

RESOLUTION NO. 2015165

RE: AUTHORIZING AN INTER-MUNICIPAL AGREEMENT AMONG VARIOUS DUTCHESS COUNTY DEPARTMENTS, AGENCIES, FIRE DISTRICTS, AND MUNICIPALITIES, FOR A JUVENILE FIRE-SETTERS INTERVENTION RESPONSE EDUCATION ("JFIRE") PROGRAM

Legislators ROMAN, FLESLAND, JOHNSON, HORTON, STRAWINSKI, WEISS, IGNAFFO, and JETER-JACKSON offer the following and move its adoption:

WHEREAS, the incidence of arson fires set by juveniles, ages 3-17, in Dutchess County is disturbing, and

WHEREAS, there is a need for educational and counseling assistance for these juveniles, either through programs of outreach and referral or through judicial intervention, and

WHEREAS, there is a committee of persons dedicated to achieving the goal of identifying juvenile fire-setters, and to provide educational intervention to juveniles and their families, thus reducing the incidence of injury, death and property loss due fires set by juveniles, and

WHEREAS, other Counties in New York State, including Suffolk County, Washington County, and Albany County, have similar Programs in place in order to address the issue of fires set by juveniles, and

WHEREAS, pursuant to Article 5-g, Section 119 of the General Municipal Law, the County, the Fire Districts, and Municipalities, are authorized to enter into such Agreement, and

WHEREAS, the proposed Inter-Municipal agreement, a copy of which is annexed hereto, is in the best interests and would benefit all of the citizens of Dutchess County, and

WHEREAS, the JFIRE Program will function and operate administratively through the Dutchess County Department of Emergency Response; Emergency Response will provide storage space and maintain all records pertaining to this Program, and

WHEREAS, the Committee is comprised of representatives from the Dutchess County Sheriff's Office, Dutchess County Department of Emergency Response, Dutchess County Department of Probation and Community Corrections, Dutchess County Department of Law, Dutchess County Department of Community and Family Services, Dutchess County Department of Mental Hygiene, Dutchess County District Attorney's Office, Astor Services for Children and Families, Fire Districts from Arlington Fire District, LaGrange Fire District, Fairview Dire District, and Police Departments from Town of Poughkeepsie Police Department, City of Poughkeepsie Police Department, Hyde Park Police Department and East Fishkill Police Department, who are committed to this program, and

WHEREAS, the funds for a two day training seminar have been guaranteed through assistance by the Dutchess County District Attorney's Office, and passed under Resolution No. 2015112, and

WHEREAS, prior Resolution No. 306-1991 had authorized the creation of the Dutchess County Juvenile Fire-Setter Intervention Task Force, and

WHEREAS, the Dutchess County Juvenile Fire-Setter Intervention Task Force ceased to exist approximately ten years ago, now therefore be it

RESOLVED, that Resolution No. 306-1991 is hereby repealed in its entirety, and be it further

RESOLVED, that this Legislature hereby approves the creation of the Juvenile Fire-Setters Intervention Response Education (hereinafter "JFIRE") Program, and be it further

RESOLVED, that the Dutchess County JFIRE Program is authorized to seek monetary grants to finance its training programs and operations, and to conduct education, outreach, counseling and other services for juveniles who are arsonists or potential arsonists, and be it further

RESOLVED, that the County Executive and County Department Heads are authorized to execute the Inter-Municipal Agreement in substantially the same form as annexed hereto.

CA-099-15
LDF/kvh/ G-0148-A
5/14/15
Fiscal Impact: attached

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8th day of June 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8th day of June 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ 0 _____

Total Current Year Revenue \$ 0 _____
and Source

Source of County Funds (check one): Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ 0 _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:

No expense involved in forming this committee and entering into this agreement.

Prepared by: Dana Smith

Prepared On: May 11, 2015

INTER-MUNICIPAL AGREEMENT

This Inter-Municipal Agreement (hereinafter "Agreement") is set forth among the Dutchess County Department of Emergency Response, Dutchess County Sheriff's Office, Dutchess County Office of Probation and Community Corrections, Dutchess County Department of Community and Family Services, Dutchess County Department of Law, Dutchess County Department of Mental Hygiene, Dutchess County District Attorney's Office, Astor Services for Children and Families, Arlington Fire District, Fairview Fire District, LaGrange Fire District, City of Poughkeepsie (on behalf of City of Poughkeepsie Police Department), Town of Hyde Park (on behalf of Town of Hyde Park Police Department), Town of East Fishkill (on behalf of Town of East Fishkill Police Department), and Town of Poughkeepsie (on behalf of Town of Poughkeepsie Police Department)

PURPOSE

This Agreement is between the above parties for the following purposes:

- To create a committee of persons from these agencies called the Juvenile Fire-Setters Intervention Response Education Program Committee, hereinafter "JFIRE".
- To provide a comprehensive approach to effectively solve the problem of juveniles, ages 3-17, who set fires through proper education, early identification and assessment, and facilitation of referrals for appropriate intervention strategies.
- Identifying juvenile fire-setters and to provide educational intervention to youth and their families, thus reducing the incidence of injury, death, and property loss due to juvenile fire-setters.

OBJECTIVES

It is the intent of this Agreement that all parties involved agree to participate in this County-wide program, in the following manner:

- 1) Participate and send representatives to a two-day training at no tuition cost to the agency. The number of representatives per agency to be agreed upon by the JFIRE Program Committee.
- 2) Supply all data and incoming referrals to a central reporting point to allow for further assessment and statistical analysis of juvenile fire-setting behavior
- 3) Participate in assessments on an as-needed basis with primary use of the Oregon Juvenile with Fire Screening Tool for a risk assessment.
- 4) Complete designated forms/reports on a timely basis
- 5) Attend and participate in JFIRE committee meetings, with a schedule to be set by the committee as a whole, as well as additional meetings on an as-needed basis
- 6) Comply with additional operational procedures, including the procedural manual and By-Laws to be prepared, as agreed upon by the Committee.
- 7) Any salary, compensation, overtime/compensatory time-off, that is incurred when participating in the JFIRE Program, as well as any insurance requirements, are the responsibility of the employing agency.

LEAD AGENCY

The JFIRE Program will function and operate administratively through the Dutchess County Department of Emergency Response.

The Dutchess County Department of Emergency Response will provide storage space and maintain all records pertaining to this Committee. In addition, the Department of Emergency Response shall also provide and maintain an office space to use for JFIRE business, as well as a conference room and/or meeting room to conduct the affairs of the JFIRE Program Committee.

All meetings of the JFIRE Program Committee shall take place at the Department of Emergency Response Center, the Dutchess County Sheriff's Office or another facility as agreed upon.

CONFIDENTIALITY

All agencies that are a part of this Agreement agree that any information obtained shall remain confidential and shall be shared solely with the members of the JFIRE Committee and shall not be re-disclosed outside of the JFIRE Committee, unless proper releases and authorizations have been obtained. Records or portions thereof may be subject to FOIL.

TERM OF AGREEMENT/TERMINATION

The term of this Agreement commences on the date of execution by the County Executive. Either party may terminate this Agreement upon ninety (90) days notice to the Dutchess County Department of Emergency Response.

_____ Dutchess County-County Executive

_____ Dutchess County Sheriff's Office

_____ Dutchess County Emergency Response

_____ Dutchess County District Attorney's Office

_____ Dutchess County Department of Law

_____ Dutchess County Department of Probation and Community Corrections

_____ Dutchess County Department of Mental Hygiene

_____ Dutchess County Department of Community & Family Services

Astor Services for Children and Families

Title _____

Date _____

RF

Town of Poughkeepsie

Title _____

Date _____

Town of Poughkeepsie Police Department

Title _____

Date _____

RF

City of Poughkeepsie

Title

Date

City of Poughkeepsie Police Department

Title

Date

DRAFT

Town of Hyde Park

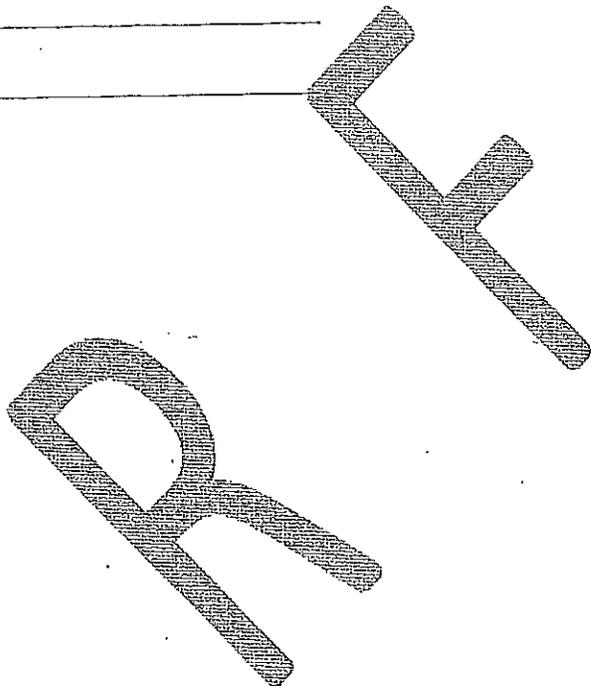
Title

Date

Town of Hyde Park Police Department

Title

Date



Town of East Fishkill

Title _____

Date _____

Town of East Fishkill Police Department

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Date _____

DRAFT

Arlington Fire District

Title _____

Date _____

DATA

Fairview Fire District

Title _____

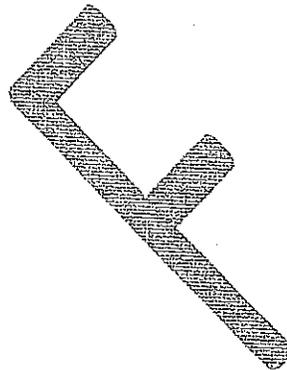
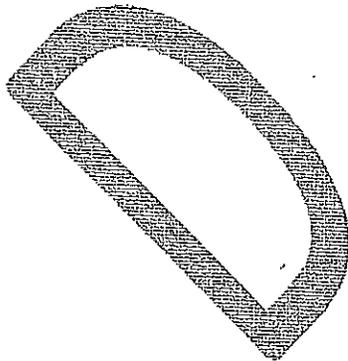
Date _____

RF

LaGrange Fire District

Title _____

Date _____



McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 5-G. Municipal Cooperation (Refs & Annos)

McKinney's General Municipal Law § 119-n

§ 119-n. Definitions

Effective: July 18, 2012

Currentness

As used herein:

a. The term "municipal corporation" means a county outside the city of New York, a city, a town, a village, a board of cooperative educational services, fire district or a school district.

b. The term "district" means a county or town improvement district for which the county or town or towns in which such district is located is or are required to pledge its or their faith and credit for the payment of the principal of and interest on all indebtedness to be contracted for the purposes of such district. The term "district" shall also mean, for the purposes of joining a municipal cooperative health benefit plan authorized under article forty-seven of the insurance law, a soil and water conservation district established under the soil and water conservation districts law.

c. The term "joint service" means joint provision of any municipal facility, service, activity, project or undertaking or the joint performance or exercise of any function or power which each of the municipal corporations or districts has the power by any other general or special law to provide, perform or exercise, separately and, to effectuate the purposes of this article, shall include extension of appropriate territorial jurisdiction necessary therefor.

d. The term "joint water, sewage or drainage project" means a joint project to provide for a common supply of water, the common conveyance, treatment and disposal of sewage or a common drainage system, as described in paragraphs B, D and F of section two-a of article eight of the constitution.

e. The term "voting strength" means the aggregate number of votes which all the members of the local governing body of a municipal corporation or district are entitled to cast.

Credits

(Added L.1960, c. 102, § 1, eff. Feb. 23, 1960. Amended L.1961, c. 681, § 2; L.1963, c. 15, § 1; L.1964, c. 355, § 1; L.1970, c. 331, § 1; L.1973, c. 171, § 1; L.1991, c. 413, § 77; L.2012, c. 191, § 1, eff. July 18, 2012.)

Notes of Decisions (5)

McKinney's General Municipal Law § 119-n, NY GEN MUN § 119-n

RESOLUTION NO. 2015112

RE: AMENDING THE 2015 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Legislators ROMAN, FLESLAND, BOLNER, HORTON, SAGLIANO, WEISS, JETER-JACKSON, FARLEY, JOHNSON, and STRAWINSKI offer the following and move its adoption:

WHEREAS, the District Attorney has requested the appropriation of forfeiture of crime proceeds, and

WHEREAS, pursuant to Article 13-A of the CPLR, said funds must be used to enhance prosecutorial and law enforcement efforts and not to supplement ordinary budgetary expenses, and

WHEREAS, the District Attorney has requested that the sum of \$41,178 be placed in various District Attorney Asset Forfeiture accounts to be used for the purchase of equipment, office supplies and training expenses, listed in on the attached Asset Forfeiture Expenditure sheet, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized and directed to amend the 2015 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.1165.05.4160	Office Supplies	\$20,294
A.1165.05.4620.72	Employee travel and expense	2,800
A.1165.05.4631	Training and seminars	6,244
A.1165.05.4765.312	Reimb. Expenses Municipalities	3,900
A.1165.05.4750	Other Equipment – ND	6,885
A.1165.05.4654	Reimb Non-Employee Expense	1,055
		<u>\$41,178</u>

REVENUES

Increase

A.9998.95110.01	Approp. Res. Asset Forfeiture – State	<u>\$41,178</u>
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CA-058-15
LDF/kvh/G-0135
3/09/15
Fiscal Impact: See attached statement

APPROVED

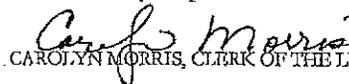
MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/20/2015

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of April 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of April 2015.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

COUNTY LEGISLATURE

781

August 12, 1991

RESOLUTION NO. 305—1991

RE: Designation of Dutchess County Economic Development Corporation as the Tourism Promotion Agency for the County of Dutchess

Legislator Gamache offers the following and moves its adoption:

WHEREAS, by Resolution No. 335 of 1985, the Dutchess County Legislature designated the Dutchess County Economic Development Corporation as the Tourism Promotion Agency for Dutchess County, and

WHEREAS, it is the intent of this Legislature that the Dutchess County Economic Development Corporation continue as the Tourism Promotion Agency for Dutchess County, and

WHEREAS, the Dutchess County Economic Development Corporation requires the authority of this Legislature to apply for up to \$230,000 in State matching funds, now, therefore, be it

RESOLVED, that the Dutchess County Economic Development Corporation is hereby designated the Tourism Promotion Agency for Dutchess County for the State fiscal year April 1, 1991 through March 31, 1992 and is hereby authorized to apply for State matching funds up to \$230,000, and be it further

RESOLVED, that if the application for such funding is approved, the Dutchess County Economic Development Corporation shall submit the grant agreement to this Legislature for approval and appropriation prior to commencing any work.

Fiscal Impact: Unknown—Matching funds, if required, to be approved by future resolution.

Roll call vote on the foregoing resolution (#305) resulted as follows:

Ayes: 33

Nays: 0

Absent: 2—Lavoie, Roberts.

Resolution adopted.

RESOLUTION NO. 306—1991

RE: Authorizing the Creation of the Dutchess County Juvenile Firesetter Intervention Task Force

Legislators Bleakley, Fettes and Heilmann offer the following and move its adoption:

WHEREAS, the incidence of arson fires set by juveniles in Dutchess County is disturbing, and

WHEREAS, there is a need for educational and counseling assistance for these youths, either through judicial intervention or through programs of outreach and referral, and

WHEREAS, there is before this Legislature a proposal for the creation of a task force to be known as the Dutchess County Juvenile Firesetter Intervention Task Force (the "Task Force"), consisting of five members to be appointed by the County Executive with the confirmation of this Legislature, and



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of Existing Appropriations,

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resulted as follows:

PROCEEDINGS OF THE

August 12, 1991

WHEREAS, the four members of said Task Force shall be selected from the following County Departments upon the recommendation of each department head:

- One member Department of Probation
- One member Department of Mental Hygiene
- Two members Fire Bureau

and

WHEREAS, one member of said Task Force shall be selected from the Astor Clinic upon the recommendation of its Executive Director, and

WHEREAS, the Task Force will enlist volunteer interviewers to provide education and counseling for juveniles who are arsonists or potential arsonists, and

WHEREAS, said Task Force will provide training for its volunteer interviewers and educational and counseling services for juveniles and will seek monetary grants to conduct these programs, and

WHEREAS, the Task Force will function and operate administratively through the Office of the Dutchess County Fire Coordinator, and

WHEREAS, it is in the best interests of the citizens of Dutchess County to provide educational and counseling services for juveniles who are arsonists or potential arsonists, now, therefore, be it

RESOLVED, that the Dutchess County Juvenile Firesetter Task Force is hereby created for the purpose of providing education and counseling for juvenile arsonists and potential juvenile arsonists in Dutchess County, and be it further

RESOLVED, that the Dutchess County Juvenile Firesetter Task Force shall operate and function administratively through the Office of the Dutchess County Fire Coordinator, and be it further

RESOLVED, that the Dutchess County Juvenile Firesetter Task Force is authorized to seek monetary grants to finance its training programs and operations, and to conduct education, outreach, referrals and other services for juveniles who are arsonists or potential arsonists, and be it further

RESOLVED, that the Dutchess County Juvenile Firesetter Task Force shall consist of five members, each of whom shall serve terms of three years, appointed by the County Executive with the confirmation of this Legislature from the following County Departments and the Astor Clinic upon the recommendation of each department head or Executive Director:

- One member Department of Probation
- One member Department of Mental Hygiene
- Two members Fire Bureau
- One member Astor Clinic

Fiscal Impact: None

Amended in Family Services on 8/7/91 dms

Roll of

Ayes:

Nays:

Absent

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