

RESOLUTION NO. 2015183

RE: ADOPTION OF THE REVISED DUTCHESS COUNTY PARTNERSHIP
FOR MANAGEABLE GROWTH PROGRAM (DCPMGP)

Legislators HUTCHINGS, FLESLAND, BOLNER, FARLEY, and PERKINS offer the following and move its adoption:

WHEREAS, the Dutchess County Legislature approved the Agricultural and Farmland Protection Plan in Resolution No. 980039, and

WHEREAS, the Dutchess County Legislature established the Agricultural and Open Space Protection Matching Grant Fund in Resolution No. 990382, and

WHEREAS, the Dutchess County Legislature adopted Greenway Connections, the Greenway Compact Program and Guides for Dutchess County communities in Resolution No. 200347, and

WHEREAS, the Dutchess County Legislature established the Dutchess County Partnership for Manageable Growth in Resolution No. 201276, and

WHEREAS, the Dutchess County Legislature amended the Dutchess County Partnership for Manageable Growth Plan by adding a ground water protection component in Resolution No. 206205, and

WHEREAS, to date, the Partnership for Manageable Growth has been successful as there have been fourteen (14) projects that have conserved over 2,700 acres of farmland and seven (7) projects that have preserved 500 acres of open space, and

WHEREAS, this Legislature by Resolution No. 2014323 authorized \$1,000,000 in bond funds for this program with the intent of funding preservation along with infrastructure, as defined within the Water and Wastewater Facility Planning and Development Grants section of the DCPMGP, and the State is expected to announce two (2) rounds of funding for farmland protection this year, and

WHEREAS, after a review of the current process for the Partnership for Manageable Growth, the staff of the Dutchess County Department of Planning and Development in collaboration with the Dutchess County Planning Board, conducted a thorough review of the Dutchess County Partnership for Manageable Growth, and

WHEREAS, the highlights of the proposed revisions are as follows: (a) funding clarification; (b) removal of the requirement that the County be "last in" in for funding; (c) addition of a preliminary review option; (d) clarification of differences between "open space" and "farmland protection" projects; (e) stipulation that there will be no retroactive funding; (f) passive recreation only; and (g) establishment of criteria for the Municipal Planning Grants, and

WHEREAS, the proposed revised Dutchess County Partnership for Manageable Growth Program is attached hereto, and now therefore, be it

RESOLVED, the Dutchess County Legislature hereby approves the proposed Dutchess County Partnership for Manageable Growth Program in substantially the same form as attached hereto, and it is further

RESOLVED, that Resolution Nos. 980039, 990382, 201276 and 206205 are hereby repealed in their entirety upon the adoption of this resolution.

CA-118-15
CAB/EW/kvh/G-0179
06/19/15

Fiscal Impact: See attached statement

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 July 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 July 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: \$ 0

Net County Cost (this year): \$ 0
Over Five Years: \$ 0

Additional Comments/Explanation:

The resolution request is to revise the Terms and Conditions of the Partnership for Manageable Growth Program. Since the program was established in 1999 several changes have occurred that necessitate revisions to the Terms and Conditions. Adoption of these would result in the repeal/replacement of resolutions 99038 and 201276.

Prepared by: Eoin Wrafter

Prepared On: 6/18/15

PARTNERSHIP FOR MANAGEABLE GROWTH PROGRAM

I. INTRODUCTION

The Dutchess County Partnership for Manageable Growth Program (DCPMGP) is designed to assist the County and its municipalities in implementing the recommendations of adopted planning documents including *Directions: The Plan for Dutchess County*, the *Dutchess County Agricultural and Farmland Protection Plan*, *Greenway Connections*, and the *Dutchess County Water and Wastewater Plan*.

II. GRANT CATEGORIES

A. Open Space and Farmland Protection Grants

The Open Space and Farmland Protection Matching Grant Program was established as a proposal of the County Executive and adopted in December 1999 (Resolution 990832) to implement the *Dutchess County Agricultural and Farmland Protection Plan* and to protect important agricultural and open space resources.

B. Municipal Planning Grants

To encourage implementation of smart growth policies based on County Planning documents including the *Greenway Compact*, *Directions*, and the *Agricultural and Farmland Protection Plan*, the Dutchess County Planning Board will consider municipal planning grants to support local initiatives for Open Space and Farmland Protection Planning, Development of Generic Environmental Impact Statements, and Water Source Protection and Well Testing.

C. Water and Wastewater Facility Planning and Development Grants

In October of 1992, the Dutchess County Water and Wastewater Authority released a report titled the *Dutchess County Water and Wastewater Plan* identifying future water and sewer needs in Dutchess County. The report outlined the need to fund pre-construction and feasibility studies and to assist communities with grants.

III. FUNDING

The amount of funding necessary to implement the objectives of the DCPMGP will be reviewed on an annual basis in relationship to the extent viable potential projects have been identified and established. This review will be incorporated into the annual planning process for both the Capital Budget and the Operating Budget. The program may be funded through the operating budget appropriations and/or through bond allocations.

IV. PROGRAM GUIDELINES

To insure equitable and cost efficient distribution of County funds, a series of criteria based specifically on Dutchess County conditions and priorities will be applied to each type of proposal.

The use of DCPMGP funds shall require the approval of the Dutchess County Executive and the Dutchess County Legislature. Dutchess County will service as Lead Agency under the New York State Environmental Quality Review Act (SEQRA) for review of the County's funding participation in any acquisition.

A. Open Space and Farmland Protection Grants

Open Space Protection

The program for open space protection will provide a matching portion of fee simple, or development rights/conservation easement purchase price up to 50% of the total project cost (land value, transaction costs and stewardship endowment), with preference given to acquisitions that require a lower County share of total cost.

Bargain sales for a portion of, up to the full 50% are eligible.

Projects that were previously acquired are not eligible for retroactive funding.

All municipal open space acquisitions will require municipal funding support. Project sponsors may include Cities, Town, and Villages. In order to be eligible to receive open space funds, municipalities must participate as Greenway Compact municipalities. Municipalities may partner with other entities, but will be considered the lead applicant for acquisitions of municipally owned property. Property acquired with DCPMGP funds must be designated as parkland and accessible to all Dutchess County residents for passive recreational uses only.

Passive recreation refers to recreational activities that do not require prepared facilities like sports fields or pavilions. Passive recreational activities place minimal stress on a site's resources; as a result, they can provide ecosystem service benefits and are highly compatible with natural resource protection.

Not for profit organizations may act as lead applicants for the fee title acquisition of property in the Open Space category that will be privately owned and maintained, provided the acquired private property is accessible to the public for passive recreational uses.

Dutchess County's match shall be based on land interest only (not including buildings) and shall be based on current appraised value as determined by a qualified appraiser. The effective date of the appraisal must be within three years of closing on the conservation easement or a letter of update from the appraiser will be required by Dutchess County. Dutchess County may require an update if it determines that market conditions require it.

The County will require a conservation easement or an equivalent agreement between the County and a recipient of DCPMG funds that will:

- Document the County's financial interest in the property and provide for reimbursement of County funds in the event that the property were sold

for uses other than public recreation or enforce the requirement that equivalent parkland be provided for public recreation.

- Give the County authority to monitor permitted uses of the property.
- Describe the terms of the funding agreement including the requirement that the acreage remain undeveloped except for passive recreation-related facilities specifically included in the agreement, and that the acreage be accessible to all County residents for passive recreational purposes.

Farmland Protection

Farmland Protection projects involve purchase of the development rights (PDR) /conservation easement on farmland, thereby placing restrictions on the landowners' future use of the property in order to preserve the property for agricultural uses as defined in an agricultural conservation easement placed on the farmland. The Property will remain in private ownership and remain on the tax rolls. The sale of development rights will be entirely voluntary.

Projects that were previously acquired through purchase of development rights are not eligible for funding, although applications for additional purchase of development rights funding to protect farmland owned by a former applicant that has not been previously protected are permitted.

The program for farmland protection will provide a matching portion of development rights, or conservation easement purchase price up to 50% of the total project cost.

County agents such as the Agricultural and Farmland Protection Board, the Soil and Water Conservation District, and the Environmental Management Council, and not for profit organizations including land conservancies may serve as lead applicants for the purchase of development rights on farmland and/or may sponsor farmland protection applications in cooperation with landowners. Municipal endorsement of a farmland protection proposal is desirable but not required.

Municipal sponsors may include Cities, Town, and Villages. Municipalities may partner with other entities, but will be considered the lead applicant. Municipal funding is not mandatory for consideration of farmland protection projects, but greater weight will be given to applications that include municipal funding.

In order to be eligible to receive farmland protection funds, municipalities must participate as Greenway Compact municipalities.

B. Municipal Planning Grants

All municipal planning grants will require municipal funding support. Project sponsors may include Cities, Town, and Villages. Municipalities may partner with other entities,

but will be considered the lead applicant. Municipal Planning Grants include the following Categories:

Open Space and Farmland Protection Planning

Greenway Compact municipalities may apply to the Dutchess County Planning Board for 50% matching grants, not to exceed a County share of \$10,000, for adoption and implementation of open space and farmland protection strategies consistent with the Greenway Compact. At least 15% of funding must be provided by the local municipality, in addition to any in-kind services provided. Initiatives may include but are not limited to municipal open space and farmland protection plans, resource protection overlay districts, limited development plans, transfer of development rights, and zoning, master plan, and subdivision regulation revisions that support the protection of resources and the agriculture industry.

Farm Development Plans guide potential development away from active farmland and incorporate residential cluster or conservation design standards for any future subdivision. Dutchess County will provide up to \$3,000 to fund farm development plans and financial analyses, provided that those plans are approved by municipal planning boards and recorded on deeds and official maps.

Development of Generic Environmental Impact Statements

Greenway Compact municipalities may apply to the Dutchess County Planning Board for 50% matching grants, not to exceed a County share of \$10,000, for the development of Generic Environmental Impact Statements to facilitate the approval process for cluster development, resource protection overlay districts, reuse of existing community centers, and/or affordable housing. At least 15% of funding must be provided by the local municipality in addition to any in-kind services provided.

Proposals must be consistent with Greenway Connections. In the event that municipalities receive reimbursement from developers for the GEIS, the County shall be entitled to receive reimbursement for its share of the pro-rated cost.

Water Source Protection and Well Testing

Greenway Compact municipalities may apply to the Dutchess County Planning Board for 50% matching funds not to exceed a county share of \$10,000 for development and/or implementation of water source protections plans and or well testing initiatives. Funding may be granted to municipal projects meant to protect water supplies (i.e. wellheads, aquifers, watersheds), and/or develop/implement community-wide well testing programs. Funding may be used for feasibility studies, engineering or planning documents, promotional and educational efforts.

At least 15% of funding must be provided by the local municipality in addition to any in-kind services provided. Municipalities are encouraged to apply jointly. Joint

municipal projects may be funded up to 50% with a county share not to exceed \$25,000. Proposals may include public/private partnerships. Municipalities must have a constituent Conservation Advisory Council or Board like environmental/natural resource protection committee to participate in planned development/implementation.

C. Water and Wastewater Facility Planning and Development Grants

The Water and Wastewater Facility Planning and Development Program will provide grant funding for pre-construction/feasibility studies as well as funding for construction of community systems.

Greenway Compact municipalities may apply to the Dutchess County Water and Wastewater Authority for up to 50% of the cost of pre-construction/feasibility studies and up to 25% of the cost of construction projects, provided that maximum community, district, and other available financial resources have been fully explored and committed.

The County may receive pro-rated reimbursement for any funded study receiving reimbursement from another funding source. Any funded community and/or district shall include study costs in construction financing requests/applications where applicable and appropriate.

Applications for funding for pre-construction/feasibility studies and construction of water or wastewater facilities shall be reviewed for consideration and recommendation by the Dutchess County Water and Wastewater Authority staff and board.

Projects receiving construction grants from Dutchess County shall be owned and operated by the Dutchess County Water and Wastewater Authority.

Grants from the Water and Wastewater Facility Planning and Development program shall be used to buy down the capital costs of municipal water and wastewater systems or to purchase future capacity in said system in order to provide service at affordable rates as determined by the State Comptroller. No monies will be provided for system maintenance, operational, and repair requirements.

In order to be eligible to receive grants under the Water and Wastewater Facility Planning and Development Program, municipalities must participate as Greenway Compact municipalities.

Funding Priorities will be subject to annual review by the Board of Directors of the Dutchess County Water and Wastewater Authority in consultation with the Dutchess County Planning Board.

V. Application Process

Preliminary Review Opportunity:

- Potential applicants for Open Space, Farmland Protection, and Municipal Planning Grant applications may meet with the Department of Planning and Development staff to assess potential applications in relation to established DCPMG criteria. Based on staff recommendations, the Planning Board may conduct an informal review of the proposal prior to submission of a complete application.
- Potential applicants for Water and Wastewater applications may meet with Dutchess County Water and Wastewater Authority staff to assess potential applications in relation to established DCPMG criteria. Based on staff recommendations, the Authority Board may conduct an informal review of the proposal prior to submission of a complete application.

Depending on funding availability, at least once a year an application cycle will be established. The types of applications that will be accepted will be based on the type of funding available. Planning grants cannot be funded through bond funding. Operating funds must be appropriated in order to solicit for these types of projects.

To insure equitable and cost efficient distribution of County funds, a series of criteria based specifically on Dutchess County conditions and priorities will be applied to each proposal. Selection will be based on the property's/project's conformance to established criteria:

- Open Space - Attachment A
- Farmland Protection - Attachment B
- Municipal Planning Grants – Attachment C
- Water and Wastewater Facility Planning and Development - Attachment D.

All Open Space, Farmland Protection, and Municipal Planning Grant applications will be reviewed by the Dutchess County Planning Board. All Water and Wastewater applications will be reviewed by the Dutchess County Water and Wastewater Authority.

Applicants will have secured the remainder of funding needed to complete the project from public or private sources that must be identified at the time of application for County funds, or provide proof that a credible application is pending with another public funding source for the remainder of the funding. If an applicant requires documentation that County funds are available in order to be considered for funding from the State or other primary funding sources, the Planning Board has the option to approve a contingent resolution in support of funding a particular project if and when primary funding is confirmed.

- The Department of Planning and Development will establish an application deadline date(s).
- Incomplete applications will not be accepted for consideration.
- Applicants will compete for a potential pool of County DCPMG funds as determined annually by the County Executive and Legislature.
 - Open Space, Farmland Protection, and Municipal Planning Grants:

- The Dutchess County Planning Board will rate applications against established objective criteria (Attachments A, B, and C).
- The Dutchess County Planning Board will meet with applicants and conduct site visits as it deems advisable.
- The Dutchess County Planning Board will recommend selected project(s) to the County Executive and the Legislature.
- Water and Wastewater Facility Planning and Development Grants:
 - The Dutchess County Water and Wastewater Authority will rate applications against established objective criteria – Attachment D.
 - The Dutchess County Water and Wastewater Authority will meet with applicants and conduct site visits as it deems advisable.
 - The Dutchess County Water and Wastewater Authority will forward its recommendations to the County Executive and the Legislature.

An implementation team will be established for each project recommended by the Dutchess County Planning Board. Team members will include key stakeholder organizations, the County Attorney's Office, the Department of Planning and Development, Dutchess County Water and Wastewater Authority (as applicable) and other interested parties.

Attachment A - Criteria for Open Space Protection

<i>Ranked 5-1, where 5 is high and 1 is low.</i>	5	4	3	2	1	Total
Local and Regional Support						
Priorities established in municipal Comprehensive Plans						
Inclusion in NYS Open Space Plan						
Inclusion in municipal, county, or regional trail system						
Municipal designation scenic road and/or vista						
Additional funding source(s) confirmed						
Resource Protection						
Scenic Viewshed						
Key gateway area						
Watershed, aquifer protection						
Wildlife habitat						
Historic resource						
Recreational value/public access						
Development Pressure						
Importance to rural character of municipality						
Accelerated residential growth						
Commercial expansion on key roadways						
Imminent threat						

Attachment B - Criteria for Farmland Protection

<i>Ranked 5-1, where 5 is high and 1 is low.</i>	5	4	3	2	1	Total
Agricultural Significance						
Soil quality						
Economic viability of farm operation, qualification for Agricultural Value Assessment						
Location in or near critical mass of production farmland Identified in Agricultural and Farmland Protection Plan						
Potential continuity of farm operation						
Inclusion in Agricultural District						
Agriculture-related business on site						
Local and Regional Support						
Priorities established in municipal Comprehensive Plans						
Additional funding source(s) confirmed						
Municipal funding support (advisable, not required)						
Municipal designation scenic road and/vistas						
Resource Protection						
Scenic Viewshed						
Key gateway area						
Watershed, aquifer protection						
Wildlife habitat						
Historic resource						
Development Pressure						
Importance to rural character of municipality						
Accelerated residential growth						
Commercial expansion on key roadways						
Imminent threat						

Attachment C - Criteria for Municipal Planning Grants

<i>Ranked 5-1, where 5 is high and 1 is low.</i>	5	4	3	2	1	Total
Local and Regional Support						
Is the project consistent with applicable County plans, including Greenway Connections, Centers and Greenspaces Guide						
Support from Local Officials						
Municipal funding support						
Municipal Benefits						
Strengthens community center						
Stimulates economic activity						
Assists with affordable housing						
Watershed, aquifer protection						
Proposed Work Plan						
Quality of the work plan						
Is it clear and concise						
Is the project efficient and reasonable						
Readiness to proceed						

Attachment D - Criteria for Water and Wastewater Facility Planning and Development

<i>Ranked 5-1, where 5 is high and 1 is low.</i>	5	4	3	2	1	Total
Community Benefit						
Stimulates economic activity						
Strengthens community center						
Addresses public health/environmental quality problem						
Assists with affordable housing						
Local and Regional Support						
Advances opportunities for regionalization and/or consolidation of infrastructure						
Consistent with County service area plan						
Consistent with local land use plan						
Support from local officials						
Resource Protection						
Incorporates energy efficiency as appropriate						
Incorporates water conservation measures as appropriate						
Promotes natural resource protection						
Promotes open space/agricultural preservation						
Consistency with NYS Smart Growth Infrastructure Act						
Feasibility						
Affordability—cost per typical property in service area						
Support for creation of district or zone of assessment						
Readiness to proceed/project schedule						
Appropriate budgets and rates to support proper system operation and maintenance						

RESOLUTION NO. 980039

RE: APPROVAL OF AGRICULTURAL AND FARMLAND PROTECTION PLAN DEVELOPED BY THE DUTCHESS COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD AND SUBMISSION THEREOF TO THE NEW YORK STATE COMMISSIONER OF AGRICULTURE AND MARKETS FOR APPROVAL

Legislators HORN, Reilly, Sheedy, Price, Fettes, Klose and Schroeder offer the following and move its adoption:

WHEREAS, Article 25-AAA of the New York State Agriculture and Markets Law authorizes a County Agricultural and Farmland Protection Board to develop an Agricultural and Farmland Protection Plan, and

WHEREAS, the Dutchess County Agricultural and Farmland Protection Board (Board) has analyzed agricultural trends and farm activities in Dutchess County and has developed an Agricultural and Farmland Protection Plan (Plan) that describes the activities, programs, and strategies to be used to promote continued agricultural use in Dutchess County, and

WHEREAS, the Board has conducted public meetings and held a public hearing on the proposed Plan, a copy of which is attached hereto and now submits such for approval, and

WHEREAS, adoption of this Plan shall not be construed as a financial commitment on the part of Dutchess County to any program or position, and

WHEREAS, approval of the Plan by Dutchess County and subsequent approval by the Commissioner of the New York State Department of Agriculture and Markets will make Dutchess County eligible for State Agricultural Protection Grants to implement Plan strategies, now, therefore be it

RESOLVED, that the Plan submitted by the Board is approved, and, be it further

RESOLVED, that the Plan be submitted to the New York State Commissioner of Agriculture and Markets for approval.

CA-22-98 ADR/kh 01/15/98

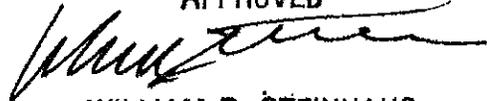
Fiscal Impact: See attached statement

amended on floor 5/11/98 cm.

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

APPROVED

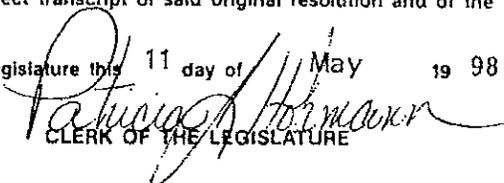


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 5/21, 1998

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 11 day of May 19 98 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 11 day of May 19 98



PATRICIA HORN
CLERK OF THE LEGISLATURE

Am ded

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Cap Proj
12-6
12-12*

RESOLUTION NO. 990382

RE: ESTABLISHMENT OF A \$1 MILLION AGRICULTURAL AND OPEN SPACE PROTECTION MATCHING GRANT FUND

The Dutchess County Legislature offers the following and moves its adoption:

WHEREAS, the Dutchess County Legislature adopted the Dutchess County Agricultural and Farmland Protection Plan prepared by the Dutchess County Agriculture and Farmland Protection Board on May 11, 1998, and

WHEREAS, the adopted Plan recommends that Dutchess County establish a Development Rights Acquisition Program that will qualify Dutchess County to receive State and Federal funds, and

WHEREAS, Dutchess County is now eligible to receive grants for the purchase of conservation easements and development rights to farmland and open space resources, and

WHEREAS, the County Executive in his "1999 State of the County" address, consistent with the adopted and approved Dutchess County Agricultural and Farmland Protection Plan, proposed an Open Space/Farmland Preservation Matching Fund be created as an opportunity to leverage County dollars in partnership with established private and public funding programs, and

WHEREAS, productive farmland and scenic vistas resources are essential to the County's agriculture and tourism industries, and

WHEREAS, agricultural and open spaces protect the County's environmental quality, and

WHEREAS, Dutchess County's rural character attracts and serves as a backdrop for continuing residential and commercial growth, and

WHEREAS, long-term protection of open spaces and agricultural resources serve to strengthen the Dutchess County economy, and

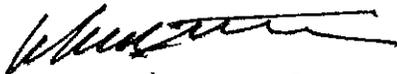
WHEREAS, the County Executive convened an Open Space and Agricultural Protection Advisory Committee charging it with the task of determining how a matching grant fund could be established, managed and continued into the future, and

WHEREAS, the Open Space and Agricultural Protection Advisory Committee completed its work and offers both program guidelines and project selection criteria (included as Attachments A and B), now, therefore be it

RESOLVED, that the Dutchess County Legislature approves the establishment of an Agricultural and Open Space Protection Matching Grant Fund to be administered in accordance with the terms and conditions set forth in Attachments A and B and funded in accordance with a separate bonding resolution, and, be it further

RESOLVED, that a majority vote of this Legislature shall be required for the acquisition of any easements, development rights or other interests in land and for any State Environmental Quality Review Act findings in connection therewith.

APPROVED


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

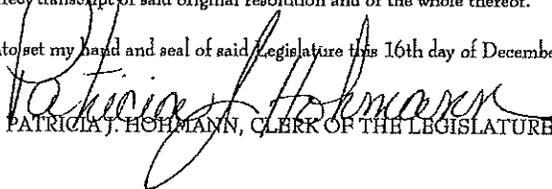
Date 12/21, 1999

A: RES. 382 11/23/99 js
Amended in Capital Project & Economic Development 12/2/99 lw
Amended on floor cm 12/16/99
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 16th day of December, 1999, 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 16th day of December, 1999.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

ATTACHMENT A

Program Guidelines

- The Dutchess County Open Space and Agricultural Protection Matching Grant Fund will be dedicated to either fee simple purchase or purchase of the development rights or conservation easements of priority resources in partnership with project sponsors and funding organizations.
- The Dutchess County Open Space and Agricultural Protection Fund will provide a matching portion of the fee simple, development rights, or conservation easement purchase price, up to a maximum of one third of the total. Applicants will have secured the remainder from municipal, state, or private sources which must be identified at the time of application for County funds.
- Applications will be reviewed and recommended by the Dutchess County Planning Board.
- To insure the most equitable and cost efficient distribution of County funds, a series of criteria based specifically on Dutchess County conditions and priorities will be applied to each proposal. Ranking will be based on the property's conformance to established criteria (see Attachment B - Selection Criteria).
- Individual applications must be approved by the Dutchess County Legislature as part of its-SEQRA review.
- An implementation team will be established for each recommended transaction. Team members will include key stakeholder organizations, the County Attorney's Office, the Department of Planning and Development, and other interested parties.
- Neither open space nor agricultural lands shall be allotted more than seventy percent of the protection fund.
- No County funds shall be awarded until funding partners have been identified and primary fund award has been confirmed.
- Dutchess County's match shall be based on land interest only. The costs of proposed amenities such as development of public access would be considered as portion of other partners' match but no County funding would be provided.
- Municipal sponsors may include Towns and Villages as well as County agents such as the Agriculture and Farmland Protection Board and the Environmental Management Council. While municipal endorsement will earn additional rating "points," it will not be required.

Criteria for Open Space and Farmland Protection**					
	A	B	C	D	E
Local and Regional Support					
Priorities established in municipal Comprehensive Plans					
Inclusion in NYS Open Space Plan					
Inclusion in municipal, county, or regional trail system					
Municipal designation scenic road and/or vistas					
Municipal participation in Greenway Compact Program					
Additional funding source(s) identified					
Unique Opportunity or Threat					
Resource Protection					
Scenic viewshed					
Key gateway area					
Watershed, aquifer protection					
Wildlife habitat					
Historic resource					
Recreational value/public access					
Agricultural Significance					
Soil quality					
Economic viability of farm operation					
Location in or near critical mass of productive farmland					
Potential continuity of farm operation					
Development Pressure					
Importance to rural character of municipality					
Accelerated residential growth					
Commercial expansion on key roadways					
Imminent threat					

**Items to be ranked on a scale from 'A' (highest value) to 'E' (lowest value)

RESOLUTION NO. 200347

RE: ADOPTION OF GREENWAY CONNECTIONS

Legislators REILLY, KENDALL, PRICE, HAMMOND, LAWRENCE, SEARS, KELLY, NOEL, RUGE, HIGGINS, COOPER, HORTON, PHILLIPS, DONAHUE, MOLINARO, QUINN, SWARTZ, PUZZUTO, and HINKLEY offer the following and move its adoption:

WHEREAS, County Executive William R. Steinhaus proposed a Greenway initiative and received a two-year grant from the Hudson River Valley Greenway Communities Council to develop a Greenway Compact Program for Dutchess County to serve as a model for other counties in the region, and

WHEREAS, Dutchess County has been preparing *Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities* in cooperation with its thirty (30) municipalities and the Greenway Council, and

WHEREAS, Dutchess County has held two series of workshops in different sectors of the County and numerous public meetings with municipal officials and other interested groups to gain recommendations and support for Greenway principles, and

WHEREAS, a third of Dutchess County communities have already become Compact members and a majority are in the process of becoming Compact members, and

WHEREAS, the Greenway Compact will provide for renewed commitment to high development standards, economic development, natural and cultural resource protection and other goals of the Greenway Program, and

WHEREAS, the Compact provides useful guidelines for a large number of development issues in the County, now, therefore, be it

RESOLVED, that pursuant to the provisions of Section 44-0119 of the Environmental Conservation Law of the State of New York, Dutchess County hereby adopts the statement of land use policies, principles and guides entitled, "*Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities*", a copy of which is on file with the Clerk of the Legislature, (hereinafter referred to as *Greenway Connections*), by which action Dutchess County becomes a participating community in the Greenway Compact, and be it further

RESOLVED, that proposals to amend *Greenway Connections* may from time to time be made by the Hudson River Valley Greenway Communities Council (hereinafter referred to as "Greenway Council") in response to requests from participating communities. Within ninety (90) days of receipt of any such proposal from the Greenway Council, the Dutchess County Legislature shall determine by resolution whether to accept or to reject such proposed amendment. Any proposed amendment so accepted shall be considered an amendment of *Greenway Connections* as adopted by Dutchess County. Any proposed amendment rejected by the County will not be considered to be an

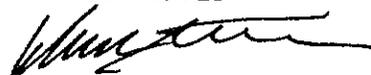
amendment of *Greenway Connections* for the County, and notice of such rejection shall promptly be provided to the Greenway Council, and be it further

RESOLVED, it is the stated policy of Dutchess County that, to the extent the County amends its current, or enacts new land use plans and practices, where appropriate, they will be designed to be consistent with *Greenway Connections*.

CA-222-00
ca G-179
10/16/00

Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Nov. 27, 2000

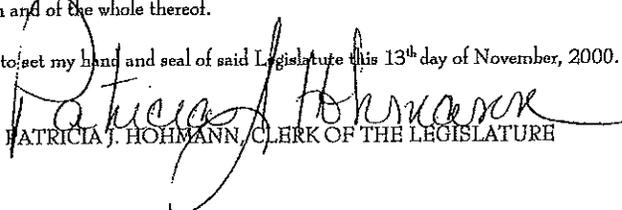
STATE OF NEW YORK

PS:

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 November, 2000, 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 November, 2000.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Amended

RESOLUTION NO. 201276

RE: ESTABLISHMENT OF THE DUTCHESS COUNTY PARTNERSHIP FOR MANAGEABLE GROWTH

Legislators KENDALL, REILLY, MOLINARO, BABIARZ, FETTES, HIGGINS, SMITH, JOHNSON, PRICE, JEMIOLO, offer the following and move its adoption:

WHEREAS, the County Executive in his 1999 State of the County Address proposed that an Open Space and Farmland Preservation Matching Grant Fund be created as an opportunity to leverage County dollars in partnership with established private and public funding, and

WHEREAS, the Dutchess County Legislature established the Dutchess County Open Space and Farmland Protection Matching Grant Fund in December 1999 (Resolution No. 990382), and

WHEREAS, the County Executive proposed and the County Legislature adopted Greenway Connections, the Greenway Compact Program and Guides for Dutchess County Communities in October 2000 (Resolution No. 200347), and

WHEREAS, said Resolution establishes "the stated policy of Dutchess County that, to the extent the County amends its current, or enacts new land use plans and practices, where appropriate, they will be designed to be consistent with Greenway Connections," and

WHEREAS, the construction of water and wastewater infrastructure is an essential element in an overall growth management strategy to guide new development away from rural resources and encourage appropriate development in and around our cities and villages, now, therefore, be it

RESOLVED, that the Dutchess County Legislature approves the establishment of the Dutchess County Partnership for Manageable Growth to be administered in accordance with the terms and conditions set forth in Addendum A and Attachments A, B, C, and D.

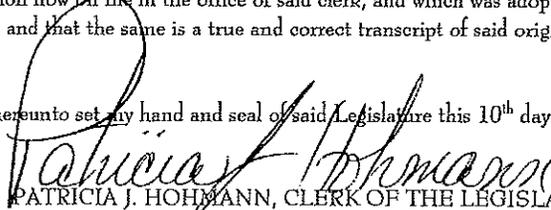
RES. 276 8/31/01 C.exec./js Amended on floor 9/10/01 cm

STATE OF NEW YORK

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 10th day of September, 2001, 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 10th day of September, 2001.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Addendum A

The Dutchess County Partnership for Manageable Growth

I - Introduction

The Dutchess County Partnership for Manageable Growth is designed to assist the County and its municipalities implement the recommendations of adopted planning documents including *Directions: The Plan for Dutchess County*, the *Dutchess County Agriculture and Farmland Protection Plan*, *Greenway Connections*, and the *Dutchess County Water and Wastewater Plan*. It enhances the current Open Space and Farmland Protection Matching Grant Program with the addition of a water and wastewater partnership program for the improvement of water and sewer services throughout the County and initiatives to further Greenway Partnerships between the County and its municipalities.

II - Open Space and Farmland Protection

The Open Space and Farmland Protection Matching Grant Program was established as a proposal of the County Executive and adopted in December 1999 (Resolution 990382) to implement the *Dutchess County Agriculture and Farmland Protection Plan* and to protect important agricultural and open space resources. All applications are reviewed upon receipt, pending confirmation of sufficient primary funding which establishes the basis for the partnership and which is required to make the projects viable. Applications are reviewed in accordance with the Program Guidelines (Attachment A) and Criteria (Attachment B). The program will also be integrated with the County's Capital Budget planning process.

III - Water and Wastewater Facility Planning and Development

In October of 1992, the Dutchess County Water and Wastewater Authority released a report titled the *Dutchess County Water and Wastewater Plan* identifying future water and sewer needs in Dutchess County. The report outlined the need to fund pre-construction and feasibility studies and to assist communities with loans and grants.

In addition to projects initiated by the Water and Wastewater Authority and to further implement the objectives outlined in the Water and Wastewater Plan, Dutchess County will create a Water and Wastewater Facility Planning and Development Program for the county and local communities. It will be administered by the Dutchess County Water and Wastewater Authority in accordance with Program Guidelines (Attachment C) and Program Funding Criteria (Attachment D). It will also be integrated with the County's Capital Budget planning process.

IV – Municipal Planning Grants

To encourage implementation of smart growth policies based on County Planning documents including the Greenway Compact, Directions, and the Agricultural and Farmland Protection Plan, the Dutchess County Planning Board will consider municipal planning grants to support local initiatives noted below:

Open Space and Farmland Protection Planning

Greenway Compact municipalities may apply to the Dutchess County Planning Board for fifty percent (50%) matching grants, not to exceed a County share of \$10,000, for adoption and implementation of open space and farmland protection strategies consistent with the Greenway Compact. At least fifteen percent (15%) of funding must be provided by the local municipality, in addition to any in-kind services provided. Initiatives may include but are not limited to municipal open space and farmland protection plans, resource protection overlay districts, **limited development plans**, transfer of development rights, and zoning, master plan, and subdivision regulation revisions that support the protection of resources and the agriculture industry.

Farm Development Plans guide potential development away from active farmland and incorporate residential cluster or conservation design standards for any future subdivision. Dutchess County will provide up to \$3,000 to fund farm development plans and financial analyses, provided that those plans are approved by municipal planning boards and recorded on deeds and official maps.

Development of Generic Environmental Impact Statements

Greenway Compact municipalities may apply to the Dutchess County Planning Board for fifty percent (50%) matching grants, not to exceed a County share of \$10,000, for the development of Generic Environmental Impact Statements to facilitate the approval process for cluster development, resource protection overlay districts, reuse of existing community centers, and/or affordable housing. At least fifteen percent (15%) of funding must be provided by the local municipality in addition to any in-kind services provided.

Proposals must be consistent with Greenway Connections. In the event that municipalities receive reimbursement from developers for the GEIS, the County shall be entitled to receive reimbursement for its share of the pro-rated cost.

V - Funding

The amount of funding necessary to implement the objectives of the Dutchess County Partnership for Manageable Growth will be reviewed on an annual basis in relationship to the extent viable potential projects have been identified and established. This review will be incorporated into the annual planning process for both the Capital Budget and the Operating Budget. The program may be funded through the operating budget appropriations and/or through Bond allocations.

Attachment A

Dutchess County Partnership for Manageable Growth For Open Space and Farmland Protection

Program guidelines

- The Dutchess County Partnership for Manageable Growth for Open Space and Farmland Protection will be dedicated to either fee simple purchase or purchase of the development rights or conservation easements of priority resources in partnership with project sponsors and funding organizations.
- Applications must be reviewed and recommended by the Dutchess County Planning Board. The amount of grant funds recommended shall be determined at the discretion of the Dutchess County Planning Board. The Board's recommendations will be forwarded to the County Executive and County Legislature when an appropriate agreement has been negotiated.
- To insure equitable and cost efficient distribution of County funds, a series of criteria based specifically on Dutchess County conditions and priorities will be applied to each proposal. Selection will be based on the property's conformance to established criteria (see Attachment B – Criteria for Open Space and Farmland Protection).
- The acquisition of any easements, development rights or other interests in land shall require the approval of the Dutchess County Executive and the Dutchess County Legislature. Dutchess County will serve as Lead Agency under the New York State Environmental Quality Review Act.
- The program for farmland protection will provide a matching portion of fee **simple**, development rights, or conservation easement purchase price up to **fifty percent (50%)** of total project cost. Applicants will have secured the remainder from public or private sources that must be identified at the time of application for County funds.
- The program for open space protection will provide a matching portion of fee simple, development rights, or conservation easement purchase price up to **fifty percent (50%)** of the total project cost. All municipal open space acquisitions will require municipal funding support. **Municipal open space projects may be funded up to one third of the total project cost.** Municipal open space grants may be increased to fifty (50%) of the project cost provided that there is at least twenty-five percent (25%) municipal participation.

Attachment A (continued)

- Municipal applications for open space funds shall require municipal participation in the Greenway Compact by the local government.
- Municipal sponsors may include Cities, Towns and Villages. Municipalities may partner with other entities, but will be considered the lead applicant.
- County agents such as the Agriculture and Farm Protection Board, the Soil and Water Conservation District, and the Environmental Management Council and not for profit organizations including land conservancies may sponsor farmland applications in cooperation with landowners.
- Municipal endorsement of farm **and open space** acquisition proposals is desirable but will not be required.
- Dutchess County's match shall be based on land interest only and shall be based on current appraised value.
- There shall be two application rounds per year. All applications will be reviewed upon receipt by the Planning Board, but no county funds will be committed until funding partners have been identified and additional funding sufficient to complete the proposed acquisition has been confirmed.
- An implementation team will be established for each acquisition recommended by the Dutchess County Planning Board. Team members will include key stakeholder organizations, the County Attorney's Office, the Department of Planning and Development, and other interested parties.

Attachment B

Criteria for Dutchess County Open Space and Farmland Protection**					
**Items to be ranked on a scale from >A= (highest value) to >E= (lowest value)	A	B	C	D	E
Local and Regional Support					
Priorities established in municipal Comprehensive Plans					
Inclusion in NYS Open Space Plan					
Inclusion in municipal, county, or regional trail system					
Municipal designation scenic road and/or vistas					
Additional funding source(s) confirmed					
Resource Protection					
Scenic viewshed					
Key gateway area					
Watershed, aquifer protection					
Wildlife habitat					
Historic resource					
Recreational value/public access					
Agricultural Significance					
Soil quality					
Economic viability of farm operation					
Location in or near critical mass of productive farmland					
Potential continuity of farm operation					
Development Pressure					
Importance to rural character of municipality					
Accelerated residential growth					
Commercial expansion on key roadways					
Imminent threat					

Attachment C

Dutchess County Partnership for Manageable Growth for Water and Wastewater Facility Planning and Development

Program Guidelines

- The Water and Wastewater Facility Planning and Development program will provide funding for pre-construction/feasibility studies as well as funding for community systems in the form of loans and grants.
- Projects receiving construction grants from Dutchess County shall be managed and maintained by Dutchess County through the Dutchess County Water and Wastewater Authority.
- Applications for funding for pre-construction/feasibility studies must be reviewed for consideration and recommended by the Dutchess County Water and Wastewater Authority.
- The County will provide up to fifty percent of the cost of pre-construction/feasibility studies and up to twenty-five percent of the cost of construction projects, provided that maximum community, district, and other available financial resources have been fully explored and committed. **The county shall receive pro-rated reimbursement for any funded study receiving reimbursement from another funding source. Any funded community and/or district shall include study costs in construction requests where applicable and appropriate.**
- To ensure equitable and cost effective distribution of county funds, applications for loans and grant from municipalities shall be reviewed by the Authority. The authority shall evaluate proposals according to the criteria listed in Attachment D. The Authority will forward its recommendations to the County Executive and the Legislature.
- Loans and grants from the Water and Wastewater Facility Planning and Development program shall be used to buy down the capital costs of municipal water and wastewater systems or to purchase future capacity in said system in order to provide service at affordable rates as determined by the State Comptroller. No monies will be provided for system maintenance, operational, and repair requirements.
- Loans and grants shall require the approval of the Dutchess County Executive and the Dutchess County Legislature. Dutchess County shall serve as Lead Agency for coordinated review under the New York State Environmental Quality Review Act (SEQRA) and shall approve said loans and grants.

- In order to be eligible to receive loans and/or grants under the Water and Wastewater Facility Planning and Development Program, municipalities must participate as Greenway Compact communities.

Attachment D

Criteria for Dutchess County Water and Wastewater Facility Planning & Development*					
*Items to be ranked on a scale from 'A' (highest value) to 'E' (lowest value)	A	B	C	D	E
Local and Regional Support					
Consistent with County service area plan. (Projects can be phased.)					
Consistent with local land use plan.					
Support from local Officials; formation of district or assessment zone.					
Intermunicipal cooperation.					
Feasibility					
Readiness to proceed.					
Favorable cost-effectiveness ratios.					
Complementary water supply protection/land use regulations and water conservation plans approaches are provided.					
Project meets future expansion needs (e.g., pipe-sized for expansion).					
Resource Protection					
Promotes energy efficiency.					
Addresses critical environmental/health problems.					
Promotes open space/agricultural preservation.					
Promotes natural resource protection.					
Municipal Benefits					
Strengthens community center.					
Stimulates economic activity.					
Assists with affordable housing.					

RESOLUTION NO. 206205

RE: AMENDMENT TO THE DUTCHESS COUNTY PARTNERSHIP FOR MANAGEABLE GROWTH PLAN REGARDING GROUND WATER PROTECTION

Legislators MOLINARO, LAFRANCE, SWARTZ, HORN, REILLY, HORTON, GOLDBERG, and FETTES offer the following and move its adoption:

WHEREAS, the Dutchess County Legislature established the Dutchess County Open Space and Farmland Protection Matching Grant Fund in December 1999 (Resolution No. 990382), and

WHEREAS, the Dutchess County Legislature adopted Greenway Connections, the Greenway Compact Program and Guides for Dutchess County communities in October 2000 (Resolution No. 200347), and

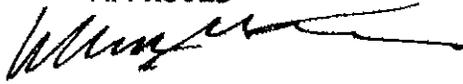
WHEREAS, the County Legislature established a Dutchess County Partnership for Manageable Growth in September 2001 (Resolution No. 201276), and

WHEREAS, the construction of water and wastewater infrastructure had been identified as an essential element in an overall growth management strategy to guide new development away from rural resources and encourage appropriate development in and around our cities and villages, and

WHEREAS, a critical component of such planning has emerged in the development and/or implementation of water source protection plans and/or well testing initiatives for projects meant to protect water supplies (i.e. well heads, aquifers, watersheds), identify new municipal water supplies, mitigate contaminated multi-user water supplies and/or develop/implement community-wide well testing programs, now, therefore, be it

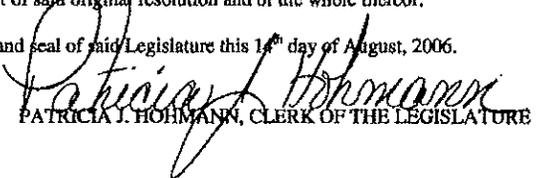
RESOLVED, that the Dutchess County Legislature hereby amends Resolutions No. 201276 by approving an additional municipal planning grant opportunity for "water source protection and well testing" as an amendment to Section "IV" of Addendum "A" of the aforesaid Resolution, as annexed hereto.

STATE OF NEW YORK
COUNTY OF DUTCHESS

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

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 14th day of August, 2006, 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 14th day of August, 2006.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

"A"

The Dutchess County Partnership for Municipal Growth Section IV therefore, entitled, "Municipal Planning Grants" is amended by the addition of a new subject heading as follows:

Water Source Protection and Well Testing

Greenway Compact Community may apply to the Dutchess County Planning Board for up to 50 percent matching funds not to exceed a county share of \$10,000 for development and/or implementation of water source protections plans and or well testing initiatives. Funding may be granted to municipal projects meant to protect water supplies (i.e. wellheads, aquifers, watersheds), identify new municipal water supplies, mitigate contaminated multi-user water supplies, and/or develop/implement community-wide well testing programs. Funding may be used for feasibility studies, engineering or planning documents, promotional and educational efforts.

At least 15 percent of funding must be provided by the Local Municipality in addition to any in-kind services provided. Municipalities are encouraged to apply jointly. Joint municipal projects may be funded up to 50 percent with a county share not to exceed \$25,000.

Proposals may include public/private partnerships. Municipalities must have a constituent Conservation Advisory Council or Board to a like environmental/natural resource protection committee to participate in planned development/implement

RESOLUTION NO. 2014323

BOND RESOLUTION DATED DECEMBER 15, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, FOR THE DUTCHESS COUNTY PARTNERSHIP FOR MANAGEABLE GROWTH PROGRAM.

WHEREAS, continuing development within the County of Dutchess, New York (the "County") has demonstrated a compelling need to continue to acquire, preserve, protect and maintain passive and active park land and existing open space and farmland to enhance the general quality of life and the environment of the County, including protection of drinking water sources, the quality of rivers and streams, wild life habitat and natural areas, and thereby benefit the residents and taxpayers of the County; and

WHEREAS, General Municipal Law Section 247 recognizes the value of open space areas and the need to preserve such land in such state and, specifically empowers municipalities with the authority to acquire real property or interests therein to preserve land as open space; and

WHEREAS, if existing open space areas are to be preserved, protected and maintained, the County must develop the capacity to purchase land, easements or other real property interests quickly and efficiently as the need arises and opportunities are identified; and

WHEREAS, this County Legislature recognizes the value of passive and active park land, open spaces and farmlands, and wishes to provide for the acquisition of real property and interests in real property therefor, and hereby finds and determines it to be in the public interest and a proper

public purpose of the County to do so in accordance with the provisions of Section 247 of the General Municipal Law; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, and site-specific compliance with SEQRA has been or will be performed as such need arises and all documentation relating to SEQRA may be examined at the office of the Clerk of the County Legislature during normal business hours; and

WHEREAS, it is now desired to provide for the financing of the acquisition of such real property and interest therein for said purpose; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Dutchess, New York, as follows:

Section 1. The acquisition of parcels of land, or rights or interests in such land, for passive and active park purposes and the preservation of open space and farmland, throughout, and in and for the County of Dutchess, New York, to implement the State authorized programs and policies provided in Section 247 of the General Municipal Law, as such acquisitions may be authorized from time to time by the County Legislature of the County of Dutchess, New York, after due notice and a public hearing as provided thereunder, including incidental expenses in connection therewith, is hereby authorized in and for said County of Dutchess at a maximum estimated cost of \$1,000,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$1,000,000, and that the plan for the financing thereof shall be by the issuance of \$1,000,000 serial bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Dutchess, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in

such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in full in *The Poughkeepsie Journal* and *The Southern Dutchess News*, the official newspapers of said County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

* * * * *

617.20
Appendix B
Short Environmental Assessment Form

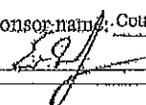
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any lists.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Issuance of \$1,000,000 Serial Bond for Implementation of Partnership for Manageable Growth Programs			
Project Location (describe, and attach a location map): Dutchess County, Various Locations TBD			
Brief Description of Proposed Action: A Resolution authorizing the issuance of \$1,000,000 Serial Bonds of the County of Dutchess, New York, to pay for the continued implementation of the Partnership for Manageable Growth Program established by Dutchess County Legislature Resolution No. 201276.			
Name of Applicant or Sponsor: County of Dutchess		Telephone: 845-486-2000 E-Mail: coexec@dutchessny.gov	
Address: 22 Market Street			
City/Town: Poughkeepsie		State: New York	Zip Code: 12501
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		n/a acres	
b. Total acreage to be physically disturbed?		n/a acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		n/a acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): n/a <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: n/a	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ n/a	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ n/a	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

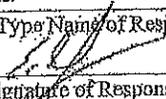
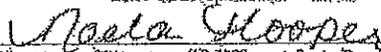
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention ponds, waste lagoon, dam)? If Yes, explain purpose and size:	NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: County of Dutchess		Date: 14/06/2014
Signature: 		

Part 2 - Impact Assessment, The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2, using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will this proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and if fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impact the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
County of Dutchess	10/16/2014
Name of Lead Agency	Date
Eoin Wrafter	Acting Commissioner, Planning and Economic Development
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

Land Acquisition and/or Preservation of Open Space
990,000 30 years at 3.40%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	990,000	33,000	33,660	66,660
2	957,000	33,000	32,538	65,538
3	924,000	33,000	31,416	64,416
4	891,000	33,000	30,294	63,294
5	858,000	33,000	29,172	62,172
6	825,000	33,000	28,050	61,050
7	792,000	33,000	26,928	59,928
8	759,000	33,000	25,806	58,806
9	726,000	33,000	24,684	57,684
10	693,000	33,000	23,562	56,562
11	660,000	33,000	22,440	55,440
12	627,000	33,000	21,318	54,318
13	594,000	33,000	20,196	53,196
14	561,000	33,000	19,074	52,074
15	528,000	33,000	17,952	50,952
16	495,000	33,000	16,830	49,830
17	462,000	33,000	15,708	48,708
18	429,000	33,000	14,586	47,586
19	396,000	33,000	13,464	46,464
20	363,000	33,000	12,342	45,342
21	330,000	33,000	11,220	44,220
22	297,000	33,000	10,098	43,098
23	264,000	33,000	8,976	41,976
24	231,000	33,000	7,854	40,854
25	198,000	33,000	6,732	39,732
26	165,000	33,000	5,610	38,610
27	132,000	33,000	4,488	37,488
28	99,000	33,000	3,366	36,366
29	66,000	33,000	2,244	35,244
30	33,000	33,000	1,122	34,122
TOTAL COSTS		990,000	521,730	1,511,730
AVERAGE COST PER YR		33,000	17,391	50,391

FISCAL IMPACT STATEMENT	
TOTAL PRINCIPAL	990,000
ANTICIPATED FEES	10,000
ANTICIPATED INTEREST RATE	3.40%
ANTICIPATED ANNUAL COST (PRIN + INT):	50,391
TOTAL PAYBACK (ANNUAL COST x TERMS):	1,511,730

PREPARED BY HEIDI SEELBACH

Budget Amendments

	<u>Line No.</u>	<u>Description</u>	<u>Amount</u>
APPROPRIATIONS:			
<u>Increase</u>			
	H0476.8020.3006	Easement- Conservation	990,000
	H0476.8020.3900	Bond Issuing costs	10,000
			<u>1,000,000</u>
REVENUE:			
<u>Increase</u>			
	H0476.8020.57100	Serial Bonds	1,000,000
			<u>1,000,000</u>