

PUBLIC WORKS & CAPITAL PROJECTS  
FOR DISCUSSION ONLY 6/9/16

RESOLUTION NO. 2016138

BOND RESOLUTION DATED JULY 11, 2016.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$872,640 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF VARIOUS MOTOR VEHICLES FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY.

BE IT RESOLVED, by the County Legislature of the County of Dutchess, New York, as follows:

Section 1. To pay the cost of the purchase of various motor vehicles for various departments, with alternative fuel modalities where appropriate and available, including in each case incidental equipment and expenses in connection therewith, there are hereby authorized to be issued \$872,640 serial bonds of the County of Dutchess, New York pursuant to the provisions of the Local Finance Law, apportioned as follows:

- a) the purchase of trucks for maintenance purposes, each item of which costs \$30,000 or over, at a maximum estimated cost of \$80,800, being a class or objects or purposes, having a period of probable usefulness of fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued \$80,800 serial bonds of the \$872,640 serial bonds of the County of Dutchess, New York, herein authorized; and
- b) the purchase of vehicles for various departments to replace those in present service, at a maximum estimated cost of \$791,840, being a class or objects or purposes, having a period of probable usefulness of three years, pursuant to subdivision 77(1st) of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued \$791,840

serial bonds of the \$872,640 serial bonds of the County of Dutchess, New York, herein authorized.

Section 2. It is hereby determined that the aggregate maximum estimated cost of the aforesaid objects or purposes described in Section 1 hereof is \$872,640, and that the plan for the financing thereof by the issuance of the \$872,640 serial bonds herein authorized to be issued pursuant to the provisions of the Local Finance Law therefore apportioned to each such class of objects or purposes in accordance with the maximum estimated cost of each specified in Section 1 hereof.

Section 3. 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 serial 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 4. 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 5. 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 6. 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 7. The faith and credit of said County of Dutchess, New York, are hereby irrevocably 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. 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 8. 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 9. 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 10. This resolution, which takes effect immediately, shall be published in summary form 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.

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2016 Motor Vehicles (cars, trucks, vans) - various departments

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$872,640	\$269,333	\$10,140	\$279,474
2	\$603,307	\$269,333	\$7,353	276,686
3	\$333,973	\$269,333	\$4,565	273,899
4	64,640	5,387	1,778	7,164
5	59,253	5,387	1,629	7,016
6	53,867	5,387	1,481	6,868
7	48,480	5,387	1,333	6,720
8	43,093	5,387	1,185	6,572
9	37,707	5,387	1,037	6,424
10	32,320	5,387	889	6,275
11	26,933	5,387	741	6,127
12	21,547	5,387	593	5,979
13	16,160	5,387	444	5,831
14	10,773	5,387	296	5,683
15	5,387	5,387	148	5,535

<b>TOTAL</b>	<u>\$872,640</u>	<u>\$33,613</u>	<u>\$906,253</u>
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<b>AVG. PER YEAR</b>	\$58,176	\$2,241	\$60,417
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**FISCAL IMPACT STATEMENT**

TOTAL PRINCIPAL	\$872,640	
ANTICIPATED INTEREST RATE (Weighted Average)		1.16%
TERM 15 YEARS. ANTICIPATED FEES:		\$8,640
ANTICIPATED ANNUAL COST (PRIN + INT):		\$60,417
TOTAL PAYBACK (ANNUAL COST x TERMS):		\$906,253

PREPARED BY HEIDI SEELBACH

**H0494 - 2016 Auto Center Vehicle Bond**

**APPROPRIATIONS**

Increase

H0494.3110.2300.03	Sheriff Motor Vehicles 3 Year	\$414,000
H0494.4320.2330.03	DBCH - Mental Health Motor Vehicles 3 Year	\$48,000
H0494.4010.2330.03	DBCH - Health Motor Vehicles 3 Year	\$24,000
H0494.1185.2300.03	DBCH - Medical Exam Motor Vehicle 3 Year	\$30,000
H0494.6010.2330.03	DCFS Motor Vehicles 3 Year	\$90,000
H0494.1170.2330.03	Public Defender Motor Vehicles 3 Year	\$21,000
H0494.3140.2300.03	Probation Motor Vehicles 3 Year	\$34,000
H0494.6772.2300.03	OFA Motor Vehicles 3 Year	\$18,000
H0494.5120.2300.03	DPW Engineering Motor Vehicles 3 Year	\$28,000
H0494.1620.2300.15	DPW Buildings Motor Vehicles 15 Year	\$40,000
H0494.5110.2300.03	DPW Highway Motor Vehicles 3 Year	\$56,000
H0494.5110.2300.15	DPW Highway Motor Vehicles 15 Year	\$40,000
H0494.1410.2300.03	County Clerk Motor Vehicles 3 Year	\$21,000
H0494.1640.3900	Bond Issuing Costs	\$8,640
		<u>\$872,640</u>

**REVENUES**

Increase

H0494.1640.57100	Serial Bonds	\$872,640
		<u>\$872,640</u>

2016 Auto Service Center Vehicle Request

Resolution #2016138 Revised 6/9/16

Requesting Department	Vehicle to be Replaced	Year	Make/Model	Marked or Unmarked	Current Mileage	Condition Notes	Department	Replacement Vehicle Type	Marked or Unmarked	Estimated Cost	Remarks	Useful Life
DBCH - 4320	4615	2001	Chevy Venture Minivan	N/A	37,936	2015 Auction - Computer Control Module Failure	DBCH - 4320	Minivan	N/A	\$24,000		3
DBCH - 4320	4647	2002	Chevy Venture Minivan	N/A	82,412	Out of Service, rotted frame	DBCH - 4320	Minivan	N/A	\$24,000		3
DPW - Parks	3996	1999	Dump Truck	N/A	15,354	2015 Auction - Poor Frame and Motor Condition	DBCH - 4010	Minivan with stretcher dock, emergency/lights	N/A	\$30,000	#5604 - Ford E-150 van to be re-assigned to another dept.	3
DPW - Public Transit	4010	1997	Ford F-350	N/A		2015 Auction - Poor Frame and Motor Condition	DBCH - 1185	Mid-size AWD Sedan	N/A	\$24,000	#6055 Jeep Patriot to be re-assigned to ASC for pool vehicle	3
DCFS	4667	2003	Chevy Malibu	N/A	92,528	Totalled 12-23-15	DCFS	Mid-size Sedan 5-passenger	N/A	\$21,000		3
DCFS	4681	2003	Chevy Cavalier	N/A	72,771	Out of Service, rotted frame	DCFS	Mid-size Sedan 5-passenger	N/A	\$21,000		3
DCFS	5327	2007	Dodge Caravan	N/A	100,035	Totalled 2-8-16	DCFS	Minivan	N/A	\$24,000		3
DCFS	5398	2009	Dodge Durango	N/A	112,950	Totalled 4-28-16	DCFS	Mid-size AWD Sedan	N/A	\$24,000		3
Public Defender	5112	2006	Chevy Impala	N/A	85,708	Totalled 12-23-15	Public Defender	Mid-size Sedan 5-passenger	N/A	\$21,000		3
Probation	5305	2006	Ford Crown Victoria	N/A	125,588	Out of Service, poor condition	Probation	Mid-size Sedan w/ ppv	N/A	\$34,000		3
ORA	4688	2003	Chevy Cavalier	N/A	68,545	Out of Service, rotted frame	ORA	Compact Sedan	N/A	\$18,000		3
DPW - Engineering	4597	2001	Chevy Cavalier	N/A	58,595	Out of Service, rotted frame	DPW - Engineering	Mid-size SUV 4x4 with Safety Lights	N/A	\$28,000		3
DPW - Buildings	4994	2006	Dodge Ram 150 P/U	N/A	126,273	Out of Service, motor problems	DPW - Buildings	4x4 P/U Truck with 5' bed, extended cab tow, plow, sander, safety light pkg	N/A	\$40,000		15
DPW - Highway	4998	2006	Dodge Ram 250 P/U	N/A	27,176	Out of Service, poor body and motor condition	DPW - Highway	4x4 P/U Truck with 5' bed, extended cab tow, plow, sander, safety light pkg	N/A	\$40,000		15
DPW - Highway	P-15	1999	Chevy 3500 P/U	N/A	164,885	2015 Auction - Rotted frame	DPW - Highway	Mid-size SUV 4x4 with Safety Lights	N/A	\$28,000		3
DPW - Airport	5324	2007	Dodge Caravan	N/A	47,093	2015 Auction - Poor Condition	DPW - Highway	Mid-size SUV 4x4 with Safety Lights	N/A	\$28,000		3
DBCH - 4320	4336	2000	Chevy Cavalier	N/A	35,177	Poor Running and Body Condition	County Clerk	Mid-size Sedan 5-passenger	N/A	\$21,000	#4997 Ford Taurus to be re-assigned to DBCH - 4320	3

Non Sheriff Sub Total = \$450,000

1	Sheriff	5214	2007	Chevy Impala	Unmarked	101,000		Sheriff	Mid-size SUV 4x4	Marked	\$35,000		3
2	Sheriff	5407	2009	K9 Tahoe	Marked	122,000		Sheriff	Mid-size SUV 4x4	Marked	\$35,000		3
3	Sheriff	5501	2010	Chevy Impala	Unmarked	91,000		Sheriff	Mid-size SUV 4x4	Marked	\$35,000		3
4	Sheriff	5504	2010	Chevy Impala	Unmarked	99,000		Sheriff	Mid-size SUV 4x4	Marked	\$35,000		3
5	Sheriff	5589	2010	Ford Crown Victoria	Unmarked	115,000		Sheriff	Mid-size SUV 4x4	Marked	\$35,000		3
6	Sheriff	5902	2013	Ford Explorer	Marked	112,000		Sheriff	Mid-size SUV 4x4	Marked	\$35,000		3
7	Sheriff	5905	2013	Ford Explorer	Marked	123,000		Sheriff	Mid-size SUV 4x4	Marked	\$30,000		3
8	Sheriff	5906	2013	Ford Explorer	Marked	92,000		Sheriff	AWD Sedan	Marked	\$31,000		3
9	Sheriff	5911	2013	Ford Explorer	Marked	97,000		Sheriff	AWD Sedan	Marked	\$31,000		3
10	Sheriff	5916	2013	Ford Interceptor	Marked	107,000		Sheriff	AWD Sedan	Unmarked	\$31,000		3
11	Sheriff	5926	2013	Ford Interceptor	Marked	97,000		Sheriff	AWD Sedan	Unmarked	\$31,000		3
12	Sheriff	5947	2013	Dodge Charger	Marked	92,000		Sheriff	K-9 Chevy Tahoe	Marked	\$50,000		3

Sheriff Sub Total = \$414,000  
Total Estimated Cost = \$864,000

KeyCite Yellow Flag - Negative Treatment  
Proposed Legislation

McKinney's Consolidated Laws of New York Annotated  
Local Finance Law (Refs & Annos)  
Chapter 33-a. Of the Consolidated Laws  
Article I. Short Title; Definitions

McKinney's Local Finance Law § 2.00

§ 2.00 Definitions

Effective: March 21, 2010  
Currentness

As used in this chapter:

1. The term "municipality" shall mean a county, city, town or village.
2. The term "school district" shall mean any school district, except the school districts of the cities of New York, Buffalo, Rochester, Syracuse and Yonkers.
  - 2-a. The term "city school district" shall mean the city school district of a city having less than one hundred twenty-five thousand inhabitants, according to the latest federal census.
  - 2-b. The term "school district in a city" shall mean any school district which is coterminous with, or partly within, or wholly within, a city having less than one hundred twenty-five thousand inhabitants, according to the latest federal census.
  - 2-c. The term "board of cooperative educational services" shall mean any board of cooperative educational services, as defined in section nineteen hundred fifty of the education law, and such board shall, solely for the purpose of contracting indebtedness pursuant to section 25.00 of this chapter, be deemed to be a school district.
3. The term "district corporation" shall mean
  - (a) A fire district
  - (b) A river improvement, river regulating or drainage district established by or under the supervision of the department of conservation, or
  - (c) Any other territorial division of the state, other than a municipality or a school district, which as of December thirty-first, nineteen hundred thirty-eight, possessed the power to

**§ 2.00 Definitions, NY LOC FIN § 2.00**

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(1) Contract indebtedness in its own name, and

(2) Levy taxes or benefit assessments upon real estate or require the levy of such taxes or assessments.

4. The term "finance board" shall mean

(a) In the case of counties, the board of supervisors.

(b) In the case of cities:

(1) The board of estimate, board of estimate and apportionment or board of estimate and contract in any city in which, as of the effective date of this chapter, such body had the power to authorize the issuance of bonds or notes without the approval, in any case, of the council, common council or board of aldermen.

(2) The council, common council or board of aldermen in any city in which, as of the effective date of this chapter, such body had the power to authorize the issuance of bonds or notes without the approval, in any case, of the board of estimate or board of estimate and apportionment or board of estimate and contract.

(3) The council, common council or board of aldermen and the board of estimate, board of estimate and apportionment or board of estimate and contract, in any city in which, as of the effective date of this chapter, the council, common council or board of aldermen had the power to authorize the issuance of all bonds or notes or bonds or notes for certain objects or purposes only with the approval of the board of estimate, board of estimate and apportionment or board of estimate and contract. In such a city, action by the finance board shall be initiated by the council, common council or board of aldermen.

(c) In the case of towns, the town board.

(d) In the case of villages, the village board.

(e) In the case of school districts, the board of education or board of trustees; in the case of common school districts having one trustee, such trustee.

(f) In the case of district corporations, the governing board or body, except that in the case of river regulating districts the action of the governing board or body thereof shall be subject to the approval of the water power and control commission in relation to the authorization, term, form and contents of bonds and capital notes.

Nothing contained in this subdivision shall be construed to affect the power of (a) the executive of a county to veto the acts of the board of supervisors or (b) the executive of a city to veto the acts of the council, common council or board of aldermen, or of the board of estimate, board of estimate and apportionment or board of estimate and contract, when such bodies are acting alone or jointly or (c) the executive of a village to veto the acts of the board of trustees.

5. The term “chief fiscal officer” shall mean:

(a)(1) In the case of counties operating under (1) an alternative form of county government or charter enacted as a state statute or adopted under the alternative county government law or by local law, or (2) the optional county government law, the official designated in such statute, consolidated law or local law as the chief fiscal officer, or, if no such designation is made therein, the official possessing powers and duties similar to those of a county treasurer under the county law as shall be designated by local law.

(2) In the case of counties not included in subparagraph (1) of this paragraph, the treasurer, except that, in the case of such counties having a comptroller, it shall mean the comptroller.

(b) In the case of cities, the comptroller; if a city does not have a comptroller, the treasurer; if a city has neither a comptroller nor a treasurer, such official possessing powers and duties similar to those of a city treasurer as the finance board shall, by resolution, designate. A certified copy of such designation shall be filed with the state comptroller and shall be a public record.

(c) In the case of towns, the town supervisor; if a town has more than one supervisor, the presiding supervisor.

(d) In the case of villages, the village treasurer.

(e) In the case of school districts, the chairman or president of the school board; in the case of common school districts having a sole trustee, such trustee.

(f) In the case of fire districts, the district treasurer; in the case of other district corporations, such official as the finance board shall, by resolution, designate. A certified copy of such designation shall be filed with the state comptroller and shall be a public record.

5-a. The term “chief executive officer” shall mean:

(a) In the case of counties, the chairman of the board of supervisors, except that in those counties having a county administrator, director, executive, manager or president, it shall mean such latter officer.

(b) In the case of cities, the mayor, except that in those cities having a city manager, it shall mean such city manager.

(c) In the case of towns, the supervisor or presiding supervisor.

(d) In the case of villages, the mayor, except that in those villages having a president or manager, it shall mean such latter officer.

(e) In the case of school districts, the chairman or president of the school board; in the case of common school districts having a sole trustee, such trustee.

(f) In the case of fire districts, the chairman of the board of commissioners; in the case of other district corporations, the chairman of the board of commissioners or other comparable officer of the finance board of such district corporation.

6. The term "obligations" shall mean bonds or notes.

7. The term "average assessed valuation" shall mean the average assessed valuation of the real property within a municipality, school district or fire district subject to taxation for any purpose by such municipality, school district or fire district as determined by averaging the assessed valuation of such real property in the last completed assessment roll and the four preceding assessment rolls of such municipality, school district or fire district. If less than five assessment rolls have been prepared for a municipality, school district or fire district, the average assessed valuation shall be determined by averaging the assessed valuation in the last completed assessment roll and all the preceding assessment rolls of such municipality, school district or fire district. For the purpose of contracting indebtedness or for the purpose of preparing debt statements, the assessment rolls referred to in this subdivision shall mean such assessment rolls as completed, verified and filed by the assessors.

7-a. The term "average full valuation" shall mean the valuation of taxable real estate of a municipality or of a school district in a city which is derived by dividing the assessed valuations of taxable real estate on the last completed and the four preceding assessment rolls by the equalization rates established by the authorized state officer or agency for such rolls or, in the case of school districts, by the city and town rates so established for the rolls on which the school district rolls were based. In a county the average full valuation of taxable real estate thereof shall be derived by dividing the assessed valuations of taxable real estate on the last completed and four preceding assessment rolls of the cities and towns therein by the equalization rates established for such rolls; provided, however, in a county having a county department of assessment the state equalization rates established for the cities and towns therein on the basis of the county roll shall be applied to the appropriate portions of the county roll. The sum of the quotients thus obtained shall be divided by five. In such computations the last completed assessment roll shall be the latest roll for which a state equalization rate shall have been established, or in the case of school districts the last completed assessment roll thereof shall be the latest school district roll for all parts of which the equalization rates to be applied thereto shall have been established. In addition to the foregoing, where real estate on the assessment roll is partially exempt under the provisions of title two-a of article four of the real property tax law, an assessment roll shall not be deemed to be completed until a railroad ceiling, or, if a railroad ceiling has not been certificated, an estimated railroad ceiling established in accordance with the provisions of such title shall have been applied thereto.

Where, after the creation of a new municipality or school district in a city, or after a consolidated school district shall have been created by the consolidation of a school district in a city and one or more other school districts.

1. There is no completed assessment roll or rolls of the municipality or school district as so created, the average full valuation of taxable real estate thereof shall be determined from the last completed assessment roll or rolls upon which the real estate included in the municipality or school district was assessed for city, town or school district purposes, as the case may be, or

2. There are assessment rolls of the municipality or school district as so created which have been completed for at least one year but less than five years, the average full valuation of the taxable real estate of the municipality or school district shall be determined from the last completed assessment roll or rolls and the preceding assessment roll or rolls, if any, of the municipality or district, which were completed after such creation.

**§ 2.00 Definitions, NY LOC FIN § 2.00**

Where, after the boundaries of a municipality or school district in a city shall have been altered so that real estate subject to taxation for municipal or school district purposes, as the case may be, shall have been thereby added to or subtracted from the area of the municipality or school district,

1. There is no completed assessment roll of the municipality or school district as so altered, the average full valuation of the taxable real estate of the municipality or school district shall be determined from the last completed assessment roll or rolls and the four preceding assessment rolls upon which the real estate included in the municipality or school district after such alteration was assessed prior to such alteration for city, town or school district purposes, as the case may be, or

2. There are assessment rolls of the municipality or school district as so altered which have been completed for at least one year but less than five years, the average full valuation of taxable real estate of the municipality or school district shall be determined from the last completed assessment roll or rolls and the four preceding assessment rolls upon which the real estate included in the municipality or school district after such alteration was assessed prior to such alteration for city, town or school district purposes, as the case may be.

For the purpose of contracting indebtedness or for the purpose of preparing debt statements, the assessment rolls referred to in this subdivision shall mean such assessment rolls as completed, verified and filed by the assessors.

8. The terms "real property" or "real estate" shall mean such terms as defined in section two of the tax law, as amended from time to time.

9. The term "capital improvement" shall mean:

(a) Any physical public betterment or improvement or any preliminary studies and surveys relative thereto, or

(b) Land or rights in land, or

(c) Any furnishings, machinery, apparatus or equipment for any physical betterment or improvement when such betterment or improvement is first constructed or acquired, or

(d) Any combination of items (a), (b) and (c).

10. The term "annual budget" shall mean the annual budget or estimate, as finally adopted, of a municipality, school district or district corporation which is required by law to adopt an annual budget or estimate of the expenditures to be made during a current or ensuing fiscal year for the general support or for the expenses of the government of such municipality, school district or district corporation during such fiscal year.

11. The term "budgetary appropriation" shall mean an appropriation for a specific object or purpose in the annual budget as finally adopted or in the annual ordinance, resolution or local law of a municipality, school district or district corporation making appropriations for the general support or expenses of the government thereof, which appropriation is to be paid from taxes or assessments or from other current revenues or from the proceeds of notes issued in anticipation of the collection of such taxes, assessments or other current revenues.

**§ 2.00 Definitions, NY LOC FIN § 2.00**

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12. The term "voting strength" shall mean the aggregate number of votes which all the members of the finance board are entitled to cast. If the finance board consists of more than one body, the term shall mean, in relation to each body, the aggregate number of votes which all the members of such body are entitled to cast.

13. The term "housing authority" shall mean an "authority" as that term is defined in section three of the public housing law, as amended from time to time.

14. The term "local share of safety net assistance" shall mean that term as defined in section ninety-three of the social services law, as amended from time to time.

15. The terms "solvent fund or system" or "solvent," in referring to a pension or retirement system or fund, shall mean a pension or retirement system or fund which is on an actuarial reserve basis with current payments to the reserve adequate to provide for all current accruing liabilities.

16. The term "assessment" shall mean any charge based in whole or in part on benefits (other than real estate taxes, water or sewer charges, rents or rates) against a parcel of real property for any capital improvement, for any work or service, for operation and maintenance, or for debt service.

17. The term "resolution" shall mean resolution, act or ordinance.

18. The term "renewal" as applied to a note, shall mean a note the date of payment of which has been extended or a note issued for the purpose of securing money for the redemption of an outstanding note. The proceeds of such renewal note shall be applied only to the redemption of the note for the renewal of which it was issued.

19. The term "fiscal year" shall mean the fiscal year provided by law for a municipality, school district or district corporation, or if no fiscal year is so provided, such fiscal year as shall be determined by resolution of the finance board of such municipality, school district or district corporation. A statement of such determination shall be filed with the state comptroller and shall be a public record.

20. The term "class," as applied to the terms "objects or purposes", "capital improvements" or "equipment", shall mean an unspecified number of items, the description of which is contained in a single subdivision, other than subdivision thirty-five of paragraph a of section 11.00 of this chapter, notwithstanding the fact that such subdivision may be drafted in the singular number.

21. The term "full valuation", when used in relation to real property subject to taxation by a school district, shall mean the valuation which is derived by dividing the appropriate portions of the assessed valuation of the real property concerned, as shown by the last completed assessment roll of the school district, by the city and town equalization rates established by the authorized state officer or agency for the rolls on which such school district roll was based. Where, in the case of a newly created school district, there is no completed assessment roll of such school district in existence, full valuation shall be determined from the last completed assessment roll or rolls upon which the real property included within the district was assessed for school purposes prior to such creation. In such computations the last completed assessment roll shall be the latest roll for all parts of

## § 2.00 Definitions, NY LOC FIN § 2.00

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which the equalization rates to be applied thereto shall have been established. In addition to the foregoing, where real estate on the assessment roll is partially exempt under the provisions of title two-a of article four of the real property tax law, an assessment roll shall not be deemed to be completed until a railroad ceiling, or, if a railroad ceiling has not been certificated, an estimated railroad ceiling established in accordance with the provisions of such title shall have been applied thereto.

21-a. The term "full valuation", when used in relation to real property subject to taxation by a fire district, shall mean the valuation which is derived by dividing the assessed valuation of the real property concerned, as shown by the last completed assessment roll for the fire district, by the town equalization rate established by the authorized state officer or agency for such roll. Where, in the case of a newly-created fire district, there is no completed assessment roll for such fire district, full valuation shall be determined from the last completed assessment roll upon which the real property included within the district was assessed for town purposes prior to such creation. Where, after the boundaries of a fire district shall have been changed so that real property subject to taxation for fire district purposes shall have been thereby added to or subtracted from the area of the fire district, there is no completed assessment roll for the fire district as so changed, full valuation shall be determined from the last completed assessment roll upon which the real property included in the fire district after such change was assessed prior to such change for town or fire district purposes, as the case may be. For the purpose of contracting indebtedness or for the purpose of preparing debt statements, the assessment rolls referred to in this subdivision shall mean such assessment rolls as completed, verified and filed by the assessors. Where two or more fire districts consolidate to form one fire district the consolidated fire district, for the purpose of this subdivision, shall not be deemed a newly-created fire district, but shall be deemed an existing fire district and its full valuation shall be determined accordingly.

22. The term "specific" as applied to the terms "object or purpose", "capital improvement" or "equipment" shall mean a single item, or a specified number of items, the description of which is contained in a single subdivision of paragraph a of section 11.00 of this chapter.

23. Urban renewal. The term "urban renewal" shall mean that term as defined in the general municipal law.

24. The term "financially responsible party" shall mean a person or persons other than the issuer, as determined by the finance board, or in the case of the city of New York, the mayor and the comptroller, to have sufficient net worth and liquidity to (a) purchase and pay for on a timely basis, under the terms of an agreement with the issuer, all of the bonds and notes which may be tendered for repurchase or redemption pursuant to the terms of the bonds or notes by the holders thereof, or (b) advance funds on a timely basis on behalf of a municipality, school district or district corporation to pay bonds, notes or other evidences of indebtedness of such public body on their date or dates of maturity or redemption.

25. The term "governing body" of a municipality or school district shall mean the finance board or its duly authorized designee pursuant to section 56.00 of this chapter.

26. The term "interest" shall mean any payments, however designated, for the use of borrowed money. Interest shall include, but not be limited to, accretions to the value of bonds, notes or other obligations in amounts projected as of their dates of issuance, capital appreciation to bonds, notes or other obligations in amounts projected as of their dates of issuance and any similar payments whether scheduled to be made periodically or at the maturity or prior redemption of bonds, notes or other obligations.

27. The term "face value at maturity" shall mean all interest, principal and other payments due to the holders of bonds, notes or other obligations at their maturity or prior redemption, provided however, that current interest on bonds, notes or other obligations on which interest is payable at least annually shall be excluded.

26. Fire, police and ferry boats. The acquisition of a fire or police boat, propelled by mechanical power, ten years. The acquisition of a ferry boat, propelled by mechanical power, thirty-five years.

27. Fire-fighting vehicles and apparatus. The purchase of a motor vehicle used for fighting fires, other than a passenger vehicle having a seating capacity of less than ten persons, whether or not including apparatus used in connection with such motor vehicle, or the purchase of such apparatus alone, if the estimated cost thereof, as set forth in the resolution authorizing the issuance of obligations therefor, is five thousand dollars or less, five years; if the estimated cost thereof is in excess of five thousand dollars, ten years; if the estimated cost thereof is in excess of fifty thousand dollars, twenty years.

27-a. Ambulances. The purchase of a motor vehicle which is specially designed for use for the treatment, care or transport of sick or injured persons, whether or not including equipment or furnishings used in connection with such a vehicle, ten years, or the purchase of original equipment or furnishings for such a vehicle or the replacement of equipment or furnishings for such a vehicle, five years.

28. Machinery and apparatus for construction and maintenance. The purchase of machinery or apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from, any physical public betterment or improvement, other than machinery or apparatus which is to be permanently attached to or to form a part of any such betterment or improvement, five years if the cost is fifteen thousand dollars or less; ten years if the cost is over fifteen thousand dollars, but less than thirty thousand dollars; fifteen years if the cost is thirty thousand dollars or over.

29. Motor vehicles. The purchase of a motor vehicle, five years. The term "motor vehicle," as used in this subdivision, shall mean a vehicle propelled by any power other than muscular power, except

(a) a passenger vehicle, other than a school bus, having a seating capacity of less than ten persons,

(b) a vehicle used for fighting fires,

(c) a motorcycle, traction engine, an electric truck with small wheels used in warehouses and railroad stations and a vehicle which runs only upon rails or tracks,

(d) machinery or apparatus for which a period of probable usefulness has been determined by subdivision twenty-eight of this paragraph, and

(e) a vehicle which is specially designed for use for the treatment, care or transport of sick or injured persons.

29-a. Transit motor vehicles. The purchase of municipally owned omnibus or similar surface transit motor vehicles, ten years.

30. Water meters. The purchase or installation of a water meter, twenty years; the replacement of such water meter, twenty years. Provided, however, that if such purchase or installation is incidental to and in connection with the acquisition, construction or reconstruction of or addition to a water supply or distribution system, such purchase or installation of such water meter shall

75. Loans for hospital construction. The making of loans of money or credit to or in aid of any eligible corporation or association for the purpose of providing hospital or other facilities for the prevention, diagnosis or treatment of human disease, pain, injury, disability, deformity or physical condition, and for facilities incidental or appurtenant thereto, as may be authorized by law pursuant to section seven of article seventeen of the state constitution, thirty years.

76. Exterior cleaning and beautification of public buildings and monuments owned by a municipality, ten years.

✓ 77. [Added by L.1972, c. 714, § 1. See, also, subd. 77 below] Passenger vehicle other than a school bus. The purchase of a passenger vehicle, other than a school bus, having a seating capacity of less than ten persons, when purchased to replace a similar vehicle previously in service for three years or more, or in the case of a police or fire vehicle, in service for one year or more, three years.

77. [Added by L.1972, c. 885, § 1. See, also, subd. 77 above] In the city of New York a comprehensive program of renovation or improvement of transit facilities or the water supply system or a public or school building or playground or of a public park and of the lighting, plumbing, ventilating and communication systems in such building, playground or park, five years. Nothing herein contained, however, shall prevent the application of the period of probable usefulness prescribed in any other subdivision of this section for any object or purpose constituting a separable part of such program.

78. [Added by L.1973, c. 890, § 1. See, also, subd. 78 below] Payments by the city of New York to the housing finance agency. Any payment of monies by the city of New York to the New York state housing finance agency or any bank or trust company organized under the laws of the state of New York or national banking association doing business in the state of New York or any person, firm or corporation which holds such monies for payment to such agency, if such monies, together with the income earned thereon, are used to make, or discharge such city's<sup>1</sup> obligation to make, in whole or in part, payments which such city is required to make to such agency in each of three or more consecutive fiscal years of such city under a lease, sublease or other agreement with respect to a health facility constructed, acquired, reconstructed, rehabilitated or improved by the health and mental hygiene facilities improvement corporation, three years.

78. [Added by L.1973, c. 898, § 1. See, also, subd. 78 above] Payments by the city of New York. Any payment of moneys by the city of New York to the lessor or sublessor of real property leased or subleased for any public or municipal purpose or any bank or trust company organized under the laws of the state of New York or national banking association doing business in the state of New York or any person, firm or corporation which holds such moneys for payment to such lessor or sublessor, if such moneys, together with the income earned thereon, are used to make, or discharge such city's obligation to make, in whole or in part, payments which are required to be made to such lessor or sublessor in each of three or more consecutive fiscal years of such city under a lease or sublease with respect to such real property, three years.

79. The effectuation of any program to pay benefits and provide other social and technical assistance to residential tenants eligible for public assistance whose relocation is necessitated by a condition dangerous to life or health, five years. Nothing herein contained, however, shall prevent the application of the period of probable usefulness prescribed in any other subdivision of this paragraph for any object or purpose constituting a separable part of such program.

80. Pedestrian malls. The construction or reconstruction of or addition to a pedestrian mall, whether or not including land or rights in land or the construction or acquisition of public improvements and appurtenances required for the purpose for which

**§ 70.00 Fiscal agent, NY LOC FIN § 70.00**

one county, a duplicate original of such bond, approved by the finance board, or in the case of the city of New York the chief fiscal officer thereof, shall be filed in the office of the clerk of each county in which the municipality, school district or district corporation is located, except that in a city containing more than one county such bond shall be filed only in the office of the city clerk. The expense of such bond shall be a charge upon the municipality, school district or district corporation. The provisions of this paragraph shall not apply to a bank or trust company which has been designated as fiscal agent of a municipality, school district or district corporation pursuant to the provisions of paragraph a of this section, unless the finance board of such municipality, school district or district corporation, or in the case of the city of New York the chief fiscal officer thereof, shall by resolution determine that such bank or trust company shall be required to furnish a bond for the faithful performance of its duties as fiscal agent.

c. No municipality, school district or district corporation, or any fiscal agent thereof, shall charge, impose, collect, or receive from the holder of any obligation issued pursuant to this chapter, or issued pursuant to laws in effect prior to the effective date of this chapter, any fee or consideration for any services required to be performed by a fiscal agent pursuant to the provisions of this chapter. However, the holder of an obligation shall bear the expense of preparing new bonds or coupons which he shall request to be issued pursuant to the provisions of title five of this article, also the actual and necessary expenses for the mailing, shipping or the insuring of obligations incurred in connection with the rendition of services performed by a fiscal agent at his request. At least annually every fiscal agent shall render to and file with the finance board of the municipality, school district or district corporation, or in the case of the city of New York the chief fiscal officer thereof, for which he or it acts a statement of all moneys received and disbursed by such agent for the expenses mentioned in this paragraph. Notwithstanding the foregoing provisions of this paragraph, if the finance board of a municipality, school district or district corporation, or in the case of the city of New York the chief fiscal officer thereof, shall determine that it would be to the financial advantage of the municipality, school district or district corporation not to impose and collect such mailing, shipping or insurance charges, it may adopt a resolution directing its fiscal agent not to impose and collect any or all of such charges.

d. Notwithstanding any other provisions of law, the comptroller of the city of New York may prescribe rules and regulations for the registration, conversion, reconversion and transfer of the bonds and notes of the city of New York, including the preparation and substitution of new bonds, for the payment of the principal thereof, redemption premium, if any, and interest thereon, and for other authorized services to be performed by such fiscal agent.

e. Any bank or trust company acting as the fiscal agent of a municipality, school district or district corporation may bid for, purchase, acquire, hold, sell or dispose of obligations of the municipality, school district or district corporation for which it acts as such agent, and may enter into other service contracts with the municipality, school district or district corporation. No bank or trust company acting as such fiscal agent shall print, engrave, or otherwise prepare, new bonds or coupons required in connection with the conversion and reconversion of bonds as provided in title five of this article, if such bank or trust company acts as fiscal agent in such conversion or reconversion.

**Credits**

(L.1942, c. 424. Amended L.1944, c. 614, § 2; L.1945, c. 837, § 19; L.1946, c. 806, § 11; L.1947, c. 590, eff. May 1, 1947; L.1947, c. 591, eff. May 1, 1947; L.1983, c. 483, § 4, eff. July 15, 1983.)

McKinney's Local Finance Law § 70.00, NY LOC FIN § 70.00  
Current through L.2016, chapters 1 to 34, 50 to 60.

McKinney's Consolidated Laws of New York Annotated  
Local Finance Law (Refs & Annos)  
Chapter 33-a. Of the Consolidated Laws  
Article II. Local Indebtedness  
Title 4. Local Obligations: Terms, Form and Contents Thereof; Sale and Issuance Thereof

McKinney's Local Finance Law § 52.00

§ 52.00 Recital of validity in obligations

Currentness

Any obligation issued by a municipality, school district or district corporation may contain on its face a recital in substantially the following form:

“It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this (*Here insert type of obligation*), exist, have happened and have been performed, and that the issue of (*Here insert type of obligations*) of which this is one, together with all other indebtedness of such (*Here insert name of municipality, school district or district corporation*) is within every debt and other limit prescribed by the Constitution and laws of such State.”

**Credits**

(L.1942, c. 424.)

McKinney's Local Finance Law § 52.00, NY LOC FIN § 52.00  
Current through L.2016, chapters 1 to 34, 50 to 60.

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McKinney's Consolidated Laws of New York Annotated  
Local Finance Law (Refs & Annos)  
Chapter 33-a. Of the Consolidated Laws  
Article II. Local Indebtedness  
Title 6. Local Obligations: Estoppel from Contesting Validity Thereof

McKinney's Local Finance Law § 81.00

§ 81.00 Bond resolution, or note resolution or certificate, containing estoppel clause; publication and notice

Currentness

a. If a resolution of a finance board authorizing the issuance of bonds or notes or the certificate of a chief fiscal officer authorizing the issuance of notes contains the statement referred to in section 80.00 of this chapter, such resolution after adoption, or a summary of such resolution, or such certificate after its execution and filing, shall be published in full by the clerk of the municipality, school district or district corporation or such other official or person as the finance board or such fiscal officer may designate, together with a notice in substantially the following form:

“The resolution (or the resolution a summary of which is) (or certificate) published herewith has been adopted (or authorized) on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and the validity of the obligations authorized by such resolution (or certificate) may be hereafter contested only if such obligations were authorized for an object or purpose for which the (Here insert name of municipality, school district or district corporation) is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

.....

(Clerk or other official or person designated by the finance  
board or chief fiscal officer)”

If a summary of such resolution is published as provided in this section, such summary shall list the class or classes of objects or purposes for which the obligations to be authorized by such resolution are to be issued together with the period or periods of probable usefulness and the amount of obligations to be issued for each such class of objects or purposes, and in addition, such summary shall state an office of the municipality, school district or district corporation where the resolution summarized thereby shall be available for public inspection. Such resolution shall be kept available for public inspection at such office during normal business hours for twenty days following the publication of such summary as provided in this title.

b. However, if such resolution is subject to a mandatory or permissive referendum, or is submitted to a referendum by the finance board on its own motion, such resolution or summary thereof shall not be published together with such notice until it shall have been approved at such a referendum or, in the case of a resolution subject to a permissive referendum, until the period of time shall have elapsed for the submission and filing of a petition for a permissive referendum and a valid petition shall not have been submitted and filed, and such notice shall state that such resolution has been approved at such a referendum or, in the case of a resolution subject to a permissive referendum, that the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed, as the case may be.

**§ 81.00 Bond resolution, or note resolution or certificate,...., NY LOC FIN § 81.00**

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c. If any bond resolution or capital note resolution does not contain a determination of the period of probable usefulness of the specific object or purpose or class of objects or purposes for which such resolution authorizes the issuance of obligations, there shall be published, together with such resolution or summary thereof and notice, the certificate of the appropriate body or official containing such determination.

d. Such publication as shall be required by this section shall be in the official newspaper or newspapers of the municipality, school district or district corporation or if there be no such newspaper or newspapers, then in such newspaper or newspapers having a general circulation in the municipality, school district or district corporation as the finance board shall designate.

**Credits**

(L.1942, c. 424. Amended L.1944, c. 608, §§ 26, 27; L.1981, c. 1050, § 4, eff. Nov. 11, 1981, deemed eff. Oct. 31, 1981.)

McKinney's Local Finance Law § 81.00, NY LOC FIN § 81.00

Current through L.2016, chapters 1 to 34, 50 to 60.

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## Morris, Carolyn

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**From:** Joe Inconorato [jincoronato@verizon.net]  
**Sent:** Friday, June 10, 2016 10:06 AM  
**To:** Morris, Carolyn; CountyLegislature  
**Subject:** Re: FW: Message from "Legislature6thFLC3503"

The attached data dates back to 2013 when gas was about \$4/gal, and the survey for NYC where urban stop-and-go traffic is the norm.

Compare: Today, gas is about \$2.40/gal, many conventional vehicles are getting upward of 30 mpg, and most county vehicle usage is mixed suburban and rural -- which makes the Tyner data a flawed argument for purchasing hybrid county vehicles. Moreover, the eventual disposal of large, toxic hybrid batteries may pose a far greater threat to the environment than carbon emissions.

Joe I.

On 06/10/16, Morris, Carolyn<[cmorris@dutchessny.gov](mailto:cmorris@dutchessny.gov)> wrote:

Good morning:

Please see attached information from Legislator Tyner regarding hybrid vehicles. Have a great day.

Carolyn Morris  
Clerk  
Dutchess County Legislature  
845.486.2100

-----Original Message-----

**From:** [administrator@dutchessny.gov](mailto:administrator@dutchessny.gov) [mailto:[administrator@dutchessny.gov](mailto:administrator@dutchessny.gov)]  
**Sent:** Friday, June 10, 2016 8:31 AM  
**To:** Morris, Carolyn  
**Subject:** Message from "Legislature6thFLC3503"

This E-mail was sent from "Legislature6thFLC3503" (MP C3503).

Scan Date: 06.10.2016 08:31:20 (-0400)  
Queries to: [administrator@dutchessny.gov](mailto:administrator@dutchessny.gov)