost or uneaten.
- Hazardous Waste: All materials, substances and chemicals as defined by Federal and State law and the regulations of the United States Environmental Protection Administrations and the New York Department of Environmental Conservation, which are either

dangerous, poisonous, acidic, explosive, flammable, pathological, infectious or radioactive.

Household Hazardous

Waste (HHW): Post-consumer waste which may qualify as hazardous waste when discarded improperly. It includes household chemicals and other substances for which the owner no longer has a use, such as consumer products sold for home care, personal care, automotive care, pest management and other purposes. Examples include oil-based paint, solvents, drain cleaners, antifreeze, spent fuels, poisons, weed killers, pesticides and cleaning products.

Infectious Waste: All medical and laboratory wastes including, but not limited to, surgical, obstetrical, pathological, and biological wastes as defined in 6 NYCRR Part 360.

Junk Motor

Vehicles: Any inoperable motorized vehicle previously used for transportation of passengers or cargo.

Land Clearing

Debris: Vegetative matter, soil and rock resulting from activities such as land clearing and grubbing, utility line maintenance or seasonal or storm related clean up such as trees, stumps, brush and leaves and including wood chips generated from these materials. Land clearing debris does not include yard waste which has been collected at the curbside.

Large Dead

Animals: Any dead wild or domestic animal over 25 pounds.

Litter Pluck

Program: A community-wide volunteer roadside cleanup program designed to remove unsightly trash from roadsides throughout Sullivan County. Registered groups may dispose of Litter Pluck refuse at no charge at Sullivan County Solid Waste Management Facilities.

Materials Recovery

Facility: The Sullivan County Materials Recovery Facility at which source separated or permitted single stream recyclable

components of the solid waste stream are deposited and processed for the purposes of recovering raw materials.

Materials

Management: An approach to planning, organizing, and controlling activities associated with the flow of solid waste, recyclables, compostable and reusable materials in a sustainable manner.

Municipal Cleanup

Program: A Spring and Fall trash cleanup program sponsored by the Sullivan County Legislature and implemented by Towns and Villages.

Organics: The portion of the materials management program that contains material such as food, garden and lawn clippings. It can also include animal and plant based material and degradable carbon such as paper, cardboard and timber.

Person: Individual, partnership, group, association, corporation, estate, trust and municipal corporation.

Pharmaceutical

Waste: Unwanted prescription and non-prescription medications intended for proper disposal.

Recyclables: Solid waste that may be recycled or reused and can be recovered from the overall waste stream or as may be designated for source separation by the Rules.

Regulated Waste: Oil contaminated debris and soils and asbestos authorized for landfill disposal by the NYSDEC.

Residential User: Any individual who transports, without fee, solid waste, generated at a private residential location, to a County solid waste management facility for disposal and such transport does not exceed any one time two (2) cubic yards or 2,000 pounds.

Roadside Cleanup

Program: Acceptance of properly identified municipally-collected roadside cleanup materials at no charge at County Solid Waste Management Facilities.

Rubble/Aggregates:	Uncontaminated brick, non-reinforced concrete, cement cinder block, ceramic tile, stone and soils.
Rules:	Sullivan County Solid Waste Management Rules
Salvaging:	Authorized picking, sorting and removal of reusable or reclaimable solid waste from a solid waste management facility.
Scavenging:	The unauthorized picking, sorting and removal of reusable or reclaimable solid waste from a solid waste facility.
Select Building Demolition Debris:	Uncontaminated construction debris free Bulky Debris and other wastes defined herein, from the demolition of buildings within Sullivan County pre-approved by the local municipal building inspector.
Sharps:	Medical needles and lancets that have been in contact with blood or bodily fluids from humans or animals and intended for proper collection and disposal by NYS-designated Article 28 Healthcare Facilities.
Single Stream	Comingled recyclable materials removed from the solid waste stream at the point of generation for separate collection, sale or other authorized disposition as provided in the Rules.
Solid Waste:	All materials or substances discarded or rejected as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, including, but not limited to, garbage, refuse, industrial and commercial waste, sludges from air and water pollution control facilities or water supply treatment facilities, rubbish, contained gaseous material, demolition and construction debris and offal, but not including sewage and other highly diluted water carried materials or substances, those in gaseous form.
Single Stream Recycling (SSR):	Clean, comingled metal cans, plastic containers (5 gallons in size or smaller) coded #1 - #7, glass bottles, newsprint, cardboard and mixed paper accepted for recycling together as one classification of material.

Solid Waste Collector Hauler:	Any person who is engaged in the business of collecting, sorting, storing, hauling or otherwise disposing of solid waste
Solid Waste Management Facility:	Any facility employed beyond the initial solid waste collection process, including, but not limited to, recycling centers, transfer stations, processing systems, including materials recovery facilities or other facilities for reducing solid waste volume, sanitary landfills, and other landfills, plants, facilities for compacting, composting or pyrolozation of solid wastes, and other solid waste disposal, reduction or conversion facilities.
Solid Waste Management Plan:	The Solid Waste Management Plan adopted, or to be adopted, as it may be amended from time to time, by Sullivan County pursuant to Title I of Article 27 of the Environmental Conservation Law.
Solid Waste Transfer Station:	Any facility at which permitted or authorized solid waste is deposited for pick up, haul and deposit in the County Landfill or any other legal landfill.
Solid Waste / Recycling Fee :	An annual fee determined in accordance with the provisions of Local Law No. 1 of 1992 Article VIII and which fee is to be billed to and paid by the owners of the real property within the County on which Solid Waste and/or Recyclables may be generated.
Source Separation:	Segregation of recyclable materials from the solid waste stream at the point of generation for separate collection, sale or other authorized disposition as provided in the Rules.
Special Bulky Waste:	Solid waste including large household furnishings such as bed springs, mattresses, furniture, rugs and other similar objects.

Unauthorized Waste: Those wastes prohibited from landfill disposal; i.e., tires, yard wastes, appliances containing refrigerants, hazardous waste, and infectious waste.

Waste Flow

Control: A means of directing the flow of solid waste and recyclables to one or more facilities consistent with the Solid Waste Management Plan.

Waste Generator: Any person whose act or process produces a solid waste.

Waste Tires: Tires and their casings from cars, buses, trucks and other vehicles.

Yard Waste: Leaves, grass clippings, garden debris, tree branches, limbs and other similar wood materials.

TITLE III

ADMINISTRATION

301. ADMINISTRATION:

The Commissioner shall administer and enforce these Rules.

302. POWERS AND DUTIES:

The Commissioner or such persons as may be designated by him shall:

- a) administer the solid waste disposal facilities operated by the County, including days and hours of operation, and supervise personnel;
 - 1) **Hours of Operation:** County solid waste management facilities shall be open for the deposit of solid waste on days of the year as established by the Commissioner with consideration given to the recommendation of the host community.
- b) administer the issuance, renewal, suspension and revocation of licenses, permits and passes to all solid waste collectors and haulers for use at any County solid waste management facility or any other solid waste management facility;
- c) adopt, modify and amend rules and regulations in accordance with the law, for the operation and maintenance of County Solid Waste Management Facilities; for licensing and regulating solid waste collectors or haulers, and commercial users for implementation of the County recycling program pursuant to law; and the implementation of the local law, including methods of payment and deferral of payment of fees due the County;
- d) propose for approval by the Sullivan County Legislature, rates and fees for use of solid waste management facilities of the County;
- e) investigate violations of local law and applicable rules and institute appropriate administrative or judicial proceedings with full subpoena power in connection therewith;
- f) conduct studies and report the results thereof to the Sullivan County Legislature;
- g) take such other actions as the Sullivan County Legislature may deem necessary and shall direct.

303. All solid waste management facilities shall:

- a) be operated pursuant to Article 27, Title 6 of Environmental Conservation Law to the extent applicable;
- b) control access to the operation of motor vehicles thereon;
- c) unload solid waste so as to minimize odor and litter outside the disposal area;
- d) control unauthorized salvage and scavenger activities;
- e) maintain accurate daily records of deposits of solid waste and of fees collected;
- f) as a condition for acceptance of solid waste, require the separation of recyclables and unauthorized waste from all other solid waste set at curbside or otherwise for collection by municipal or private carriers, or directly at solid waste facilities. Designated items requiring separation are as follows:
 - 1) Newspaper
 - 2) Old corrugated cardboard
 - 3) Multi-grade office paper
 - 4) Magazines and junk mail
 - 5) Glass food and beverage containers
 - 6) Steel containers
 - 7) Plastic containers
 - 8) Aluminum containers
 - 9) Bulky scrap metals (incl. Refrigeration units)
 - 10) Used motor oil
 - 11) Tires
 - 12) Yard waste
 - 13) Electronic waste (e-waste)
 - 14) Fluorescent bulbs
 - 15) Batteries
 - 16) Propane tanks
 - 17) Textiles
 - 18) Antifreeze
 - 19) Latex paint

This list may be amended by the Commissioner from time to time.

- 304.** Title to any solid waste deposited at the County owned or authorized solid waste management facility shall vest in the County which may sell and dispose of same on such terms as may be appropriate.
- 305.** Title to any designated recyclables, source separated apart from the solid waste stream by residential users, shall vest in the County which may sell and dispose of same on such terms as may be appropriate.
- 306.**
- a) Vehicles used to deposit solid waste at a solid waste management facility shall be metal or other impervious material, constructed and maintained so as to be capable of being completely emptied. Vehicles shall be free from leaks and fully enclosed to prevent odor or litter. Any solid wastes may be hauled in open body vehicles provided same are equipped with covers and tie downs to prevent litter. All vehicles used to haul solid waste shall be subject to inspection by the Commissioner who may bar use of such vehicles until it shall be in compliance with these Rules.
 - b) All commercial user vehicles and roll-off (detachable) containers shall prominently display the permit holder's name and identification number. Such information shall be clearly visible to the scalehouse attendant upon entry weigh-in at a solid waste management facility.
 - c) All vehicles transporting solid waste in bulk (either compacted or loose) for a fee shall have a valid license.
- 307.**
- a) Charging of fees to an account other than that of the permit or license holder making delivery of solid waste shall be prohibited unless approved by the Commissioner. Any permitted delivery shall be accompanied by a County waste manifest form.
 - b) A fee of \$20.00 shall be charged for the return of checks due to insufficient funds.
 - c) There shall be no exemption from special waste fees for recycling/reuse or separate disposal.

TITLE IV

PROHIBITED ACTIVITIES

401. No person shall deposit solid waste in any solid waste management facility other than at a location and in the manner directed by the employee in charge of such facility.
402. No person shall deposit solid waste at any solid waste management facility other than on the days and between the hours established for the operation of such facility or as may be authorized by the Commissioner.
403. No person shall deposit regulated special or special bulky waste at any solid waste management facility in violation of Title V of these Rules.
404. No commercial user shall deposit solid waste at County solid waste management facilities without a valid permit, license or contract.
405. No person shall deposit solid waste at any County solid waste management facility without paying the solid waste deposit fees established therefor.
406. No person shall dispose of any solid waste generated in Sullivan County in any place in Sullivan County except a Solid Waste Management Facility which is entitled to operate as such by permit or Order on Consent by the New York State Department of Environmental Conservation pursuant to the provisions of Article 27 of Title 7 of the Environmental Conservation Law and permitted by the County of Sullivan under Local Law.
407. No person shall leave for collection any solid waste unless it has separated from it at the point intended for collection all designated recyclable components and unauthorized waste.
408. No person shall collect, haul, store or transport solid waste to a County solid waste management facility unless it has separated from it at the point intended for collection, all designated recyclable components and unauthorized waste.
409. No person shall dispose of any solid waste generated in Sullivan County at any solid waste management facility in Sullivan County unless such solid waste has removed from it all designated recyclable components and unauthorized waste.
410. No person, including a Solid Waste Collector or Hauler, residential or commercial user, shall fail or refuse to separate solid waste at the source as herein defined or fail, refuse or neglect to separate solid waste into its components as may be provided in these Rules.

- 411.** No person shall operate a vehicle at a County Solid Waste Facility or collect or haul solid waste with a vehicle which does not comply with these Rules.
- 412.** No person shall dispose of radioactive wastes, hazardous wastes, or infectious wastes, as defined in NYCRR Part 360 Regulations, in the County.
- 413.** No person shall deposit any solid waste in unregulated, uncontrolled or unpermitted disposal sites in Sullivan County.
- 414.** No person shall dispose of Yard Waste at any County Solid Waste Management Facility.

TITLE V

REGULATED WASTES AND OTHER WASTES DESIGNATED FOR SEPARATE COLLECTION OR DISPOSAL

- 501.** No person shall deposit regulated waste at any Sullivan County Solid Waste Management Facility unless said person shall have obtained a NYSDEC Part 364 Waste Transporter Permit authorizing disposal at such facility.
- 502.** No person shall deposit regulated wastes at a solid waste transfer station not authorized to accept such.
- 503.** Wastes designated for separate collection may be deposited at a solid waste management facility under the following conditions:
- a) The following wastes, which require a means of recycling/reuse or separate disposal, shall be collected from the solid waste stream: Bulky scrap metal, waste tires, used motor oil.
 - b) The fees for those wastes designated for separate collection or disposal shall be as specified in Title VI.
 - c) Upon approval of the Sullivan County Legislature, the Commissioner may suspend the charging of fees for certain separated wastes.
 - d) There shall be no exemption from fees for wastes designated for separate collection or disposal unless authorized by order of the Commissioner.
- 504.** Fees for those wastes which are deposited at Sullivan County Solid Waste Management Facilities, but have not been source separated in accordance with Title IV shall be as specified in Title VI, Section 620.1.

TITLE VI

PERMITS, LICENSES

601. All solid waste haulers (private and municipal) operating or doing business in Sullivan County at a solid waste management facility shall, effective September 1, 1992, be licensed to operate as such by the Commissioner of Public Works.

602. Permit, Application, Requirements.

1. All applications shall be made on the appropriate form issued by the Sullivan County Division of Public Works, together with a certificate of public liability and property damage insurance and appropriate fees.
2. Any person wishing to be an account customer must acquire a Solid Waste Management Facility User Permit.
3. In order to obtain a license or permit, solid waste haulers shall provide all residential, institutional and commercial clients or customers with source separation collection services and shall set forth in such application the plan for implementing such service.
4. To obtain or renew a permit the Hauler shall not have any overdue balance at any solid waste management facility within Sullivan County, and shall be in compliance with these Rules.
5. Hauler shall provide mandatory recycling documentation in order to obtain permit to use County SWM Facilities. Permit renewal requires mandatory submission of prior year's recycling tonnage activity by category.

603. Permit, Insurance Requirements. The Hauler's certificate of insurance shall name the County, its officers and employees as a named insured, shall be issued by an insurance company licensed to do business in the State of New York, shall be valid for the term of the permit, shall provide for ten (10) days notice of cancellation to the Commissioner, and shall have automobile insurance limits of at least the following amounts:

Liability per Person.....	\$100,000
Bodily Injury Liability per Accident.....	\$300,000
Property Damage per Accident.....	\$ 50,000

The Commissioner may require, at his discretion, comprehensive general liability insurance with a combined single limit liability of at least \$1,000,000.

604. Regulated Waste Insurance Requirements. An additional certificate may be required in the discretion of the Commissioner prior to the issuance of any authorization to dispose of regulated waste. The insurance shall comply with the requirements of Section 603, and shall specifically insure against damage to person or property by the specific regulated waste to be deposited at an authorized County Solid Waste Management Facility. The amount of such insurance shall be determined in the discretion of the Commissioner, giving consideration to the extent and type of handling and disposal measures involved and the cost of cleanup of such waste in the event of spillage.

605. Types of Permits and Passes

1. Solid Waste Collector or Hauler License. Every solid waste collector and hauler shall obtain a license to operate in the County unless such solid waste collector and/or hauler shall operate solely and exclusively within the territory of a municipality in which solid waste is collected and disposed of and which municipality has adopted regulations which are not less comprehensive than that required by local law and the Rules adopted hereunder.
2. Solid Waste Management Facility User Permit. Every commercial user shall obtain a permit to dispose of solid waste at a County Solid Waste Management Facility.
3. Passes. Passes are a special permit issued to residential user and persons other than commercial users and solid waste collectors and haulers for limited duration and purposes. Such passes may be issued for any purpose authorized by the Rules.

606. All licenses and facility user permits shall be valid from the date of issue to December 31 of the year of issuance. A license or permit shall be exhibited by the license holder to any authorized employee of the Division upon demand.

607. Exceptions; Credits (deleted)

608. Monitoring Load Inspections

a. Private and Municipal Solid Waste Haulers

1. At least two (2) times per year, haulers shall inform all customers and accounts in writing of the type of material designated as a recyclable, including the preparation of the material by customer and the schedule of collection for recyclables with a copy of the letter sent to the County.
2. All private and municipal solid waste haulers shall be responsible for monitoring and notifying customers in violation of the local law and these

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

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

(609 through 619 purposely reserved)

620. Fee and Recycling Credit Schedule 1

620.1 Disposal Fees

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

- a) Compacted Solid Waste in Bulk:

\$130.00 per ton at Transfer Stations equipped with weight scales with a minimum fee of \$20.00 for all loads of 308 pounds or less at Transfer Stations equipped with weight scales.

If there are no scales or the scales are not functioning then a charge of \$60.00 per cubic yard with a \$30.00 minimum fee for quantities of 1/2 cubic yard or less will be charged. (loads shall be measured by facility attendant and the calculated quantity rounded to the next highest 1/2 cubic yard).

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

\$130.00 per ton at Transfer Stations equipped with weight scales. There will be a minimum fee of \$20.00 for all loads of 308 pounds or less,

If there are no scales or the scales are not functioning, then a charge of \$60.00 per cubic yard with a minimum \$30.00 fee for quantities of 1/2 cubic yard or less will be

charged. (loads shall be measured by facility attendant and rounded to the nearest 1/2 cubic yard)

A maximum amount of two (2) cubic yards of C&D will accepted at the Transfer Stations which are not equipped with a scale. Any amount in excess of two (2) yards shall be brought to the Monticello Transfer Station during normal operating hours

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

c) Individual Drop:

- 1) One coupon (valued at \$3.00) per 1-30 gallon can or bag.
- 2) Residential per bag disposal is available by coupon book purchase only. Cash is not permitted. Coupon books may be purchased at any county-operated transfer station.

d) Regulated wastes with special NYSDEC permit only, and subject to approval by the Commissioner:

Oil soaked debris and soils, \$130.00 per ton, with a minimum fee of \$20.00 for all loads of 308 pounds or less,

e) Special Waste Fees:

- 1) Waste Tires (up to a 19-inch rim size): \$3.00 per tire, \$300.00 per ton in bulk.
- 2) Waste Tires (20 inch rim or larger): \$30.00 per tire.
- 3) Refrigeration/Air Conditioning Appliances, \$15.00 per unit;
- 4) Handling Fee for Unseparated Waste: loads of solid waste containing quantities of recyclable items identified in Title III Section 303(f), which are required to be separated from solid waste shall charged a disposal fee two (2) times the applicable rate for solid waste and the charges shall apply to the entire load deposited.
- 5) Untarped Load Surcharge: A \$100.00 surcharge will be applied for any untarped loads being transported into the facility on vehicles bringing in 4 cubic yards of waste or more. A \$10 surcharge will be applied for any untarped loads being transported into the facility on vehicles bringing in less than 4 cubic yards of waste.

f) Service fee for issuance of certified weight receipt for vehicles not seeking access to County Solid Waste Disposal and Recycling Facilities shall be \$10.00.

- h) Handling fee for labor and machinery shall equal the actual cost for removal and remediation of unauthorized waste at the transfer station tipping floor, as determined by the commissioner.
- i) Commercial Hauler License Fee: All private Collector Haulers shall be charged a license fee of \$150.00 plus \$25.00 per truck. Commercial Users and Public Collector Haulers shall not pay a fee for the Commercial Hauler License
- j) Bulk Scrap Metal and Non-CFC appliances Handling Fee: at the discretion of the Commissioner with the concurrence of the County Manager, based on market conditions and handling costs incurred by the County.
- k) Propane tanks, 20 lbs. tanks only: \$2.00 each. Tanks greater than 20 lbs. not accepted.
- l) Rubble/Aggregate, \$130.00 per ton.
- m) Select Building Demolition Debris (minimum transaction quantity of 40 cubic yards, \$130.00 per ton.
- n) Single Stream Recycling shall be charged at a rate of \$110 per ton for Sullivan County Property owners, municipalities, and business. Residential users are at no charge but are limited to 1/4 cubic yard (one 55-gallon drums) per day. This rate shall be reviewed and set quarterly by the Commissioner of Public Works.
- o) Old Corrugated cardboard that is clean and free of other materials is at no charge to all users. All transfer stations with the exception of Monticello are limited to 1/4 cubic yard (one 55-gallon drums) per day.

621. Compacted Bulk Solid Waste - Calculation of Fees

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

622. Loose Bulk Solid Waste - Calculation of Fees

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

623. Required Weighing

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

632. Payment of Fees, Interest, Suspension and Restrictions of Permit

a) Payment of Fees – Surety Bonds and Statements of Account

Any non-governmental or non-educational entity permit holder wishing to be allowed to accrue charges shall provide the County with a surety bond issued by a licensed company authorized to do business in New York State. The Maximum of the surety bond shall be \$50,000.00.

Monthly charges shall only be allowed to accrue to the maximum amount of the surety bond provided to the County. At such time that said limit has been reached, the full amount due shall be paid in 24 hours or the permit restrictions set forth in section 632 (b) (1) shall apply.

All permit holders accruing charges in a 30-day period shall receive a monthly statement of account balance. The statement of account balance will be generated by the close of business on the last day of each month. Said statement shall be accompanied by an official notification stating that payment in full is due within 15 days of the statement date.

b) Permit Restrictions

1. Failure of a permit holder to make payment within fifteen (15) days of the statement date or if the amount added by the surety bond has been reached shall result in the restriction of tipping privileges to a twenty four (24) hours credit basis. Payment of outstanding charges made before the next monthly billing shall, at the discretion of the Commissioner, constitute grounds for release of restrictions on tipping privileges.

c) Interest. In the event that the statement amount is not paid within the time permitted in subdivision (a) of this section, the balance due shall accrue interest at the rate of 4% for each calendar month or portion thereof that the balance shall remain unpaid.

d) Suspension of Permit for Nonpayment. A permit shall be automatically suspended on the 30th day after the date a statement amount is due and any amount including any accrued interest is unpaid. Such suspension shall continue and tipping privileges shall cease until the date of payment of all amounts due including interest. A period of

suspension shall not suspend the accrual of interest to the date of payment. At the option of the Commissioner, the County may declare all amounts due immediately, without regard to the period permitted for payment, after written notice to the permit holder and upon such declaration the permit of such permit holder shall be suspended as herein provided.

642. Other Charges

Nothing herein set forth shall be deemed to control fees charged or recycling credits issued by a municipality other than the County at a solid waste management facility, other than the County Landfill, transfer stations and authorized recycling centers.

TITLE VII

VIOLATIONS

- 701.** Any person who commits a violation of these Rules as herein set forth or any provision of local law, shall be subject to penalties and proceedings as established by said local law.
- a) The failure or refusal by any waste generator having received three (3) separate notices within a six month period to separate recyclable materials from its solid waste shall constitute a violation and each subsequent notice thereafter shall constitute a separate violation.
 - b) The failure or refusal by any private or municipal solid waste collector or hauler to provide a means of curbside separation and collection of recyclables for residential and commercial customers.
 - c) The failure or refusal by any privately or municipally operated solid waste management facility, located in the County, to require the separation of recyclables from waste to be deposited or processed.
 - d) The act, by any person, of disposal of solid waste at an unregulated, uncontrolled or unpermitted site in Sullivan County.
 - e) The act of littering along public highways in Sullivan County by any person.
 - f) The failure or refusal by any residential or commercial user to comply with any section of these Rules.
 - g) The act of disposing of any waste defined herein in non-designated areas.

TITLE VIII

CRIMINAL, CIVIL AND ADMINISTRATIVE PENALTIES AND ENFORCEMENT

801. CRIMINAL PENALTIES. Any person who shall fail to comply with local law or with the rules and regulations adopted pursuant to local law shall be subject to the following criminal penalties:

- a) Hazardous or Infectious Waste. Any person convicted of depositing hazardous or infectious wastes at a solid waste management facility shall be guilty of a misdemeanor and upon conviction, each offense shall be punishable by a fine not to exceed \$5,000.00 or by imprisonment for not longer than six (6) months, or by both such fine and imprisonment.
- b) Each deposit of hazardous or infectious waste shall constitute a separate criminal offense.

802. CIVIL PENALTIES

- a) Any person who shall violate the local law or applicable rules, now or hereafter adopted, shall be liable to the County of Sullivan for a civil penalty not to exceed \$1,000.00 for each separate violation thereof. Each day during which such violation shall continue shall be deemed to be a separate violation.
- b) Illegal Dumping. Any person who shall have deposited solid waste in unlawful, uncontrolled and unpermitted disposal sites in violation of these rules and local law, shall be liable to the County of Sullivan for a civil penalty not to exceed \$5,000.00 for each separate violation thereof. Each day during which such violation shall continue shall be deemed to be a separate violation.

803. These Rules may be enforced by injunction.

804. ADMINISTRATIVE PROCEDURES.

- a) If the Commissioner shall believe that any person holding a permit has violated these Rules, the Commissioner shall provide the permit holder with a written violation Notice setting forth the factual basis for his belief, and setting forth the modification to the hauler's permit, if any, the period of effectiveness of the permit and shall also set forth a fine to be paid as a result of the violation. The Hauler may seek an administrative review of the charges by providing the Commissioner with a written request within five days of receipt of the Notice. An administrative hearing shall be

held within five business days to determine whether a violation has occurred. If the Commissioner finds from the evidence that a violation has occurred, he may suspend the permit of the Hauler for a period of not more than one hundred eighty (180) days, revoke such permit or license, or impose a fine not to exceed \$1,000.00 for each violation, or impose such conditions on suspension or revocation and fine as may be appropriate. In the event a fine is imposed, the permit shall be deemed suspended until payment of such fine. Upon re-application for a permit, the Commissioner may impose such conditions as may be appropriate under the circumstances including, but not limited to, issuance of a provisional or conditional permit revocable upon a determination of subsequent violations of local law or the rules.

- b) In the event the Hauler does not ask for an administrative hearing within five days, the Commissioner's determination shall be final. Payment of any fine shall be due within five business days of receipt of the violation.
- c) At any hearing conducted by the Commissioner, the respondent may be represented by counsel, may cross examine witnesses, present evidence and subpoena witnesses.
- d) **CONSENT ORDERS.** The Commissioner is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any person responsible for the noncompliance with local law or the Rules. Such orders shall include specific action to be taken by the Hauler to correct the noncompliance within a time period also specified by the Order. Consent Orders shall have the same force and effect as an administrative Violation Notice order.
- e) **ADMINISTRATIVE OR COMPLIANCE ORDER.** Notwithstanding any other provision set forth in these Rules, when the Commissioner finds that a person has violated or continues to violate local law, these rules or a permit, license or order issued thereunder, he may issue an order to the person responsible for the violation directing that, following a specified time period, such permit and/or license held by such person shall be suspended unless the violation is corrected and that there is no reoccurrence of the violation. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the self-monitoring and management practices. The person responsible may, within five days of receipt of such order, petition the Commissioner to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Commissioner by certified mail, return receipt requested. The Commissioner may:
 - 1) Reject any frivolous petitions,
 - 2) Modify or suspend the order,
 - 3) Request additional information; or

- 4) Order the petitioner to show cause.
- f) **CEASE AND DESIST ORDERS.** Notwithstanding any other provision of these Rules, when the Commissioner finds that a person has violated or continues to violate local law, these Rules or any permit, license or order issued hereunder, the Commissioner may issue and order to cease and desist all such violations and direct those persons in noncompliance to:
- 1) Comply forthwith; or
 - 2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or termination of the violation.

The person responsible may, within five days of receipt of such order, petition the Commissioner to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Commissioner by certified mail return receipt requested. The Commissioner may:

- 1) Reject any frivolous petitions,
- 2) Modify or suspend the order,
- 3) Request additional information from the user, or
- 4) Order the petitioner to show cause.

805. ADDITIONAL EXPENSES RECOVERABLE. In the event of a judgment in favor of the County in any civil, administrative or criminal action or proceeding, the County may recover its expenses, including reasonable counsel fees, and expert and special service and witness fees incurred in connection with the proof of such violation. The fact that the County shall not have retained counsel shall not be a bar to the collection of such counsel fees, and expert and special service and witness fees and expenses incurred; provided however, that the County shall use a reasonable basis upon which to calculate the cost of services provided by officers and employees of the County.

806. COUNTY ATTORNEY. The Sullivan County Attorney is hereby authorized on the request of the Commissioner to appear in any proceeding on behalf of the County to enforce any civil or administrative penalty, order or to undertake the prosecution of any violation or criminal proceeding authorized by local law and these rules.

807. COUNTY SHERIFF'S DEPARTMENT. The Sullivan County Sheriff's Department is hereby authorized on the request of the Commissioner to undertake investigative measures and law enforcement procedures for violations of local law and these rules.

TITLE IX

SEPARABILITY AND EFFECTIVE DATE

- 901.** Separability. If any clause, sentence, paragraph, section or part of these rules shall be adjudged by a court of competent jurisdiction to be invalid, such judgment, decree or order shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of these rules shall not be affected thereby and shall remain in full force and effect.
- 902.** Effective Date. These rules shall take effect immediately.

Schedule A

620.1 Disposal Fees

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

a) Compacted Solid Waste in Bulk:

\$130.00 per ton at Transfer Stations equipped with weight scales with a minimum fee of \$20.00 for all loads of 308 pounds or less at Transfer Stations equipped with weight scales.

If there are no scales or the scales are not functioning then a charge of \$60.00 per cubic yard with a \$30.00 minimum fee for quantities of 1/2 cubic yard or less will be charged. (loads shall be measured by facility attendant and the calculated quantity rounded to the next highest 1/2 cubic yard).

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

\$130.00 per ton at Transfer Stations equipped with weight scales. There will be a minimum fee of \$20.00 for all loads of 308 pounds or less,

If there are no scales or the scales are not functioning, then a charge of \$60.00 per cubic yard with a minimum \$30.00 fee for quantities of 1/2 cubic yard or less will be charged. (loads shall be measured by facility attendant and rounded to the nearest 1/2 cubic yard)

A maximum amount of two (2) cubic yards of C&D will accepted at the Transfer Stations which are not equipped with a scale. Any amount in excess of two (2) yards shall be brought to the Monticello Transfer Station during normal operating hours

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

d) Regulated wastes with special NYSDEC permit only, and subject to approval by the Commissioner:

Oil soaked debris and soils, \$130.00 per ton, with a minimum fee of \$20.00 for all loads of 308 pounds or less,

e) Special Waste Fees:

- 5) Untarped Load Surcharge: A \$100.00 surcharge will be applied for any untarped loads being transported into the facility on vehicles bringing in 4 cubic yards of waste or more. A \$10 surcharge will be applied for any untarped loads being transported into the facility on vehicles bringing in less than 4 cubic yards of waste.
- i) Commercial Hauler License Fee: All private Collector Haulers shall be charged a license fee of \$150.00 plus \$25.00 per truck. Commercial Users and Public Collector Haulers shall not pay a fee for the Commercial Hauler License
- l) Rubble/Aggregate, \$130.00 per ton.
- m) Select Building Demolition Debris (minimum transaction quantity of 40 cubic yards, \$130.00 per ton.
- n) Single Stream Recycling shall be charged at a rate of \$110 per ton for Sullivan County Property owners, municipalities, and business. Residential users are at no charge but are limited to 1/4 cubic yard (one 55-gallon drums) per day. This rate shall be reviewed and set quarterly by the Commissioner of Public Works.
- o) Old Corrugated cardboard that is clean and free of other materials is at no charge to all users. All transfer stations with the exception of Monticello are limited to 1/4 cubic yard (one 55-gallon drums) per day.

624. Minimum Solid Waste Deposit Fee (get rid of entire section)

632. Payment of Fees, Interest, Suspension and Restrictions of Permit

- c) Interest. In the event that the statement amount is not paid within the time permitted in subdivision (a) of this section, the balance due shall accrue interest at the rate of 4% for each calendar month or portion thereof that the balance shall remain unpaid.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6828

Agenda Date: 10/17/2024

Agenda #: 9.

Narrative of Resolution:

Resolution to authorize the County Manager to execute an agreement with NYSDOT to provide 95% funding for the Construction and Construction Support/Inspection work needed to replace County Bridge 82

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$5,784,284.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID/AND/OR STATE AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS.

WHEREAS, a project for the replacement of BIN 3355520; Oakland Valley Road/CR 49 over Neversink River, Town of Forestburgh, P.I.N. 9755.24 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds; and

WHEREAS, Resolution 171-22 authorized the Preliminary Engineering/Design work for the Project; and

WHEREAS, the County of Sullivan will design, let and construct the Project; and

WHEREAS, the County of Sullivan desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature, duly convened does hereby approve the above-subject Project; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby authorizes the County of Sullivan to pay 100% of the cost of Preliminary Engineering/Design and Construction, Construction Support, and Construction Inspection work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and

BE IT FURTHER RESOLVED, that the sum of \$5,784,284 is hereby appropriated from the Division of Public Works Budget pursuant to this Project and made available to cover the cost of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED, that the Sullivan County Legislature hereby agrees that the County of

Sullivan shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or Bridge NY funding awarded to the County of Sullivan; and

BE IT FURTHER RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or Bridge NY funding exceed the amount appropriated above, the Sullivan County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Manager of the County of Sullivan; and

BE IT FURTHER RESOLVED, that the County of Sullivan hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and

BE IT FURTHER RESOLVED, that the County Manager of the Sullivan County be and is hereby authorized to execute on behalf of the County of Sullivan all necessary agreements, certifications or reimbursement requests in such form as approved by the County Attorney for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Sullivan's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

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

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6829

Agenda Date: 10/17/2024

Agenda #: 10.

Narrative of Resolution:

Resolution to schedule a public hearing for the lease of Hangar 4 - Bay 7 to Edward Herling and Hangar 6 - Bay 13 to Kenneth Bowdren.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? N/A

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO SET A PUBLIC HEARING FOR LEASE OF PROPERTY AT THE SULLIVAN COUNTY INTERNATIONAL AIRPORT (SCIA)

WHEREAS, there has been introduced and presented at a meeting of the Sullivan County Legislature held on October 24, 2024 the proposed lease (s) of property at the Sullivan County International Airport. The proposed lease (s) consists of two T-hangar bays: Hangar 4 - Bay 7 to Edward Herling and Hangar 6 - Bay 13 to Kenneth Bowdren.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed lease by the Sullivan County Legislature on November 21, 2024 at 10:15AM, in the Legislative Chambers, County Government Center, Monticello, New York, and at least ten (10) days' notice of the public hearing be given by the Clerk of the Sullivan County Legislature by due posting thereof on the bulletin board of the County of Sullivan and by publishing such notice at least once in the official newspapers of the County.

**COUNTY OF SULLIVAN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that there has been duly presented and introduced at a meeting of the Legislature of the County of Sullivan, New York, held on October 24, 2024 with regard to proposed lease (s) of property at the Sullivan County International Airport to Edward Herling (Hangar 4 – Bay 7) and to Kenneth Bowdren (Hangar 6 – Bay 13).

NOTICE IS FURTHER GIVEN that the Legislature of the County of Sullivan will conduct a public hearing on the aforesaid proposed lease (s) at the Legislature’s Meeting Room, County Government Center, Monticello, New York, 12701, on November 21, 2024 at 10:15 a.m. at which time all persons interested will be heard.

DATED: Monticello, New York
October 24, 2024

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



Sullivan County

Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6830

Agenda Date: 10/17/2024

Agenda #: 11.

Narrative of Resolution:

Resolution to authorize the County Manager to execute an agreement with Fisher Associates D.P.C. for engineering services for the improvement of County Road 75 in the vicinity of County Bridge 171.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: \$186,000.00

Are funds already budgeted? Yes

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY PUBLIC WORKS COMMITTEE TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH FISHER ASSOCIATES, D.P.C. FOR THE COUNTY ROAD 75 IMPROVEMENT PROJECT.

WHEREAS, Resolution No. 50-22 authorized Fisher Associates D.P.C. for engineering services needed for locally administered Federal aid projects and other bridge and highway projects; and

WHEREAS, an improvement project is needed for the realignment of County Road 75/Harris Bushville Road to improve traffic safety; and

WHEREAS, County Road 75/Harris Bushville Road has had several accidents in the vicinity of County Bridge 171; and

WHEREAS, the Division of Public Works recommends that Fisher Associates D.P.C. be retained to provide services to for the improvement of County Road 75 in the vicinity of County Bridge 171.

NOW, THEREFORE, BE IT RESOLVED, that the County Manager is authorized to execute an Agreement with Fisher Associates D.P.C. at a cost not to exceed \$186,000, for engineering services for the improvement of County Road 171, said contract to be in such form as the County Attorney shall approve.



Sullivan County
Legislative Memorandum

100 North Street
Monticello, NY 12701

File #: ID-6835

Agenda Date: 10/17/2024

Agenda #: 12.

Narrative of Resolution:

Resolution to authorize the filing of a pre-application for submission of a full application for a State Grant in-aid for Municipal Waste Reduction and Recycling Coordinator/Education project and authorizing the County Manager to execute the associated state contract if offered under the appropriate laws of New York State.

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: N/A

Are funds already budgeted? N/A

Specify Compliance with Procurement Procedures:

N/A

RESOLUTION INTRODUCED BY THE PUBLIC WORKS COMMITTEE AUTHORIZING THE FILING OF AN APPLICATION, FOR A STATE GRANT IN-AID FOR A MUNICIPAL WASTE REDUCTION AND RECYCLING COORDINATION / EDUCATION PROJECT AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE THE ASSOCIATED STATE CONTRACT IF OFFERED, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE.

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, the NYS Department of Environmental Conservation's 2024 Municipal Waste Reduction and Recycling Coordination / Education Program, under the Recycling Coordinator project category, provides for a fifty (50%) percent reimbursement on eligible project costs for salary, planning, educational and promotional activities to increase public awareness of and participation in recycling and waste reduction, wherein a municipality may request reimbursement of eligible expenses for the period 1/1/2025 through 12/31/2025; and

WHEREAS, the County of Sullivan herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York, and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; and

WHEREAS, the Sullivan County Legislature hereby authorizes the County Manager and / or the Chairman of the County Legislature to execute any and all necessary documents to accept the award, should one be granted, and enter into an award agreement or contract in order to administer the funding secured, in such form as the County Attorney shall approve.

NOW, THEREFORE, BE IT RESOLVED, by the County of Sullivan

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the County Manager is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE. Said contract shall be approved as to form by the Sullivan County Attorney's Office.
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.
4. That this resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that should the NYS Department of Environmental Conservation's Municipal Waste Reduction and Recycling Coordination / Education Program funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.