

Regular Meeting
of the
Dutchess County Legislature

Monday, July 12, 2010

The Clerk of the Legislature called the meeting to order at 7:00 p.m.

Roll Call by the Clerk of the Legislature

PRESENT: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

ABSENT: 2 Kuffner, White.

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag.

The invocation was given by Pastor Edward Jones of the Faith Assembly of God in Poughkeepsie, New York followed by a moment of silent meditation.

PRESENTATIONS:

Update on Dutchess Watershed Awareness Month
Update on Late Blight

COMMENDATIONS/PROCLAMATIONS

Proclamation:

July 2010 as Dutchess Watershed Awareness Month

Without objection, the Chairman changed the Regular Order of Business to conduct public hearings prior to Privilege of the Floor.

The Clerk read the notice of public hearing for Adoption of Dutchess Community College Budget.

The Chairman declared the public hearing open.

There being no one wishing to be heard the Chairman declared the public hearing closed.

The Clerk read the notice of public hearing for inclusion of predominately viable Agricultural land within various certified agricultural districts.

The Chairman declared the public hearing open.

Legislator Cooper stated that he would just like to make the Legislature aware of an amendment that he will be making to add a parcel in the Town of Clinton.

Ed Hoxsie, Executive Director, Dutchess County Soil and Water Conservation District, spoke on the addition of 10.3 acres of property in the Town of Clinton owned by Seith Allt that after further review and a site visit would qualify as viable agricultural land and that the property should be included in Agricultural District #20.

Scott Volkman, Legislative Counsel, requested that Ed Hoxsie add to his comments that a letter was delivered to the Legislative Office regarding this matter.

Ed Hoxsie, Executive Director, Dutchess County Soil and Water Conservation District, stated that after the site visit a letter was prepared requesting that the Legislature include the property in the Town of Clinton. (Attached and made a part of these minutes.)

There being no one else wishing to be heard the Chairman declared the public hearing closed.

The Chairman entertained a motion from the floor, duly seconded and unanimously adopted, to suspend the Regular Order of Business to allow the public to address the Legislature on agenda items.

No one wishing to be heard, the Chairman entertained a motion to resume the Regular Order of Business.

Chairman Rolison entertained a motion to approve the minutes of June 14, 2010.

On motion by Legislator Flesland duly seconded by Legislator Cooper the June 14, 2010 minutes were approved.

RESOLUTION NO. 2010194

RE: AUTHORIZING ACQUISITION OF PERMANENT EASEMENT FROM PAGE FIVE, LLC IN THE TOWN OF POUGHKEEPSIE IN CONNECTION WITH THE DUTCHESS RAIL TRAIL

Legislators ROLISON, FLESLAND, and ROMAN offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the acquisition of a permanent easement along portions of the former Maybrook Railroad Line, now known as the Dutchess Rail Trail, in order to facilitate construction of a portion of the Dutchess Rail Trail, Phase 4, in the vicinity of the Dutchess County Water and Wastewater Authority Pump Station in the Town of Poughkeepsie, and

WHEREAS, by Resolution No. 207203 this Legislature adopted and confirmed the Full Environmental Assessment Form and Negative Declaration concluding that the improvement project (1) constitutes a Type I action pursuant to Article VIII of the New York State Environmental Quality Review Act and 6 NYCRR Part 617 and (2) will not have a significant adverse effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to facilitate construction of a portion of the Dutchess Rail Trail, Phase 4, in the vicinity of the Dutchess County Water and Wastewater Authority Pump Station in the Town of Poughkeepsie, it is necessary to acquire a Permanent Easement over a portion of property presently owned by PAGE FIVE, LLC, and

WHEREAS, an Agreement to Purchase a Permanent Easement was entered into between the County and the property owner for the purpose of acquiring a Permanent Easement over said real property, a copy of said Agreement is annexed hereto and made a part hereof, and

WHEREAS, the property described is a portion of Tax Grid No. 134689-6261-01-585508-0000 and consists of a 0.009± acre or 409± square feet, more or less, and

WHEREAS, the Commissioner of Public Works has recommended that a Permanent Easement over the subject property be purchased for the sum of \$1,600 and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that the County shall pay the appropriate transfer tax and filing fees and any other related fees in connection with the conveyance, and payment be made to the property owner, PAGE FIVE, LLC, in the sum of \$1,600, and be it further

RESOLVED, that the terms and conditions of the aforementioned Purchase Agreement be carried out by the Dutchess County Department of Public Works.

CA-122-10 R-865 6/21/10 Fiscal Impact: See attached statement

APPROVED

William R. Steinhaus

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

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 12th day of July, 2010, and that the same is a true and correct transcript of said original resolution and of the whole hereof.

Date 7/26, 2010

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of July, 2010.

Patricia J. Hoffmann
PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 2,050

Total Current Year Revenue \$ 1,640

and Source

TOTAL CURRENT YEAR COST IS 80% REIMBURSABLE THROUGH FEDERAL HHP AND CMAQ FUNDING

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

Identify Line Items(s):

H0372.7110.3008

Related Expenses: Amount \$ 450

Nature/Reason:

ANTICIPATED COSTS ASSOCIATED WITH MORTGAGE RELEASE APPLICATIONS AND FILING FEES

Anticipated Savings to County: _____

Net County Cost (this year): \$410

Over Five Years: _____

Additional Comments/Explanation:

RELATED EXPENSES ARE INCLUDED IN THE TOTAL CURRENT YEAR COST.

Prepared by: _____

AGREEMENT TO PURCHASE REAL PROPERTY

Project: Dutchess Rail Trail

PIN: 8757.53 Map No(s): 7 Parcel No(s): 1

This Agreement by and between PAGE FIVE, LLC, hereinafter referred to as "Seller", and THE COUNTY OF DUTCHESS, hereinafter referred to as "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

- all right, title, and interest to 0.0± square feet of real property
- a permanent easement to 409.0± square feet of real property
- a temporary easement to 0.0± square feet of real property

located in the Town of Poughkeepsie, Dutchess County, New York, further described as:

Being a portion of those same lands described in that certain dated November 5, 2001, and recorded November 8, 2001 as Instrument Number 02-2001-9569 in the Office of the County Clerk for Dutchess County, New York (re. Tax Map No. 134689-6261-01-585508), and being the same lands designated as Map 7, Parcel 1 on exhibit "A", attached hereto.

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement:

- 400 square feet of lawn
- A tree, to be removed by contractors

3. PURCHASE PRICE. The total purchase price is One Thousand, Six Hundred and 00/100 Dollars (\$1,600.00). This price includes the real property interest(s) described in paragraph 1 and the improvements described in paragraph 2, if any, and the items described in paragraph 13, if any.

4. CLOSING DATE AND PLACE. Transfer of title shall take place at the Dutchess County Clerk's Office, or at another mutually acceptable location, on or about July 30, 2010. In the event it is not practical or feasible for the closing to occur at the County Clerk's Office or another mutually acceptable location, the Seller agrees to execute the required closing documents and deliver the same to the municipality.

5. PAYMENT. Payment will be made to the Seller by check at the closing. In the event it is not practical or feasible for the closing to occur at the County Clerk's Office or another mutually acceptable location, the Buyer agrees to make payment to the Seller or the Seller's agent immediately upon receipt of the fully executed documents.

6. BUYER'S POSSESSION OF THE PROPERTY AND RIGHT OF ENTRY. Buyer shall have possession of the property on the day payment is received by the Seller. Any closing documents received by the municipality prior to payment pursuant to paragraph 5 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent.

7. RESERVATION OF SELLER'S RIGHTS REGARDING UTILITY STRUCTURES. Seller reserves the right of access to, and operation and maintenance of existing facilities within the easement area.

Seller also reserves the right to construct and maintain in the future such underground utility structures as Seller deems necessary subject to the following:

- 1. That such utility structures shall not interfere with the public use of the trail or the County's maintenance of the Trail or in any way restrict or prevent the exercise of those rights otherwise conveyed by the permanent easement;
- 2. That the Seller shall notify and diligently consult and coordinate with the County in the planning and construction of any proposed future utility construction or installation on, through, over or under the Trail.

8. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:

- A. Closing Documents. Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interests stated in paragraph 1 above.
- B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.

8. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing.
9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. ENTIRE AGREEMENT. This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.
12. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
13. ADDENDA. The following Addenda are incorporated into this agreement:
 Cost to Cure Other _____

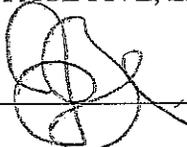
IN WITNESS WHEREOF, on this 26th day of May, 2010, the parties have entered into this Agreement.

Witness: _____

Seller: _____
Helen Page

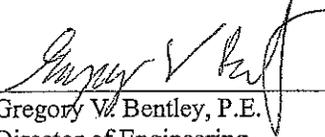
PAGE FIVE, LLC

Witness: _____

Seller: _____
By:  Manager

COUNTY OF DUTCHESS

Witness:  _____

Buyer by:  _____
Gregory V. Bentley, P.E.
Director of Engineering

COUNTY OF DUTCHESS
ACQUISITION MAP

DUTCHESS RAIL TRAIL

PIN 8757.53

MAP NO. 7
PARCEL NO. 1
SHEET 1 OF 3 SHEETS

MAP REFERENCE INFORMATION:

Parcel Locator Point:
Parcel No: 1
N: 317086.04
E: 202157.38

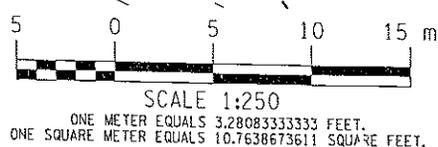
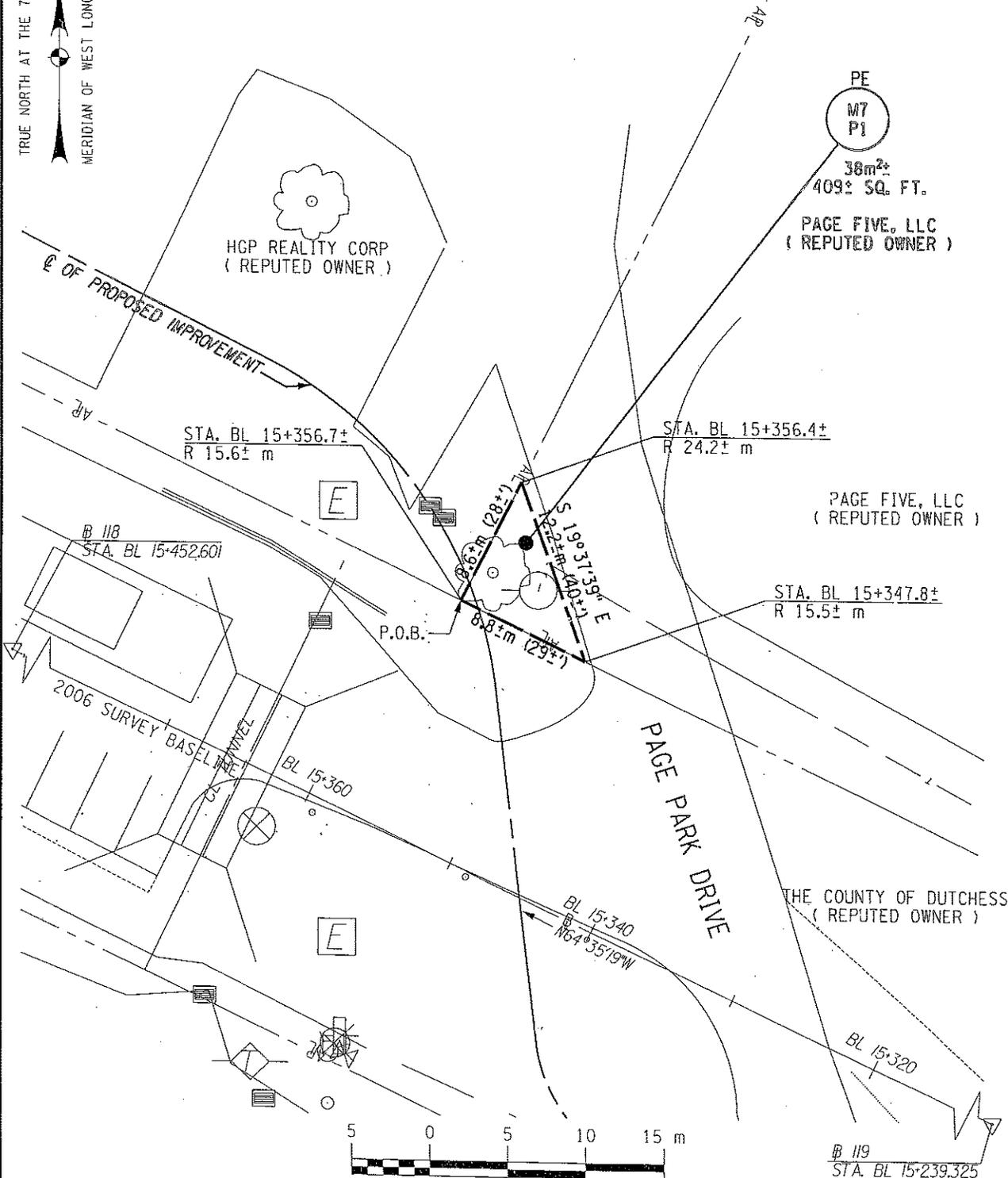
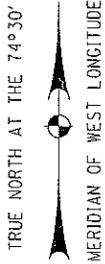
PAGE FIVE, LLC
(REPUTED OWNER)

CCD 02 2001 9569

TRN

ACQUISITION DESCRIPTION:

Type: PE
Portion of Tax
Map Ref. No. 134689-
6261-01-585508
Town of Poughkeepsie
County of Dutchess
State of New York



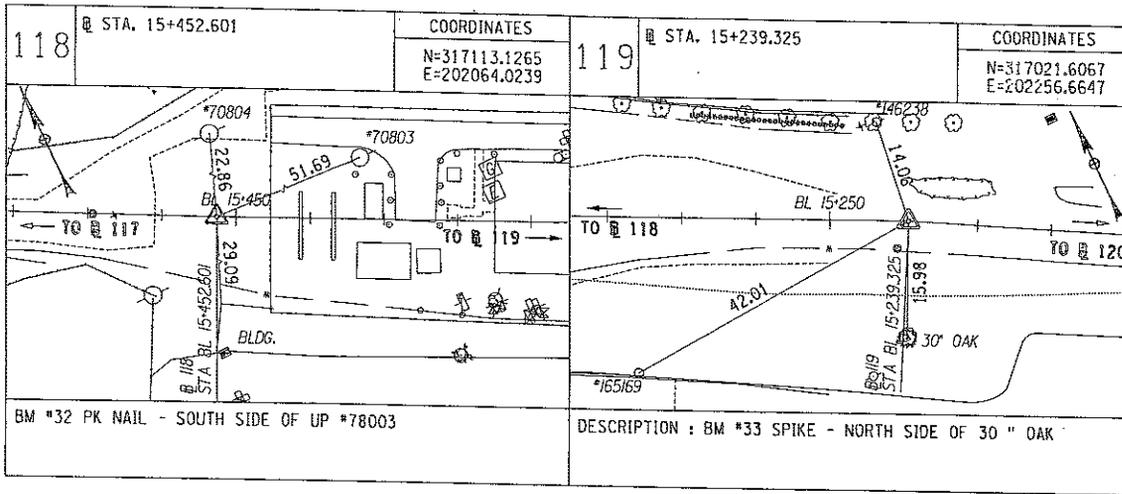
FILE NAME = U:\1485\15\15\Survey\1485.mxd, asp, parcel (1).dgn
USER = 3175
DATE/TIME = 4/26/2008

**COUNTY OF DUTCHESS
ACQUISITION MAP**

DUTCHESS RAIL TRAIL

PIN 8757.5

MAP NO. 7
PARCEL NO. 1
SHEET 2 OF 3 SHEETS



ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWN OF POUGHKEEPSIE, COUNTY OF DUTCHESS AND STATE OF NEW YORK BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

A PERMANENT EASEMENT TO PROVIDE FOR THE CONSTRUCTION, MAINTENANCE, AND CONTINUED OPERATION OF A RAIL TRAIL OR BIKE PATH ON, OVER OR UNDER ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF POUGHKEEPSIE, COUNTY OF DUTCHESS AND STATE OF NEW YORK BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1

BEGINNING AT A POINT ON THE WESTERLY ROAD BOUNDARY OF PAGE PARK DRIVE AT ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE PROPERTIES OF THE COUNTY OF DUTCHESS (REPUTED OWNER) ON THE SOUTH, PAGE FIVE, LLC (REPUTED OWNER) ON THE NORTHEAST AND HGP REALTY (REPUTED OWNER) ON THE NORTHWEST, SAID POINT BEING 15.6± METERS DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 15+356.7± OF THE HERINAFTER DESCRIBED SURVEY BASELINE FOR THE CONSTRUCTION OF THE DUTCHESS RAIL TRAIL; THENCE NORTHEASTERLY ALONG SAID DIVISION LINE 8.6± METERS (28± FEET) TO A POINT, SAID POINT BEING 24.2± METERS DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 15+356.4± OF SAID BASELINE; THENCE S19°37'39"E, THROUGH SAID LANDS OF PAGE FIVE, LLC, 12.2± METERS (40± FEET) TO A POINT ON THE SAID DIVISION LINE BETWEEN THE PROPERTIES OF PAGE FIVE, LLC (REPUTED OWNER) ON THE NORTH AND THE COUNTY OF DUTCHESS (REPUTED OWNER) ON THE SOUTH, SAID POINT BEING 15.5± METERS DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 15+347.8± OF SAID BASELINE; THENCE NORTHWESTERLY ALONG SAID DIVISION LINE 8.8± METERS (29± FEET) TO THE POINT OF BEGINNING, SAID PARCEL BEING 38± SQUARE METERS OR 409± SQUARE FEET MORE OR LESS.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE CONSTRUCTION OF THE DUTCHESS RAIL TRAIL, AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS: BEGINNING AT STATION 15+239.330, THENCE NORTH 64°35'19" WEST TO STATION 15+452.600.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°30' MERIDIAN OF WEST LONGITUDE.

FILE NAME = I:\1188\1188\Survey\1188.mxd, sur_sapnet13a.dwg

USER = 3176

DATE/TIME = 4/16/2008

COUNTY OF DUTCHESS
ACQUISITION MAP

DUTCHESS RAIL TRAIL

PIN 8757.53

MAP NO. 7
PARCEL NO
SHEET 3 OF 3 SHEETS

MAP AND DESCRIPTION OF LAND TO BE ACQUIRED BY THE COUNTY OF DUTCHESS
FROM

PAGE FIVE, LLC
(REPUTED OWNER)

FOR THE CONSTRUCTION OF THE DUTCHESS RAIL TRAIL

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED AND
MAPPED ABOVE IS REQUIRED FOR THE PROJECT

Date _____ 20__

CHARLES E. TRAVER
ACTING COMMISSIONER OF PUBLIC WORKS
DUTCHESS COUNTY

RECOMMENDED BY: *Gregory V. Bentley*

Date *Jan 6* 20__

GREGORY V. BENTLEY, P.E.
DIRECTOR OF ENGINEERING

I HEREBY CERTIFY THAT THIS IS AN ACCURATE DESCRIPTION
AND MAP MADE FROM A LIMITED SURVEY, PREPARED
UNDER MY DIRECTION

Date *4/22* 20__

John E. Quinn, Jr.
JOHN E. QUINN, JR., LAND SURVEYOR
P.L.S. LICENSE NO. 50269
CLOUGH-HARBOUR & ASSOCIATES LLP



"Unauthorized alteration or addition
to a survey map bearing a licensed
land surveyor's seal is a violation of
Section 7209 Subdivision 2, of the
New York State Education Law."

CLOUGH HARBOUR & ASSOCIATES LLP
III Winners Circle, PO Box 5269 • Albany, NY 12205-0269
Main: (518) 453-4600 • www.cloughharbour.com

FILE NAME = I:\14888\14888\SURVEY\14888.dwg, sur-Parcel13a.dwg

USER = 3176

DATE/TIME = 4/16/2008

Roll call vote on the foregoing Resolution No. 2010194 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010195

RE: AUTHORIZING ACQUISITION OF PERMANENT EASEMENT FROM HGP REALTY CORPORATION IN THE TOWN OF POUGHKEEPSIE IN CONNECTION WITH THE DUTCHESS RAIL TRAIL

Legislators ROLISON, FLESLAND, and ROMAN offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the acquisition of a permanent easement along portions of the former Maybrook Railroad Line, now known as the Dutchess Rail Trail, in order to facilitate construction of a portion of the Dutchess Rail Trail, Phase 4, in the vicinity of the Dutchess County Water and Wastewater Authority Pump Station in the Town of Poughkeepsie, and

WHEREAS, by Resolution No. 207203 this Legislature adopted and confirmed the Full Environmental Assessment Form and Negative Declaration concluding that the improvement project (1) constitutes a Type I action pursuant to Article VIII of the New York State Environmental Quality Review Act and 6 NYCRR Part 617 and (2) will not have a significant adverse effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to facilitate construction of a portion of the Dutchess Rail Trail, Phase 4, in the vicinity of the Dutchess County Water and Wastewater Authority Pump Station in the Town of Poughkeepsie, it is necessary to acquire a Permanent Easement over a portion of property presently owned by HGP Realty Corporation, and

WHEREAS, an Agreement to Purchase a Permanent Easement was entered into between the County and the property owner for the purpose of acquiring a Permanent Easement over said real property, a copy of said Agreement is annexed hereto and made a part hereof, and

WHEREAS, the property described is a portion of Tax Grid No. 134689-6261-02-536543-0000 and consists of a 0.43± acre or 18,804± square feet, more or less, and

WHEREAS, the Commissioner of Public Works has recommended that a Permanent Easement over the subject property be purchased for the sum of \$35,000 and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that the County shall pay the appropriate transfer tax and filing fees and any other related fees in connection with the conveyance, and payment be made to the property owner, HGP Realty Corporation, in the sum of \$35,000, and be it further

RESOLVED, that the terms and conditions of the aforementioned Purchase Agreement be carried out by the Dutchess County Department of Public Works.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

CA-123-10 R-869 6/21/10
STATE OF NEW YORK
COUNTY OF DUTCHESS

Fiscal Impact: See attached statement

ss:

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 12th day of July, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof. Date 7/26/2010

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of July, 2010.

PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 35,450

Total Current Year Revenue \$ 28,360

and Source

TOTAL CURRENT YEAR COST IS 80% REIMBURSABLE THROUGH FEDERAL HHP AND CMAQ FUNDING

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

Identify Line Items(s):

H0372.7110.3008

Related Expenses: Amount \$ 450

Nature/Reason:

ANTICIPATED COSTS ASSOCIATED WITH MORTGAGE RELEASE APPLICATIONS AND FILING FEES

Anticipated Savings to County: _____

Net County Cost (this year): \$7,090

Over Five Years: _____

Additional Comments/Explanation:

RELATED EXPENSES ARE INCLUDED IN THE TOTAL CURRENT YEAR COST.

Prepared by: _____

AGREEMENT TO PURCHASE REAL PROPERTY

Project: Dutchess Rail Trail

PIN: 8757.53

Map No(s): 8

Parcel No(s): 1

This Agreement by and between HGP REALTY CORPORATION, hereinafter referred to as "Seller", and THE COUNTY OF DUTCHESS, hereinafter referred to as "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

- all right, title, and interest to 0.0± square feet of real property
- a permanent easement to 18,804± square feet of real property
- a temporary easement to 0.0± square feet of real property

located in the Town of Poughkeepsie, Dutchess County, New York, further described as:

Being a portion of those same lands described in that certain dated November 1, 1957, and recorded November 15, 1957 in Liber 958 at Page 415 in the Office of the County Clerk for Dutchess County, New York (re. Tax Map No. 134689-6261-02-536543), and being the same lands designated as Map 8, Parcel 1 on exhibit "A", attached here to.

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement:

2,500 square feet of lawn
7,000 square feet of paving

3. PURCHASE PRICE. The total purchase price is Thirty-Five Thousand and 00/100 Dollars (\$35,000.00). This price includes the real property interest(s) described in paragraph 1 and the improvements described in paragraph 2, if any, and the items described in paragraph 13, if any.

4. CLOSING DATE AND PLACE. Transfer of title shall take place at the Dutchess County Clerk's Office, or at another mutually acceptable location, on or about July 30, 2010. In the event it is not practical or feasible for the closing to occur at the County Clerk's Office or another mutually acceptable location, the Seller agrees to execute the required closing documents and deliver the same to the municipality.

5. PAYMENT. Payment will be made to the Seller by check at the closing. In the event it is not practical or feasible for the closing to occur at the County Clerk's Office or another mutually acceptable location, the Buyer agrees to make payment to the Seller or the Seller's agent immediately upon receipt of the fully executed documents.

6. BUYER'S POSSESSION OF THE PROPERTY AND RIGHT OF ENTRY. Buyer shall have possession of the property on the day payment is received by the Seller. Any closing documents received by the municipality prior to payment pursuant to paragraph 5 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent.

7. RESERVATION OF SELLER'S RIGHTS REGARDING UTILITY STRUCTURES. Seller reserves the right of access to, and operation and maintenance of existing facilities within the easement area.

Seller also reserves the right to construct and maintain in the future such underground utility structures as Seller deems necessary subject to the following:

- 1. That such utility structures shall not interfere with the public use of the trail or the County's maintenance of the Trail or in any way restrict or prevent the exercise of those rights otherwise conveyed by the permanent easement;
- 2. That the Seller shall notify and diligently consult and coordinate with the County in the planning and construction of any proposed future utility construction or installation on, through, over or under the Trail.

8. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:

A. Closing Documents. Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interests stated in paragraph 1 above..

- B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
8. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing.
9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. ENTIRE AGREEMENT. This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.
12. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
13. ADDENDA. The following Addenda are incorporated into this agreement:
 Cost to Cure Other _____

IN WITNESS WHEREOF, on this 26th day of NOV, 2010, the parties have entered into this Agreement.

HGP REALTY CORPORATION

Witness: _____

Seller:
By: _____

COUNTY OF DUTCHESS

Witness: _____

Buyer by: _____

Gregory V. Bentley, P.E.
Director of Engineering

**COUNTY OF DUTCHESS
ACQUISITION MAP**

DUTCHESS RAIL TRAIL

PIN 8757.53

MAP NO. 8
PARCEL NO. 1
SHEET 1 OF 4 SHEETS

MAP REFERENCE INFORMATION:

FM #11828 Filed 8-9-05

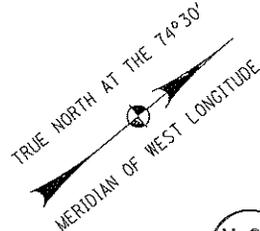
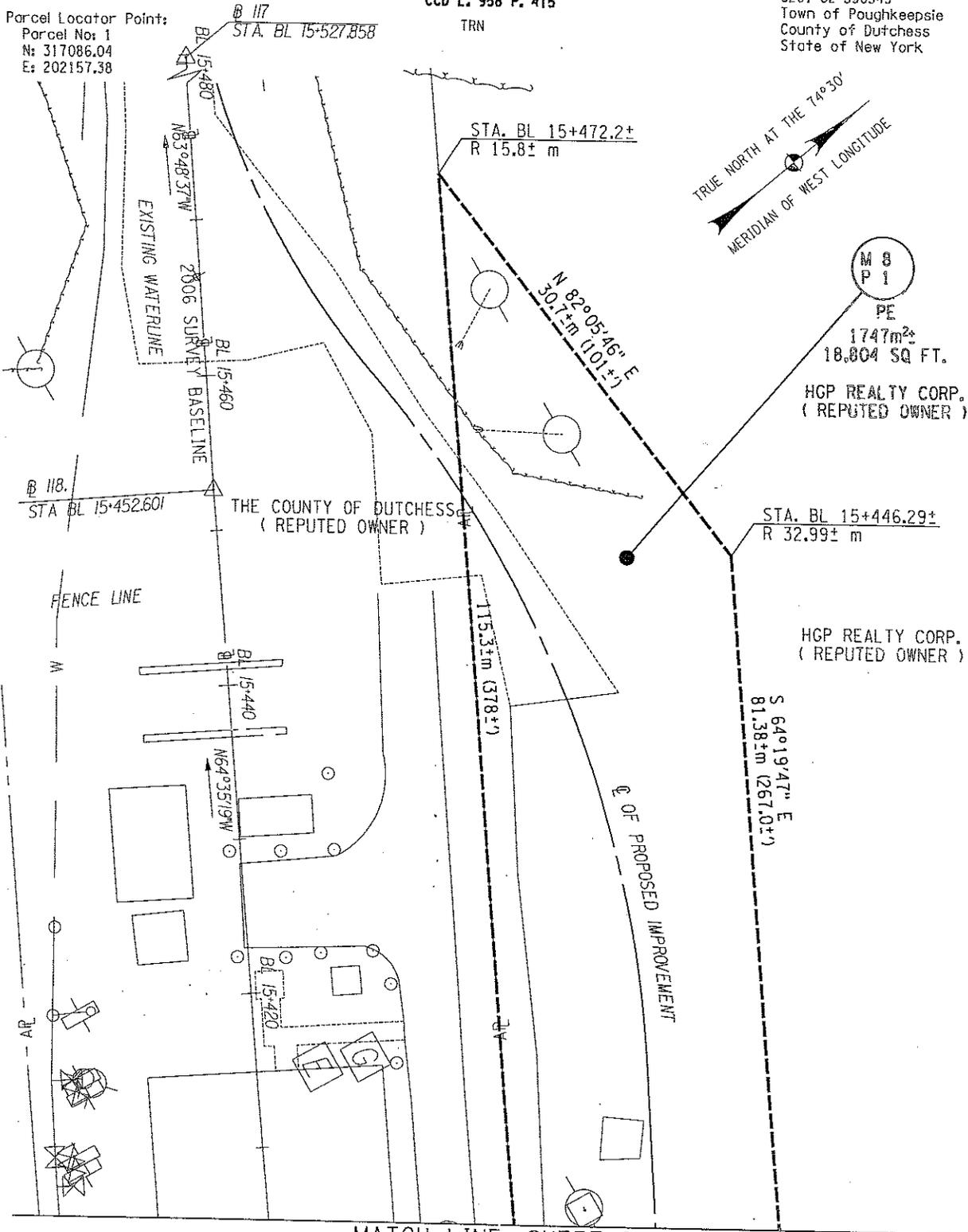
Parcel Locator Point:
Parcel No: 1
N: 317086.04
E: 202157.38

**HGP REALTY CORP.
(REPUTED OWNER)**

CCD L. 958 P. 415
TRN

ACQUISITION DESCRIPTION:

Type: PE
Portion of Tax
Map Ref. No. 134689-
6261-02-536543
Town of Poughkeepsie
County of Dutchess
State of New York



M 8
P 1
PE

1747m²
18,804 SQ. FT.

HGP REALTY CORP.
(REPUTED OWNER)

HGP REALTY CORP.
(REPUTED OWNER)

S 64° 19' 47" E
81.38±m (267.0±')

MATCH LINE, SHEET 2



SCALE 1:250

ONE METER EQUALS 3.280833333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

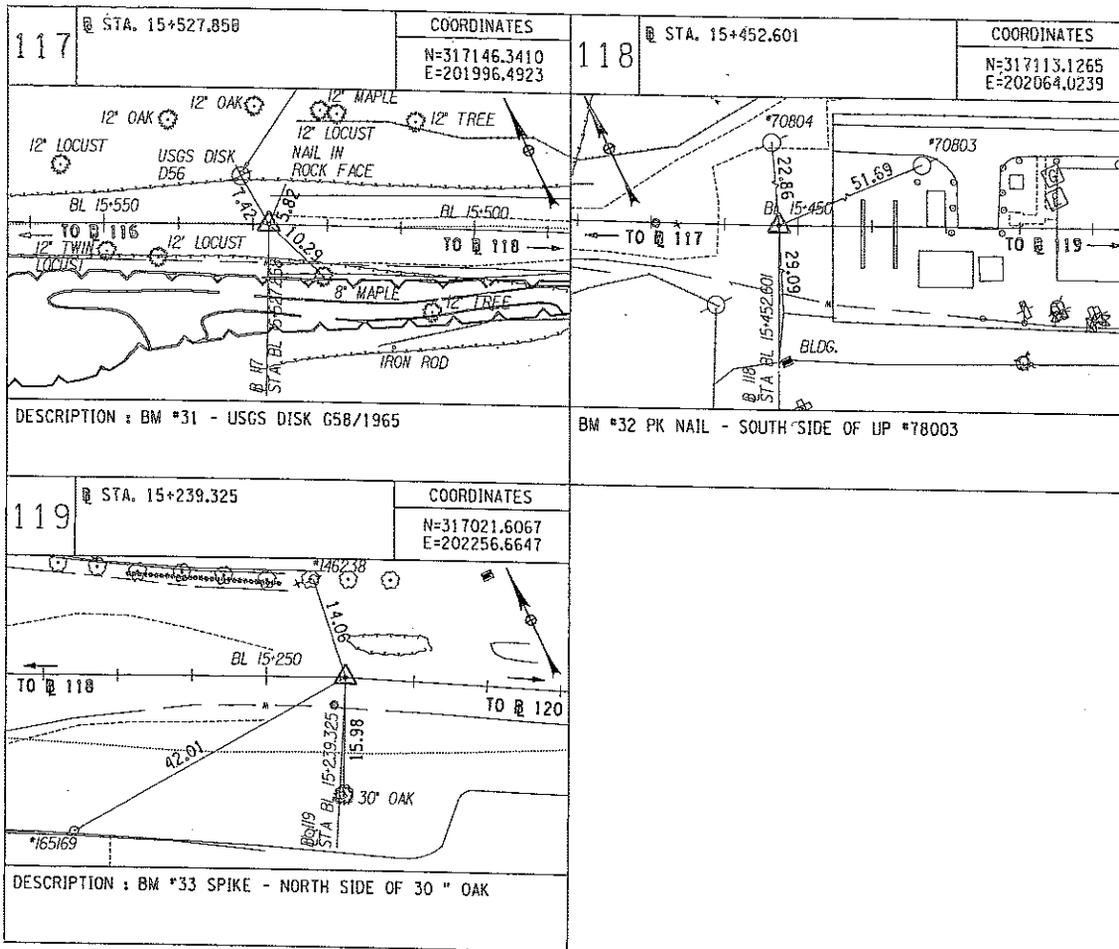
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USER = 484
DATE/TIME = 2/20/2008

**COUNTY OF DUTCHESS
ACQUISITION MAP**

DUTCHESS RAIL TRAIL

PI# 8757.53

MAP NO. 8
PARCEL NO
SHEET 3 OF 4 SHEETS



A PERMANENT EASEMENT TO PROVIDE FOR THE CONSTRUCTION, MAINTENANCE, AND CONTINUED OPERATION OF A RAIL TRAIL OR BIKE PATH ON, OVER OR UNDER ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF POUGHKEEPSIE, COUNTY OF DUTCHESS AND STATE OF NEW YORK BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

PARCEL NO. 1

BEGINNING AT A POINT ON THE DIVISION LINE BETWEEN THE PROPERTIES OF THE COUNTY OF DUTCHESS (REPUTED OWNER) ON THE SOUTH, PAGE FIVE, LLC (REPUTED OWNER) ON THE NORTHEAST AND HGP REALTY (REPUTED OWNER) ON THE NORTHWEST, SAID POINT BEING 15.6± METERS DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 15+356.7± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE CONSTRUCTION OF THE DUTCHESS RAIL TRAIL; THENCE NORTHWESTERLY ALONG SAID DIVISION LINE BETWEEN THE PROPERTIES OF THE COUNTY OF DUTCHESS (REPUTED OWNER) ON THE SOUTH AND HGP REALTY (REPUTED OWNER) ON THE NORTH 115.3± METERS (378± FEET) TO A POINT, SAID POINT BEING 15.8± METERS DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 15+472.2± OF SAID BASELINE; THENCE N82 33/64 05 5/32 46 9/32 E, THROUGH THE PROPERTY OF HGP REALTY (REPUTED OWNER), 30.7± METERS (101± FEET) TO A POINT, SAID POINT BEING 32.99± METERS DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 15+446.29± OF SAID BASELINE; THENCE S 64°19'47" EAST, CONTINUING THROUGH THE PROPERTY OF HGP REALTY (REPUTED OWNER), 81.38± METERS (267.0± FEET) TO A POINT, SAID POINT BEING 32.62± METERS DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 15+364.91± OF SAID BASELINE; THENCE S 19°37'40" EAST, CONTINUING THROUGH THE PROPERTY OF HGP REALTY (REPUTED OWNER), 12.0± METERS (39± FEET) TO A POINT ON THE SAID DIVISION LINE BETWEEN THE PROPERTIES OF PAGE FIVE, LLC (REPUTED OWNER) ON THE NORTHEAST AND HGP REALTY (REPUTED OWNER) ON THE NORTHWEST, SAID POINT BEING 24.2± METERS DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 15+356.4± OF SAID BASELINE; THENCE SOUTHERLY ALONG SAID DIVISION LINE 8.6± METERS (28± FEET) TO THE POINT OF BEGINNING, SAID PARCEL BEING 1747± SQUARE METERS OR 18804± SQUARE FEET MORE OR LESS.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE CONSTRUCTION OF THE DUTCHESS RAIL TRAIL, AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS: BEGINNING AT STATION 15+239.325, THENCE NORTH 64°35'19" WEST TO STATION 15+452.601; THENCE NORTH 63°48'37" WEST TO STATION 15+527.858

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°30' MERIDIAN OF WEST LONGITUDE.

COUNTY OF DUTCHESS
ACQUISITION MAP

MAP NO. 8
PARCEL NO
SHEET 4 OF 4 SHEETS

DUTCHESS RAIL TRAIL

PIN 8757.53

MAP AND DESCRIPTION OF LAND TO BE ACQUIRED BY THE COUNTY OF DUTCHESS
FROM

HGP REALITY CORP.
(REPUTED OWNER)

FOR THE CONSTRUCTION OF THE DUTCHESS RAIL TRAIL

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED AND
MAPPED ABOVE IS REQUIRED FOR THE PROJECT

Date _____ 20____

CHARLES E. TRAYER
ACTING COMMISSIONER OF PUBLIC WORKS
DUTCHESS COUNTY

RECOMMENDED BY: *Gregory V. Bentley*

Date 4/22/08 2008

GREGORY V. BENTLEY, P.E.
DIRECTOR OF ENGINEERING

I HEREBY CERTIFY THAT THIS IS AN ACCURATE DESCRIPTION
AND MAP MADE FROM A LIMITED SURVEY, PREPARED
UNDER MY DIRECTION

Date 4/22 2008

John E. Quinn, Jr.
JOHN E. QUINN, JR., LAND SURVEYOR
P.L.S. LICENSE NO. 50269
CLOUGH-HARBOUR & ASSOCIATES LLP



"Unauthorized alteration or addition
to a survey map bearing a licensed
land surveyor's seal is a violation of
Section 7209 Subdivision 2, of the
New York State Education Law."

CLOUGH HARBOUR & ASSOCIATES LLP
 III Winners Circle, PO Box 5269 • Albany, NY 12205-0269
 Main: (518) 453-4500 • www.cloughharbour.com

FILE NAME = G:\4885\NSTR\Survey\4885\map_sur_acrca1.dwg

USER = 1126

DATE/TIME = 4/22/2008

Roll call vote on the foregoing Resolution No. 2010195 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010196

RE: AUTHORIZING ACQUISITION OF REAL PROPERTY FOR
THE IMPROVEMENT OF A SECTION OF PLEASANT RIDGE ROAD,
C.R. 32, TOWN OF BEEKMAN FROM CHARLES EDGERTON

Legislators HUTCHINGS, MICCIO, and BORCHERT offer the following and
move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of a
section of Pleasant Ridge Road, C.R. 32, in the Town of Beekman, which project includes the
acquisition of portions of certain properties, and

WHEREAS, the Department of Public Works has prepared and reviewed a short
environmental assessment form and has determined that the improvement project (1) constitutes an
unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the
NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, it is the purpose of this Legislature in adopting this resolution to adopt
and confirm the findings of the Department of Public Works, and

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

WHEREAS, the Department of Public Works has made a determination that in order
to improve said road, it is necessary to acquire a portion of property presently owned by Charles
Edgerton, and

WHEREAS, an Option to purchase the necessary real property was entered into
between the County and the property owner on April 26, 2010, for the purpose of acquiring said real
property, a copy of which Option is annexed hereto and made a part hereof, and

WHEREAS, the property is described as 0.145 acres more or less as shown on Map
No. B-91 dated 3/22/10, on file in the office of the Commissioner of Public Works and in the office
of the Clerk of this Legislature, and

WHEREAS, the Commissioner of Public Works has recommended that the subject
property be purchased for the sum of \$2,250.00, and that the terms and conditions of the Option be
carried forth, now, therefore, be it

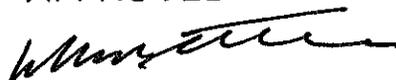
RESOLVED, that this Legislature hereby adopts and confirms the determination of
the Dutchess County Department of Public Works that the project, including the acquisition of
portions of certain properties, in the Town of Beekman, will not have a significant effect on the
environment, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Option, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that the County shall pay the appropriate transfer tax and filing fees for such conveyance and payment be made to the property owner in the sum of \$2,250.00, and be it further

RESOLVED, that the terms and conditions of the aforementioned Option agreement be carried out by the Dutchess County Department of Public Works.

CA-116-10
CAB/ca/R-0886
6/9/10
Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

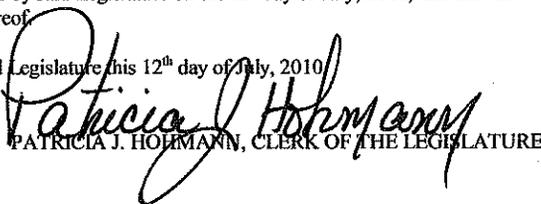
Date 7/26, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

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 12th day of July, 2010, 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 12th day of July, 2010



PATRICIA J. HOLMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 2,250

Total Current Year Revenue \$ _____
and Source

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

Identify Line Items(s):

H0398.5110.3250

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$2,250

Over Five Years: _____

Additional Comments/Explanation:

Prepared by: D. BARTLES, ROW ENGINEER, DCDPW

DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS

OPTION

An OPTION to acquire A PERMANENT EASEMENT from CHARLES EDGERTON along a portion of CR-32, PLEASANT RIDGE ROAD, to facilitate the RECONSTRUCTION OF AN EXISTING STORM WATER DRAINAGE SYTEM, in the TOWN OF BEEKMAN .

I, CHARLES EDGERTON, the undersigned , residing at 60 WEST 57TH STREET, NEW YORK, NY, 10019, hereinafter referred to as the GRANTOR, in consideration of the sum of One Dollar (\$1.00) in hand paid, receipt of which is acknowledged, do hereby covenant and agree to execute and deliver to the COUNTY OF DUTCHESS, 22 MARKET STREET, POUGHKEEPSIE, NEW YORK, 12601, hereinafter referred to as GRANTEE, on demand by said County, a good and sufficient Bargain and Sale Deed with covenants against Grantor's acts, for the acquisition of a PERMANENT EASEMENT on, over or under those premises described. These premises being located in the TOWN OF BEEKMAN, are a portion of Tax Grid No. 132200-6859-00-498432-0000 and consist of a Permanent Easement on, over or under a parcel of land of 0.145 of an acre, more or less, as bounded and described on the attached Schedule A.

The conveyance of land or rights to land to the County of Dutchess can only be authorized by the Dutchess County Legislature and the Dutchess County Executive. It is further understood and agreed that this Option shall be filed and recorded with the Dutchess County Clerk's Office.

It is further understood and agreed that the GRANTEE will pay the sum of TWO THOUSAND TWO HUNDRED FIFTY DOLLARS, \$2250.00, only after the delivery of a deed as described above. The GRANTEE will be responsible for all associated Transfer Taxes and Filing Fees. In addition to the consideration stated above the GRANTEE agrees to the following conditions: The Grantee assumes the responsibility to take appropriate steps to maintain the culvert and the culvert outflow area to prevent future undermining and erosion from occurring outside of the Permanent Easement area. This responsibility extends to repairing the existing easterly tractor access road in the event that the stormwater from the culvert makes this roadway impassable within or outside the Permanent Easement. The Grantor will provide any necessary access rights to accomplish any repairs necessary outside of the Permanent Easement and all entry for future repair and maintenance of the Permanent Easement shall be from the South of the Easement and not from the Grantor's driveway.

Said parcel of land, when accepted, is to be used by the Dutchess County Department of Public Works as additional Right of Way along CR 32, Pleasant Ridge Road, for the installation, modification and continued maintenance of a storm water drainage system and to provide for the continued conduct and discharge of storm water being collected along a portion of the above referenced highway.

I further covenant that:

The record owner is: Charles Edgerton

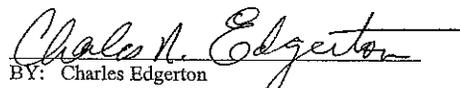
Street Address: 212 Pleasant Ridge Road , Poughquag , NY, 12570.

The property was conveyed by a deed recorded in Liber of Deeds 1925 at page 353.

There is (yes) (no) mortgage on the property held by _____.

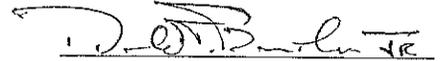
No infants or incompetents have any interest or are in title to the property.

IN WITNESS WHEREOF, I have signed this Agreement on the 26th day of April, 2010.


BY: Charles Edgerton

STATE OF NEW YORK)
) SS:
COUNTY OF)

On the 26th day of April in the year 2010, before me, the undersigned, personally appeared CHARLES EDGERTON, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the Instrument.


Notary Public

DONALD T. BARTLES, JR.
Notary Public, State of New York
Dutchess County No. 4942536
Comm. Expires Sept 26, 20 11

STATE OF NEW YORK)
) SS:
COUNTY OF)

On the _____ day of _____ in the year _____, before me, the undersigned, personally appeared _____

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within Instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the Instrument.

Notary Public



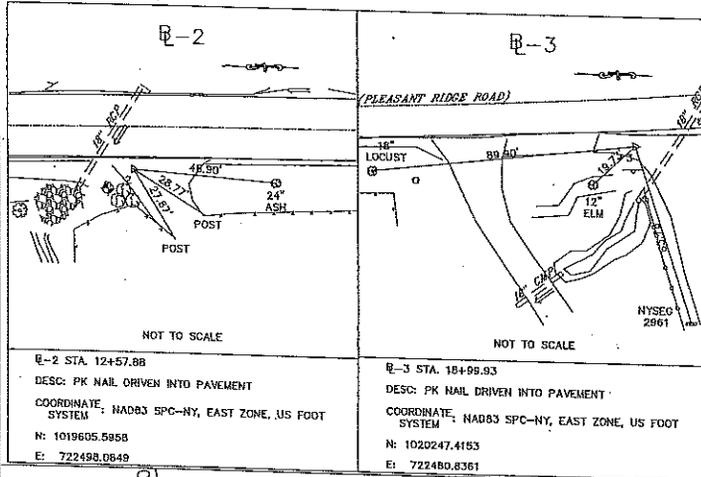
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
EASEMENT ACQUISITION MAP
DC-119

MAP NO. B-91
PARCEL NO. 1, 2, 3
SHEET 1 OF 2

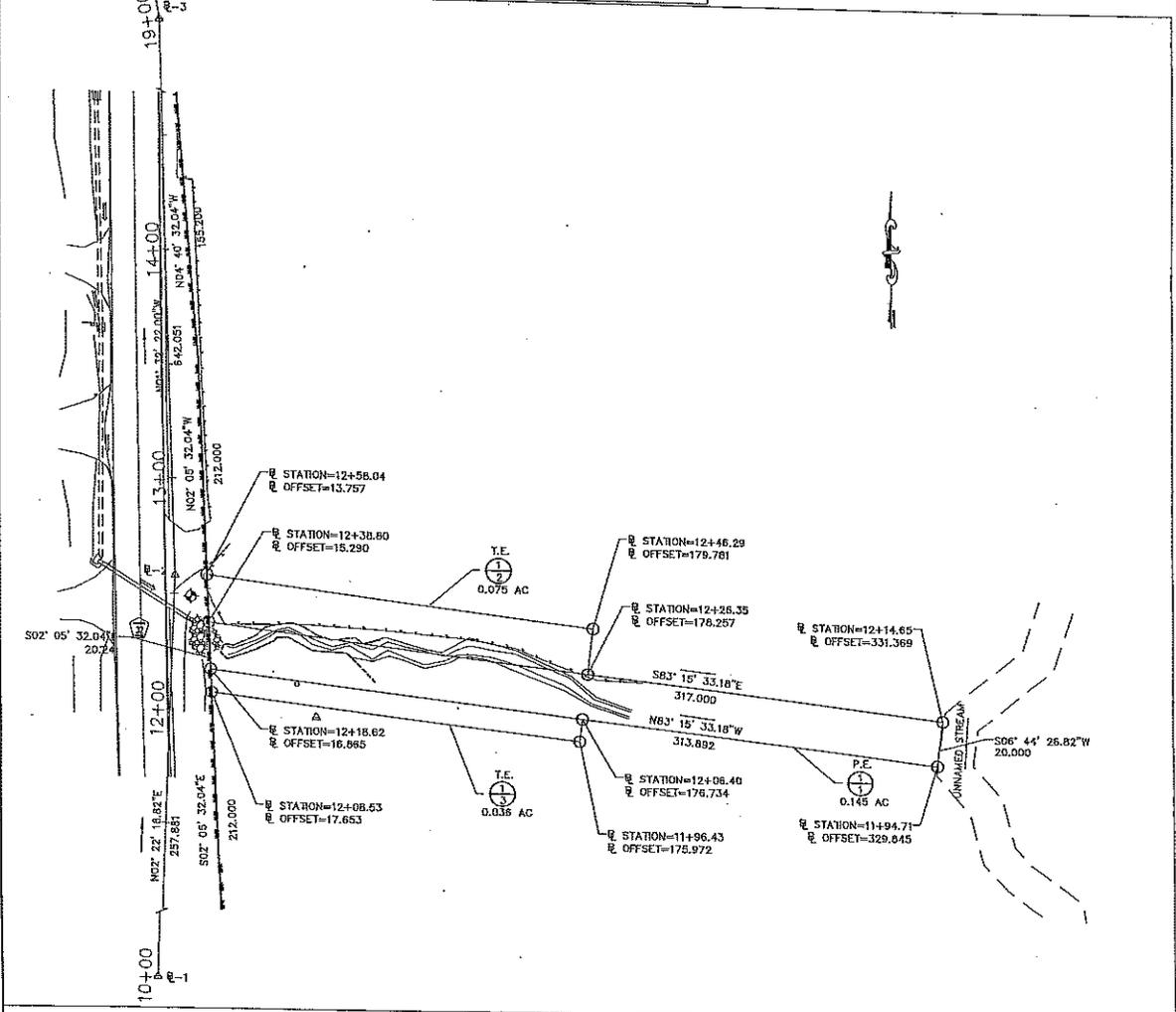
Permanent Easement Acquisition
For CR 32 Drainage Improvements in the Town of Beekman
County Route 32
Project: DC-119

PARCEL SUMMARY:
Portion of Real Property Tax
Parcel I.D. No. 132200-6859-00-498432-0000
Town of Beekman
County of Dutchess
State of New York

REPUTED OWNER:
Charles Edgerton
212 Pleasant Ridge Rd
Beekman, NY 125??



REDUCED COPY



ORIGINAL OF THIS MAP (SHEETS 1 & 2)
ARE ON FILE AT THE OFFICES OF THE DUTCHESS
COUNTY DEPARTMENT OF PUBLIC WORKS

MAP NUMBER B-91
REVISED DATE 03-22-10
DATE PREPARED 08-03-2009



COUNTY OF DUTCHESS
 DEPARTMENT OF PUBLIC WORKS
 EASEMENT ACQUISITION MAP
 DC-119

MAP NO. B-91

PARCEL NO. 1

SHEET 2 OF 2

A PERMANENT EASEMENT to be acquired from CHARLES EDGERTON to be exercised in, on, and over the property herein described for the purpose of constructing, reconstructing, maintaining or removing a drainage culvert and channel to include the right in perpetuity to continue to discharge storm water collected along the Dutchess County Highway known as CR 32.

The above referenced Permanent Easement is further described as: A PERMANENT EASEMENT in, on and over all that tract or parcel of land situate in the Town of Beekman, County of Dutchess, State of New York bounded and described as follows: Beginning at a point on the easterly road line on CR 32, Pleasant Ridge Road, said point being 15.29 feet right, measured at a right angle, from station 12+38.8 of a hereinafter described survey baseline, said point also being S01°45' 57"E, 587.38 feet from an iron rod found indicating the most northwesterly corner of the lands of Charles Edgerton, thence from said point of beginning S83°15'33"E, 317.00 feet into the lands of the aforementioned Edgerton to a point on the banks of an unnamed stream, said point being 331.37 feet right, measured at a right angle, of station 12+14.65 of the aforementioned survey base line, thence along said stream bank S6°44'27"W, 20.00 feet to a point, said point being 329.85 feet right, measured at a right angle of station 11+94.71 of the aforementioned survey base line, thence N 83°15'33"W, 313.89 ± feet to a point on the easterly road line of CR 32, Pleasant Ridge Road, said point being 16.87 feet right, measured at a right angle, of station 12+18.62 of the aforementioned survey base line, thence northerly along said road line, N2°05'32"W, 20.24 feet to the point or place of beginning. Being a Permanent Easement on, over or under a parcel of land containing 0.145 of an acre, more or less.

The above described parcel is a portion of the lands of Charles Edgerton as described in a deed file in the Office of the County Clerk, County of Dutchess, in Liber of Deeds 1925 at page 353.

The above referenced Survey Base Line is a portion of a survey base line established by the Dutchess County Department of Public Works for the continued construction, reconstruction and maintenance of County Route 32 and is further described as follows: beginning at Station 10+00.00, thence N02° 22'19"E, 257.88 feet to Station 12.57.88, thence N01°32'22"E, 642.05 feet to Station 18+99.93.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date 4-7 2010

Charles Traver
 Charles Traver
 Commissioner of Public Works

Recommended by:

Date 4-7 2010

Gregory V. Bentley
 Gregory V. Bentley, P.E.
 Director of Engineering

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

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

1. APPLICANT/SPONSOR Dutchess County Department of Public Works	2. PROJECT NAME Edgerton Drainage
3. PROJECT LOCATION: Municipality Town of Beekman County Dutchess	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) On CR 32, Pleasant Ridge Road, approximately 700 feet south of the intersection of CR 32 with Stowe Drive.	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Acquire a 0.145 +/- acre Permanent Easement from Charles Edgerton to construct an open storm water drainage channel to carry storm water from CR 32 to an unnamed stream. Project includes the repair of the existing eroded drainage channel .	
7. AMOUNT OF LAND AFFECTED: Initially 0.256 acres Ultimately 0.145 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Dutchess County Department of Public Works Date: 4/25/10 Signature: 	

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

OVER

1

Reset

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

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

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

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 Slight, Potential for erosion during construction activities.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 None

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

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

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 None

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 None

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

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

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

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

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

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Dutchess County Department of Public Works 4/25/10

Name of Lead Agency Date

Gregory V. Bentley, PE Director of Engineering

Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

Gregory V Bentley *[Signature]*

Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from responsible officer)

Reset

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number

Date: 4/25/10

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Dutchess County Dept. of Public Works as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Edgerton Drainage

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Acquire a 0.145 +/- acre Permanent Easement from Charles Edgerton to provide for the repair and reconstruction of an open drainage system carrying storm water being collected along CR 32, Pleasant Ridge Road, in the Town of Beekman to an unnamed stream within the Edgerton property.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

SEE ATTACHED MAP

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

A review of the attached Short Environmental Assessment Form indicates that there will not be any significant environmental impacts. The "slight" potential for impacts as indicated in C1 of Part II of the EAF will be mitigated by the use of appropriate silt fencing, hay bales and other erosion control measures. The finished channel will be protected with stone rip rap and any other other disturbed areas will be seeded and mulched to restore turf. The out flow of the channel will be filtered through a grass/ brush pasture area to further treat the storm water.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: D. Bartles, Right of Way Engineer

Address: 626 Dutchess Turnpike, Poughkeepsie, NY 12603

Telephone Number: 845-486-2925

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

Roll call vote on the foregoing Resolution No. 2010196 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010197

RE: AMENDING THE 2010 ADOPTED COUNTY BUDGET AS IT PERTAINS TO DEPARTMENT OF PUBLIC WORKS - BUILDINGS (A.1620)

LEGISLATORS HUTCHINGS, MICCIO, and BORCHERTD offers the following and moves its adoption:

WHEREAS, the Commissioner of Public Works has advised that clean-up and repair of the Dutchess County Court House at 10 Market Street is required due to a fire on November 7, 2009, and

WHEREAS, the Director of Risk Management has advised that the County's insurance carrier will provide insurance recovery funds to the County, and

WHEREAS, the agreed cost of repairs is \$174,609; the County's self insured retention of \$75,000 will be paid from the casualty and liability reserve account in the general fund and the balance of \$99,609 will be received from the insurance carrier, and

WHEREAS, it is necessary to amend the 2010 Adopted County Budget to provide for the receipt and expenditure of the insurance recovery funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2010 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.1620.4613 Repairs/Alt to Real Property \$ 99,609

REVENUES

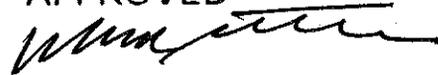
Increase

A.1620.26800 Insurance Recoveries \$ 99,609

CA-120-10
KPB/ca/G-0749
6/15/10

Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 7/26, 2010

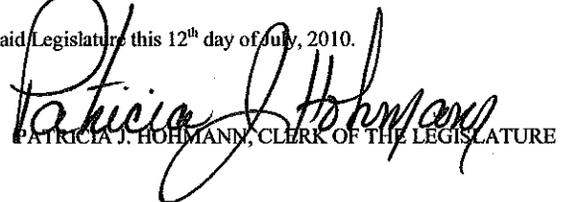
STATE OF NEW YORK

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 12th day of July, 2010, 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 12th day of July, 2010.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 99,609

Total Current Year Revenue \$ 99,609

and Source

From County's insurance carrier as payment of claim from fire at DC Court House on November 7, 2009.

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

Identify Line Items(s):

Related Expenses: Amount \$ 75,000

Nature/Reason:

County's self insured retention obligation.

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Linda S. Way, Director of Risk Management



Dutchess County
Department of
Risk Management

Dutchess

William R. Steinhaus
County Executive

Linda S. Way
Director

MEMORANDUM

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2030
Fax (845) 486-2067

To: Valerie J. Sommerville, Budget Director

From: Linda S. Way, Director of Risk Management *LSW*

Date: June 9, 2010

Re: Resolution Request – Court House Fire Insurance Reimbursement

Today we finalized the claim with the carrier to reimburse the County for the repairs necessary to the Court House as a result of the November 7, 2009 fire. The total agreed cost of the repairs is \$174,609. The County has a self insured retention on this claim of \$75,000 and the balance of \$99,609 will be paid to us by the insurance carrier.

Attached is the request for a resolution to reflect the payment to be received from the carrier of \$99,609. The self insured retention will be paid from the casualty and liability reserve account in the general fund. The resolution increases the insurance recoveries revenue line by \$99,609 and increases the repairs/alternations to real property line by the same amount in department A.1620. I have attached a copy of the proof of loss statement from the carrier noting the total cost of the repairs. Please note our insurance is for the full cost of the repairs and therefore, the depreciation of \$10,326.25 will not apply to this claim.

I am requesting this resolution be presented to the legislature for action as soon as possible. The contractor has completed a significant portion of the work and we are starting the contract process with them. Until the total claim cost was agreed to, we were not able to start the contract process with the contractor or prepare the resolution request.

Please contact me if you require any additional information regarding this resolution or if you need any additional materials to accompany the request.

c: Joseph Beahan, DPW Buildings

SWORN STATEMENT IN PROOF OF LOSS

(For Use With Replacement Cost Coverage)

4611579
POLICY NUMBER
\$184,463,209
AMOUNT OF POLICY AT TIME OF LOSS
10/1/2009
DATE ISSUED
10/1/2010
DATE EXPIRES

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OR CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT ACT, WHICH IS A CRIME, AND SHALL BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE STATED VALUE OF THE CLAIM FOR EACH VIOLATION.

132557
FILE NUMBER
48368
COMPANY CLAIM NO.
New Windsor, NY
AGENCY AT
Marshall & Sterling
AGENT

To the Argonaut Insurance Company
of 324 Main Street Greenfield, MA 01301
STREET ADDRESS CITY / STATE / ZIP

At time of loss, by the above indicated policy of insurance you insured County of Dutchess

against loss by Fire & Other Perils to the property described under Schedule "A" according to the terms and conditions of the said policy and all forms, endorsements, transfers and assignments attached to thereto.

Time and Origin: A Fire loss occurred about the hour of 12:30 o'clock AM

on the 7 day of November The cause and origin of the said loss were: Radio set on stove which ignited

Occupancy: The building described, or containing the property described, was occupied at the time of the loss as follows, and for not other purpose whatever, County Courthouse and offices

Interest(s): At the time of the loss the interest of your insured in the property described therein was Country of Dutchess No other person or persons had any interest therein or encumbrance thereon, except:

Changes: Since the said policy was issued there has been no assignment therefore, or change of interest, use, occupancy, possession, location or exposure of the property described, except:

Total Insurance: The total amount of insurance upon the property described by this policy was, at the time of the loss, \$184,463,209.00 as more particularly specified in the apportionment attached under Schedule "C," besides which there was no policy or other contract of insurance, written or oral, valid or invalid.

Recovery:
1. Full Replacement Cost of the said property at the time of the loss was \$ Undetermined
2. The Full Cost of Repair or Replacement is \$ 174,608.35
3. Applicable Depreciation or Betterment is Replacement complete \$ 10,326.25
4. The Actual Cash Value is (Line 2 minus Line 3) \$ 164,282.10
5. Less Deductibles and/or participation by the insured \$ \$75,000.00
6. Actual Cash Value Claim is (Line 4 minus Line 5) \$ 89,282.10
7. Supplemental Claim, to be filed in accordance with the terms and conditions of the Replacement Cost Coverage within 180 days from the date of loss as shown above, will not exceed \$ 10,326.25

The said loss did not originate by any act, designed or procurement on the part of your insured, or this affiant; nothing has been done by or with the privity or consent of your insured or this affiant, to violate the conditions of the policy, or render it void; no articles are mentioned herein or annexed schedules but such as were destroyed or damaged at the time of said loss; no property saved has in any manner been concealed, and no attempt to deceive the said company, as to the extent of said loss, has in any manner been made. Any other information that may be required will be furnished and considered a part of this proof.

The furnishing of this blank or the preparation of proofs by a representative of the above insurance company is not a waiver of any of its rights.

State of X

County of Insured

Subscribed and sworn to before me this day of 20

Notary Public

Roll call vote on the foregoing Resolution No. 2010197 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010198

RE: AUTHORIZING GRANT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR MATCHING FUNDS FOR FTA SECTION 5307 FUNDS FOR 2010

Legislators MICCIO, BORCHERT, HUTCHINGS, and FLESLAND offer the following and move its adoption:

WHEREAS, a Resolution to authorize the filing of a grant application with the Federal Transit Administration for capital assistance under the Urban Mass Transportation Act of 1964, as amended, for the Dutchess County Mass Transit Facility Roof Replacement Project (Project) is being considered concurrently with this Resolution, and

WHEREAS, this Resolution would authorize the filing of a grant application with the New York State Department of Transportation for state matching funds for the Project, and

WHEREAS, the Commissioner of Planning and Development has been advised that State Mass Transportation Capital Aid is available to fund projects approved by the Commissioner of Transportation, and

WHEREAS, the Commissioner of Planning and Development has been advised that the Federal Transit Administration will grant funds to Dutchess County under Section 5307 to fund capital facility roof replacement activities, and

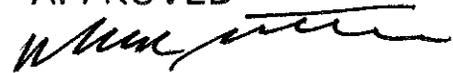
WHEREAS, the Commissioner of Planning and Development has been advised that the State matching portion would be \$120,936 for this 2010 capital facility roof replacement, and

WHEREAS, Dutchess County desires to advance the Project by making a commitment of advance funding of the non-local share of the full local share of the costs associated with this Project, now, therefore, be it

RESOLVED, that the County Executive be and he is hereby authorized to file an application with the New York State Department of Transportation for State matching funds for 2010 Capital Facility Roof Replacement and to execute any necessary agreement(s) arising from such application on behalf of Dutchess County.

CA-117-10
ADR/ca/C5195
6/15/10 revised 6/28/10
Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

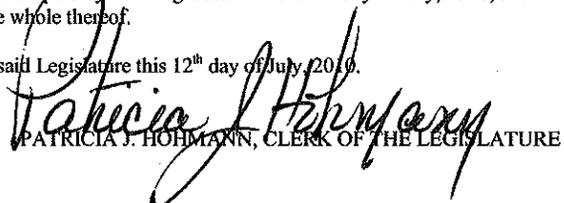
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date 7/26, 2010

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 12th day of July, 2010, 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 12th day of July 2010.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ 120,936
and Source

State Revenue

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: \$120,936

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

Additional Comments/Explanation:

Bond resolution 2010124 authorized the repair of the LOOP capital facility roof. This resolution grants Mass transportation the authority to apply for and accept State Mass transportation Capital Aid to offset the cost. It was originally anticipated that \$68,750 would be approved by the State, however, it has been confirmed that \$120,936 will be granted to offset this cost, saving the county \$52,186.

Prepared by: Cynthia Ruiz, Transit Administrator

Roll call vote on the foregoing Resolution No. 2010198 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2010199

RE: AUTHORIZING FILING OF SECTION 5307 GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2010 WITH THE FEDERAL TRANSIT ADMINISTRATION FOR CAPITAL ASSISTANCE UNDER URBAN MASS TRANSPORTATION ACT OF 1964

Legislators HUTCHINGS, BORCHERT, MICCIO, and FLESLAND offer the following and move its adoption:

WHEREAS, the Federal Transit Administration is authorized to make grants for mass transportation projects, and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including provision by it of the local share of project costs, and

WHEREAS, it is required by the Federal Transit Administration in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the Federal Transit Administration requirements thereunder, and

WHEREAS, it is the goal of the applicant that minority business enterprises be utilized according to the goals of the DBE Program, and in connection with this project and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, supplies, equipment contracts or consultant and other services, and

WHEREAS, a grant application will be filed with the Federal Transit Administration in the amount of \$967,487 in capital assistance under Section 5307 to be used to assist in funding the Dutchess County Mass Transit Facility Roof Replacement Project, now, therefore, be it

RESOLVED, that the County Executive or his designee be and he hereby is authorized to execute and file an application with the Federal Transit Administration for Section 5307 Capital project funds under the Urban Mass Transportation Act of 1964, as amended and to furnish such additional information as the Federal Transit Administration may require in connection with the application, and be it further

RESOLVED, that the County Executive or his designee be and he hereby is authorized to execute such grant agreement arising from such application on behalf of Dutchess County with the Federal Transit Administration to aid in the financing of capital

projects pursuant to Section 5307 of the Urban Mass Transportation Act of 1964, as amended, and be it further

RESOLVED, that the County Executive or his designee be and he hereby is authorized to set forth and execute affirmative action minority business policies in connection with the project's procurement needs, and be it further

RESOLVED, that the County Executive or his designee be and he hereby authorized to receive on behalf of the County, financial assistance for capital projects pursuant to Section 5307 of the Urban Mass Transportation Act of 1964, as amended.

CA-110-10
CR/ADR/ca/C-4097
5/17/10 (revised 6/28/10)
Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

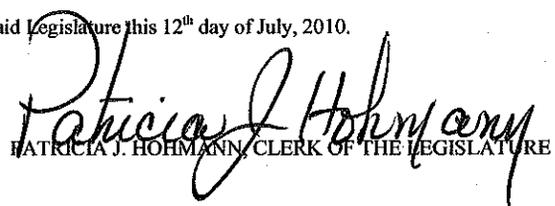
Date 7/26, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

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 12th day of July, 2010, 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 12th day of July, 2010.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ 967,487
and Source

Federal Revenue

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: \$967,487

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

Additional Comments/Explanation:

Bond resolution 2010124 authorized the repair of the LOOP capital facility roof. This resolution grants Mass transportation the authority to apply for and accept Federal Transit Administration Section 5307 grant funds to offset the cost. It was originally anticipated that \$550,000 would be approved by the FTA, however, it has been confirmed that \$967,487 will be granted to offset this cost, saving the county \$417,487.

Prepared by: Cynthia Ruiz, Transit Administrator

Roll call vote on the foregoing Resolution No. 2010199 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010200

RE: AUTHORIZING A GRANT AGREEMENT WITH THE PORT AUTHORITY OF NY & NJ AND AMENDING THE 2010 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF (A.3110.25)

LEGISLATORS ROMAN, FLESLAND, HORTON, KUFFNER, and DOXSEY offer the following and move its adoption:

WHEREAS, the Sheriff has advised that the Port Authority of NY & NJ has awarded the County a Fiscal Year 2008 Port Security Grant Program sub-grant, Award No. 2008-GB-T8-K083, in the sum of \$183,750 to be used for the purchase of a patrol boat, and

WHEREAS, funding for this grant from the Port Authority of NY & NJ requires a local match of \$61,250, and

WHEREAS, the Sheriff has requested the appropriation of forfeiture of crime proceeds for the purpose of funding the local match, and

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

WHEREAS, the Sheriff has requested that the sum of \$61,250 be placed in a Sheriff Asset Forfeiture account to be used for law enforcement efforts, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2010 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant award from the Port Authority of NY & NJ in connection with the above project and further authorizes and empowers the County Executive to execute said grant agreement on behalf of the County of Dutchess, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2010 Adopted County Budget as follows:

APPROPRIATIONSIncrease

A.3110.25.2300.10	Other Equipment - 10 Year	<u>\$245,000</u>
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REVENUESIncrease

A.3110.25.43200.05	Crime Control - Homeland Security	\$183,750
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A.9998.95110.02	Reserve Asset Forfeiture - Sheriff	
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APPROVED
\$245,000

CA-124-10	ca/C-8165	6/23/10
		Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

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 12th day of July, 2010, 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 12th day of July, 2010.

Patricia J. Hohmann
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 245,000

Total Current Year Revenue \$ 245,000
and Source

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

Identify Line Items(s):

A.3110.25.2300.05 Motor Vehicles \$245,000
A.3110.25.43200 Crime Control \$183,750
A.9998.95110.02 Asset Reserve, Sheriff \$61,250

Related Expenses: Amount \$ _____

Nature/Reason:

Purchase of Patrol Boat Grant Funded.

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

The Sheriff's Office has been awarded a Homeland Security Grant by the NY&NJ Port Authority for the purchase of a patrol boat. The total project cost is \$245,000, \$183,750 Grant Funded with a \$61,250 county match. We are requesting acceptance of the Grant by signature of the County Executive. Amendment of the Sheriff's 2010 Budget in the amount of \$183,750, The county share we are requesting to transfer from Asset Forfeiture Funds to the Sheriff's Budget in the amount of \$61,250. Total Amendment \$245,000

Prepared by: Maureen Sarigianis



THE PORT AUTHORITY OF NY & NJ

Brian P. Lacey
Director, Office of Emergency Management

June 11, 2010

Gerard F. Lennon, Lieutenant
Dutchess County Sheriff's Office
150 No Hamilton Street
Poughkeepsie NY 12601
Hudson, New York 12534

RE: Award No: 2008-GB-T8-K083 (FY08 Albany Port Security Grant Program)

Dear Lt. Lennon:

I am pleased to inform that your application for a Fiscal Year 2008 Port Security Grant Program subgrant has been approved as set forth below, subject to your compliance with the terms and conditions of the enclosed Subgrant Agreement:

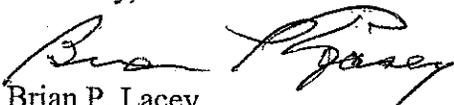
Project Title	Project Cost	Cash Match	Grant Request
Dutchess Sheriff Boat	\$245,000	\$61,250	\$183,750

As you know, and as described in the Subgrant Agreement, each Reimbursement Request will be reduced by 25% until the Cash Match requirement is met.

If your organization wishes to accept the award, a duly authorized official must sign both copies of the enclosed Subgrantee Agreement, Assurances – Non-Construction and the Certification Regarding Lobbying on behalf of your organization, and return both of them to my office for signing by the Port Authority on behalf of the United States Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA). A fully executed original will then be returned to you.

The Subgrantee Agreement describes among other things, the administrative and financial requirements of the grant, including the timely submission of financial and programmatic reports and cost share requirements. Please return the signed agreements and direct all questions concerning this award to Charles Agro, Manager, Logistics and Resources at 201-595-4690.

Sincerely,


Brian P. Lacey
Director, Office of Emergency Management

241 Erie Street, Room 202
Jersey City, NJ 07310
T: 201 595 4674 F: 201 595 4677

blacey@panynj.gov



Dutchess County Sheriff's Office

150 North Hamilton Street, Poughkeepsie, NY 12601

Public Safety
Adrian H. Anderson
Sheriff

Kirk A. Imperati
Undersheriff

George V. Krom Jr.
Corrections
Administrator

Main (845) 486-3800
Fax (845) 452-2987
TDD (845) 486-3888

MEMORANDUM

TO: William Steinhaus, County Attorney

FROM: Adrian H. Anderson, Sheriff *AHA*

DATE: June 21, 2010

RE: Resolution Request

Herewith enclosed please find a Resolution Request Form and Fiscal Impact Statement for a resolution which I would like to present at the July 13, 2010 Meeting of the County.

The Sheriff's Office has been awarded a Homeland Security Grant by the NY&NJ Port Authority for the purchase of a patrol boat. The total project cost is \$245,000, \$183,750 Grant Funded with a \$61,250 county match. We are requesting acceptance of the Grant by signature fo the County Executive. Amendment of the Sheriff's 2010 Budget in the amount of \$183,750, The county share we are requesting to transfer from Asset Forfeiture Funds to the Sheriff's Budget in the amount of \$61,250. Total Amendment \$245,000

If there is any further information you require, please do not hesitate to contact me.

Thank you.

AHA/mr



Dutchess County Sheriff's Office

150 North Hamilton Street, Poughkeepsie, NY 12601

Adrian H. Anderson
Sheriff

Kirk A. Imperati
Undersheriff

George V. Krom Jr.
Corrections
Administrator

Main (845) 486-3800
Fax (845) 452-2987
TDD (845) 486-3888



MEMORANDUM

TO: James Fedorchak, County Attorney

FROM: Adrian H. Anderson, Sheriff

DATE: June 21, 2010

RE: Resolution Request

Herewith enclosed please find a Resolution Request Form and Fiscal Impact Statement for a resolution which I would like to present at the July 13, 2010 Meeting of the County.

The Sheriff's Office has been awarded a Homeland Security Grant by the NY&NJ Port Authority for the purchase of a patrol boat. The total project cost is \$245,000, \$183,750 Grant Funded with a \$61,250 county match. We are requesting acceptance of the Grant by signature fo the County Executive. Amendment of the Sheriff's 2010 Budget in the amount of \$183,750, The county share we are requesting to transfer from Asset Forfeiture Funds to the Sheriff's Budget in the amount of \$61,250. Total Amendment \$245,000

If there is any further information you require, please do not hesitate to contact me.

Thank you.

AHA/mr

RESOLUTION REQUEST FORM

Date of Legislative Meeting: July 13, 2010

Department:

Sheriff's Office

Contact (Name & Phone No.):

Capt Gerard Lennon 3840

Purpose of Resolution: (check appropriate boxes:)

- Personnel (Involving Authorized Positions)
- Authorizing Grant Application
- Contract/Lease Authorization (using budgeted funds)
- Budget Amendment
 - Grant
 - Contingency
 - Other (specify below)
- Capital Project
- Other (specify below)

Brief Description of Request:

The Sheriff's Office has been awarded a Homeland Security Grant by the NY & NJ Port Authority for the purchase of a patrol boat. The total project cost is \$245,000, \$183,750 Grant Funded with a \$61,250 county match. We are requesting acceptance of the Grant by signature of the County Executive. Amendment of the Sheriff's 2010 Budget in the amount of \$183,750. The county share we are requesting to transfer from Asset Forfeiture Funds to the Sheriff's Budget in the amount of \$61,250. Total Amendment \$245,000

Fiscal Impact (current year) of resolution: \$ 0

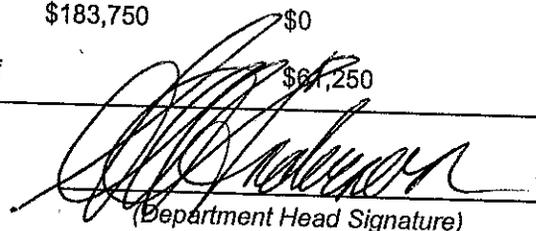
(Attach completed Fiscal Impact Statement)

Budget Amendment(s) & Capital Projects:

<u>Line No.</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
A.3110.25.2300.05	Motor Vehicles	\$245,000	\$0
Appropriations:		\$0	\$0
A.3110.25.43200.	Crime Control	\$183,750	\$0
Revenues:		\$0	\$61,250
A.9998.95110.02	Asset Reserve, Sheriff		

06/21/10

(Date)


(Department Head Signature)

(email approval) Resolution Request approved by Department Head

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 245,000

Total Current Year Revenue \$ 245,000
and Source

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

Identify Line Items(s):

A.3110.25.2300.05 Motor Vehicles \$245,000
A.3110.25.43200 Crime Control \$183,750
a.9998.95110.02 Asset Reserve, Sheriff \$61,250

Related Expenses: Amount \$ _____

Nature/Reason:

Purchase of Patrol Boat Grant Funded.

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

The Sheriff's Office has been awarded a Homeland Security Grant by the NY&NJ Port Authority for the purchase of a patrol boat. The total project cost is \$245,000, \$183,750 Grant Funded with a \$61,250 county match. We are requesting acceptance of the Grant by signature for the County Executive. Amendment of the Sheriff's 2010 Budget in the amount of \$183,750, The county share we are requesting to transfer from Asset Forfeiture Funds to the Sheriff's Budget in the amount of \$61,250. Total Amendment \$245,000

Prepared by: Maureen Sariglianis



THE PORT AUTHORITY OF NY & NJ

Brian P. Lacey
Director, Office of Emergency Management

June 11, 2010

Gerard F. Lennon, Lieutenant
Dutchess County Sheriff's Office
150 No Hamilton Street
Poughkeepsie NY 12601
Hudson, New York 12534

RE: Award No: 2008-GB-T8-K083 (FY08 Albany Port Security Grant Program)

Dear Lt. Lennon:

I am pleased to inform that your application for a Fiscal Year 2008 Port Security Grant Program subgrant has been approved as set forth below, subject to your compliance with the terms and conditions of the enclosed Subgrant Agreement:

Project Title	Project Cost	Cash Match	Grant Request
Dutchess Sheriff Boat	\$245,000	\$61,250	\$183,750

As you know, and as described in the Subgrant Agreement, each Reimbursement Request will be reduced by 25% until the Cash Match requirement is met.

If your organization wishes to accept the award, a duly authorized official must sign both copies of the enclosed Subgrantee Agreement, Assurances – Non-Construction and the Certification Regarding Lobbying on behalf of your organization, and return both of them to my office for signing by the Port Authority on behalf of the United States Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA). A fully executed original will then be returned to you.

The Subgrantee Agreement describes among other things, the administrative and financial requirements of the grant, including the timely submission of financial and programmatic reports and cost share requirements. Please return the signed agreements and direct all questions concerning this award to Charles Agro, Manager, Logistics and Resources at 201-595-4690.

Sincerely,

Brian P. Lacey
Director, Office of Emergency Management

241 Erie Street, Room 202
Jersey City, NJ 07310
T: 201 595 4674 F: 201 595 4677

blacey@panynj.gov

SUBGRANT AGREEMENT
between
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
and
DUTCHESS COUNTY SHERIFF'S OFFICE

DHS Award Number 2008-GB-T8-K083
CFDA 97.056

This Subgrant Agreement (Agreement) is between The Port Authority of New York and New Jersey (PANYNJ), a municipal corporate instrumentality and political subdivision of the States of New York and New Jersey, with offices located at 225 Park Avenue South, New York, New York 10003, and the Dutchess County Sheriff's Office (Subgrantee), with offices located at 150 North Hamilton Street, Poughkeepsie NY 12601, (collectively, the Parties).

WHEREAS, in July 2008, the United States Department of Homeland Security (DHS) awarded a fiscal year 2008 Port Security Grant to the PANYNJ (PSGP Grant) for the Port of Albany area; and

WHEREAS, DHS and the PANYNJ entered into a Cooperative Agreement (DHS Award Number 2008-GB-T8-K083) whereby PANYNJ agreed to, among other things, act as DHS's Fiduciary Agent to administer and coordinate the PSGP Grant; and

WHEREAS, the Subgrantee submitted a funding request (Investment Justification) to the PANYNJ, through the Port of New York and New Jersey Area Maritime Security Committee (AMSC), for a PSGP Subgrant for the Project described in the Investment Justification (Project); and

WHEREAS, the Project was approved for funding by AMSC in June 2008, and by DHS in December 2009.

NOW THEREFORE, the Parties agree as follows:

1. Subgrant and Cash Match Requirement

The Project Amount (Project Cost or Costs) set forth in the Investment Justification and Project Budget attached to this Agreement as **Attachment A** is **\$245,000**. The PANYNJ, for and on behalf of the DHS, hereby offers and agrees to reimburse Subgrantee up to seventy-five percent (75%) of the allowable Project Cost as approved by the DHS. In no event shall the amount to be reimbursed to the Subgrantee exceed the lower of **\$183,750**, or seventy five (75%) percent of the allowable Project Cost. Subgrantee hereby agrees to pay no less than twenty-five percent (25%) of the allowable Project Costs, which is estimated to be **\$61,250** (Cash Match Requirement).

The approved Project and associated Project Costs are as follows:

Project Title	Project Cost	Cash Match	Grant Request
Dutchess Sheriff Boat	\$245,000	\$61,250	\$183,750

2. **Effective Date, Term and Modifications to this Agreement**

This Agreement will be in effect on the latest date of execution hereof by the Parties and shall terminate on June 30, 2011, unless extended. Any extension or modification of this Agreement must be made in writing and duly executed by both Parties, and is subject to approval by DHS.

All Project changes, including changes to the funding implementation plan, and allocation for management and administration, shall require the approval of the PANYNJ, which will seek approval from AMSC, Captain of the Port (COTP) and DHS, where required.

The Subgrantee agrees that if the Project is not completed and operating within sixty (60) days of the execution of this Agreement, Subgrantee will report by letter to the PANYNJ the steps taken to initiate the Project, the reason for delay, and the expected starting date. If the Project is not completed and operating within ninety (90) days of the execution of this Agreement, the Subgrantee will submit a second statement to the PANYNJ explaining the further delay.

3. **Termination**

PANYNJ may, at its sole discretion, terminate this Agreement if Subgrantee has failed to adhere to the terms, conditions, obligations and requirements of this Agreement. Subject to DHS approval, PANYNJ will provide Subgrantee sixty (60) days to cure the terms, conditions, obligations or requirements that the PANYNJ claims the Subgrantee has failed to adhere to.

If for any reason the federal government terminates its appropriation to PANYNJ for the PSGP Grant or fails to pay the full amount of the allocation for the operation of the PSGP Grant, this Agreement may be terminated or reduced at the discretion of PANYNJ. However, reduction or termination of this Agreement shall not apply to allowable Project Costs already incurred by the Subgrantee where PSGP Grant funds are available to PANYNJ for payment of such costs.

4. **Program Requirements and Subgrantee's obligations**

- (A) The Subgrantee hereby agrees to comply with all federal, state and local laws and regulations that apply to the Project and the PSGP Grant.
- (B) **The Subgrantee is required to read and conform to all requirements of the Port Security Grant Program Application and Guidance for FY 2008, and hereby certifies that it accepts those requirements as binding. The Port Security Grant Program Application and Guidance is available from the Subgrantor upon request, or on-line at:**

- (C) Subgrantee shall comply with and execute, simultaneously with the execution of this Agreement, the following Assurances, Certifications and Special Conditions:
- (i) Assurances for Non-Construction Projects, OMB Standard Form 424B (**Attachment B**);
 - (ii) Certification Regarding Lobbying (**Attachment C**); and
 - (iii) Special Conditions of the PSGP Grant (**Attachment D**).

5. Request for reimbursement

Reimbursement Request Form: The Subgrantee shall pay for all Project Costs upfront, and submit a request for reimbursement of Allowable Project Costs (as such costs are defined in the FY 2008 Port Security Grant Program Guidance and Application Kit) to the PANYNJ on the Reimbursement Request Form to be provided by the PANYNJ to the Subgrantee for this purpose. Each Reimbursement Request Form must be signed by an official of the Subgrantee with authority to bind the Subgrantee.

Supporting Documentation: All reimbursement requests must include supporting documentation that provides detailed itemization of all expenditures incurred, including purchase orders, vendor contracts, invoices, proof of payment and any other supporting documentation requested by PANYNJ or DHS. Proof of payment includes cancelled checks, wire transfers, electronic payments and/or bank debit advice.

Schedule of reimbursement requests: The Reimbursement Request Form and Supporting Documentation must be transmitted to the PANYNJ on a quarterly basis, no later than ten (10) business days following the end of each quarter, at the following address:

The Port Authority of New York and New Jersey
Attn: PSGP Fiduciary Agent
c/o Port Security Grant Manager
241 Erie Street, Room 202
Jersey City, New Jersey 07310.

Upon receipt of the Reimbursement Request Form(s) duly completed and signed, PANYNJ shall process such request(s) and issue payment to the Subgrantee within thirty (30) days after receipt of PSGP Grant funds from DHS for the Project. Reimbursements shall be made to Subgrantee via Automated Check Handling (ACH) or wire transfer. All expenditures must be consistent with the goals and objectives of the Investment Justification and the Project Budget.

Reimbursement subject to availability of funds: The Subgrantee recognizes and agrees that all funding identified in this Agreement is expressly dependent upon the availability of PSGP Grant funds from DHS. A failure of the PANYNJ to make payments under this Agreement or to

observe or perform any of its terms and conditions as a result of failure by the DHS to appropriate PSGP Grant funds shall not in any manner constitute a breach of this Agreement. Reduction or termination of this Agreement shall not apply to Allowable Project Costs already incurred by the Subgrantee where PSGP Grant funds are available to PANYNJ for payment of such costs.

6. Reports: Quarterly Progress Reports and Closeout Reports

(A) Quarterly Progress Reports: The Subgrantee shall submit Quarterly Progress Reports to communicate the status of the Project's activity to the PANYNJ as stated below. The Quarterly Progress Reports should include a detailed accounting of the fiscal activity incurred within the reporting period. The Subgrantee is required to submit Quarterly Progress Reports for every quarter this Agreement is active, including periods where there is no Project activity. Reimbursement may be withheld if reports are delinquent.

Quarter	Period Covered	Due Date
First Quarter	June 1 st – August 31 st	September 15 th
Second Quarter	September 1 st – November 30 th	December 15 th
Third Quarter	December 1 st – February 28 th	March 15 th
Fourth Quarter	March 1 st – May 31 st	June 15 th

(B) Final Closeout Report: The Subgrantee is required to submit a final report upon full completion of the Project's activity (Final Closeout Report), in a Closeout Report form to be provided by PANYNJ to the Subgrantee. The Final Closeout Report should contain an overview of the final Project and fiscal activity conducted. The Final Closeout Report is due within sixty (60) days of the Subgrantee advising the PANYNJ in writing of the Project's completion. The PANYNJ, at its discretion, may withhold reimbursement funds until the Final Closeout Report is received.

7. Equipment purchased with this Subgrant

With respect to Equipment purchased with Subgrant funds, the following provisions shall apply:

- (A) Title: The Subgrantee shall hold title to the Equipment and keep it free from any legal process or encumbrance whatsoever, including but not limited to liens, attachments, levies, and executions. The Subgrantee shall give the PANYNJ immediate written notice of any such legal proceedings or encumbrances and indemnify the PANYNJ for any loss caused thereby.
- (B) Use of Equipment: The Subgrantee shall provide the Equipment's serial and model number(s) to the PANYNJ and shall properly track and account for the Equipment until such time as the Equipment is disposed of. The Equipment may only be used by the Subgrantee for the purposes described in the Investment

Justification (Attachment A), whether or not the Project continues to be supported with federal funds.

- (C) Maintenance Plan for the Equipment: The Subgrantee shall store, operate, repair, maintain and insure the Equipment adequately during its useful life or earlier disposition, at its sole cost and expense. Costs for the previously mentioned activities are not Allowable Project Costs and therefore they are not eligible for reimbursement.
- (D) Disposition: Subgrantee may not sell, destroy or otherwise dispose of the Equipment without prior approval of the PANYNJ and the DHS. The Subgrantee shall submit notice and request for approval to the PANYNJ for the disposition of the Equipment. Such notice and request shall state the reasons why the Subgrantee wishes to dispose of the Equipment. The disposition of the Equipment and Subgrant refund obligations, if any, shall be decided solely by the DHS in accordance with applicable laws and regulations, including 44 CFR Part 13.

8. Audits

- (A) Fiscal Audits: This Agreement is subject to fiscal audits by the PANYNJ, pertinent federal agencies, and their designated entities to ascertain financial compliance with Federal and/or State laws, regulations, and guidelines applicable to the Subgrant (Fiscal Audits). The PANYNJ will provide 72 hours advance notice (by telephone, electronic mail or first class mail) to Subgrantee of upcoming PANYNJ audits, and provide notice of upcoming DHS audits when it is notified by DHS of such audits. It shall be Subgrantee's sole responsibility to repay DHS or the PANYNJ any grant funds that are found to be disallowed expenditures after audit.
- (B) The Subgrantee shall perform audits as specified in the United States Office of Management and Budget (OMB) Circular A-133, if applicable. If this Subgrant exceeds \$500,000.00, or the Subgrantee has received federal grants exceeding \$500,000 in any year, the Subgrantee shall provide to the PANYNJ a copy of its most recent OMB Circular A-133 audit prior to the first request for reimbursement. If the audit has findings, Subgrantee shall forward a copy of such audit findings to the PANYNJ, and a description of the corrective actions that Subgrantee will implement.
- (C) Site Visits: The PANYNJ, DHS and other entities designated by the PANYNJ or DHS may perform site visits to ascertain the Project's activity and progress. The PANYNJ will, if possible, provide Subgrantee advance notice of such visits.

9. Subgrant related transactions – no commingling

- (A) All necessary steps must be taken to ensure that PSGP Subgrant funds are not commingled with other transactions of the Subgrantee. This includes the

establishment of unique budget codes, a separate cost center, or a separate chart of accounts for the Subgrant.

- (B) Expenditures must be cross-referenced to supporting sources (for example, purchase orders, invoices, contracts, leases, timesheets, mileage logs, etc.).
- (C) Subgrantee agrees that it shall maintain adequate internal controls and adhere to accounting principles generally accepted in the United States of America.

10. Notices

Except for reimbursement requests pursuant to Section 5, all notices or other communications between the Parties shall be transmitted:

- (A) by electronic mail; and
- (B) by first-class mail, hand-delivery or reputable express courier,

if to the Port Authority, at the address noted below or such other address(es) as the Port Authority may designate for itself in writing from time to time.

The Port Authority of New York and New Jersey

Office of Emergency Management

Attention: Brian Lacey, Director

241 Erie Street, Room 202

Jersey City, NJ 07310

blacey@panynj.gov

and if to the Subgrantee, to the **Authorizing Official** of the Subgrantee set forth in **section I.B. of the Investment Justification**, or such other address(es) as the Subgrantee may designate for itself in writing from time to time.

11. Insurance

The Subgrantee shall be responsible for maintaining the necessary and prudent property and liability insurance in force for the life of but independent of this Agreement. Such coverage shall include, but not be limited to coverage for premise-operations and products-completed operations, independent contractors coverage with contractual liability language covering the obligations of the Subgrantee under this Agreement with coverage extended to include any warranty or guarantee period, along with intellectual property coverage where needed. The Subgrantee may, in whole or in part, substitute insurance coverage with a funded self-insurance program as if an insurance policy is in effect. Further, it is the Subgrantee's responsibility to maintain and ensure that the type and limits of coverage are accurate and sufficient to cover any and all claims under this Agreement.

The Subgrantee shall promptly observe, comply with and execute the provisions of any and all present and future rules and regulations, requirements, standard orders and directions of the

American Insurance Association, the Insurance Service Office, National Fire Protection Association, and any other body or organization exercising similar functions which may pertain or apply to the Subgrantee's operations hereunder.

12. Indemnify and Hold Harmless

Subgrantee shall indemnify, defend and hold harmless the PANYNJ, and its commissioners, officers, directors, employees and agents, from and against any and all liability, loss, cost or expense (including attorney's fees) by reason of liability imposed upon the PANYNJ, arising out of or in any way related directly or indirectly to the Project or this Agreement regardless of merits or grounds.

Subgrantee shall provide defense counsel and exclusively control the defense in any action commenced pursuant to the Project or this Agreement. Subgrantee shall not, without obtaining the express advance written permission from the General Counsel of the PANYNJ, raise any defense involving in any way the jurisdiction of the Tribunal over the person of the PANYNJ, the immunity of the PANYNJ, its Commissioners, officers, agents or employees, the governmental nature of the PANYNJ, or the provisions of any statutes respecting suits against the PANYNJ.

13. No Personal Liability

Neither the Commissioners of PANYNJ nor any of them, nor any officer, agent or employee thereof, shall be charged personally with any liability, or held personally liable under any term or provision of this Agreement, or because of its execution or attempted execution, or because of any breach, or attempted or alleged breach, thereof.

14. Disadvantaged Business Enterprises

Subgrantee assures PANYNJ that it will make every good faith effort to provide for meaningful participation by Disadvantaged Business Enterprises (DBEs) in all subcontracting opportunities associated with this Agreement and the Project, including purchase of equipment, supplies and labor services. The following are illustrative of good faith efforts:

1. Dividing the services and materials to be procured into small portions, where feasible.
2. Giving reasonable advance notice of specific contracting, subcontracting and purchasing opportunities to such DBEs as may be appropriate.
3. Soliciting services and materials, to be procured, from the Directory of DBEs. The New York State Unified Certification Program (UCP) directory is available on-line at www.nysucp.net. New Jersey's UCP is available on line at www.njucp.net.
4. Ensuring that progress payments are made to DBEs on a timely basis.
5. Assisting DBEs in obtaining bonding or insurance where appropriate.

15. Taxes, licenses, certifications, permits and other examination fees and excises

The Subgrantee shall pay all taxes, licenses, certifications, permits and other examination fees and excises which may be assessed on its property or operations relating to the Project and shall make all applications, reports and returns required in connection therewith.

16. Assignment

The Subgrantee shall not assign, transfer, convey, sublet, subcontract or otherwise dispose of this Agreement or any part herein, or of its right, title or interest in this Agreement or in any equipment purchased hereunder, or of its authority to execute this Agreement without the previous consent in writing of the PANYNJ and the DHS.

17. Agreement in full

This Subgrant Agreement, including **Attachments A, B, C, and D**, is the entire agreement of the Parties, the Parties having made the Subgrant Agreement the final and complete expression of their agreement. In the event of a discrepancy between this Agreement and the Program Requirements, the Program Requirements shall control.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed as of the date indicated below.

Subgrantor:

The Port Authority of New York and New Jersey

Date:

By: Ernesto L. Butcher, Chief Operating Officer

Sub-Grantee:

Date:

By: Adrian H. Anderson,
Sheriff

Date:

By: William Steinhaus
County Executive

FY08 Port Security Grant Program Investment Justification

Investment Heading	
Port Area	Port of Albany
Applicant Organization	Dutchess County Sheriff's Office
Investment Name	Dutchess Sheriff Boat
Investment Amount	\$245,000.00

I. Background.

I.A. Provide a brief abstract for this Investment.

Local risk assessments identified risk vulnerabilities to the Hudson River, its shores and surrounding port assets. If compromised, the effects of a terrorist or IED attack would have devastating and lasting regional implications. Dutchess County includes 800 square land miles and stretches 50 miles along the Hudson River, which includes four (4) bridges (Beacon Bridge, Mid-Hudson Bridge, Poughkeepsie Bridge, Kingston-Rhinecliff Bridge), municipal water treatment facilities, several power generation plants, explosive gas crossing and storage facilities, several fuel tank farms, passenger ferries, commercial tankers and freighters. The County is also home to several rail lines and military and commercial airports.

The Dutchess County Sheriff's Office maintains a Marine Bureau that actively patrols the Hudson River and its shoreline 24 hours per day to provide safety, security and response to all emergency calls for service. This investment seeks funding to purchase an emergency response trailer to assist the Marine Bureau with daily patrols and emergency incidents as well as an all weather 27' twin engine Boston Whaler Vigilant Class boat with trailer. The Boston Whaler has an enclosed cabin for all weather patrols, a dive door for easy accessibility to the water to conduct underwater activity and a Navionics Chart Chip. Funded under a separate grant, this vessel will also participate in the Blue Force Tracking initiative with Coast Guard Sector NY. The Boston Whaler replaces an early 1990's 24ft center console patrol boat that has been in and out of service over the last year due to chronic engine problems.

The emergency response trailer is a 24 ft factory converted enclosed cargo trailer with a ramp door on the rear, side entrance door and several windows. The trailers interior is finished with a restroom, sink, mini kitchen, A/C, heat, generator, radios, computer and fold down seats and work desks. The rear ramp door allows for easy loading and storage of large or heavy equipment. The exterior of the trailer has floodlights, an awning and removable work tables. The trailer will transport personnel and emergency response equipment to various maritime incidents throughout Dutchess County and will be available to neighboring Counties through mutual aid. The emergency response trailer will be used to transport dive and hazmat gear, pumps, generators and other assorted marine equipment to ensure effective and swift responses to emergency incidents. The trailer will also function as a tactical operations center and/or command post for emergency personnel during emergency operations. The trailer amenities can accommodate up to 8 staff when used as a command post or several more if the trailer was deployed as a tactical operations unit.

I.B. Provide an overview of the port system in which this Investment will take place.

Area of Operations: COTP Zone: Albany **Eligible Port:** Port of Albany

Captain of the Port New York/New Jersey Zone: The Captain of the Port zone is described in Title 33 CFR 3.05-30. Generally, this includes all of the harbors, bays and rivers within the Port of New York and New Jersey; the New Jersey shoreline north of Long Branch; the southern Long Island shoreline from Rockaway Point to East Rockaway Inlet; the northern Long Island shoreline east to and including the waters of Hempstead Harbor; the waters of Western Long Island Sound; and the Hudson River south of the Federal Lock at Troy, New York. However, the command is also responsible for traditional Coast Guard duties north of that point to the Canadian Border, including most of the waters of Lake Champlain.

The Port of Albany: For the purposes of the Port Security Grant Program (PSGP) entities and maritime critical infrastructure/key resources located in Dutchess County, New York are considered the Port of Albany. Located in the heart of the Hudson Valley of New York State between the Hudson River and Connecticut, Dutchess County is approximately 75 miles north of New York City and 60 miles south of Albany. Albany is the capital of New York State and the principal port on the Hudson River north of New York City. The Port of Albany is the terminus for deep-draft vessels on the Hudson River and serves as a transshipment point for the metropolitan area, large areas of New England, the Mid West and Canada. Waterborne commerce at the Port of Albany is mostly in petroleum products, but grain, automobiles, coal, molasses, scrap iron, aggregates, lumber, wood byproducts, bananas, steel, chemicals, and general cargo are also handled. Therefore, any commercial vessels calling on the Port of Albany, must transit the Hudson River through Dutchess County.

Points of Contact for Organization:

<p>Authorizing Official Adrian H. Anderson, Sheriff Dutchess County Sheriff's Office 150 No Hamilton Street Poughkeepsie NY 12601 Tel: 845-486-3811 Fax: Email: aanderson@co.dutchess.ny.us</p>	<p>Project Manager: Gerard F. Lennon, Lieutenant Dutchess County Sheriff's Office 150 No Hamilton Street Poughkeepsie NY 12601 Tel: 845-486-3843 Fax: 845-486-3850 Email: glennon@co.dutchess.ny.us</p>
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Ownership or Operation:

The Dutchess County Sheriff is a duly elected official of Dutchess County, New York state as prescribed by ARTICLE XIII, Sub 13, of the NYS Constitution and is charged with the duty of being CHIEF PEACE OFFICER as per ARTICLE XXIII of the Dutchess County charter and the Administrative Code of the Dutchess County Government. The Dutchess County Sheriff's Office is the lead agency in providing full Law Enforcement services to county residents and visitors.

Role in Providing Layered Protection of Regulated Entities:

The Dutchess County Sheriff's Office shares the responsibility of providing safety and security to Port assets within the county and along the Hudson River. The agency responds to Surface, Underwater and Land-based emergencies and provides support in the prevention, protection and recovery of critical maritime infrastructure of the Port. The Dutchess County Sheriff Office played a significant role in the development and continued operation of the Hudson River Estuary Task Force and its membership. The Dutchess County Sheriff Office serves over 300,000 county residents by providing Law enforcement and emergency response to a 50 mile stretch of the Hudson River.

Important features:

Dutchess County plays a unique role in the regional Port security strategy as it is geographically located at the center point between the Port of New York/New Jersey and the Port of Albany. Dutchess County Sheriff is one of the most active marine patrols on the Hudson River and is considered one of the first line of defense in protecting both New York City and/or Albany assets. Dutchess County stretches 50 miles along the Hudson River, which includes five (5) bridges, municipal water treatment facilities, several power generation plants, explosive gas crossing and storage facilities, several fuel tank farms, passenger ferries, commercial tankers and freighters. The County is also home to several rail lines and military and commercial airports.

II. Strategic and Program Priorities

II.A. Describe how the Investment will address one or more of the National Port Security Priorities, and Area Maritime Security Plan or Captain of the Port Priorities (corresponds with PRMP Group 1 and 2).

The Dutchess County Sheriff's Office maintains an active role in the enhancement of Maritime Domain Awareness thru coordinated efforts to strengthen homeland security and preparedness. The investment of an all season patrol vessel will provide the agency with essential tools and equipment to maintain a proactive approach and implement goals identified in

the Port Wide Strategic Risk Management Plan regardless of weather conditions. This investment addresses strategic initiatives number C3-11 ensuring sufficient waterborne assets for law enforcement up river and D6-5 providing equipment for all Law Enforcement and Emergency response contingencies and operating conditions.

III. Impact

III.A. Describe how the project offers the highest risk reduction potential at the least cost.

The Hudson River is a vital asset to commerce between Albany and New York City. A vast arrays of goods are transported via river and any disruption would have a ripple effect throughout the east coast. The vulnerability of port assets has increased since the Hudson River has become an unprotected international border for vessel traffic. The proposed investment leverages existing resources and personnel to respond to and mitigate threats in the Port of Albany. Local law enforcement efforts represent a proven and cost-effective approach to maintaining the safety and security of assets along with detection, deterrence and response capabilities when needed.

IV. Funding & Implementation Plan

IV.A. FY 2008 PSGP Funding Project Funding	FY 2008 PSGP Request Total	Cash Match	Grand Total
<i>Maritime Domain Awareness</i>	\$183,750.00	\$61,250.00	\$245,000
<i>Prevention, Protection, Response and Recovery Capabilities</i>			
<i>Training</i>			
<i>Exercises</i>			
<i>FWK Implementation</i>			
<i>M&A</i>			
Total	\$183,750.00	\$61,250.00	\$245,000

IV.B. Provide a high-level timeline, milestones and dates, for the implementation of this Investment. Possible areas for inclusion are: stakeholder engagement, planning, major acquisitions or purchases, training, exercises, and process/policy updates. Up to 10 milestones may be provided.

Upon award, the following activities will occur within the stated months as reflected below:

TASK(s)	MONTH(s)											
	1	2	3	4	5	6	7	8	9	10	11	12
Discussion of purchase with Marine Staff, Purchasing Agent & Business Manger	█											
Research, viewing and finalizing decisions on equipment	█	█										
Meet with County Departments on funding		█	█									
Initiate purchase procedure thru bidding process			█	█								
Sea trials of vessel/receive emergency response trailer						█						
Accept ownership of vessel & emergency response trailer							█					

GRANTEE/PAYEE INFORMATION:			PROJECT BUDGET	
1. Name:	Dutchess County Sheriff	4. Contact:	Gerard Lennon	
2. Department:	Civil Division	5. Phone:	845-486-3841	
3. Mailing Location:	150 No Hamilton Street	6. Email:	glennon@co.dutchess.ny.us	
Address:		7. EIN:	146002566	
		8. Award Amount:	\$161,250	
City, St & Zip:	Poughkeepsie NY 12601	9. Match Amount:	\$53,750	
Please provide a project overview: The investment includes the purchase of an emergency command trailer and 27 foot, all weather, Vigilant Boston Whaler with a pilot's cabin and trailer for easy transportation.				
CATEGORY	PROJECT AMOUNT	GRANT AMOUNT	MATCH AMOUNT	COMMENT
A. Personnel	N/a			
Total Personnel:				
Personnel Narrative:				
B. Fringe Benefits	N/a			
Total Fringe:				
Fringe Narrative:				
C. Consultants	N/a			
Total Consultants:				
Consultant Narrative:				
D. Equipment				
Boat	\$215,000.00	\$ 161,250.00	\$53,750.00	One (1) unit
Emergency Response Trailer	\$30,000	\$22,500.00	\$7,500.00	One (1) unit
Total Equipment:	\$245,000.00	\$183,750.00	\$ 68,750.00	
Equipment Narrative: The equipment includes a 27-foot, twin engine Vigilant Boston Whaler with a climate controlled, pilot's cabin to allow for 24 hour use. The vessel includes a Navionics Chart Chip with diver deployment capabilities.				
E. Travel	N/a			
Total Travel:				
Travel Narrative:				
F. Supplies	N/a			
Total Supplies:				
Supplies Narrative:				
G. All Other	N/a			
Total Other:				
All Other Narrative:				
GRAND TOTAL:	\$ 215,000.00	\$ 161,250.00	\$ 53,750.00	

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (Identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED	

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: <input style="width: 80px;" type="text"/>	* First Name: <input style="width: 200px;" type="text"/> Middle Name: <input style="width: 100px;" type="text"/>
* Last Name: <input style="width: 350px;" type="text"/>	Suffix: <input style="width: 80px;" type="text"/>
* Title: <input style="width: 250px;" type="text"/>	
* SIGNATURE: <input style="width: 300px;" type="text"/>	* DATE: <input style="width: 100px;" type="text"/>



Department of Homeland Security FEMA
Grant Programs Directorate

Cooperative Agreement

PAGE 1 OF 4

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Port Authority of NY & NJ 225 Park Ave South New York, NY 10003		4. AWARD NUMBER: 2008-GB-T8-K083	
		5. PROJECT PERIOD: FROM 08/01/2008 TO 07/31/2011 BUDGET PERIOD: FROM 08/01/2008 TO 07/31/2011	
1A. GRANTEE IRS/VENDOR NO. 136400654		6. AWARD DATE 07/25/2008	7. ACTION Initial
		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
3. PROJECT TITLE FY 2008 Port Security Grant Program		10. AMOUNT OF THIS AWARD \$ 2,049,264	
		11. TOTAL AWARD \$ 2,049,264	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under Consolidated Appropriations Act, 2008, P.L. No. 110-161			
15. METHOD OF PAYMENT PAPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING DHS OFFICIAL W. Ross Ashley, III Assistant Administrator, Grant Programs Directorate		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Ernesto Butcher Deputy Executive Director - Operations	
17. SIGNATURE OF APPROVING DHS OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 9/25/2008
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT 8 T GB 25 00 00 2049264		21. GB08V40008	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Homeland Security FEMA
Grant Programs Directorate

Cooperative Agreement

PAGE 1 OF 4

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Roll call vote on the foregoing Resolution No. 2010200 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010201

RE: ADOPTION OF DUTCHESS COMMUNITY COLLEGE BUDGET

Legislators FORMAN, KUFFNER, and FLESLAND offer the following and move its adoption:

WHEREAS, the Annual Operating Budget Request of Dutchess Community College for the period September 1, 2010, to August 31, 2011, has been developed in accordance with guidelines furnished by the State University of New York, and

WHEREAS, the requirement for operating expenditures has been determined to be \$59,541,419 of which \$57,646,637 is from Unrestricted Funds and \$1,894,782 is from Restricted Funds, and

WHEREAS, by Resolution No. 2010-47, the Board of Trustees of Dutchess Community College did approve such budget, now, therefore, be it

RESOLVED, that the Operating Budget for Dutchess Community College for the fiscal year September 1, 2010, through August 31, 2011, in the amount of \$59,541,419 with anticipated funding from the County of Dutchess by appropriation from fiscal year 2011 of \$10,837,898 is hereby approved.

APPROVED



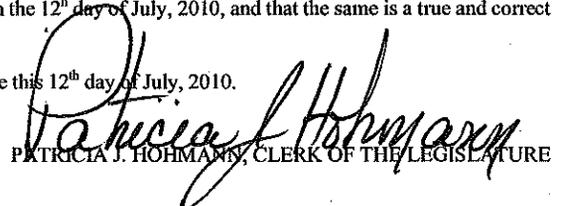
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 7/26, 2010

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

DUTCHESS COMMUNITY COLLEGE

Information Packet

2010-2011

DUTCHESS COMMUNITY COLLEGE
REVENUE SOURCE BY CATEGORY
2010-2011

	Actual 2008/2009	Adopted Budget 2009/2010	Budget Request 2010/2011	Increase (Decrease)	% Change
Offset to Expenses:					
Technology Fees	\$1,754,629	\$1,842,350	\$2,060,000	\$217,650	11.8
Early Child Care Program	308,560	370,000	42,000	(328,000)	(88.6)
Course Fees	538,326	550,000	587,500	37,500	6.8
Interest	65,187	100,000	65,000	(35,000)	(35.0)
Unclassified Revenue *	1,037,872	708,950	951,120	242,170	34.2
Offset Revenue	3,704,574	3,571,300	3,705,620	134,320	3.8
Student Revenue:					
Full-time	12,601,290	12,541,050	14,500,000	1,958,950	15.6
Part-time:	6,533,704	6,594,500	6,776,000	181,500	2.8
	19,134,994	19,135,550	21,276,000	2,140,450	11.2
In Lieu of Sponsor:					
Operating Charge-backs	2,347,499	2,068,976	1,297,752	(771,224)	(37.3)
	2,347,499	2,068,976	1,297,752	(771,224)	(37.3)
State Aid	16,388,945	17,329,837	18,751,530	1,421,693	8.2
Dutchess County:					
Use of Fund Balance	0	1,524,049	652,837	(871,212)	(57.2)
New Appropriations	10,837,898	10,837,898	10,837,898	0	0.0
	10,837,898	12,361,947	11,490,735	(871,212)	(7.0)
Other Revenue - Community Services	1,298,027	1,500,000	1,125,000	(375,000)	(25.0)
DCC Funding	53,711,937	55,967,610	57,646,637	1,679,027	3.0
Grants & Contract Funding	1,888,265	1,483,912	1,894,782	410,870	27.7
Total Funding	<u>\$55,600,202</u>	<u>\$57,451,522</u>	<u>\$59,541,419</u>	<u>\$2,089,897</u>	<u>3.6</u>
FTE State Aidable	5,944	6,359	7,234	875	13.8
FTE State Aided	5,944	6,359	7,234	875	13.8
Base State Aid	2,675	2,675	2,545	(130)	(4.9)
FT Tuition Rate	2,875	2,900	2,900	0	0.0
PT Tuition Rate	120	121	121	0	0.0

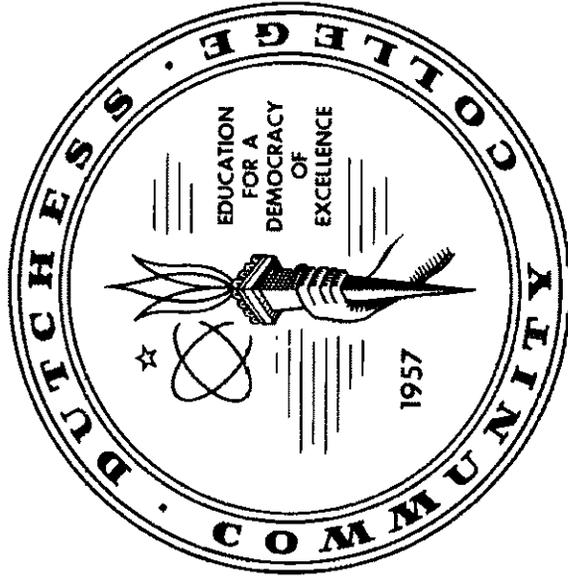
* See next page for detail.

DUTCHESS COMMUNITY COLLEGE
ANALYSIS OF UNCLASSIFIED REVENUE
2010-2011

	Actual 2008/2009	Adopted Budget 2009/2010	Budget Request 2010/2011
Other Unclassified Revenues:			
Library Fines	7,839	10,000	8,000
Microfilm and Photocopy Machine	30	250	100
Lost Books	230	200	100
Traffic Fines	39,495	34,000	50,000
Proficiency and Adult Counseling	2,425	1,000	2,000
Teleconferences	3,108	1,000	1,000
ID Card Replacement	995	1,500	1,000
Printing Expenses Reimbursement	2,203	3,000	2,300
Health Insurance Reimbursement	276,331	210,000	280,000
Surplus Property	2,045	1,500	2,000
Miscellaneous Revenue	703,171	446,500	604,620
Total Unclassified Revenue	1,037,872	708,950	951,120
 GRANTS:	 \$1,888,265	 \$1,483,912	 \$1,894,782

DUTCHESS

COMMUNITY COLLEGE



Budget Summary 2010 – 2011

DUTCHESS COMMUNITY COLLEGE

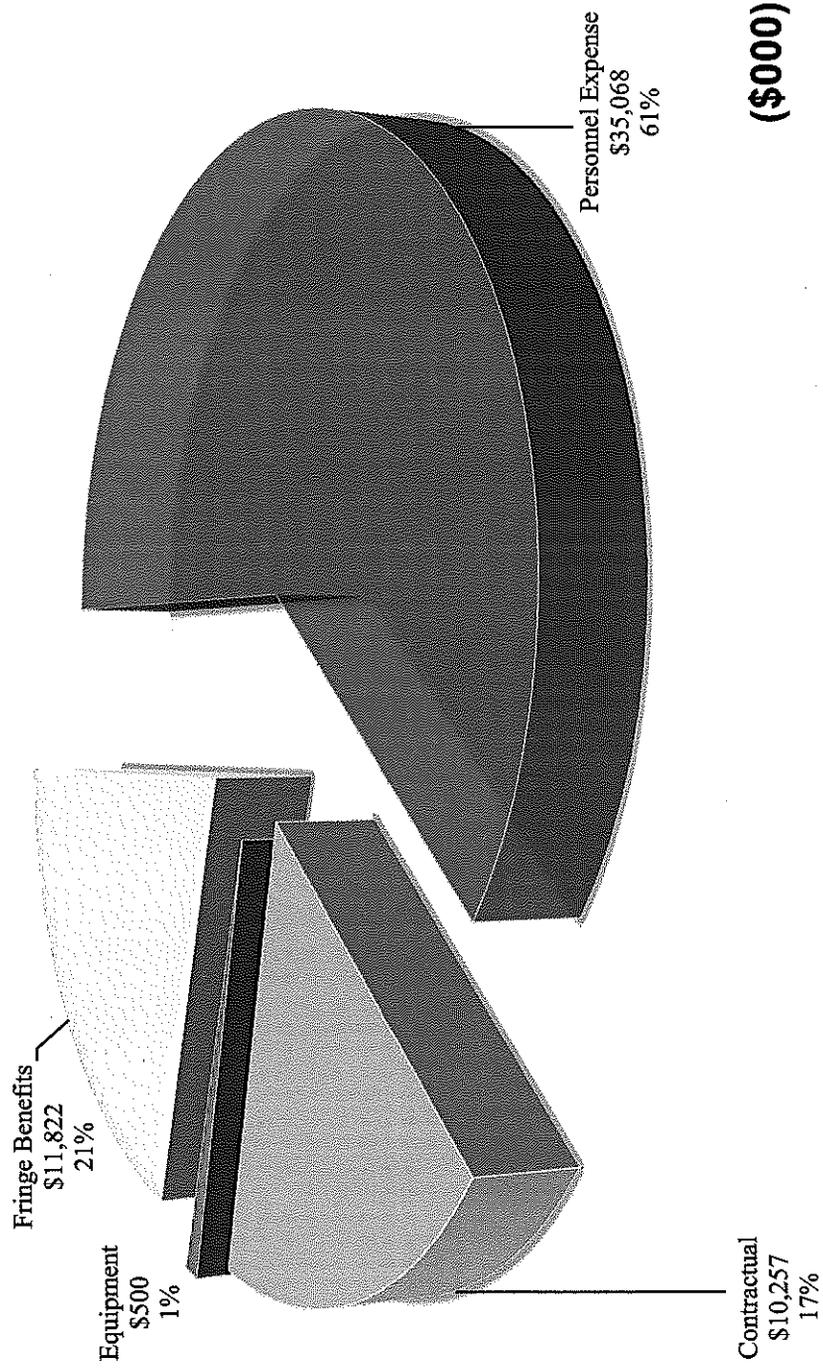
Budget Expense Summary 2010-2011

	Actual 2008/2009	Adopted Budget 2009/2010	Request 2010/2011	Increase (Decrease)	%
					Change
DCC FUNDED:					
Salaries:	\$ 29,890,213	\$ 34,504,984	\$ 35,067,609	\$ 562,625	1.6
Fringe Benefits:	10,454,241	11,251,236	11,822,354	571,118	5.1
Equipment:	683,287	400,000	500,000	100,000	25.0
Contractual Expenses:	<u>10,385,902</u>	<u>9,811,390</u>	<u>10,256,674</u>	<u>445,284</u>	<u>4.5</u>
Subtotal, DCC Funded:	\$ 51,413,643	\$ 55,967,610	\$ 57,646,637	\$ 1,679,027	3.0
GRANTS AND CONTRACTS:	1,888,265	1,483,912	1,894,782	410,870	27.7
Outside funding for specialized programs, mostly training programs for local industry.					
GRAND TOTAL:	<u>\$ 53,301,908</u>	<u>\$ 57,451,522</u>	<u>\$ 59,541,419</u>	<u>\$ 2,089,897</u>	<u>3.6</u>

DUTCHESS COMMUNITY COLLEGE

Budget Appropriations 2010-2011

DCC Funded



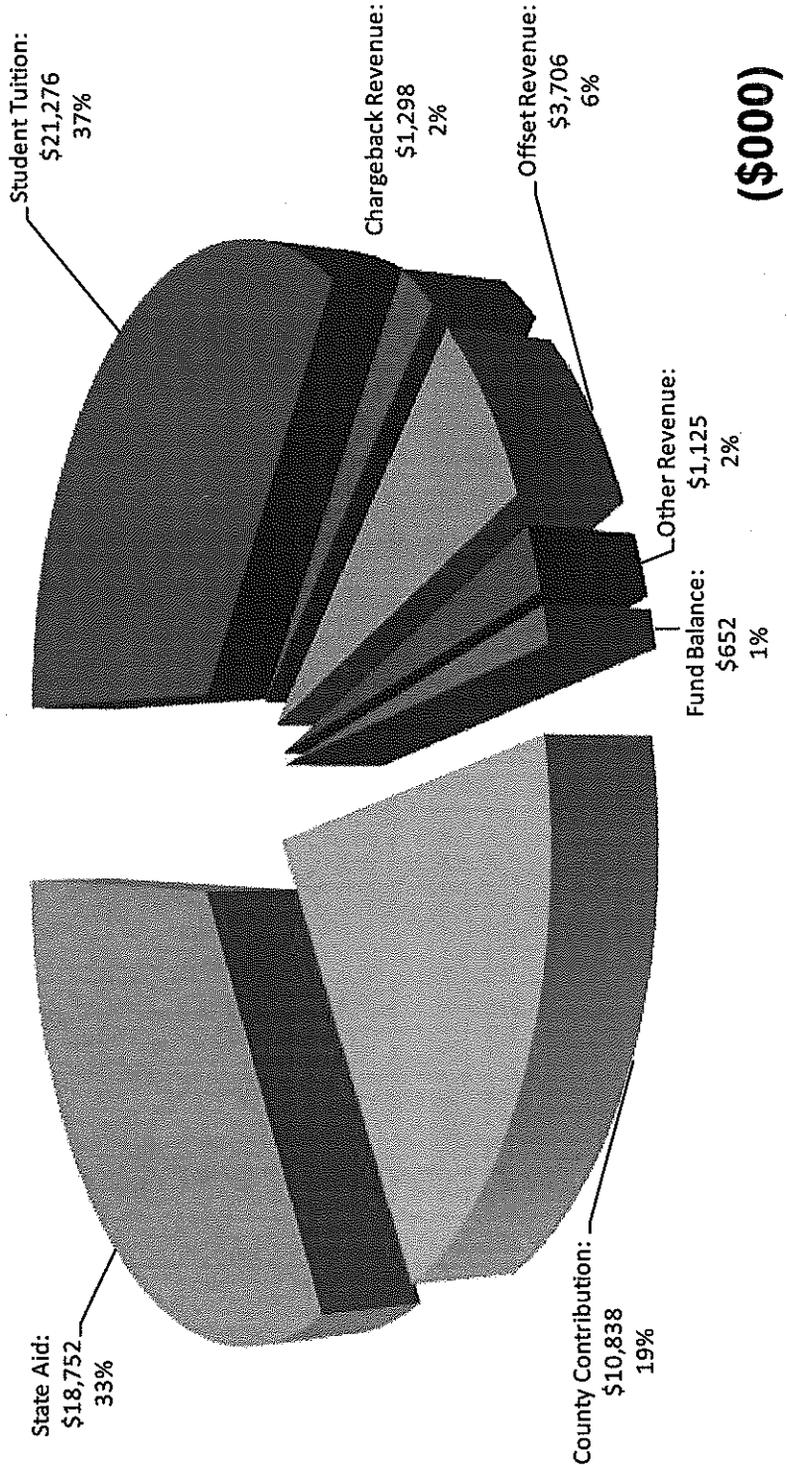
Total DCC Funded Budget \$57,647

DUTCHESS COMMUNITY COLLEGE

Budget Revenue Summary 2010-2011

	Actual 2008/2009	Adopted Budget 2009/2010	Request 2010/2011	Increase (Decrease)	%
					<u>Change</u>
Student Revenue:	\$ 19,134,994	\$ 19,135,550	\$ 21,276,000	2,140,450	11.2
Sponsor's Contribution:	10,837,898	10,837,898	10,837,898	0	0.0
Chargeback Revenue:	2,347,499	2,068,946	1,297,752	(771,194)	(37.3)
State Aid - Basic & Supplemental:	16,388,945	17,329,837	18,751,530	1,421,693	8.2
Offset Revenue:	3,704,574	3,671,300	3,705,620	34,320	0.9
Other Revenue:	1,298,027	1,400,000	1,125,000	(275,000)	(19.6)
Appropriated Fund Balance:		1,524,049	652,837	(871,212)	(57.2)
Total Operating Revenue:	\$ 53,711,937	\$ 55,967,580	\$ 57,646,637	\$ 1,679,057	3.0
Grant & Non DCC Funded:	1,888,265	1,483,912	1,894,782	410,870	27.7
Total Revenues:	<u>\$ 55,600,202</u>	<u>\$ 57,451,492</u>	<u>\$ 59,541,419</u>	<u>\$ 2,089,927</u>	<u>3.6</u>

**DUTCHESS COMMUNITY COLLEGE
Revenue Projection 2010-2011
DCC Funded**

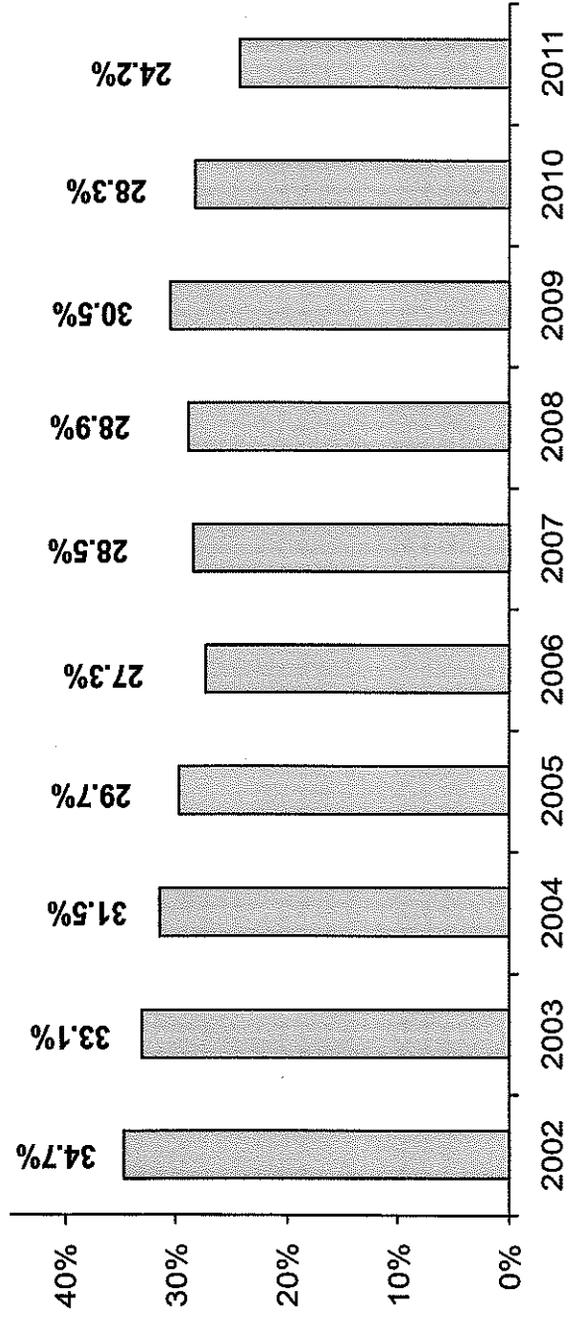


Total DCC Funded Budget 57,646

DUTCHESS COMMUNITY COLLEGE

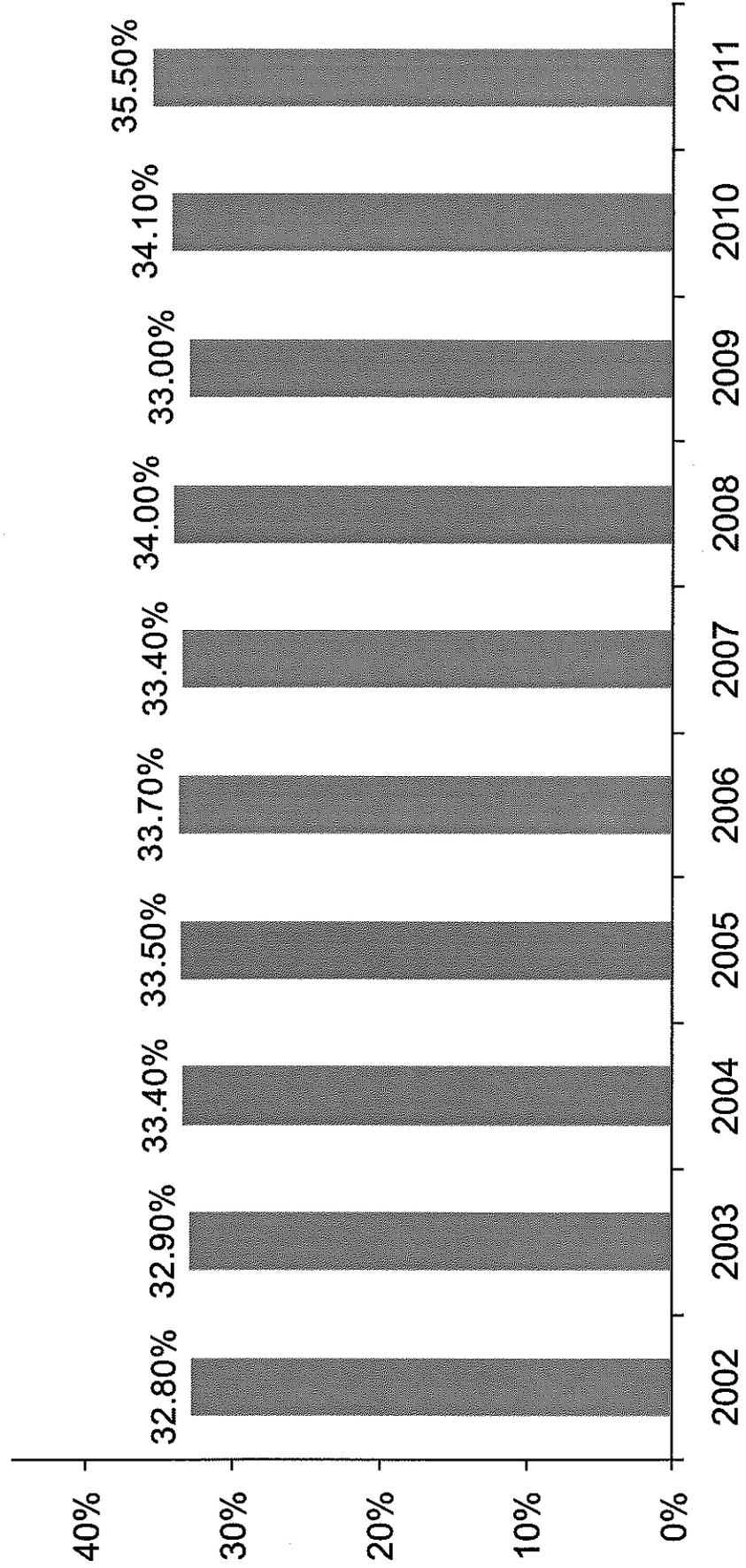
Sponsor Share

As a Percentage of State/Sponsor/Tuition Revenue

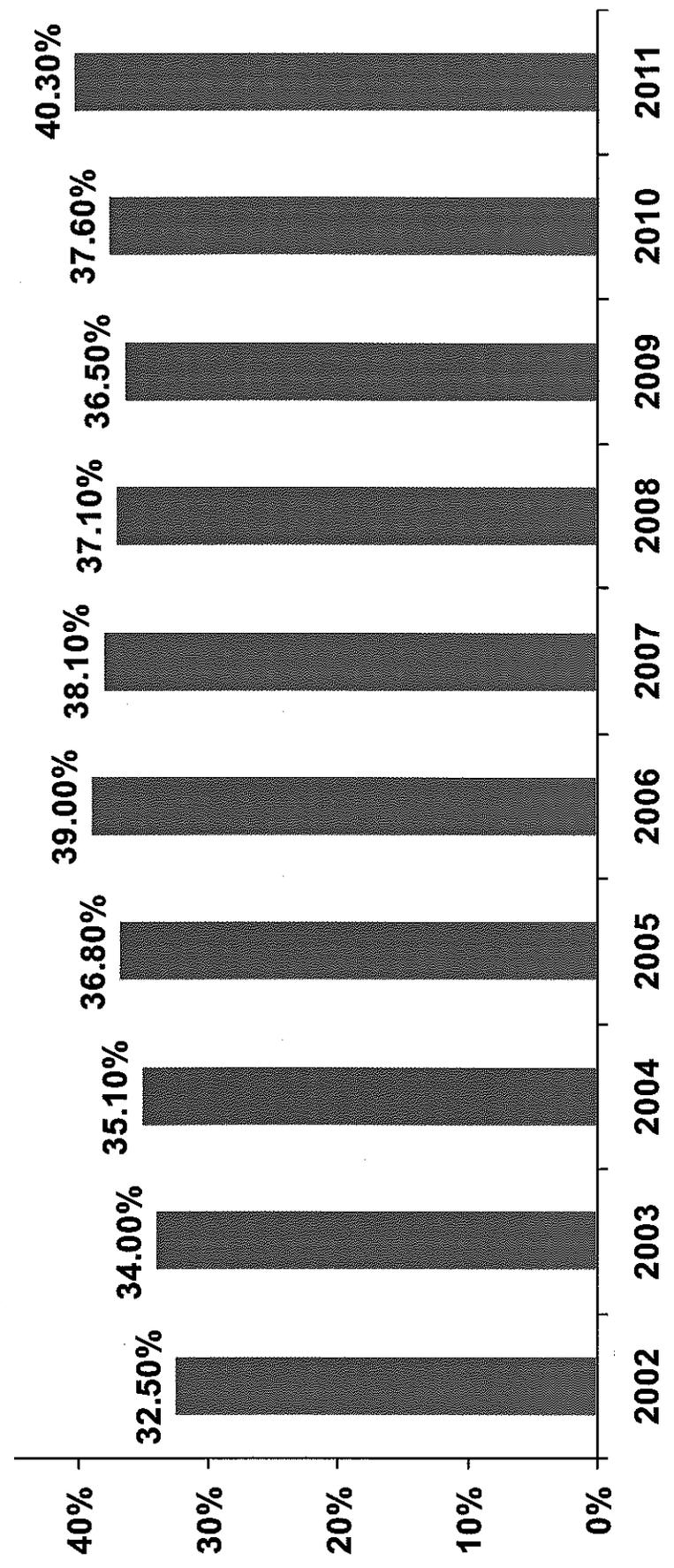


DUTCHESS COMMUNITY COLLEGE
New York State Share

As a Percentage of State/Sponsor/Tuition Revenue



DUTCHESS COMMUNITY COLLEGE
Student Tuition
As a Percentage of State/Sponsor/Tuition Revenue



Dutchess Community College
2010/2011 Budget Summary

TUITION RATES

	FULL-TIME	INCREASE	%	PART-TIME	INCREASE	%
	\$			\$		
2010-2011	2,900	0.0		121	0.0	
2009-2010	2,900	0.9		121	0.8	
2008-2009	2,875	2.7	*	120	4.3	*
2007-2008	2,800	3.7	*	115	3.6	*
2006-2007	2,700	3.8	*	111	5.7	*
2005-2006	2,600	4.0	*	105	7.1	*
2004-2005	2,500	2.0	*	98	3.1	*
2003-2004	2,450	4.2	*	95	5.3	*
2002-2003	2,350	2.2	*	90	1.1	*
2001-2002	2,300	0.0	*	89	0.0	*
2000-2001	2,300	0.0	*	89	0.0	*
1999-2000	2,300	0.0		89	0.0	
1998-99	2,300	0.0		89	0.0	
1997-98	2,300	4.5		89	3.5	
1996-97	2,200	10.0		86	10.3	
1995-96	2,000	8.1		78	6.5	
1994-95	1,850	5.7		73	5.8	
1993-94	1,750	6.1		69	0.0	
1992-93	1,650	6.5		69	6.2	
1991-92	1,550	14.8		65	16.0	
1990-91	1,350	0.0		56	0.0	
1989-90	1,350	0.0		56	0.0	
1988-89	1,350	0.0		56	0.0	

* Lowest tuition in New York State of any college or university that charges tuition.

Dutchess Community College
2010/2011 Budget Summary

COUNTY CONTRIBUTION

	Amount	Increase	%
2010-2011	\$ 10,837,898	-	0.0
2009-2010	10,837,898	-	0.0
2008-2009	10,837,898	1,218,869	12.7
2007-2008	9,619,029	487,768	5.3
2006-2007	9,131,261	547,583	6.5
2005-2006	8,583,678	200,000	2.4
2004-2005	8,383,678	-	0.0
2003-2004	8,383,678	204,480	2.5
2002-2003	8,179,198	-	0.0
2001-2002	8,179,198	378,763	4.9
2000-2001	7,800,435	-	0.0
1999-2000	7,800,435	-	0.0
1998-99	7,800,435	-	0.0
1997-98	7,800,435	292,797	3.9
1996-97	7,507,638	217,660	3.0
1995-96	7,289,978	212,329	3.0
1994-95	7,077,649	-	0.0
1993-94	7,077,649	11,970	0.2
1992-93	7,065,679	-	0.0
1991-92	7,065,679	69,957	1.0
1990-91	6,995,722	269,157	4.0
1989-90	6,726,565	195,831	3.0
1988-89	6,530,734	591,145	10.0
1987-88	5,939,589	532,048	10.0

Dutchess Community College
2010/2011 Budget Summary

STATE AID RATES

	Base	% Increase/ Decrease	Disadvantaged	Technical/HN	Business
2010-2011	\$ 2,545	(4.9)	-	\$ 100	-
2009-2010	2,675	0.0	-	100	-
2008-2009	2,675	0.0	-	100	-
2007-2008	2,675	5.9	-	100	-
2006-2007	2,525	7.4	-	100	-
2005-2006	2,350	5.1	-	-	-
2004-2005	2,235	0.0	-	-	-
2003-2004	2,300	0.0	-	-	-
2002-2003	2,300	2.2	-	-	-
2001-2002	2,250	0.0	-	-	-
2000-2001	2,250	6.0	-	-	-
1999-2000	2,125	3.6	-	-	-
1998-99	2,050	7.9	-	-	-
1997-98	1,900	2.7	-	-	-
1996-97	1,850	2.8	-	-	-
1995-96	1,800	0.0	-	-	-
1994-95	1,800	6.8	212	195	82
1993-94	1,685	3.0	212	195	82
1992-93	1,635	(4.7)	212	195	82
1991-92	1,715	(2.6)	212	195	82
1990-91	1,760	2.3	212	195	82
1989-90	1,710	10.0	212	195	82

Discussion on the foregoing Resolution No. 2010201 resulted as follows:

Legislator Traudt stated that in the interest of full disclosure he wanted to let everyone know that he was a student of Dutchess Community College. He further stated that he spoke to Legislative Counsel Volkman as to whether or not he needed to abstain and he was told that he did not need to abstain and would be voting on this budget.

Legislator Doxsey stated that the District that he represents is District 1 and 66 percent of legislators know the multiple problems in his district, Dutchess Community College being one of them, so he would be voting against this budget.

Roll call vote on the foregoing Resolution No. 2010201 resulted as follows:

AYES: 21 Bolner, Borchert, Cooper, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Miccio, Rolison,
Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 2 – Doxsey, MacAvery.

ABSENT: 2 – Kuffner, White.

Resolution adopted.

AMENDED TO RESOLUTION NO. 2017113

BUDGET, FINANCE, and PERSONNEL

RESOLUTION NO. 2010202

RE: ESTABLISHING STANDARD WORK DAY FOR ELECTED AND APPOINTED OFFICIALS

LEGISLATORS ROLISON and COOPER offer the following and move its adoption:

BE IT RESOLVED, that the County of Dutchess hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System, based on the record of activities maintained and submitted by these officials to the clerk of this body: See attached schedule.

Attachment amended on Floor on 7-12-10

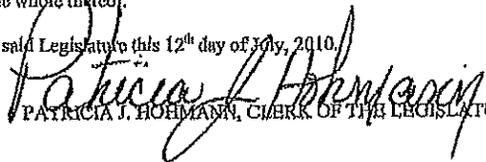
STATE OF NEW YORK

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

TERM APPOINTMENTS OF ELECTED AND APPOINTED OFFICIALS

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORK DAY	IN TIME- KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
County Executive	Steinhaus, William	County Executive	01/01/2008 - 12/31/2011	7	No	20
Comptroller	Coughlan, James	Comptroller	01/01/2010 - 12/31/2014	7	No	20
County Clerk	Kendall, Brad	County Clerk	01/01/2008 - 12/31/2011	7	No	20
District Attorney	Grady, William	District Attorney	01/01/2008 - 12/31/2011	7	No	20
Sheriff	Anderson, Adrian	Sheriff	01/01/2010-12/31/2011	8	No	20
Legislature	Bolner, Donna	Legislator	01/01/2010-12/31/2011	6	No	5.5
Legislature	Forman, John	Legislator	01/01/2010-12/31/2011	6	No	2.5
Legislature	Horn, Suzanne	Legislator	01/01/2010-12/31/2011	6	No	13.5
Legislature	Horton, Margaret	Legislator	01/01/2010-12/31/2011	6	No	7.5
Legislature	Hutchings, Gerry	Legislator	01/01/2010-12/31/2011	6	No	20
Legislature	Jeter-Jackson, Barbara	Legislator	01/01/2010-12/31/2011	6	No	9.5
Legislature	Kelsey, Michael	Legislator	01/01/2010-12/31/2011	6	No	10.5
Legislature	Miccio, James	Legislator	01/01/2010-12/31/2011	6	No	4
Legislature	Roman, Kenneth	Legislator	01/01/2010-12/31/2011	6	No	7
Legislature	Surman, Alan	Legislator	01/01/2010-12/31/2011	6	No	17
Legislature	Thomes, John	Legislator	01/01/2010-12/31/2011	6	No	4
Legislature	Traudt, Benjamin	Legislator	01/01/2010-12/31/2011	6	No	3.5
Legislature	Cooper, Gary	Majority Leader	01/01/2010-12/31/2011	6	No	9
Board of Elections	Brant, Michele	Deputy Elections Commissioner	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	French, Dan	Deputy Elections Commissioner	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Ferese, Kimberly	Elections Administrator	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Nippert, Lynne	Elections Administrator	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Gamache, David	Elections Commissioner	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Knapp, Frances	Elections Commissioner	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Hetrick, Kelly	Elections Specialist	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Pagones, Julia	Elections Specialist	01/01/2009-12/31/2010	7	Yes	N/A

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORK DAY	IN TIME-KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
Board of Elections	Russell, Brandon	Elections Specialist	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Gold, Steven	Elections Training Supervisor	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Shea, Donna	Elections Training Supervisor	03/01/2010-12/31/2010	7	Yes	N/A
Board of Elections	Patricola, Lori	Machine Coordinator	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Perry, Victoria	Machine Coordinator	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Baiano, Chris	Sr Elections Specialist	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Bauer, Thomas	Sr Elections Specialist	06/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Durland, Catherine	Sr Elections Specialist	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Margulies, Ira	Sr Elections Specialist	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Short, Jeanne	Sr Elections Specialist	01/01/2009-12/31/2010	7	Yes	N/A
Board of Elections	Kelly, Christopher	Sr. Elections Specialist	01/01/2009-12/31/2010	7	Yes	N/A
Central Services	Miller, Donald	Director of Central Services	01/01/2008 – 12/31/2011	7	Yes	N/A
Comptroller	Stalteri, Peter	Deputy Comptroller	01/01/2008 – 12/31/2011	7	Yes	N/A
County Attorney	Tullo, Janet	Bureau Chief	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	DeRosa, Anthony	Chief Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Avallone, Catherine	Confidential Secretary to County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Fedorchak, James	County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Bogle, Carol	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Byron, Keith	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Civitillo, Victor	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Cullen, Christian	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Decicco, Mary Ellen	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Delpizzo, Thomas	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Fakhoury, Linda	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Meier, James	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Ott, Richard	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Attorney	Skojec, Laura	Sr Asst County Attorney	04/01/2010 – 12/31/2011	7	Yes	N/A
County Clerk	Hedrick, Marlene	Confidential Administrative Asst	01/01/2008 – 12/31/2011	7	Yes	N/A
County Clerk	Cranna, Bryan	Deputy County Clerk	01/01/2008 – 12/31/2011	7	Yes	N/A
County Clerk	Strid, Sandra	Deputy County Clerk	01/01/2008 – 12/31/2011	7	Yes	N/A

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORK DAY	IN TIME- KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
County Executive	Giordano, Nancy	Asst County Executive	01/01/2008 – 12/31/2011	7	Yes	N/A
County Executive	O'Neil, William	Asst County Executive	01/01/2008 – 12/31/2011	7	Yes	N/A
County Executive	Brockway, Lisabeth	Director Health Human Services	01/01/2008 – 12/31/2011	7	Yes	N/A
County Executive	Dignan, Anne-Marie	Executive Secretary	01/01/2008 – 12/31/2011	7	Yes	N/A
County Executive-Budget	Sommerville, Valerie	Budget Director	01/01/2008 – 12/31/2011	7	Yes	N/A
County Executive-Budget	Attaway, Spring	Research Analyst	01/01/2008 – 12/31/2011	7	Yes	N/A
County Executive-Budget	Pillus, Colleen	Research Analyst	01/01/2008 – 12/31/2011	7	Yes	N/A
County Executive-Budget	White, Jessica	Sr Research Analyst	01/01/2008 – 12/31/2011	7	Yes	N/A
County Legislature	Ellison, Michael	Assistant to the Chairman	02/01/2010-12/31/2010	7	Yes	N/A
County Legislature	Hohlmann, Patricia	Clerk of the Legislature	01/06/2010-12/31/2011	7	Yes	N/A
County Legislature	Morris, Carolyn	Deputy Clerk of the Legislature	01/06/2010-12/31/2011	7	Yes	N/A
County Legislature	Volkman, Scott	Legislative Attorney	01/19/2010-01/19/2015	7	Yes	N/A
County Legislature	Wager, Leigh	Senior Legislative Stenographer	01/06/2010-12/31/2010	7	Yes	N/A
District Attorney	Knapp, Melissa	Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Chase, Frank	Bureau Chief	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	McLoughlin, Edward	Bureau Chief	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Smith, Marjorie	Bureau Chief	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Weishaupt, Matthew	Bureau Chief	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Whitesell, Edward	Bureau Chief	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Steller, Bridget	Chief Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Chickering, Julian	Chief Investigator DA	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Barry, Regina	Secretary to District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Fiorile, Richard	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Hawlk, Kristine	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Irwin, Kevin	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Knapp, Robert	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Kunca, David	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Long, Andrea	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Lopane, Angela	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	McLoughlin, Sinead	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Murphy, Cindy	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Parisi, Anthony	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORK DAY	IN TIME- KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
District Attorney	Petramale, Frank	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Ryan, Heather	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Segal, Aviv	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Segal, Jessica	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Stuart, Allison	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
District Attorney	Thompson, Sara	Sr Asst District Attorney	01/01/2008 – 12/31/2011	7	Yes	N/A
Emergency Response	Murphy, John	Emergency Response Coordinator	01/01/2008 – 12/31/2011	7	Yes	N/A
Finance	Barrack, Pamela	Commissioner of Finance	01/01/2008 – 12/31/2011	7	Yes	N/A
Finance	Wiands, Deborah	Confidential Administrative Asst	01/01/2008 – 12/31/2011	7	Yes	N/A
Finance	Wu, Corinna	First Deputy Commissioner of Finance	01/01/2008 – 12/31/2011	7	Yes	N/A
Health	Caldwell, Dr. Michael	Commissioner of Health	11/21/2006 – 11/21/2012	7	Yes	N/A
Health	Campbell, Carol	Confidential Administrative Assistant	11/21/2006 – 11/21/2012	7	Yes	N/A
Human Rights	Vetrano, Marilyn	Executive Director, Human Rights Commission		7	Yes	N/A
Medical Examiner	Reiber, Dr. Kari	Chief Medical Examiner- Forensic Pathologist	01/01/2008 – 12/31/2011	7	Yes	N/A
Medical Examiner	Chute, Dr. Dennis	Deputy Medical Examiner	01/01/2008 – 12/31/2011	7	Yes	N/A
Mental Hygiene	Glatt, Dr. Kenneth	Commissioner of Mental Hygiene	01/01/2008 – 12/31/2011	7	Yes	N/A
Mental Hygiene	Newman, Sonya	Confidential Administrative Assistant	01/01/2008 – 12/31/2011	7	Yes	N/A
OCIS	Mahler, Tim	Commissioner of Computer Information Systems	01/01/2008 – 12/31/2011	7	Yes	N/A
OCIS	Allen, Tammy	Confidential Administrative Assistant	01/01/2008 – 12/31/2011	7	Yes	N/A
Office for the Aging	Beale, John	Director, Office for the Aging	01/01/2008 – 12/31/2011	7	Yes	N/A
Personnel	Bruno, Earl	Commissioner of Personnel	09/27/2004 – 09/27/2010	7	Yes	N/A

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORK DAY	IN TIME-KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
Personnel	Ohlman, Suzanne	Confidential Administrative Asst	09/27/2004 – 09/27/2010	7	Yes	N/A
Personnel	Lancto, Jon	Deputy Commissioner of Personnel	09/27/2004 – 09/27/2010	7	Yes	N/A
Personnel	Forbes, Curtis	Equal Employment Opportunity Officer	09/27/2004 – 09/27/2010	7	Yes	N/A
Planning	Salomon, M. Kealy	Commissioner of Planning and Development	03/09/2010 – 12/31/2011	7	Yes	N/A
Planning	McFarlane, Mary	Confidential Administrative Assistant	03/09/2010 – 12/31/2011	7	Yes	N/A
Public Defender	Angell, Thomas	Chief Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Matteo, Joseph	Chief Investigator Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Aylward, Laura	Legal Administrative Asst	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Goodman, David	Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Brady, Michael	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Burton-Tolomeo, Jennifer	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Clarke, John	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Dumser, August	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Hazel, George	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Hill, James	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Kilpatrick, Leonie	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Levine, Steven	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Martin, David	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Mungavin, Susan	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Rosen, Alexander	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Defender	Smith, Anne Marie	Sr Asst Public Defender	01/01/2008 – 12/31/2011	7	Yes	N/A
Public Works	Traver, Charles	Commissioner of Public Works	04/13/2009 – 12/31/2011	7	Yes	N/A
Public Works	Hanlon, Laureen	Confidential Administrative Asst	04/13/2009 – 12/31/2011	7	Yes	N/A
Real Property	Myers, Kathleen	Director Real Property Tax Services	10/01/2007 – 10/01/2013	7	Yes	N/A

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORK DAY	IN TIME- KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
Sheriff	Cole, Deborah	Confidential Secretary to the Sheriff	01/01/2008 – 12/31/2011	7	Yes	N/A
Sheriff	Imperati, Kirk	Undersheriff	01/01/2008 – 12/31/2011	7	Yes	N/A
Social Services	Allers, Robert	Commissioner of Social Services	10/20/2006 – 10/20/2011	7	Yes	N/A
Social Services	Yarochowicz, Judy	Confidential Administrative Assistant	10/20/2006 – 10/20/2011	7	Yes	N/A
Social Services	Bonnerwith, Debra	Deputy Commissioner of Social Services	10/20/2006 – 10/20/2011	7	Yes	N/A
Social Services	Giovanniello, Theresa	Deputy Commissioner of Social Services	10/20/2006 – 10/20/2011	7	Yes	N/A
Veterans Affairs	Perez, Thomas	Deputy Director of Veterans Affairs	01/01/2008 – 12/31/2011	7	Yes	N/A
Veterans Affairs	Rivera, Nelson	Director of Veterans Affairs	01/01/2008 – 12/31/2011	7	Yes	N/A
Youth Bureau	Sanchez, William	Executive Director-Youth Bureau	01/01/2008 – 12/31/2011	7	Yes	N/A

Discussion on the foregoing Resolution No. 2010202 resulted as follows:

Legislator Cooper moved to amend the foregoing resolution to attach the revised log and to add 20 hours to the DAYS/MONTH column in the first part of the log for the first five county wide elected officials duly seconded by Legislator Miccio and unanimously carried.

Legislator Kelsey moved to amend the foregoing resolution to add Michele Brant as Deputy Elections Commissioner in the Board of Elections section of the log duly seconded by Legislator Cooper and unanimously carried.

Roll call vote on the foregoing Resolution No. 2010202 resulted as follows:

AYES: 22 - Bolner, Borchert, Cooper, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 1 - Doxsey ABSENT: 2 - Kuffner, White.

Resolution adopted.

Pursuant to Section 3.02 (i) of the Dutchess County Charter the foregoing resolution was deemed approved and duly enacted due to the County Executive's failure to act.

RESOLUTION NO. 2010203

RE: AUTHORIZING PAYMENT OF 2009 UNENCUMBERED VOUCHER FROM 2010 FUNDS – FOR PACE UNIVERSITY SCHOOL OF LAW – DUTCHESS COUNTY TRAINING AND CERTIFICATION PROGRAM

Legislators ROLISON, COOPER, and FLESLAND offer the following and move its adoption:

WHEREAS, the submission of vouchers following the close of the 2009 budget year has shown that there are outstanding payment invoices for the Dutchess County Legislature, in the sum of \$10,000 for Dutchess County Training and Certification Program by Pace University School of Law on December 4, 2009 for which a contract was formalized but for which funds were not appropriated or encumbered by the close out date for voucher submission, and

WHEREAS, said charges were proper and said contract remains unpaid, and

WHEREAS, the State Comptroller has, pursuant to County Law Section 362, expressed the opinion that claims for services rendered to a county in an earlier year may be paid in a later year if the contracts were valid when made and if there are moneys legally available to be used for such purposes (Opinion 69-686), now, therefore, be it

RESOLVED, that payment from 2010 funds is hereby approved from the following accounts in the amounts indicated:

<u>Line Item No.</u>		<u>Amount</u>
A1010.4401.105	PROFESSIONAL SERVICES - CONSULTANTS	\$10,000

Fiscal Impact: None. Reduction of 2010 appropriations in amounts indicated. See attached statements

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

Date 7/26, 2010

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 12th day of July, 2010, 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 12th day of July, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

No Fiscal Impact

FISCAL IMPACT STATEMENT

APPROPRIATION RESOLUTIONS

Total Current Year Cost \$ **\$10,000**

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 Item (s): **A1010.4401.105 PROFESSIONAL SERVICES -
CONSULTANTS**

Related Expenses:

Nature of Expenses:

Anticipated Savings to County:

Net county Cost (this year): \$ **10,000**
(over five years): \$

Prepared by: **Carolyn Morris**

LAND USE LAW CENTER
PACE UNIVERSITY SCHOOL OF LAW
WHITE PLAINS  NEW YORK

Dutchess County Training and Certification Program

PROGRAM AGENDA

December 4, 2009

- 9:00 – 9:15 Welcome
This will be an introduction of presenters, sponsors, and participants and an overview of the program and the materials you have received.
- 9:15 – 11:00 Session One: The Land Use System
Professor John Nolon, Counsel, Land Use Law Center
Utilizing a hypothetical project, this session will cover the basics of the land use system.
- 11:00 – 11:15 Break
- 11:15 – 12:30 Session Two: The Role of Local Leaders
Victoria L. Polidoro, Esq., Rapport, Meyers, Whitbeck, Shaw & Rodenhausen, LLP
Kristen Grzan, Program Coordinator, Land Use Law Center
Using a small construction project application as an example, we will discuss the roles and responsibilities of the local boards, how local boards are formed and ethical considerations of local boards.
- 12:30 – 1:15 Lunch
- 1:15 – 1:30 Resources of the Land Use Law Center
Kristen Grzan, Program Coordinator, Land Use Law Center
- 1:30 – 2:45 Session Three: Involving Citizens in Land Use Decisions
Tiffany Zezula, Trainer, Land Use Law Center
This segment explores why many land use decisions result in nasty public dialog and how they can be used to unite rather than divide a community.
- 2:45 – 3:00 Break
- 3:00 – 4:00 Session Four: Land Use Tools and Techniques
Professor John Nolon, Counsel, Land Use Law Center
This session will discuss the use of innovative land use techniques that both preserve natural resources and promote development in appropriate places. Questions will be taken on the numerous techniques available.
- 4:00 – 4:15 Closing Remarks

LAND USE LAW CENTER
PACE UNIVERSITY SCHOOL OF LAW
WHITE PLAINS  NEW YORK

DUTCHESS COUNTY
TRAINING AND CERTIFICATION PROGRAM

PARTICIPANT LIST

December 4, 2009

Thomas W. Adams

Representing: Town of Fishkill
Community Position: Planning Board Member
21 Sycamore Court
Fishkill, NY 12524
Work: (845) 291-3111
Home: (845) 896-0038
Email: tadams7096@aol.com

Aziz M. Ahsan

Representing: Town of East Fishkill
Community Position: Planning Board Member
64 Marges Way
Hopewell Junction, NY 12533
Work: (845) 897-2460
Fax: (845) 897-2461
Email: aziz@azizlaw.com

Robert H. Alley

Representing: Town of Washington
Community Position: Planning Board Member
P.O. Box 1193
Millbrook, NY 12545
Home: (845) 677-6057
Email: alleytractorboy@aol.com

Thomas N. Angell

Representing: Town of Stanford
Community Position: Planning Board Member
1346 Bulls Head Road
Clinton Corners, NY 12514
Work: (845) 486-2276
Home: (845) 266-5097
Email: angells.bentleyfarm@gmail.com

Francis R. Barresi

Representing: Village of Wappingers Falls
Community Position: Zoning Board of Appeals
5 Maple Street
Wappingers Falls, NY 12590
Home: (845) 297-5361
Email: frbarresi@aol.com

Thomas A. Bauer

Representing: Town of Poughkeepsie
Community Position: Planning Board
89 VanWagner Road
Poughkeepsie, NY 12803
Work: (845) 894-5123
Home: (845) 452-0096
Email: bauert123@hotmail.com

Thomas G. Beaumont

Representing: Town of Washington
Community Position: Planning Board Member
P.O. Box 726
378 Killearn Road
Millbrook, NY 12545
Home: (845) 677-5579

George Beekman

Representing: Village of Red Hook
Community Position: Zoning Board of Appeals
15 Cherry Street
Red Hook, NY 12571
Work: (845) 431-5886
Home: (845) 758-2054
Email: zoning@redhooknyvillage.org

PARTICIPANT LIST

December 4, 2009

Elizabeth Bomba

Representing: Town of Poughkeepsie
Community Position: Zoning Board of Appeals
3 East Street
Poughkeepsie, NY 12603
Fax: (845) 452-9453
Home: (845) 452-9453
Email: bomcom2@hvc.rr.com

George Brehm

Representing: Town of Pawling
Community Position: Planning Board Member
160 Charles Colamn Boulevard
Pawling, NY 12564
Work: (845) 855-0959
Fax: (845) 855-0980
Home: (845) 855-9094
Email: gbrehm1@aol.com

Karmen Buckey

Representing: Town of Poughkeepsie
Community Position: Zoning Board of Appeals
40 Point Street
New Hamburg, NY 12590
Home: (845) 297-5408

Robert R. Butts, Esq.

Representing: Town of Stanford
Community Position: Planning Board Member
527 Cold Spring Road
Stanfordville, NY 12581
Work: (845) 471-1600
Fax: (845) 452-0150
Home: (845) 868-1362
Email: rrbutts@aol.com

Joe Cicileo

Representing: Village of Tivoli
Community Position: Zoning Board of Appeals
P.O. Box 484
Tivoli, NY 12583
Home: (845) 757-3060
Email: jcicileo@hvc.rr.com

Karen Cleaveland

Representing: Village of Tivoli
Community Position: Zoning Board of Appeals
P.O. Box 232
Tivoli, NY 12583
Home: (845) 757-4418
Email: kcleave4@hotmail.com

Maureen Cotter

Representing: Town of Fishkill
Community Position: Planning Board Member
17 Garde Place
Beacon, NY 12508
Work: (845) 486-1985
Home: (845) 831-6737
Email: mcotter1@netzero.com

Richard Davison

Representing: Town of Poughkeepsie
Community Position: Planning Board
78 Rochdale Road
Poughkeepsie, NY 12603
Home: (845) 473-3363
Email: rdavison@hvc.rr.com

Timothy R. Decker

Representing: Village of Rhinebeck
Community Position: Planning Board Member
39 Livingston Street
Rhinebeck, NY 12572
Work: (845) 298-0755
Fax: (845) 298-0899
Home: (845) 876-2541
Email: tdecker@sunydutchess.edu

Gerard F. DiCesare

Representing: Town of Fishkill
Community Position: Planning Board Member
P.O. Box 341
Glenham, NY 12527
Work: (845) 831-5310
Home: (845) 831-7632
Email: gfdconst@optonline.net

PARTICIPANT LIST

December 4, 2009

Kevin Donohue

Representing: Town of LaGrange
Community Position: Planning Board member
280 Noxon Road
Poughkeepsie, NY 12603
Work: (845) 475-6210
Email: kevin@kcdonohue.com

Susan G. Ezrati

Representing: Village of Tivoli
Community Position: NY Board of Trustees
P.O. Box 507
120 North Road
Tivoli, NY 12583
Fax: (845) 757-5416
Home: (845) 757-2393
Email: sezrati@hvc.rr.com

Victor L. Fanuele

Representing: Town of Wappinger
Community Position: Planning Board
Chairperson
12 Wildwood Drive
Wappingers Falls, NY 12590
Home: (845) 297-7712
Email: vlfanuele@verizon.net

Douglas M. Florance

Representing: Town of Beekman
Community Position: Zoning Board of Appeals
6 Griffen Street
Poughquag, NY 12570
Work: (845) 228-2333 Ext.3
Home: (845) 227-8516
Email: dmfarch@frontiernet.net

Paul M. Fredricks

Representing: Village of Red Hook
Community Position: Planning Board Member
P.O. Box 8
Red Hook, NY 12571
Work: (845) 758-8891
Fax: (845) 758-5460
Home: (845) 758-8892
Email: paulf@frontiernet.net

Herb Goddard

Representing: Village of Rhinebeck
Community Position: Planning Board Member
5 Platt Avenue
Rhinebeck, NY 12572
Work: (845) 750-9898
Home: (845) 876-2681
Email: herbgoddard@aol.com

Clifford L. Gubler

Representing: Village of Red Hook
Community Position: Zoning Board of Appeals
3 Ludlow Avenue
Red Hook, NY 12571
Home: (845) 758-6177
Email: thegubs53@hvc.rr.com

Don Hanson

Representing: Town of Washington
Community Position: Planning Board Member
144 Horseshoe Road
Millbrook, NY 12545
Home: (845) 677-9989
Email: cert004@earthlink.net

Debra Kaufman

Representing: Town of Dover
Community Position: Zoning Board of Appeals
126 East Duncan Hill Road
Dover Plains, NY 12522
Work: (845) 832-6689
Fax: (845) 832-0370
Email: building@townofdover.us

George J. Keeler

Representing: Town of Pine Plains
Community Position: Town Board Member
101 Lake Road
Pine Plains, NY 12567
Home: (518) 398-7391
Email: gkeeker130@yahoo.com

Mike Kocan

Representing: Village of Wappingers Falls
Community Position: Planning Board Member
2701 West Main Street
Wappingers Falls, NY 12590
Work: (845) 297-5277
Fax: (845) 296-0379

PARTICIPANT LIST

December 4, 2009

Wil LaBossier

Representing: Town of Red Hook
Community Position:
145 Echo Valley Road
Red Hook, NY 12571
Home: (845) 430-4936
Email: wil@sca-corp.com

Sandra Lane

Representing: Town of Poughkeepsie
Community Position: Zoning Board of Appeals
8 Wildrose Lane
Lagrangeville, NY 12540
Work: (845) 485-3650
Fax: (845) 266-0436
Home: (845) 416-8817
Email: sandraalane@yahoo.com

Greg Lanphear

Representing: Village of Millerton
Community Position: Planning Board Member
43 North Maple Avenue
Millerton, NY 12546
Work: (845) 677-9012
Fax: (845) 677-3009
Email: blanphear@millbrook.org

Robert Liffland

Representing: Village of Pawling
Community Position: Town Board
Mayor
Village of Pawling
9 Memorial Avenue
Pawling, NY 12564
Work: (845) 855-1122
Fax: (845) 855-9317
Email: josborn@villageofpawling.org

Beatrice Lindsay

Representing: Village of Fishkill
Community Position: Planning Board Member
500 East Commons Way
Fishkill, NY 12524
Fax: (845) 896-4656
Home: (845) 896-2373
Email: beastaff@juno.com

Robin Adair Logan

Representing: Village of Tivoli
Community Position: Zoning Board of Appeals
P.O. Box 2
Tivoli, NY 12583
Home: (845) 757-2906
Email: robinlogan@citilink.net

Joshua E. Mackey

Representing: Town of Washington
Community Position: Planning Board Member
4335 Route 82
Millbrook, NY 12545
Work: (845) 473-8100
Fax: (845) 473-8777
Home: (845) 677-6585
Email: jmackey@icrh.com

Don McCormick

Representing: Village of Wappingers Falls
Community Position: Planning Board Member
7 Spring Street
Wappingers Falls, NY 12590
Work: (845) 297-5277
Fax: (845) 296-0379
Home: (845) 297-6654

Carol Meldrom

Representing: Village of Rhinebeck
Community Position: Zoning Board of Appeals
23 Starr Drive
Rhinebeck, NY 12572
Home: (845) 876-4880
Email: carolm1220@aol.com

George Moran

Representing: Village of Wappingers Falls
Community Position: Planning Board Member
17 Hillside Avenue
Wappingers Falls, NY 12590
Work: (845) 297-5277
Fax: (845) 296-0379
Home: (845) 297-2626

PARTICIPANT LIST

December 4, 2009

Stan C. Morse

Representing: Village of Millbrook
Community Position: Trustee
P.O. Box 1437
Millbrook, NY 12545
Fax: (845) 677-6652
Home: (845) 677-5083
Email: scmorse@aol.com

Kristofer Munn

Representing: Town of Red Hook
Community Position: Planning Board Member
14 North Drive
Red Hook, NY 12571
Work: (732) 254-9305
Email: kmunn@munn.com

Maria O'Leary

Representing: Town of Dover
Community Position: Zoning Board of Appeals
126 East Duncan Hill Road
Dover Plains, NY 12522
Work: (845) 832-6689
Fax: (845) 832-0370
Home: (845) 832-3680
Email: building@townofdover.us

Leigh Palmer

Representing: Village of Tivoli
Community Position: Planning Board Member
P.O. Box 418
Tivoli, NY 12583
Home: (845) 757-3805
Email: lfpalmer@frontiernet.net

Sam Phelan

Representing: Town of Red Hook
Community Position: Planning Board Member
137 Read Road
Red Hook, NY 12571
Home: (914) 466-8695
Email: samphelan@webjogger.net

Cristina Phillips

Representing: Village of Fishkill
Community Position: Planning Board Member
4 Maple Avenue
Fishkill, NY 12524
Fax: (845) 896-4656
Home: (845) 896-7618
Email: knit1@earthlink.net

Gary Polhemus

Representing: Town of LaGrange
Community Position: Zoning Board of Appeals
57 Smith Road
Poughkeepsie, NY 12603
Work: (845) 435-8496
Home: (845) 473-4081
Email: fishers41@msn.com

Peter Poltrack

Representing: Town of Beekman
Community Position: Planning Board Member
P.O. Box 208
Poughquag, NY 12570
Work: (845) 724-5065
Email: tremover@verizon.net

Mary Quinn

Representing: Village of Rhinebeck
Community Position: Village Board
26 Wynkoop Lane
Rhinebeck, NY 12572
Home: (845) 8766878
Email: rnymq@aol.com

Aileen Roar

Representing: Town of Hyde Park
Community Position: Zoning Board of Appeals
53 Fuller Lane
Hyde Park, NY 12538
Home: (845) 229-0024
Email: aileenrohr@gmail.com

PARTICIPANT LIST

December 4, 2009

Patrick Rose

Representing: Town of Poughkeepsie
Community Position: Planning Board Member
29 Boardman Road
Poughkeepsie, NY 12603
Work: (845) 473-2581
Home: (845) 249-8085
Email: patrick.rose@yahoo.com

Dominic Scarpulla

Representing: Village of Tivoli
Community Position: Planning Board Member
P.O. Box 484
Tivoli, NY 12583
Home: (845) 757-5060

Johanna Shafer

Representing: Town of Stanford
Community Position: Town Board Member
21 Decker Road
Stanfordville, NY 12581
Home: (845) 266-4338
Email: baubyis@earthlink.net

James F. Shequine

Representing: Town of Washington
Community Position: Planning Board Member
P.O. Box 1099
Millbrook, NY 12545
Fax: (845) 677-6712
Home: (845) 677-9801
Email: jim@shequine.com

Trilby Sieverding

Representing: Town of Red Hook
Community Position: Zoning Board of Appeals
251 Yantz Road
Red Hook, NY 12571
Work: (845) 389-9836
Fax: (845) 758-2646
Home: (845) 758-2646
Email: sieverdi@us.ibm.com

Kenneth W. Sincerbox

Representing: Town of Goshen
Community Position: Resident
1 Hampton Hills
Goshen, NY 109224
Work: (845) 425-1818
Fax: (845) 425-6473
Home: (845) 294-3196
Email: sincerbo@senate.state.ny.us

Virginia Stern

Representing: Town of Stanford
Community Position: Supervisor
297 Market Lane
Clinton Corners, NY 12514
Work: (845) 868-1310
Fax: (845) 266-8272
Home: (845) 266-5646
Email: vfs42@aol.com

Lynn Sticker

Representing: Town of Pleasant Valley
Community Position: Planning Board Member
20 Clark Heights
Pleasant Valley, NY 12569
Work: (845) 677-7600 Ext.209
Home: (845) 901-7547
Email: lynn_sticker@hotmail.com

Robert J. Straub

Representing: Town of LaGrange
Community Position: Planning Board Vice-Chairperson
115 Noxon Road
Poughkeepsie, NY 12603
Home: (845) 452-1749
Email: p51chief@aol.com

Michelle Turck

Representing: Town of Stanford
Community Position: Planning Board Secretary
26 Town Hall Road
Stanfordville, NY 12581
Work: (845) 868-7250
Fax: (845) 868-7252
Home: (845) 532-0732
Email: stanfordplanning@yahoo.com

PARTICIPANT LIST

December 4, 2009

Laura Gail Tyler

Representing: Village of Tivoli
Community Position: Zoning Board of Appeals
P.O. Box 40
Tivoli, NY 12583
Home: (845) 757-5714
Email: tyler@bard.edu.

Brian C. Wrye

Representing: Town of Fishkill
Community Position:
21 Florence Avenue
Fishkill, NY 12524
Work: (845) 656-9281
Home: (845) 896-5851
Email: veryrye@gmail.com

Marilyn VanMillon

Representing: Town of Dover
Community Position: Zoning Board of Appeals
53 Ten Mile River Road
Dover Plains, NY 12522
Work: (845) 832-6689
Fax: (845) 832-0370
Home: (845) 877-9244
Email: mlvm1023@aol.com

Thomas VanTine

Representing: Village of Fishkill
Community Position: Code Enforcement
Officer
1095 Main Street
Fishkill, NY 12524
Work: (845) 897-4430
Fax: (845) 896-4656
Home: (845) 590-3243
Email: tom@vofishkill.com

John T. Weisman

Representing: Town of Poughkeepsie
Community Position: Planning Board
Chairperson
15 Trotter Lane
Poughkeepsie, NY 12603
Work: (845) 463-4460
Home: (845) 485-9478
Email: johnsbxstr@aol.com

George F. Wittman, Jr.

Representing: Town of Dover
Community Position: Zoning Board of Appeals
126 East Duncan Hill Road
Dover Plains, NY 12522
Work: (845) 832-6689
Fax: (845) 832-0370
Home: (845) 832-6075

LAND USE LAW CENTER
PACE UNIVERSITY SCHOOL OF LAW
WHITE PLAINS  NEW YORK

KRISTEN M. GRZAN
T: 914.422.4182
F: 914.422.4011
E: KGRZAN@LAW.PACE.EDU

LAND USE LAW CENTER
PACE UNIVERSITY SCHOOL OF LAW
78 NORTH BROADWAY
WHITE PLAINS, NY 10603

October 2, 2009

[Address]

[Address]

[Address]

[Address]

Dear -----:

***** PLEASE PASS THIS INVITATION ON TO YOUR BOARD MEMBERS *****

We are pleased to announce that the Dutchess County Legislature is sponsoring the **Dutchess County Land Use Leaders Training and Certification Program**. Due to the generous support of the Dutchess County Legislature you may attend the program free of charge. The Land Use Law Center of Pace Law School will conduct the program which has been developed for **zoning and planning board members** and **members of local legislative bodies**. The Land Use Law Center has been active in the training of municipal officials for the past 14 years. The training program is designed to significantly benefit board members by developing and reinforcing local land use decision-making skills and by providing board members with strategic tools they need to address regional land use issues of critical importance.

The one-day training program will be held Friday, December 4th at the Henry A. Wallace Center at the FDR Presidential Library and Home in Hyde Park, NY. The program will commence at 9:00 a.m. and end at approximately 4:00 p.m. A continental breakfast will be available at 8:30 a.m., so we encourage you to come early and get settled. Lunch will also be provided.

A brief summary of the training program:

- Morning Program (3 Hours)
Consists of a basic course on the land use system, roles of administrative, quasi-judicial and legislative boards, and the procedures they must follow.
- Lunch (1 Hour)
- Afternoon Program (3 Hours)

Focus is on how communities can achieve smart growth. This session will include a more detailed look at a number of topics including: (1) defining smart growth to include both economic development and open space preservation and how to create and sustain growth centers and encourage economic development while achieving open space conservation. Extensive question and answer sessions will be conducted to insure that issues in each community are addressed.

After attending the training program, local board members will be provided a training certificate verifying their attendance at the program.

Enclosed is a form for participation in this upcoming program. While the course is open to all board members it will be most beneficial for newer members or those who have not yet attended our program. You may RSVP for this program by filling out the form and returning it by fax, mail or email by **November 6th**. If you have any questions about the program, please feel free to contact me, the program coordinator, at (914) 422-4182 or by email at kgrzan@law.pace.edu.

Sincerely,

Kristen Grzan

Enclosures

DUTCHESS COUNTY ATTORNEY'S OFFICE

**County Office Building
22 Market Street
Poughkeepsie, New York 12601
Tel. (845) 486-2110
Fax (845) 486-2002**

MEMORANDUM

TO: Jon Gautier, Deputy Clerk, County Legislature
FROM: Cathy Avallone, Confidential Secretary
DATE: October 7, 2009
SUBJECT: County w/Pace University School of Law, Land Use Law Center
Our File No. C-6857

Enclosed are two fully-executed copies of the Agreement in the above matter. Kindly forward one copy to the Contractor and retain the other for your file.

CONTRACT NO. 09-0419-12/09-LE

Enc
Certificate of Insurance on file

c Commissioner of Finance (original)
Comptroller



Dutchess County Legislature

09-0419-12/09-LE

Roger Higgins
Chairman

22 Market Street, Poughkeepsie, NY 12601
Telephone: 845-486-2100 Fax 845-486-2113

July 8, 2009

Pace University School of Law
Land Use Law Center
Attention: Sean F. Nolon, Director
78 North Broadway
White Plains, NY 10603-3796

Re: County w/Pace University School of Law, Land Use Law Center
County Attorney File No. C-6857

Dear Mr. Nolon:

By this letter, Pace University d/b/a Pace University School of Law, Land Use Law Center ("Pace"), shall provide services in accordance with the Scope of Services attached hereto as Exhibit "A." Said services will begin on November 1, 2009 and terminate on December 31, 2009. For said services, the County will pay a total sum not to exceed \$10,000 for land use conference expenses as set forth in the attached Exhibit "A". Rider attached forms a part hereof.

In performing these services you shall be acting as an independent contractor and shall hold the County harmless from any claims or causes of action for damages arising out of your services. You will be required to provide statutory Workers' Compensation coverage in compliance with the Compensation Law of the State of New York. In the event the statute does not require coverage, you must complete NYS Workers' Compensation Board Form CE-200 and provide the County with a certificate of attestation of exemption.

Either party may terminate this contract upon thirty (30) days' notice in writing. If the County terminates this agreement, Pace shall be compensated by the County on a pro-rata basis for work done and expense incurred hereunder through and including the date of said termination.

Acceptance of the terms of this agreement may be made by signing and returning all copies of this letter to me at the address indicated hereon.

Very truly yours,

Roger Higgins, Chairman

APPROVED AS TO FORM:

ACCEPTED: COUNTY OF DUTCHESS

Ronald L. Wozniak
County Attorney's Office

BY: 
William R. Steinhaus
County Executive

The undersigned acknowledges and agrees to the terms and conditions contained in this letter and all riders and exhibits hereto, and shall perform the services in accordance with same at the rate set forth.

PACE UNIVERSITY

By: Toby R. Winer

Name: Toby R. Winer
Title: Senior Vice President for Finance

Date: 8/21/2009

RIDER TO SERVICES AGREEMENT

Rider to Services Agreement (“Agreement”) between Pace University d/b/a Pace University School of Law, Land Use Law Center, with an address at 78 North Broadway, White Plains, New York 10603-3796 (“Pace”), and County of Dutchess, with an address at 22 Market Street, Poughkeepsie, New York 12601 (the “County”).

The following clauses are hereby incorporated and made a part of the Agreement, to either replace or supplement the terms thereof. In the event of any conflict or discrepancy between the terms of this Rider and the terms of the Agreement, the terms of this Rider shall control.

1. **No Employment Relationship Created.** It is understood and agreed between the parties that the Agreement is not intended to nor does it create a joint relationship or partnership between the parties hereto. Pace’s relationship to the County is solely and exclusively that of an independent contractor.
2. **Assignment.** Neither party shall assign its duties hereunder without the prior written consent of the other party.
3. **Binding Effect.** This Agreement shall be binding upon the parties hereto and upon their respective successors and permitted assigns.
4. **Compliance With Laws.** Each party warrants on its behalf and that of its contractors, employees, and agents that it shall comply with all applicable Federal, State and local laws, ordinances, rules, regulations and codes.
5. **Indemnification.** Each party agrees to defend, indemnify, and hold harmless the other party, its successors and assigns, and their respective trustees, officers, employees, and agents to the fullest extent permitted by law from and against any and all claims or demands whatsoever, including associated costs, expenses, and reasonable attorneys’ fees incurred on account thereof, that may be asserted by the other party’s employees, employees of the other party’s subcontractors or agents, or any other persons for loss, damage, death, or injury to persons or property arising in any manner out of or incident to and/or the indemnifying party’s performance or nonperformance of this Agreement.
6. **Governing Law and Jurisdiction.** Except as may be preempted by federal law, this Agreement shall be governed by the laws of the State of New York, without regard to its choice of law principles.
7. **Notices.** All notices to Pace University in connection with this Agreement shall be sent to:

Tiffany Zezula, Director of Training
Land Use Law Center
Pace University School of Law
78 North Broadway
White Plains, NY 10603-3796

with simultaneous copies to:

Senior Vice President for Finance
Pace University
One Pace Plaza
New York, NY 10038

and

Pace University Counsel
One Pace Plaza
New York, NY 10038

All notices to County in connection with this Agreement shall be sent to:

Dutchess County Legislature

22 Market St.

Poughkeepsie, NY 12601

PACE UNIVERSITY

By: Toby R. Winer

Name: Toby R. Winer

Title: Senior Vice President for Finance

Date: 8/21/2009

COUNTY OF DUTCHESS

By: 

Name: William R. Steinhaus

Title: County Executive

Date: _____

EXHIBIT "A"
SCOPE OF SERVICES

- Pace will deliver coordination and preparation of a one-day training program in the fall of 2009 to County Legislators and representative(s) from each municipality's planning, zoning, administrative and legislative board – up to 75 participants will be taken.
- Three staff members from the Land Use Law Center will conduct the training program.
- Preparation and coordination will be completed by the Program Coordinator, including administrative services such as, binder preparation, nametags, food services, and material copying.
- Each participant will also receive their own copy of Gaining Ground, which reviews the basics of land use.
- The Center will work with the County to develop a proper method of letting potential participants know about the training programs. All elected and appointed board members will be notified and the registration left open for others who are involved and interested. All letters and registration forms will be distributed to county legislators to allow them to notify their mayors and supervisors and constituents, directly.
- The training program will reinforce local land use decision-making skills and provide strategic tools needed to address regional land use issues of crucial importance. It will take an in-depth look at the land use issues that Dutchess County communities are facing and discuss the basics of the land use system, roles of administrative, quasi-judicial and legislative boards, and the procedures they must follow. Lastly, it will take a detailed look at a number of topics including: (1) defining smart growth to include both economic development and open space preservation; (2) how to use local land use tools and techniques to meet housing needs; and (3) how to create and sustain growth centers and encourage economic development while achieving open space conservation. Extensive question and answer sessions will be conducted to insure that issues in each community are addressed.
- After attending the training program, local board members will be provided a training certificate verifying their attendance at the program.
- The one-day training program will take place at the Roosevelt Library in Hyde Park on a date to be selected. (Scheduled date is December 4, 2009) The program will commence at 8:30 a.m. and end at approximately 4:00 p.m. Breakfast and lunch will be provided.

Roll call vote on the foregoing Resolution No. 2010203 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010204

RE: ERRONEOUS TAXES, TOWN OF EAST FISHKILL
 ASSESSED TO: POWER AUTHORITY STATE OF NEW YORK
 GRID NUMBER: 132800-6357-04-647264-0000

LEGISLATORS HORTON and WEISS offer the following and move its adoption:

WHEREAS, the Receiver of Taxes for the Town of East Fishkill has returned unpaid to this office Special District taxes based on the 2008 and 2009 tax rolls against grid number 132800-6357-04-647264-0000, and

WHEREAS, it has been determined by the Real Property Tax Service Agency and the Dutchess County Commissioner of Finance's office that the assessment is erroneous due to a clerical error, as said parcel should be exempt for all purposes on the tax roll, and

WHEREAS, the Power Authority State of New York previously paid and pays a payment in lieu of taxes on said parcels pursuant to a PILOT agreement and should not have taxes levied on the tax roll, and

WHEREAS, due to the erroneous assessment, the liens of said taxes are rendered unenforceable, now therefore, be it

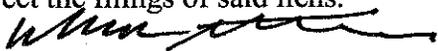
RESOLVED, that the Commissioner of Finance be and she is hereby authorized, empowered, and directed to cancel and charge back the erroneous taxes as follows:

		<u>2008</u>	<u>2009</u>	<u>TOTAL</u>
A342	Allowance for Uncollect. Taxes	\$30.95	\$5.37	\$36.32
A430.2800	Town of East Fishkill	2.00	2.00	4.00
A430.2800 (EF006)	East Fishkill Fire	6.75	86.07	92.82
A430.2800 (EFPL)	East Fishkill Public Library	1.90	21.27	23.17
	TOTAL:	<u>\$41.60</u>	<u>\$114.71</u>	<u>\$156.31</u>

and be it further

RESOLVED, that the County Clerk is hereby authorized, empowered and directed to make the necessary changes in his office to correct the filings of said liens.

PB/CM/djw
 CA-107-10
 5/19/10

APPROVED

 WILLIAM R. STEINHAUS
 COUNTY EXECUTIVE

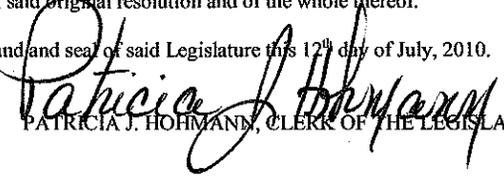
STATE OF NEW YORK
 COUNTY OF DUTCHESS

ss:

Date 7/26, 2010

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 12th day of July, 2010, 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 12th day of July, 2010.


 PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010204 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010205

RE: ERRONEOUS TAXES, TOWN OF EAST FISHKILL
 ASSESSED TO: POWER AUTHORITY STATE OF NEW YORK
 GRID NUMBER: 132800-6357-04-680248-0000

LEGISLATORS HORTON and WEISS offer the following and move its adoption:

WHEREAS, the Receiver of Taxes for the Town of East Fishkill has returned unpaid to this office Special District taxes based on the 2008 and 2009 tax rolls against grid number 132800-6357-04-680248-0000, and

WHEREAS, it has been determined by the Real Property Tax Service Agency and the Dutchess County Commissioner of Finance's office that the assessment is erroneous due to a clerical error, as said parcel should be exempt for all purposes on the tax roll, and

WHEREAS, the Power Authority State of New York previously paid and pays a payment in lieu of taxes on said parcels pursuant to a PILOT agreement and should not have taxes levied on the tax roll, and

WHEREAS, due to the erroneous assessment, the liens of said taxes are rendered unenforceable, now therefore, be it

RESOLVED, that the Commissioner of Finance be and she is hereby authorized, empowered, and directed to cancel and charge back the erroneous taxes as follows:

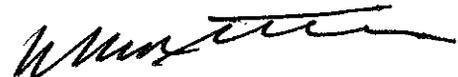
	<u>2008</u>	<u>2009</u>	<u>TOTAL</u>
A342 Allowance for Uncollect. Taxes	\$31.40	\$7.89	\$39.29
A430.2800 Town of East Fishkill	2.00	2.00	4.00
A430.2800 (EF006) East Fishkill Fire	9.93	126.59	136.52
A430.2800 (EFPL) East Fishkill Public Library	2.79	31.28	34.07
	<hr/>	<hr/>	<hr/>
TOTAL:	<u>\$46.12</u>	<u>\$167.76</u>	<u>\$213.88</u>

and be it further

RESOLVED, that the County Clerk is hereby authorized, empowered and directed to make the necessary changes in his office to correct the filings of said liens.

PB/CM/djw
 CA-108-10
 5/19/10

APPROVED



WILLIAM R. STEINHAUS
 COUNTY EXECUTIVE

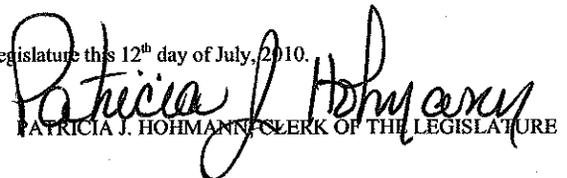
Fiscal Impact: None
 STATE OF NEW YORK
 COUNTY OF DUTCHESS

ss:

Date 7/26, 2010

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 12th day of July, 2010, 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 12th day of July, 2010.


 PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010205 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010206

RE: ERRONEOUS TAXES, TOWN OF WAPPINGER
ASSESSED TO: N Y S POWER AUTHORITY
GRID NUMBER: 135689-6057-04-818043-0000; 135689-6056-01-346982-0000;
135689-6057-03-355051-0000

LEGISLATORS BOLNER and INCORONATO offer the following and move its adoption:

WHEREAS, there are assessments on the 2009 tax roll in the Town of Wappinger under the name of NYS Power Authority described as grid numbers: 135689-6057-04-818043-0000; 135689-6056-01-346982-0000; and 135689-6057-03-355051-0000, and

WHEREAS, it has been determined by the Real Property Tax Service Agency and the Dutchess County Commissioner of Finance's Office that the assessments are erroneous due to a clerical error, as said parcels should be exempt for all purposes on the tax roll, and

WHEREAS, the NYS Power Authority previously paid and pays a payment in lieu of taxes on said parcels pursuant to a PILOT agreement and should not have taxes levied on the tax roll, now, therefore, be it

RESOLVED, that the Clerk of the Legislature be and she hereby is authorized, empowered and directed to send a copy of this resolution to the Receiver of Taxes directing said Receiver to attach a copy of resolution to warrant, and be it further,

RESOLVED, that the Tax Receiver be instructed to return the unpaid portion as being erroneous when the accounts are settled with the Commissioner of Finance at the expiration of the warrant, and be it further

RESOLVED, that the Commissioner of Finance be and she is hereby authorized, empowered, and directed to cancel and chargeback the erroneous taxes as follows:

Table with 5 columns: Description, 135689-6057-04-818043-0000, 135689-6056-01-346982-0000, 135689-6057-03-355051-0000, TOTAL. Rows include Ambulance Town Wide, Hughsonville Fire, Chelsea Fire, and a TOTAL row.

5/19/10 CA-111-10
Fiscal Impact: None

STATE OF NEW YORK
COUNTY OF DUTCHESS

APPROVED

Handwritten signature of William R. Steinhaus

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 12th day of July, 2010, 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 12th day of July, 2010.

Date 7/20/2010
Handwritten signature of Patricia J. Hohmann
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010206 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010207

RE: CORRECTING RESOLUTION NO. 2010137 & NOS. 2010147 - 2010159
APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO
ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED
TAX BILL
APPLICANT: Maple Ridge Associates LLC
ACCOUNT NO: Multiple Accounts

Legislators BORCHERT and SADOWSKI offer the following and move it adoption:

WHEREAS, by Resolution No. 2010137 and Nos. 2010147 - 2010159 the Dutchess County Legislature authorized the correction of taxable assessments on the assessment roll for the Town of Hyde Park for 2008 and 2009 under the name of Maple Ridge Associates LLC for multiple accounts, and

WHEREAS, it has been determined that there exists a clerical error on said resolutions, to wit: The charge back to A430 Town of East Fishkill should have been to A430 Town of Hyde Park, and

WHEREAS, a correction is necessary, now, therefore, be it

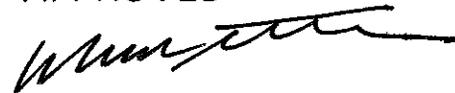
RESOLVED, that Resolution No. 2010137 and Nos. 2010147 - 2010159 are hereby amended to correct the distribution as follows:
A430 Town of Hyde Park

and be it further

RESOLVED, that all other aspects of Resolution No. 2010137 and Nos. 2010147 - 2010159 remain the same.

CA-125-10
ca/G-0194
6/30/10
Fiscal Impact: None

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

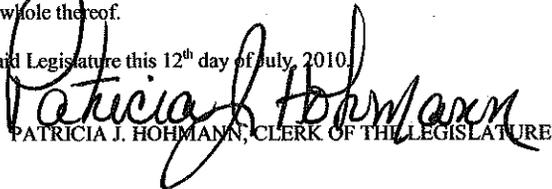
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date 7/26, 2010

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010207 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSENT: 2 -- Kuffner, White.

Resolution adopted.

BUDGET, FINANCE, and PERSONNEL

RESOLUTION NO. 2010208, 2010

BOND RESOLUTION DATED JULY 12, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,550,000 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE AND INSTALLATION OF A NEW TELEPHONE SYSTEM IN AND FOR SAID COUNTY.

WHEREAS, Dutchess County Government relies on an efficient, reliable phone communication system to provide critical services and support to county residents; and

WHEREAS, the county's current telephone system is now 16 years old and runs high annual operating costs as a result of its aging technology; and

WHEREAS, vendor support for the current antiquated system is deteriorating making continued use and required investment in the existing system impractical and more costly; and

WHEREAS, upgrading the phone system is expected to save taxpayers \$2.38M over 10 years; 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 as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW,
THEREFORE

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

Section 1. The purchase and installation of a new telephone system in and for the County of Dutchess, New York, including incidental equipment and expenses in connection therewith for

use by the Sheriff's Department and other departments of the County, is hereby authorized at a maximum estimated cost of \$3,550,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose is by the issuance of \$3,550,000 serial bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 10 years, pursuant to subdivision 25 of paragraph a of Section 11.00 of the Local Finance Law.

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 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 5. 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 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. 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 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 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.

* * * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

I, the undersigned Clerk of the County Legislature of the County of Dutchess, New York (the "Issuer"), DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on July 12, 2010, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 20 ayes and 3 noes, with 2 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on July 26, 2010, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

I FURTHER certify that all members of said Legislature had due notice of said meeting, and that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

Southern Dutchess News
Poughkeepsie Journal

July 8, 2010

and that I further duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

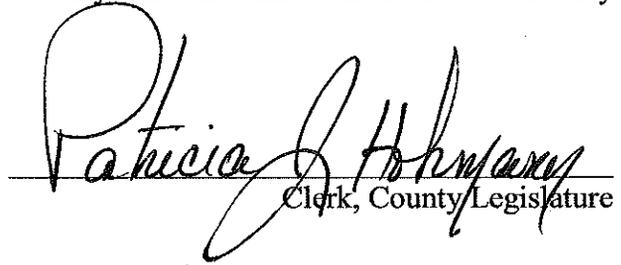
Designated Location(s)
of posted notice

Date of Posting

22 Market, Street, 6th Floor, County Office Building,
Poughkeepsie, New York

June 10, 2010

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 13 day of July, 2010.



Clerk, County Legislature

(CORPORATE SEAL)

APPROVED


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 7/26, 2010

Year 10
 Amount 3,550,000.00
 Interest rate 3.25%

**IP Phone System
 10 years at 3.25%**

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$3,550,000.00	\$355,000.00	\$115,375.00	\$470,375.00
2	3,195,000.00	355,000.00	103,837.50	458,837.50
3	2,840,000.00	355,000.00	92,300.00	447,300.00
4	2,485,000.00	355,000.00	80,762.50	435,762.50
5	2,130,000.00	355,000.00	69,225.00	424,225.00
6	1,775,000.00	355,000.00	57,687.50	412,687.50
7	1,420,000.00	355,000.00	46,150.00	401,150.00
8	1,065,000.00	355,000.00	34,612.50	389,612.50
9	710,000.00	355,000.00	23,075.00	378,075.00
10	355,000.00	<u>355,000.00</u>	<u>11,537.50</u>	<u>366,537.50</u>
TOTAL		<u>\$3,550,000.00</u>	<u>\$634,562.50</u>	<u>\$4,184,562.50</u>
AVG. PER YEAR		\$355,000.00	\$63,456.25	\$418,456.25

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL \$3,550,000.00
 ANTICIPATED INTEREST RATE 3.25%
 TERM 10 YEARS. TOTAL ANTICIPATED FEES: \$35,000.00
 ANTICIPATED ANNUAL COST (PRIN + INT): \$418,456.25
 TOTAL PAYBACK (ANNUAL COST x TERMS): \$4,184,562.50

PREPARED BY PAMELA BARRACK

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

Replacement County Phone System

DRAFT 06/22/10

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost: Estimated 1st Year "Net" Cost: \$47,000. See calculation below (1)
Subsequent years of this phone system will result in a net savings.

Total Current Year Revenue: No anticipated impact on revenue amounts.

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

Identify Line Items(s): H account lines (actual account number TBD)

Related Expenses: Amount \$ 3,550,000 Nature/Reason: 10 Year Capital Bond

Anticipated Savings to County: \$2,380,000 "net" savings over 10 years plus added
efficiencies to County Staff

Net County Cost This Year: \$47,000 – See calculation below (1)

5 Year Net County Cost: -\$1,702,000 - See savings calculation below (2)

Additional Comments/Explanation:

(1) 1st year "net cost is \$47,000. This is based on Year-1 Bond Principle/Interest (\$470,000) and subtracting the Year-1 operating budget savings (\$423,000). The operating budget savings is calculated as follows: \$688,000 for current system annual operating costs – \$265,000 for the new system annual costs.

(2) The total 5-year (2011-2015) net county cost is -\$1,702,000. This savings is calculated based on a projected 5-year cost of keeping the Current Telephone System (\$5,562,000) versus 5-Years of the New System (\$3,860,000). These take into account all Bond Costs (with interest) and Operating Budget Expenses (assuming a 3% annual increase for both the current and new phone systems)

Prepared by: Timothy E. Mahler, Commissioner of OCIS
Donald C. Miller, Director of Central Services

H0421 Replacement Telephone System

APPROPRIATIONS

Increase

H0421.1650.2500.10	Other Equipment 10 Year	3,515,000
H0421.1650.3900	Bond Issuing Costs	35,000
		<u>3,550,000</u>

REVENUE

Increase

H0421.1650.57100	Serial Bonds	3,550,000
		<u>3,550,000</u>

**Dutchess County Replacement Phone System - Cost/Savings
Year-by-Year Analysis**

	** Replacement System **		** Current System **		Yearly Savings	
	Phone Bond Cost	Phone/NW Oper Costs	"Stop Gap" Bond Costs	Phone/NW (3) Oper Costs		Total Cost
Year 1	\$470,375	\$265,000	\$0	\$688,000	\$688,000	-\$47,375
Year 2 (1)	\$458,838	\$272,950	\$328,755	\$808,640	\$1,137,395	\$405,608
Year 3 (2)	\$447,300	\$351,139	\$319,564	\$832,899	\$1,152,463	\$354,025
Year 4 (4)	\$435,763	\$361,673	\$310,373	\$828,886	\$1,139,259	\$341,824
Year 5	\$424,225	\$372,523	\$301,182	\$853,753	\$1,154,935	\$358,187
Year 6	\$412,688	\$383,699	\$291,991	\$879,365	\$1,171,356	\$374,970
Year 7	\$401,150	\$395,209	\$0	\$905,746	\$905,746	\$109,387
Year 8	\$389,613	\$407,066	\$0	\$932,919	\$932,919	\$136,240
Year 9	\$378,075	\$419,278	\$0	\$960,906	\$960,906	\$163,554
Year 10	\$366,538	\$431,856	\$0	\$989,733	\$989,733	\$191,340
	\$4,184,563	\$3,660,392	\$1,551,865	\$8,680,848	\$10,232,713	\$2,387,758

Notes

3% annual operating cost increases are assumed for both Current and Replacement systems.

10 Year bond for Replacement System; whereas Bond Council only allows 5 Years for the "Stop Gap" project.

(1) For Current System - in Year-2 the costs for the "Stop Gap" Bond and related annual maintenance for new network switches would start.

(2) For the Replacement System - in Year-3 there is a jump in operating costs as annual maintenance kicks in for the network switches coming off extended warranty.

(3) For Current System - the Year-1 Phone Operating Costs are based on the 2010 Central Services budget.

(4) For Current System - the Year-4 drop in costs under the "Phone/NW" column is based on removing maintenance on non-core/primary switches after two years as a cost savings measure.



New County Phone System

..... Cost Savings



..... Safety

..... Efficiencies

07/01/10

Current Phone System

Costly, Inefficient and Needs Replacing



- Verizon Intellipath Centrex Phone System
- Vendor Controls the Service and Provides Maintenance/Support
- 16 Years Old; in place since 1994
- Good System in "Its Day" – But No Longer Viable
- Comparatively High Annual Operating Costs (\$688,000)

The County Needs a New Phone System



WHY?

- To Obtain a \$2,380,000 “net” savings over 10 years
- Due to its Aging Technologies - Vendor support is deteriorating
..... *This will get much worse as the industry moves further away from the old technologies*
- There is No Upgrade Path on our Antiquated System
- Telephone Equipment is in Need of Replacing

(continued)

The County Needs a New Phone System



WHY?

- Able to Provide Productivity Tools to County Staff by Consolidating Voice and Data Networks
- To Improve Handling of 911 Calls from County Buildings
 - Current Phone System only locates a caller to a building

IN SUMMARY: Reduce Costs & Improve Phone Services

RFP Process / Selection

Collaborative Team Effort



Collaborative effort between Central Services, OCIS and ER in Research/RFP Process resulted in:

..... Saving more than \$100,000 in consulting fees.

- The Project Team has studied IP Phone Technologies over recent years.
 - We waited until this technology fully stabilized before moving forward
- The RFP Focus was for a New Phone System including Prerequisite Computer Network Equipment
- RFP Responses from Nine (9) Vendors at the end of August 2009
- Although alternative solutions were allowed, all 9 Vendors submitted proposals for IP-based Phone Systems.

(continued)

RFP Process / Selection

Collaborative Team Effort



Vendor Selection

- Hundreds of Hours Spent Assessing the Proposals
- Negotiations with Two (Finalists) -- This resulted in savings
- Verizon was Selected with their CISCO Unified Communications System based on:
 - Overall Cost of Ownership
 - Experience in IP-based Telephone Systems
 - System Reliability and Maintenance/Support
 - Meeting County Requirements

About the New System

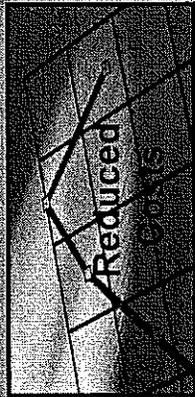
Cost Savings, Efficiencies and Safety



Annual Operating Costs to be Initially Reduced by 61% and Average Reduction Over 10 Years Projected at 54%

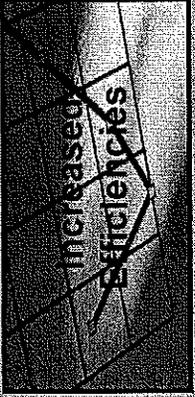
..... While at the same time the New System will provide efficiencies and time savings for the County's workforce.

- New Phones and Features (e.g. Caller Id)
- Unified Messaging – Integration of:
 - Voicemail
 - Email
 - Mobile
- Text or Voice messaging and Telephone Paging (individuals/groups)
- Mobility - Forwarding calls to Cell Phones
- Improved Audio Conferencing
- Video Conferencing (future)



About the New System

Cost Savings, Efficiencies and Safety



Administrative Improvements and Savings

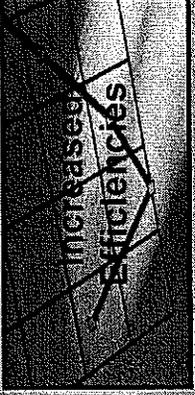
- Reduction in Annual Operating and Future Costs
 - *Saving Taxpayer monies*
- Ease of Making Telephone Changes
 - *Speeding service changes to departments*
- Simplify Telephone Service Billing
 - *Allowing for more productive time at Central Services*
- Better 911 Reporting for County Building Locations
 - *Improving safety for County employees and public visitors*

(continued)



About the New System

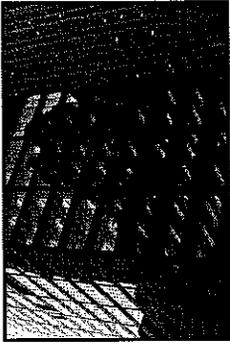
Cost Savings, Efficiencies and Safety



Administrative Improvements and Savings

- New Network Equipment for County Buildings –
... *Eliminating the need for an OCIS Capital Project Request*
- Leveraging Our Fiber Network for merging Voice and Data
... *Making the better use of previous County investments*
- Meets Current and Future Needs
... *Making this a sound investment*

New Phone System County Sites to be Covered



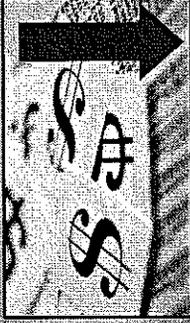
Large Scale Phone System

- 22 Market St. (County Office Bldg.)
- 236 Main St. (District Attorney)
- 50 Market St. (Probation)
- 60 Market St. (Social Services)
- 47 Cannon St. (Elections)
- 385 & 387 Main St. (Health Dept)
- 27 High St. (C.S., Planning, OFA & YB)
- 503 Haight Ave. (OCIS)

- 230 North Rd. (DMH)
- 392 Creek Rd. (Emer. Resp./911)
- 223 Main, Beacon (Health, DMV, Prob.)
- 626 Dutchess Turnpike (Highway)
- 150 North Hamilton St. (Sheriff/Jail)
- 131 County House Rd. Millbrook
(Eastern Dutchess Govt. Center)
- 47 Market St., Rhinebeck (DMH)

**Project Costs
and Long Term Savings**

More Than Two Million Saved Over Ten Years

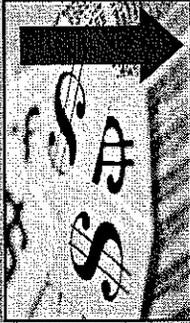


◆ **Payback on Investment in 2 Years**

◆ **\$2,380,000 Net Savings Over 10-Years**

Project Costs and Long Term Savings

More Than Two Million Saved Over Ten Years



Project Costs Including:	\$3,550,000
<ul style="list-style-type: none"> ▪ Implementation Services ▪ Network Equipment ▪ UPS Power – Short Term Outages ▪ Wiring Closet Changes & New Cabling as Required ▪ Telephone Services Software ▪ New Telephones ▪ Training – Employees and Project Team 	
Current Annual Operating Telephone Costs (based on 2010 Central Services Budget)	\$688,000
Annual Operating Costs - New System – 1st Year (Includes Telephone System and Network Hardware) Plus \$70,000 starting 3 rd year after hardware warranty	<u>\$265,000</u>
Annual Operating Budget Savings - 1st Year	\$423,000
Future Cost Avoidance – No “Stop Gap” Bond (Network switches, cabling and replace aging phones)	\$1,552,000

**Project Costs
and Long Term Savings**

Excellent Payback on Investment



<p>Project Payback \$2,380,000 savings over 10 Years</p>	
<p>Current System <u>10-Year</u> Projected Costs *</p>	<p>\$10,233,000</p>
<p>New System <u>10-Year</u> Projected Costs *</p>	<p>\$7,845,000</p>
<p>1st Year Net Cost (\$470K Bond Principle/Interest less \$423K Operating Budget savings)</p>	<p>\$47,000</p>
<p>2nd Year Net Cost (Net Savings taking into account Operating Budget & "Stop Gap" Bond starting Year 2)</p>	<p>-\$405,000</p>
<p><i>* Includes all Bond Costs (with Interest) and Operating Budget (assuming 3% annual inc.)</i></p>	

What Happens If We Wait

Higher Cost and System Degradation



- Continued Comparatively High Operating Costs -
..... *Resulting in Missed Opportunity to Save more than
\$400,000/Year in Budget Operating Costs*
- Existing old Network Equipment and Phones Will Need to be
Replaced Regardless of a New Telephone System
..... At a cost of over \$1,500,000
- The Quality of Our Telephone Service will Continue to Degrade
- Delay Improvements in Handling 911 Calls from County Buildings
- The "Writings on the Wall" that Old Centrex Phone Systems like
Ours Will be Phased Out - We'll be Forced to a New System
- Inevitable Transition to New System at a Higher Cost

"Response to Issues Raised"

July 10, 2010

IP Telephone Considerations for Dutchess County

July 12, 2010 – Below are OCIS and Central Services point-by-point responses to a communication sent to some legislators regarding the IP Phone System. Quoted sections of the communication are highlighted and in each case our responses to these comments follow.

Comment

The IP telephone project has been in the works for several years now and many responsible and capable employees have been a part of the extensive work that was done to bring this project to the point it is today. That being said, this document is not to censure the IP telephone undertaking but to present some facts or rectify information that appeared to be missing or inaccurate upon watching the financial committee meeting online. Misconceptions may have been drawn and certain information presented, that may create controversy if awareness is not known during the early stages of the projects' travel through the government approval and funding process.

Response -1

The words "inaccurate" and "misconceptions" are used. In no way is the information presented to the Legislature last week "inaccurate", or should it create "misconceptions". The following responses will clear up any new questions as a result of this communication.

Comment

Network hardware that previously only supported computer operations will now be supporting the entire voice and DATA *network*. This hardware is being replaced that will carry both the PC DATA and the telephone calls. That distinction will create new dynamics that need to be applied in the transition and expectations of IP telephony. Operation, dependability, and exposures to damage will change.

Response-2

As we indicated throughout our Legislative presentation, "Yes" both data and telephone calls will be carried on the same network (for instance slide labeled "8" - *Leveraging Our Fiber Network for merging Voice and Data Making the better use of previous County investments*". The many benefits of this integration are covered in slides 6, 7, 8 of our PowerPoint presentation.

The concern was raised above relative to "*new dynamics*", along with "*Operation, dependability, and exposures*". Yes, operational changes will be required with the new system. Most notably this involves OCIS now being involved with Central Services in the operation of the system. The Director of Central Services and Commissioner of OCIS have already delineated responsibilities of our departments in a responsibilities chart. The issues of "dependability" and

potential "exposures" were a major focus of the team and are addressed below under our Response-4.

Comment

The savings listed were not totally calculated properly, whereas several expenses will now be added to departmental budgets. Unless the all the finite detailed expenses are looked at, the costs and savings cannot be truly represented. Redistribution of some expenses will occur and some will be new. This is partially explained below **in bold**.

Response-3

We are unclear and somewhat bewildered how it was determined that *"the savings listed were not totally calculated properly"*. The cost analysis, including the projected \$2.38 million savings, which OCIS and Central Services prepared was thorough and we stand by the figures. In fact, as we indicated to the Legislature, if anything we were conservative in determining cost savings to ensure that the \$2.38 million would be achieved. As part of this, we made sure to project sufficient annual operating expenses. We are not aware of other capital project submissions that provided the Legislature with a more thorough cost analysis including a 10-year analysis of one-time and annual operational costs.

We've addressed throughout the document the **"in bold"** items that were mentioned relative to cost.

Comment

Total diversity between Data and telephone systems in place today will be eliminated and *all* communications will be carried on a single network. Single points of failure will be increased.

Response-4

While it is true the network hardware will now be handling both data and voice, the Central Services and OCIS personnel have examined those changes and concluded that any changes in operation will not affect the reliability of the network or telephone system.

A primary focus of our county network and telephone system design is to assure that there are no significant "single points" of failure and that both the County's computer applications and telephone system will be extremely dependable. The new telephone system will have more redundancy and reliability than the current telephone system. Below is a high-level synopsis of some of the design features that we have addressed including redundancy and system reliability:

1. In 2009 OCIS implemented new fiber optic network connections among and between county buildings. These fiber optic lines are the backbone of our computer systems and the proposed replacement phone system. OCIS

designed this network to have redundancy to assure "no single point of failures". Our fiber optic lines include:

- More than sufficient bandwidth for our current and future computer systems as well as the new phone system.
 - Multiple "self healing" fiber paths to county buildings. This means that if a fiber cable is damaged or the network electronics fail, transmission will automatically route to alternate paths with no phone or data outages.
 - There are dual separate fiber entrances into OCIS and E-911. This assures that if the fiber is damaged between the telephone pole and these buildings; the alternate fiber entrance is automatically used with no outages.
2. Voice and Data will use the same fiber but will be routed as separate Virtual Private Networks (VPN). The network has quad pathway redundancy and automatic alternate path routing which virtually eliminates any possibility of voice communication loss due to breaks in the fiber ring.
 3. The new phone system has been designed to in essence include dual systems. We will have one group of servers at OCIS and the second group at Emergency Response. If there is an outage at one of these sites; all telephone traffic will be automatically routed through the other site. These sites were selected due to existing physical diversity and building back-up facilities. These include power generators and redundant network connections. Utilizing both dual IP Telephony servers and dual fiber entrances, four separate simultaneous fiber failures would have to occur before the county buildings would automatically switch over to their local PSTN backup lines to maintain phone service.
 4. The new "Core" primary network switches have redundancy designed into them. Dual core primary switches with dual power supplies and network modules greatly reduce the possibility of a network failure at OCIS. The enhanced switches at each county site also have the ability to automatically route to E911 in the event of a total network failure at OCIS. The individual county buildings also have redundancy designed into every network closet.
 5. The project includes new higher capacity UPS (uninterruptible power supplies) units for network closets in all involved buildings. These will provide 4 hours power back-up; not 8-20 minutes.
 6. Data and Voice will be segmented on the network. Network "priorities" can be set to help Data assure response time and Telephone Quality of Service (QOS).
 7. Call Forwarding - During a power outage, the new system can be configured to automatically forward incoming calls to any cell phone or landline even if a site loses power. The call forwarding will be handled by the phone management system which is redundant and has UPS and generator back-up so lose of power will not affect this functionality.

8. As additional insurance of communication continuity, every IP Telephone site will have a standby direct connection to the Telco to allow a limited number of calls to be processed out through the Public Telephone Service Network (PSTN) in the event of a catastrophic network failure.

Comment

The "County" will become, in reality, a telephone company for County purposes. There will no longer be a "higher level" entity to contact for service, such as the PSC or Verizon. **Manpower to operate, service and maintain the added work and responsibilities has to be considered. That has a financial value.**

Response-5

It is true that the County will become responsible for set-up, configuration and management of its' own telephone equipment and user services. This was expressed as one of the ways of reducing telephone expenses and improving telephone services to the users in all meetings and briefings relating to the IP Telephone system. Refer to slide 7 of our PowerPoint presentation.

It is not totally accurate to indicate "*The County will become, in reality, a telephone company for County purposes*". The County will be responsible for operations of the telephone system with-in the confines of our network. However:

- All outside calls will use telephone trunking provide by Verizon. They are responsible to assure the reliability and service.
- The County will continue to have a "higher level" entity, Verizon or Public Service Commission (PSC), to contact if PSTN services are inadequate.
- Our proposal includes operating expenses for support contracts with Verizon and Cisco to resolve issues with all telephone and networks components that they are providing for this project.

The project team has evaluated the manpower requirements to support the data network and the IP Telephone system as a unified communication system. We've determined that existing Central Services and OCIS staff will be used to operate service and maintain the system.

Comment

All network equipment throughout the County will require UPS (uninterruptable power supply) battery backup supplies to be installed. I believe most or all are included in the proposal. The batteries, which vary in size, have an average life of 5 years and then need replacement. They will have to be monitored by an employee and replacement work done as needed by a qualified person to prevent outages when commercial power is lost, even for a second. **This will become a departmental expense.**

Response-6

As part of this project we have included funds to replace our existing UPS units for network equipment. OCIS network administration staffs are responsible for monitoring network equipment including related UPS units. Each UPS system has a network monitoring interface designed into them which automatically reports the status of the UPS and its batteries to the network monitoring application at OCIS.

Yes, we're aware that UPS batteries need to be replaced on periodic bases. The cost of battery replacement, as currently is the case, is covered in OCIS and Central Services operating budgets. There will be no increases in our budgets. No costs will be incurred by other departments.

Existing staff will be used to monitor and replace UPS batteries as needed.

Comment

It also projects negatively of Dutchess County being a "Green" County as heavily promoted. Notable quantities of lead and chemicals will need to be disposed of as replacements are made. **The battery purchase and disposals are a hidden expense for the County.** They will need to come out of the operating budgets as it stands now.

Response-7

In no way does this project cast negatively on the County's "Green" initiative. In fact consolidating the Data and Voice networks into one further promotes and extends these initiatives. Refer to the following section "Response-8" relative to "Green" initiatives.

We currently have UPS units in network and telephone closets; the units in this project will simply replace what we have. Batteries will be properly recycled as they are now.

When replacement batteries are ordered and installed the replaced batteries are shipped back to the manufacturer.

As indicated previously, there are no hidden costs here.

Comment

Typically these small, local UPS units are designed to provide only minutes of service to the network hardware and telephones. This duration depends on the design of the equipment layout and user needs. A generator must be in place to guarantee telephone (and PC) service beyond these few minutes provided by the UPS. The UPS is the single, most vulnerable item and would be the root cause of entire, distinct areas of failure if commercial power is lost and a generator is not online within that window of time. A "gracious" window of time would be about 8-20 minutes, taking into account the size of the UPS, battery condition and the number of telephones connected to the network equipment, of course. **Electricity usage will be heightened with the added network hardware and UPS units.**

Response-8

The UPS battery time is 4 hours; not 8-20 minutes. Our RFP indicated *"The solution must also provide for PoE and four (4) hours of system operation during primary power outages". The selected vendor(s) has provided equipment lists containing UPS devices capable of meeting the 4 hour backup power requirement.*

NOTE: The current Centrex system provides a maximum of 2 hour backup power support to all of the ISDN telephone sets. Virtually all key telephones in the County 486-2000 (CE), 3000 (DSS), 3400 (Health), 2700 (DMH), 2555 (Aging), 2600 (Probation), 2121 (DPW), 2280 (PD), 2300 (DA), 3800 (Sheriff) currently have just 2 hours of backup power.

Regarding the comment *"electricity usage will be heightened with added network hardware and UPS units". Any additional electricity will be dwarfed by electric savings that OCIS and Central Services has provided to County departments through the following recent "Green" initiatives*

- "Reduced" Footprint Lenovo Personal Computers provide reduced energy consumption. The Lenovo Desktop units being deployed have the following ratings: EPEAT Gold Rating, ENERGY Star 5.0 Compliant, GREEN GUARD Certified, and ROHS Compliant.
- LCD monitors have replaced CRT Monitors. Power consumption for an LCD monitor is usually about 40 watts. In contrast, the power consumption for a comparable CRT monitor may be over three times as great. As a consequence, operating costs for LCD monitors are significantly lower.
- The multi function copier program has enabled Central Services and OCIS to utilize features of the copiers in departments for printing, scanning, and faxing. This is eliminating the need for the purchase of large scale network printers and small individual desktop printers. This saves not just on electricity but also the cost of toner and inkjet cartridges for multiple printer types in the county.
- Network Consolidation of Servers. Due to the Fiber Network we have been able to bring all network servers back from client locations such as the County Office Building back to OCIS. This eliminates the need for having these large devices in network closets, reduces the power consumption at those sites, and helps to reduce cooling requirements. As part of the Network Server consolidation OCIS has been moving away from standalone servers to IBM Blade Center Servers using shared storage, shared power, and in some cases supporting multiple servers on one individual blade.

Generator Issue:

- For electrical outages exceeding four hours that UPS' are specified to support will switch over to generator power where that option is supported. The primary and secondary call center sites (OCIS and Emergency Response) have generator capability along with large UPS systems. The generators at these sites come online if power is provided from the UPS system for longer than 10 seconds due to a utility power outage. They are also smart enough to transfer power back from the generator to utility power when the UPS Systems notice that public utility power has been restored.

Comment

911 call records (templates) of each County telephone number in service with Verizon Centrex will no longer exist as they do today. They will be purged from the Verizon Automatic Line Identification (ALI) database as the County takes over the telephone numbers into the IP system. 911 calls will be handled differently and the displayed number at the 911 center will not be the caller's line number any longer. A pseudo number will appear with the location display to be determined on how the 911 call handling is setup in the construction stage. (Floor, wing, ETC)

Response-9

911 – As was previously discussed, the new system will provide greater 911 location accuracy than the current system as was previously discussed. Currently, when 911 receives a telephone number and a physical address e.g. (845) 486-2112, 22 Market St. They do not know from the info presented who made the call, what floor the call came from or what specific area of the floor unless the caller is able to tell them. The new Phone system will provide telephone number, physical address, floor and quadrant, e.g. (845) 486-2112, 22 Market St., 6th floor, Northeast even if the caller cannot say a word. This new information will be delivered even in the event of a catastrophic network failure.

Comment

Telephone electricity usage will become the Departments responsibility with the IP system. Today the telephone network (Centrex) operates on 48 volt power from the Verizon network with no County billable electricity usage. The IP system telephone obtains its power from the network equipment that is plugged into the County electrical systems. This is called Power over Ethernet or POE and comes from County purchased electricity.

Response-10

Of the 1800 telephone lines that will be affected by the IP Telephone system approximately 1500 currently use public utility power that is paid for by Dutchess County Government. Electricity cost increases associated with the IP Telephone system, if any, will be minimal.

Refer to our Response-8 which provides details regarding reduced energy usage through our initiatives. These more than negate any relatively minor increase in electrical usage for the "Power Over Ethernet (POE)"

Comment

The possibility is raised that additional electrical outlets or circuits will need to be added in the DATA closets. *Each* phone uses between 3-7 watts (or more at times) of power, 24 hours a day. Additionally, the heat generated by the network equipment that will be used to power the phones will increase, and depending on the equipment room airflow, they may require added ventilation or AC to be installed.

Response-11

These issues have been discussed extensively by the team. Related costs are covered in our project. PowerPoint slide #11 mentions "Wiring Closet Changes".

Comment

The IP phones become the connection point for the users' computer. That is, the PC plugs into the phone and not the wall in most locations. If the phone instrument electrically fails, the PC may be disabled leaving the user without any communication. **The projected restoral time becomes urgent and is a consideration for manpower needs.**

Response-12

The entire IP Telephone system has redundancy except at the individual user desktop, which is also the case with our current environment..

Data and voice will be cabled from the wall to the phone then from the phone to the PC. Because the information flowing through that connection is on separate VPNs and the packets are tagged separately as voice and data, the telephone does not affect data and data does not affect voice. A telephone set failure will not produce a data communication failure and a PC failure will not produce a voice communication failure unless the telephone set failure is due to the internal power supply.

An individual phone failure may not normally cause a PC outage since the phone has two separate components, the phone electronics and a switch component for the PC attachment. In the event of a single total phone failure, the CAT5 wall cable attached to the phone can simply be cabled directly to the PC to bypass the phone which will allow the PC to continue data communications with the network.

Service restoral requirements are no different than they are today. However, the County will have better control over the process and assets to restore voice service.

Final Comment

These are the most notable exceptions, but there are others. There is no doubt that IP is the future but it has its pluses and minuses, which change as time goes forward. Selling it on projected savings alone should raise the caution flag. The committee meeting didn't discuss much beyond the benefits and so I contribute this memo for consideration.

Response-13

The presentation to the Legislature on the IP Phone system included detailed information on productivity and efficiencies to be gained, as well as cost savings. We stand by our earlier presentation and hope this additional information is helpful.

Discussion on the foregoing Resolution No. 2010208 resulted as follows:

Legislator Flesland moved to "Call the Question" duly seconded by Legislator Cooper.

Roll call vote on the foregoing motion to "Call the Question" resulted as follows:

AYES: 16 – Rolison, Cooper, Flesland, Horn, Borchert, Sadowksi, Roman, Weiss, Bolner, Incoronato, Miccio, Traudt, Horton, Hutchings, Thomes, Surman

NAYS: 7 – Goldberg, Doxsey, Jeter-Jackson, Tyner, MacAvery, Forman, Kelsey.

ABSENT: 2 – Kuffner, White.

Motion adopted.

Roll call vote on the foregoing Resolution No. 2010208 resulted as follows:

AYES: 20 – Rolison, Cooper, Flesland, Goldberg, Horn, Borchert, Sadowksi, Roman, Jeter-Jackson, Tyner, Weiss, Bolner, Incoronato, Miccio, Forman, Traudt, Hutchings, Thomes, Surman, Kelsey.

NAYS: 3 – Doxsey, MacAvery, Horton,

ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010209

RE: AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE WORKFORCE INVESTMENT ACT OF 1998 AND THE TRADE ADJUSTMENT ASSISTANCE ACT

LEGISLATORS BORCHERT, ROLISON, COOPER, and HORTON offer the following and move its adoption:

WHEREAS, the United States Congress enacted the Workforce Investment Act of 1998 (WIA) and the Trade Adjustment Assistance (TAA) Program to provide the framework for a unique workforce preparation and employment system designed to meet both the needs of businesses and the needs of job seekers and those who want to further their careers, and

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County for the operation of FY 2008 TAA for the period 10/01/07 through 9/30/10, FY 2009 TAA funding for the period 10/01/08 through 9/30/11, FY 2010 TAA funding for the period 10/1/09 through 9/30/12, and for the operation of PY 2010 Title 1B Youth for the period 4/1/10 through 6/30/10 and for the operation of PY 2010 Title 1B Administration now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized, empowered and directed to accept funding under the above WIA Programs and amend the following accounts:

APPROPRIATIONS

Increase (Decrease)

FY 2008

CD6292.2008.4813	TAA Participant Funding	\$ (7,353)
CD6292.2008.4813.125	TAA Job Search Funding	189

FY 2009

CD6292.2009.4813	TAA Participant Funding	7,367
CD6292.2009.4813.125	TAA Job Search Funding	439

FY 2010

CD6292.2010.4813	TAA Participant Funding	51,827
CD6292.2010.4813.126	TAA Job Relocation Funding	7,834

PY 2010

CD6292.2010.4803	T-1B Youth	533,192
CD6292.2010.4804	T-1B Administration	<u>59,244</u>
		<u>\$ 652,739</u>

REVENUES

Increase (Decrease)

FY 2008

CD6292.2008.47910.22	TAA Participant Funding	\$ (7,353)
CD6292.2008.47910.11	TAA Job Search Funding	189

FY 2009

CD6292.2009.47910.22	TAA Participant Funding	7,367
CD6292.2009.47910.11	TAA Job Search Funding	439

FY 2010

CD6292.2010.47910.22	TAA Participant Funding	51,827
CD6292.2010.47910.12	TAA Job Relocation Funding	7,834

PY 2010

CD6292.2010.47910.02	T-1B Youth	533,192
CD6292.2010.47910.04	T-1B Administration	<u>59,244</u>
		<u>\$ 652,739</u>

CA-118-10

RA/CRC/ca/G-1263

6/15/10

Fiscal Impact: See attached Statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 7/26, 2010

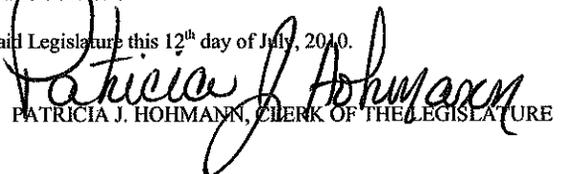
STATE OF NEW YORK

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 12th day of July, 2010, 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 12th day of July, 2010.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 652,739

Total Current Year Revenue \$ 652,739
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 \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Richard Altman - Executive Director Dutchess County Workforce Investment Board



New York State Department of Labor
David A. Paterson, Governor
Colleen C. Gardner, Commissioner

April 20, 2010

Mr. William R. Steinhaus
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Steinhaus:

The Local Workforce Investment Board of Dutchess County has submitted requests for funds to support the individual training plans under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Department of Labor (NYSDOL) Technical Advisory (TA) #04-6 dated May 18, 2004.

The NYSDOL Division of Employment and Workforce Solutions has been reviewing the requests for funding submitted and as a result, is issuing a change to the LWIA's Notice of Obligational Authority (NOA) for the attached list of new individual training plan funds approved and any changes to previously approved awarded individual training plan funds.

The attached NOA(s) along with a complete list of approved individual funding requests by petition number supports these changes. As a reminder, the funds awarded to the LWIA under this training program may be expended only for the training costs identified in the approved training plans for the individuals listed and must be reported to NYSDOL by the LWIA on a monthly basis. In the event training does not occur or the final costs are less than requested, the funds remaining unexpended will be deobligated and are not available for the LWIA's use.

Questions concerning the TAA program can be e-mailed to the NYSDOL at WDTDTAA@labor.state.ny.us. Questions concerning the NOA or reporting of the expenditures should be directed to Sharie FitzGibbon via phone at (518) 457-9060 or via e-mail at Sharie.FitzGibbon@labor.state.ny.us.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment(s)

cc: Ms. Corinna C. Wu
Ms. Carrie Aubertine - State Rep
Mr. Richard Altman
Mr. Joe Lowenstein

Phone: (518) 457-0380 Fax: (518) 457-9526
W. Averell Harriman State Office Campus
Building 12, Room 450, Albany, NY 12240
www.labor.ny.gov

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 60 NOA #EY08- 9

LWIA: Dutchess County GRANTOR: The Governor of New York through
Grantee: William R. Steinhaus the New York State Department
County Executive, Dutchess County of Labor

This NOA authorizes Program Year 2008 funding for the period (10/01/07 through 09/30/10).

NY SDOL Contact: Carrie Aubartine TELEPHONE: (516) 457-6239

<u>TAA</u> <u>GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
Training	\$23,727.35	\$751.50	\$24,478.85
Job Search	\$0.00	\$101.11	\$101.11

Approved
by:


Karen A. Coleman 04/20/10
Director
Division of Employment and Workforce Solutions

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

NOA #FY09- 14

LWIA: Dutchess County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

Grantee:

William R. Steinhaus
County Executive, Dutchess County

This NOA authorizes Program Year 2009 funding for the period (10/01/08
through 09/30/11).

NYSOOL Contact: Carrie Aubertine

TELEPHONE: (518) 457-0239

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
Training	\$741,290.85	(\$2,683.00)	\$738,607.85
Job Relocation	\$0.00	\$0.00	\$0.00
Job Search	\$0.00	\$0.00	\$0.00

Approved
by:



04/20/10

Karen A. Coleman
Director
Division of Employment and Workforce Solutions

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

NOA #FY10- 3

LWIA: Dutchess County
Grantee:

William R. Steinhaus
County Executive, Dutchess County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

This NOA authorizes Program Year 2010 funding for the period (10/01/09
through 09/30/12).

NYSDEL Contact: Carrie Aubertine

TELEPHONE: (518) 457-0239

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
Training	\$81,057.25	\$9,254.50	\$90,311.75
Job Relocation	\$0.00	\$0.00	\$0.00
Job Search	\$0.00	\$0.00	\$0.00

Approved
by:

 4/20/2010
 Karen A. Coleman
 Director
 Division of Employment and Workforce Solutions



New York State Department of Labor
David A. Paterson, Governor
Colleen C. Gardner, Commissioner

May 19, 2010

Mr. William R. Steinhaus
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Steinhaus:

The Local Workforce Investment Board of Dutchess County has submitted requests for funds to support the individual training plans under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Department of Labor (NYSDOL) Technical Advisory (TA) #04-6 dated May 18, 2004.

The NYSDOL Division of Employment and Workforce Solutions has been reviewing the requests for funding submitted and as a result, is issuing a change to the LWIA's Notice of Obligational Authority (NOA) for the attached list of new individual training plan funds approved and any changes to previously approved awarded individual training plan funds.

The attached NOA(s) along with a complete list of approved individual funding requests by petition number supports these changes. As a reminder, the funds awarded to the LWIA under this training program may be expended only for the training costs identified in the approved training plans for the individuals listed and must be reported to NYSDOL by the LWIA on a monthly basis. In the event training does not occur or the final costs are less than requested, the funds remaining unexpended will be deobligated and are not available for the LWIA's use.

Questions concerning the TAA program can be e-mailed to the NYSDOL at WDTDTAA@labor.state.ny.us. Questions concerning the NOA or reporting of the expenditures should be directed to Sharie FitzGibbon via phone at (518) 457-9060 or via e-mail at Sharie.FitzGibbon@labor.state.ny.us.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment(s)

cc: Ms. Corinna C. Wu
Ms. Carrie Aubertine - State Rep
Mr. Richard Altman
Mr. Joe Lowenstein

Phone: (518) 457-0380 Fax: (518) 457-9526
W. Averell Harriman State Office Campus
Building 12, Room 450, Albany, NY 12240
www.labor.ny.gov

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

NOA #FY08- 10

LWIA: Dutchess County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

Grantee:

William R. Steinhaus
County Executive, Dutchess County

This NOA authorizes Program Year 2008 funding for the period (10/01/07
through 09/30/10).

NYS DOL Contact: Carrie Aubertine

TELEPHONE: (518) 457-0239

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
Training	\$24,478.85	(\$8,103.96)	\$16,374.89
Job Search	\$101.11	\$87.35	\$188.46

Approved
by:



Karen A. Coleman
Karen A. Coleman
Director
Division of Employment and Workforce Solutions

05/19/10

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

NOA #FY09- 15

LWIA: Dutchess County
Grantee:
William R. Steinhaus
County Executive, Dutchess County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

This NOA authorizes Program Year 2009 funding for the period (10/01/08
through 09/30/11).

NYS DOL Contact: Carrie Aubertine

TELEPHONE: (518) 457-0239

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
Training	\$738,607.85	\$7,073.75	\$745,681.60
Job Relocation	\$0.00	\$0.00	\$0.00
Job Search	\$0.00	\$438.06	\$438.06

Approved
by:



Karen A. Coleman
Director
Division of Employment and Workforce Solutions

05/19/10

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

NOA #FY10- 4

LWIA: Dutchess County
Grantee:

William R. Steinhaus
County Executive, Dutchess County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

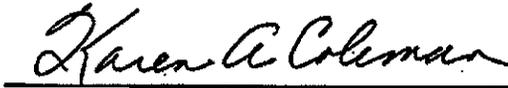
This NOA authorizes Program Year 2010 funding for the period (10/01/09
through 09/30/12).

NYSBOL Contact: Carrie Aubertine

TELEPHONE: (518) 457-0239

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
Training	\$90,311.75	\$22,828.80	\$113,140.55
Job Relocation	\$0.00	\$0.00	\$0.00
Job Search	\$0.00	\$0.00	\$0.00

Approved
by:



5/19/2010

Karen A. Coleman
Director
Division of Employment and Workforce Solutions



New York State Department of Labor
David A. Paterson, Governor
Colleen C. Gardner, Commissioner

June 9, 2010

Mr. William R. Steinhaus
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Steinhaus:

The Local Workforce Investment Board of Dutchess County has submitted requests for funds to support the individual training plans under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Department of Labor (NYSDOL) Technical Advisory (TA) #04-6 dated May 18, 2004.

The NYSDOL Division of Employment and Workforce Solutions has been reviewing the requests for funding submitted and as a result, is issuing a change to the LWIA's Notice of Obligational Authority (NOA) for the attached list of new individual training plan funds approved and any changes to previously approved awarded individual training plan funds.

The attached NOA(s) along with a complete list of approved individual funding requests by petition number supports these changes. As a reminder, the funds awarded to the LWIA under this training program may be expended only for the training costs identified in the approved training plans for the individuals listed and must be reported to NYSDOL by the LWIA on a monthly basis. In the event training does not occur or the final costs are less than requested, the funds remaining unexpended will be deobligated and are not available for the LWIA's use.

Questions concerning the TAA program can be e-mailed to the NYSDOL at WDTDTAA@labor.state.ny.us. Questions concerning the NOA or reporting of the expenditures should be directed to Sharie FitzGibbon via phone at (518) 457-9060 or via e-mail at Sharie.FitzGibbon@labor.state.ny.us.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment(s)

cc: Ms. Corinna C. Wu
Ms. Carrie Aubertine - State Rep
Mr. Richard Altman
Mr. Joe Lowenstein

Phone: (518) 457-0380 Fax: (518) 457-9526
W. Averell Harriman State Office Campus
Building 12, Room 450, Albany, NY 12240
www.labor.ny.gov

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

NOA #FY09- 16

LWIA: Dutchess County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

Grantee:

William R. Steinhaus
County Executive, Dutchess County

This NOA authorizes Program Year 2009 funding for the period (10/01/08 through 09/30/11).

NYSOL Contact: Carrie Aubertine

TELEPHONE: (518) 457-0239

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
Training	\$745,681.60	\$2,975.65	\$748,657.25
Job Relocation	\$0.00	\$0.00	\$0.00
Job Search	\$438.06	\$0.00	\$438.06

Approved
by:



Karen A. Coleman
Director
Division of Employment and Workforce Solutions

06/09/10

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

NOA #FY10- 5

LWIA: Dutchess County
Grantee:

William R. Steinhaus
County Executive, Dutchess County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

This NOA authorizes Program Year 2010 funding for the period (10/01/09
through 09/30/12).

NYSDEL Contact: Carrie Aubertine

TELEPHONE: (518) 457-0239

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
Training	\$113,140.55	\$19,743.33	\$132,883.88
Job Relocation	\$0.00	\$7,833.85	\$7,833.85
Job Search	\$0.00	\$0.00	\$0.00

Approved
by:


Karen A. Coleman 6/9/2010
Director
Division of Employment and Workforce Solutions



New York State Department of Labor
David A. Paterson, Governor
Colleen C. Gardner, Commissioner

May 4, 2010

Mr. William R. Steinhaus
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Steinhaus:

Attached is Notice of Obligational Authority (NOA) #PY10-01 for LWIA – Dutchess County.

NOA PY10-01 represents funding for the Program Year 2010 for the WIA Title IB Youth program. These funds are available for the period April 1, 2010 - June 30, 2012.

Questions concerning this information should be directed to your State Representative.

Sincerely,

A handwritten signature in cursive script that reads "Karen A. Coleman".

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment

cc: Ms. Corinna C. Wu
Ms. Carrie Aubertine - State Rep
Mr. Richard Altman
Mr. Joe Lowenstein

NOTICE OF OBLIGATIONAL AUTHORITY

LNIA# 60

NOA #FY10- 1

LNIA: Dutchess County
Grantee: William R. Steinhaus
County Executive, Dutchess County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

This NOA authorizes Program Year 2010 funding for the period (07/01/10
through 6/30/12), except Youth (04/01/10 through 6/30/12.)

NYSDEL Contact: Carrie Aubertine

TELEPHONE: (518) 457-0239

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CPDAH 17.259 T-EB Youth	\$0.00	\$533,191.50	\$533,191.50
CPDAH 17.250,17.259,17.260 T-1B Admin	\$0.00	\$59,243.50	\$59,243.50
CPDAH 17.258 T-1B Adult	\$0.00	\$0.00	\$0.00
CPDAH 17.260 T-1B Dislocated Worker	\$0.00	\$0.00	\$0.00

Approved by:



05/04/10

Karen A. Coleman
Director
Division of Employment and Workforce Solutions

Roll call vote on the foregoing Resolution No. 2010209 resulted as follows:

AYES: 20 NAYS: 3 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010210

RE: AMENDING THE 2010 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE (A.4320.42)

LEGISLATORS HORN and HORTON offer the following and move its adoption:

WHEREAS, the Commissioner of Mental Hygiene has advised that the New York State Office of Mental Health has approved an increase in state aid for Dutchess County effective July 1, 2010 for the Development of Alternatives to Hospitalization and Discharge Coordination, and

WHEREAS, the Office of Mental Health approved a plan submitted by Dutchess County reallocating the savings associated with the 2009 closure of St. Francis Hospital's Adolescent Psychiatric Inpatient Unit and the resulting decrease of inpatient beds at St. Francis Hospital, and

WHEREAS, the plan and funding require no County match, and

WHEREAS, it is necessary to amend the 2010 Adopted County Budget to provide for receipt and expenditure of said funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2010 Adopted County Budget as follows:

APPROPRIATIONS

Increase

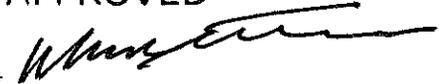
A.4320.42.4400.4447	Contract Agencies Astor Home	\$105,042
A.4320.42.4400.4655	Contract Agencies PEOPLE	<u>28,000</u>
		<u>\$133,042</u>

REVENUES

Increase

A.4320.42.34900.40	Mental Health Astor Child Guidance	\$105,042
A.4320.42.34900.55	Mental Health PEOPLE	<u>28,000</u>
		<u>\$133,042</u>

APPROVED



CA-115-10 ca/C-8152
6/8/10 revised 6/28/10

Fiscal Impact: See attached statement

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

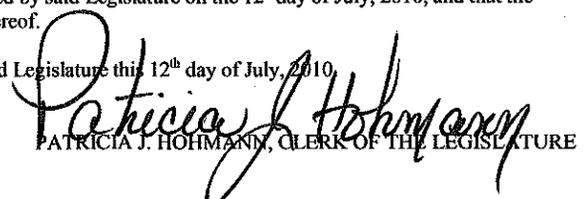
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

7/26 2010

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

C 8152



Dutchess
County
Department of
Mental Hygiene

Dutchess

William R. Steinhaus
County Executive

Kenneth M. Glatt, Ph.D.
Commissioner

230 North Road
Poughkeepsie
New York
12601
(845) 485-9700
Fax(845) 485-2759

Memorandum

TO: Valerie J. Sommerville, Budget Director

FROM: Gerald A. Brisley, II, MBA, Director, Office of Budget and Finance *pe*

RE: 2010 BUDGET RESOLUTION – SFH BED CLOSURE

DATE: June 25, 2010

Per my discussion with Jessica White, DMH is submitting a revision to the above indicated resolution. During our review of the revised 2010 OMH State Aid Letter we discovered that we inadvertently included funding in the resolution which Astor will receive from Medicaid. This funding does not pass-through DMH and, consequently, DMH does not have to include it in its appropriations or revenues. Revised appropriation line and revenue line modifications are attached to this memo, as well as a revised Fiscal Impact Statement.

If you have any questions, please do not hesitate to contact me at X-2771.

Encl.

cc: Kenneth M. Glatt, Ph.D., ABPP, Commissioner
 Stockton Clark, MPA, Division Chief
 Frank DeSiervo, LCSW, Division Chief

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ 133,042

Total Current Year Revenue \$ 133,042
and Source

100% NYS OMH

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

Identify Line Items(s):
See Attached

Related Expenses: Amount \$ _____
Nature/Reason:

Anticipated Savings to County: \$24,772

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

Additional Comments/Explanation:
\$316,628 was allocated to Dutchess County for alternatives to hospitalization / discharge coordination. As the funding commitment begins 7/1/10, the 2010 budget needs to be amended. Of the \$316,628, \$167,814 will be appropriated in the 2011 budget. Of the remaining \$167,814, \$24,772 in personnel costs were already budgeted in the 2010 budget. \$133,042 is appropriated in this resolution in order to fulfill program objectives.

Prepared by: Gerald A. Brisley, II, MBA, Director, Office of Budget and Finance



Michael F. Hogan, Ph.D. Commissioner

44 Holland Avenue
Albany, New York 12229

June 18, 2010

Kenneth M Glatt, Ph.D. ABPP
Commissioner
Dutchess Co Dept of Mental Hyg
230 North Rd
Poughkeepsie, NY 12601

Dear Commissioner Glatt, Ph.D. ABPP:

The NYS Office of Mental Health (OMH) is reissuing your January 1, 2010 to December 31, 2010 State Aid letter to reflect your latest allocation. Your total allocation amount at this time is \$8,083,351.

Final Consolidated Budget Reports will be due November 1, 2010. The Consolidated Claim Report and Consolidated Financial Report for local fiscal year 2010 are due May 1, 2011. Guidelines for completion of the CBR/CCR/CFR can be accessed through the OMH website. If any of your providers need assistance in completing these forms, they should contact the OMH Help Desk at 1-800-HELPNYS.

PLEASE BE AWARE THAT OMH IS CURRENTLY PROCESSING THE JULY QUARTERLY PAYMENTS TO COUNTIES WHO HAVE SUBMITTED AND ARE IN COMPLIANCE WITH ALL OF OMH'S FINANCIAL REPORTING REQUIREMENTS. PLEASE REFER TO THE LETTER DATED JUNE 18TH THAT WAS SENT UNDER SEPARATE COVER TO COUNTY MENTAL HEALTH DIRECTORS/COMMISSIONERS.

The Aid to Localities Spending Plan Guidelines which explain the reporting and use requirements of your authorized funding can be also be accessed through the OMH website. Please share this website with all of your subcontract providers so that they may become familiar with the guidelines that apply to them, and refer to the guidelines as necessary. As a reminder, failure to submit the PAS, CBR, CCR or CFR schedules in a timely manner may result in the delay of subsequent State aid payments and/or Medicaid payments.

Inherent in OMH's budget and claiming policy is an expectation that your Department will monitor expenditures against budgeted costs throughout the year. Please notify your OMH field office of any significant fiscal or programmatic problems as soon as they become known. If you have questions regarding any local mental health fiscal issues, including questions regarding the information or instructions that are included in this letter, please call William Porter at (845)454-8229.

Sincerely,
Margaret A. LaWare, Director
Administrative Services Unit
Community Budget & Financial Management

Att.
cc: William Porter



Hudson River Field Office

4 Jefferson Plaza, Suite 3, Poughkeepsie, New York 12601

(845) 454-8229

Fax (845) 454-8218



May 26, 2010

Marcia L. Fazio
Field Office Director

Kenneth M. Glatt, Ph.D., Commissioner
Dutchess County Department of Mental Health
230 North Road
Poughkeepsie, New York 12601

Dear Dr. Glatt:

The Office of Mental Health is able to approve the plan submitted by Dutchess County reallocating the savings associated with the decrease of inpatient beds at St. Francis Hospital.

The July CY 2010 State Aid letter will include increased State Aid for Dutchess County effective July 1, 2010. For your convenience, the Funding Code has been filled in on the table submitted with the Dutchess County Plan. This will allow you to begin the county process of amending contracts, submitting MHPD changes and submitting a PAR for the proposed Partial Hospital Program.

Funding Code	Cost	Program Code	Program Name	Provider	Comments
200	\$49,544	1760	Advocacy	County	total cost is \$106, 185. Balance (\$56,641) to be covered by County tax levy
46G	\$65,185	1760	Advocacy	Astor	
200	\$84,375	2200	Partial Hospital	Astor	Amount in cost column is 50% of projected \$168,750 Medicaid. No State Aid is allocated for this program.
46G	\$144,896	3040	HBCI	Astor	
200	\$56,000	1760	Advocacy	PEOPLE	
*	\$400,000				

(* CY 2010 value is 1/2 the amount listed)

Funding is limited for the approved programs in the plan and is not able to be used for other purposes. If you have any questions, please feel free to contact Roseann Avella or William Porter at (845) 454-8229.

Sincerely,

Marcia Fazio
Field Office Director

MIF:smm

cc: Roseann Avella
May Lum
William Porter
AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Discussion on the foregoing Resolution No. 2010210 resulted as follows:

Legislator Kelsey stated that he was employed by People Inc., and he would respectfully request to abstain.

Chairman Rolison stated so granted.

Roll call vote on the foregoing Resolution No. 2010210 resulted as follows:

AYES: 22 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSTENTION: 1 – Kelsey. ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010211

RE: AUTHORIZING THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY, AS AN URBAN COUNTY, UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR 2010

Legislators ROLISON, COOPER, FLESLAND, BORCHERT, HORN, MICCIO, ROMAN, FORMAN, BOLNER, INCORONATO, and SURMAN offer the following and move its adoption:

WHEREAS, pursuant to Resolution No. 209168, this Legislature authorized the County's participation, as an Urban County, in the Community Development Block Grant (CDBG) Program pursuant to the Housing and Community Development Act, approving the filing of applications for federal assistance for said program, and

WHEREAS, the application for 2010 was accepted and approved by the U.S. Department of Housing and Urban Development in the amount of \$1,592,578, and

WHEREAS, for internal control it is necessary to assign a Community Development account to receive and disburse the 2010 funds, now, therefore, be it

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to establish a Community Development account for the 2010 Community Development Block Grant (CDBG) as follows:

**COMMUNITY DEVELOPMENT BLOCK GRANT
2010 FUNDING ALLOCATIONS**

INCREASE	MUNICIPALITY AND PROJECT	AMOUNT
CD8662.2700.2600	TOWN OF DOVER Cart Road Improvements	\$125,000
CD8670.2700.4089	TOWN OF PAWLING Lakeside Park Trail and Playground	\$100,000
CD8662.2700.4400	TOWN OF PLEASANT VALLEY North Ave. Sidewalk Replacement	\$150,000
CD8670.2700.5689	TOWN OF WAPPINGER Baseball Field Handicapped Improvements	\$100,000

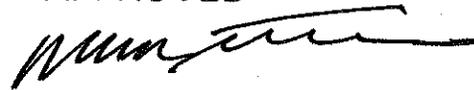
CD8670.2700.5889	TOWN OF WASHINGTON Town Park Handicapped Accessibility	\$100,000
CD8662.2700.3801	VILLAGE OF MILLERTON Sidewalk Repair and Replacement	\$125,000
CD8670.2700.4001	VILLAGE OF PAWLING Handicapped Accessible Sidewalks	\$56,953
CD8662.2700.4803	VILLAGE OF TIVOLI Montgomery & Spring Street Improvements	\$150,000
	Municipality Subtotal	\$906,953
CD8662.2700.0200	CITY OF BEACON Tioronda Bridge Infrastructure Improvements	\$191,109
	Beacon Subtotal	\$191,109
	MUNICIPAL FUNDING TOTAL	<u>\$1,098,062</u>

INCREASE	HUMAN SERVICE AGENCY AND PROJECT	AMOUNT
CD8676.4400.4407	CHILD ABUSE PREVENTION CENTER Child Advocacy Center	\$22,000
CD8676.4400.4451	FRIENDS OF SENIORS OF DUTCHESS COUNTY CORP. Friends of Seniors of Dutchess County Corp.	\$22,000
CD8676.4400.4425	HUDSON RIVER HOUSING, INC. River Haven	\$22,000
CD8676.4400.4425	HUDSON RIVER HOUSING, INC. Supportive Services	\$22,000
CD8676.4400.4690	LITERACY CONNECTIONS OF DC Adult & Family Literacy	\$22,000
CD8676.4400.4458	MARTIN LUTHER KING CULTURAL CENTER Community Partnership with School and Business	\$22,000
CD8676.4400.4645	MID HUDSON ADDICTION RECOVERY CENTER Residential Recovery & Intensive Case Mgmt.	\$22,000
CD8676.4400.4658	NORTH EAST COMMUNITY COUNCIL Youth Enrichment	\$22,000
	HUMAN SERVICE TOTAL	<u>\$176,000</u>

<u>INCREASE</u>	<u>ECONOMIC DEVELOPMENT</u>	<u>AMOUNT</u>
CD.8687.4400.4419	POUGHKEEPSIE/DUTCHESS DEVELOPMENT, INC. Empire Zone	\$30,000
	ECONOMIC DEVELOPMENT TOTAL	<u>\$30,000</u>
	SUBTOTAL	<u>\$1,274,062</u>
CD8686.4408.1313	DUTCHESS COUNTY - ADMINISTRATION	\$288,516
	ADMINISTRATION TOTAL	<u>\$288,516</u>
	TOTAL	<u>\$1,592,578</u>
<u>INCREASE</u>	<u>REVENUE</u>	
CD8670.49100.01		\$356,953
CD8662.49100.01		\$741,109
CD8676.49100.01		\$176,000
CD8686.49100.01		\$288,516
CD8687.49100.01		\$30,000
	TOTAL	<u>\$1,592,578</u>

CA-119-10
 ADR/ca/G-179
 6/15/10
 Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
 COUNTY EXECUTIVE

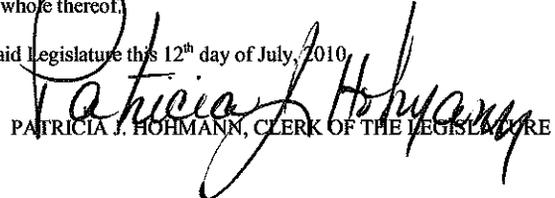
Date 7/26, 2010

STATE OF NEW YORK
 COUNTY OF DUTCHESS

ss:

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 12th day of July, 2010, 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 12th day of July, 2010.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 1,592,578

Total Current Year Revenue \$ 1,592,578
and Source

2010 Community Development Block Grant Program (CDBG)

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

Identify Line Items(s):

See Attached Detail

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Patricia Longbard, Department of Planning and Development 486-3635

NY-FY10 Allocations

KEY	CNSRTKEY	STA	NAME	CDBG10	HOME10	ESG10	HOPWA10
360040		NY	ALBANY	\$4,028,274	\$1,389,268	\$162,786	\$508,525
360152	36C103	NY	AMHERST TOWN	\$631,829	\$1,189,524	\$0	\$0
360300		NY	AUBURN	\$1,173,920	\$0	\$0	\$0
360352		NY	BABYLON TOWN	\$1,393,571	\$752,927	\$0	\$0
360556		NY	BINGHAMTON	\$2,523,074	\$757,630	\$102,153	\$0
360784		NY	BUFFALO	\$17,409,073	\$5,073,088	\$705,483	\$565,329
361152		NY	CHEEKTOWAGA TOWN	\$1,150,127	\$0	\$0	\$0
361256		NY	CLAY TOWN	\$309,462	\$0	\$0	\$0
361380		NY	COLONIE TOWN	\$426,578	\$0	\$0	\$0
361756		NY	DUNKIRK	\$622,391	\$0	\$0	\$0
362000		NY	ELMIRA	\$1,482,302	\$392,623	\$0	\$0
362480		NY	GLENS FALLS	\$609,095	\$0	\$0	\$0
362572		NY	GREECE	\$452,703	\$0	\$0	\$0
362688		NY	HAMBURG TOWN	\$534,520	\$0	\$0	\$0
363088		NY	HUNTINGTON TOWN	\$980,180	\$0	\$0	\$0
363140		NY	IRONDEQUOIT	\$1,097,936	\$0	\$0	\$0
363160		NY	ISLIP TOWN	\$2,221,404	\$914,845	\$89,288	\$1,848,859
363168		NY	ITHACA	\$890,297	\$574,472	\$0	\$0
363180		NY	JAMESTOWN	\$1,520,053	\$419,993	\$0	\$0
363300		NY	KINGSTON	\$886,614	\$0	\$0	\$0
364004		NY	MIDDLETOWN	\$629,951	\$0	\$0	\$0
364212		NY	MOUNT VERNON	\$1,973,628	\$779,900	\$80,239	\$0
364320		NY	NEWBURGH	\$918,772	\$0	\$0	\$0
364408		NY	NEW ROCHELLE	\$1,815,490	\$666,427	\$0	\$0
364436		NY	NEW YORK CITY	\$195,203,459	\$124,813,610	\$7,928,053	\$54,718,998
364448		NY	NIAGARA FALLS	\$2,739,401	\$641,500	\$110,977	\$0
365312		NY	POUGHKEEPSIE	\$1,115,953	\$0	\$0	\$702,119
365544		NY	ROCHESTER	\$10,439,918	\$3,492,596	\$423,300	\$709,220
365572		NY	ROME	\$1,299,772	\$0	\$0	\$0
365800		NY	SARATOGA SPRINGS	\$400,116	\$0	\$0	\$0
365848	36C009	NY	SCHENECTADY	\$2,775,957	\$1,634,171	\$112,217	\$0
366376		NY	SYRACUSE	\$6,693,472	\$2,167,448	\$270,702	\$0
366468		NY	TONAWANDA TOWN	\$2,060,683	\$0	\$83,047	\$0
366500		NY	TROY	\$2,237,674	\$0	\$90,498	\$0
366588		NY	UNION TOWN	\$1,539,985	\$0	\$0	\$0
366612		NY	UTICA	\$3,153,426	\$937,638	\$127,657	\$0
367024		NY	WEST SENECA	\$377,867	\$0	\$0	\$0
367096		NY	WHITE PLAINS	\$986,750	\$0	\$0	\$0
367260		NY	YONKERS	\$4,031,714	\$2,142,331	\$163,876	\$0
369027	36C301	NY	DUTCHESS COUNTY	\$1,592,578	\$1,119,253	\$0	\$0
369029	36C006	NY	ERIE COUNTY	\$3,306,470	\$1,192,338	\$130,439	\$0
369055	36C007	NY	MONROE COUNTY	\$2,080,086	\$1,397,543	\$84,497	\$0
369059		NY	NASSAU COUNTY	\$16,915,853	\$3,907,638	\$701,374	\$0
369067	36C008	NY	ONONDAGA COUNTY	\$2,470,746	\$896,284	\$97,616	\$0
369071	36C302	NY	ORANGE COUNTY	\$1,879,302	\$1,637,870	\$0	\$0
369087		NY	ROCKLAND COUNTY	\$2,264,000	\$1,120,769	\$90,700	\$0
369103	36C144	NY	SUFFOLK COUNTY	\$4,007,189	\$2,390,863	\$160,489	\$0
369119		NY	WESTCHESTER COUNTY	\$6,412,512	\$1,867,024	\$261,098	\$0
369999		NY	NEW YORK STATE PROGRAM	\$52,570,558	\$38,871,418	\$3,207,498	\$2,139,773
36C202	36C202	NY	CNSRT-JEFFERSON COUNTY		\$1,280,176	\$0	\$0

NC, KS, BD



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

April 9, 2010

Mr. William R. Steinhaus
County Executive
County of Dutchess
County Office Building
22 Market Street
Poughkeepsie, NY 12601-3297

2010 APR 15 PM 12:22

DUTCHESS COUNTY
EXECUTIVE
RECEIVED

Dear Mr. Steinhaus:

I am pleased to inform you of your Fiscal Year (FY) 2010 allocations for the Office of Community Planning and Development's (CPD's) formula programs. The CPD formula programs provide funding for housing, community and economic development activities, and assistance for low- and moderate-income persons and special populations across the country. FY2010 funding for these programs was included in Public Law 111-117, signed by President Obama on December 16, 2009.

Your community has the following amounts available in FY2010:

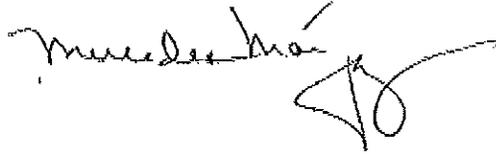
Community Development Block Grant	\$1,592,578
HOME Investment Partnerships	\$1,119,253
Housing Opportunities for Persons with AIDS	\$0
Emergency Shelter Grants	\$0

I would like to highlight two important matters for this funding cycle. First, the Department urges grantees to consider the needs of returning veterans and their families in the design and administration of these formula programs. Our fellow Americans have served our nation on the battlefields of Iraq and Afghanistan and countless other places around the globe. Many veterans are returning to our communities with wounds and injuries that may make it difficult for them to find housing or support themselves and/or their families. I ask that you consider their sacrifice and ensure that these men and women receive every appropriate consideration in the use of these funds at the local level.

Second, it is important that HUD have complete performance measurement data for its formula grant programs to report to Congress, the Office of Management and Budget, and the public at large. Grantees must report outcome indicators for all open activities in the Integrated Disbursement and Information System (IDIS) to assess their performance toward achieving their objectives and outcomes in their Consolidated Annual Performance and Evaluation Report.

We have a challenging journey ahead, but I believe with your help we can successfully meet those challenges. I look forward to working with you. If you or any member of your staff has questions, please contact your local CPD office director.

Sincerely,

A handwritten signature in black ink, appearing to read "Mercedes Márquez". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mercedes Márquez
Assistant Secretary

Roll call vote on the foregoing Resolution No. 2010211 resulted as follows:

AYES: 20 NAYS: 3 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010212

RE: ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO
LANDOWNER REQUESTS TO INCLUDE PROPERTY WITHIN AN
EXISTING DUTCHESS COUNTY AGRICULTURAL DISTRICT

Legislators MICCIO, BORCHERT, HUTCHINGS, and COOPER offer the following and move its adoption:

WHEREAS, this Legislature is considering Landowner requests to include their property within existing Dutchess County Agricultural Districts and the recommendations of the Dutchess County Agricultural and Farmland and Protection Board with respect thereto all pursuant to Section 303-b of the Agriculture and Markets Law, and

WHEREAS, approval of such constitutes an action subject to the State Environmental Quality Review Act, and

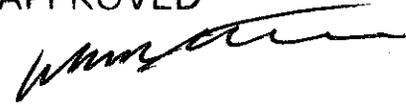
WHEREAS, the Dutchess County Legislature has attached a Short Environmental Assessment Form which concludes that the proposed Program constitutes: (1) an Unlisted Action pursuant to Article VIII of the New York State Environmental Quality Review Act and Part 617 of the NYCRR (SEQR); and (2) will not have a significant effect on the environment, and

WHEREAS, the purpose of this Legislature in adopting this Resolution is to adopt and confirm those findings, and

WHEREAS, a true copy of the Short Environmental Assessment Form and the Negative Declaration reflecting the finding of non-significance are annexed hereto and made a part hereof, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts and confirms the Short Environmental Assessment Form and Negative Declaration concluding action on Landowner requests to include their land within existing Dutchess County Agricultural Districts will not have a significant effect on the environment.

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

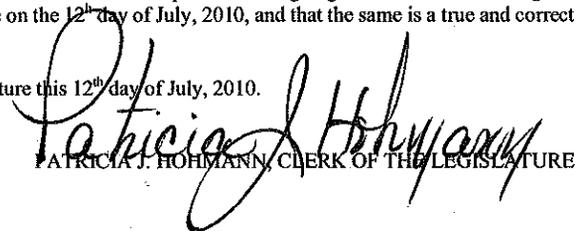
Date 7/06, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

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

1. APPLICANT/SPONSOR Dutchess County Agriculture and Farmland Protection Board	2. PROJECT NAME NYS Agricultural Districts 2010 Annual Inclusion, Section 303-B
3. PROJECT LOCATION: Municipality <u>Multiple Municipalities</u> County <u>Dutchess County</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Maps of tax parcels are attached to the Project Application	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Admit approximately 55 tax parcels into Agricultural Districts 20, 21, 22, and 23 in accordance with Section 303-B of the NYS Agriculture and Markets Law.	
7. AMOUNT OF LAND AFFECTED: Initially <u>2690.22</u> acres Ultimately <u>2690.22</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Art Collings, Vice Chair, Dutchess Ag. and Farmland Protection Bd.</u> Date: <u>6/25/2010</u> Signature: <u></u>	

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

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

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

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

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 No, properties are likely to remain in agricultural use due to the proposed action.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No, properties are likely to remain in agricultural use due to the proposed action.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No, enrolling properties in the Agricultural Districts will not directly affect vegetation, fauna, or species.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 No, the proposed action will help preserve farmland and natural resources.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 Growth and development is not likely to be induced by the proposed action. The proposed action will benefit agricultural land use.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
 None are anticipated.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
 None anticipated.

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

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

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

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

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

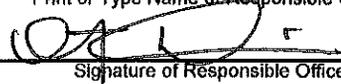
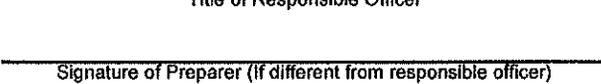
Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

Dutchess County Legislature 6/25/2010

Name of Lead Agency Date

Robert Rolison Chairman

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)

Roll call vote on the foregoing Resolution No. 2010212 resulted as follows:

AYES: 20 NAYS: 3 ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010213

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN
DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20,
21, 22, AND 23

Legislators MICCIO, COOPER, BOLNER, BORCHERT, HORN, HORTON, HUTCHINGS,
KELSEY, SURMAN, TRAUDT, and WEISS offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which Landowners may submit such requests to the legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one month period extending from April 15, 2010 to May 14, 2010, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 12, 2010, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Ag. District	Landowner	Town	Parcel #	Acres
20	1241 Rt. 9G Corp	Clinton	6267-00-248998	24.26
20	Richard M. & Joyce S. Morse	Clinton	6366-00-442907	18.52
20	Michael J. & Linda W. Kondor	Clinton	6466-00-489307	19.62
20	Stephen S. Daniel	Clinton	6567-00-490232	62.30
20	Seth Allt	Clinton	6267-00-567590	22.70
20	Elizabeth Staats	Milan	6471-00-727516	19.19

20	John & Barbara Kirkhus	Pleasant Valley	6465-04-892352	27.80
20	Gerald Scott Cantini & Pouran Sinchi Majd	Red Hook	6275-00-292219	22.51
20	Andrew Solomon Trustee	Rhinebeck	6071-00-760185	105.00
21	Delehanty Stock Farm, Inc.	Amenia	7068-00-176675	3.10
21	Dewitt J. Benson	Amenia	7164-00-406158	122.18
21	Shawn Goff	Amenia	7165-00-879307	9.19
21	Donn King Potter	Pine Plains	6971-00-422607	8.54
21	Donn King Potter	Pine Plains	6971-00-431606	5.00
21	Stephen S. Daniel	Stanford	6567-00-555244	2.4
21	Keith C. Sartorini	Stanford	6768-00-555293	9.48
21	Keith C. Sartorini	Stanford	6768-00-601300	7.45
21	317 Main Mall Corp	Stanford	6768-03-001182	1.50
21	Bos-Haven Farms, Inc.	Washington	6763-00-146519	33.70
21	Constance Moore	Washington	6764-00-080456	9.94
21	Susan Nestel & Gennaro Picone	Washington	6864-00-017280	11.80
21	Elizabeth Ross Johnson Trustee	Washington	6866-00-070642	19.69
21	David J. Conklin	Washington	6965-00-496730	36.16
21	David J. Conklin	Washington	6965-00-621760	72.90
21	Andrew A. Lipsky & Holly M. Kelly	Washington	6966-00-473825	25.00
22	Doris A. C. Cooke	East Fishkill	6455-00-604027	57.30
22	Glen P. Metzger	East Fishkill	6459-03-330-454	46.09
22	Glen Metzger	East Fishkill	6459-03-335192	36.00
22	Elizabeth H. Scheuer	East Fishkill	6558-04-664105	16.44
22	Elizabeth H. Scheuer	East Fishkill	6558-04-770176	33.78
22	Stephen & Regina P. Sokolik	LaGrange	6460-01-207884	10.25
22	Peter E. Fetzer, Jr.	LaGrange	6561-01-193983	25.81
22	Jon Levett	Wappinger	6157-03-035390	24.46
23	Grape Hollow Assoc LTD	Beekman	6756-00-702684	80.70
23	Grape Hollow Assoc LTD	Beekman	6756-00-899582	127.25
23	Grape Hollow Assoc LTD	Beekman	6756-00-899630	5.00
23	Grape Hollow Assoc LTD	Beekman	6756-00-926766	124.00
23	Ferme Montagne LLC	Dover	6960-00-288821	153.20
23	Ferme Montagne LLC	Dover	6961-00-126272	97.10
23	Ferme Montagne LLC	Dover	6961-00-213027	97.10
23	Andrew A. Jodie K. Fink	Dover	6963-00-525110	32.20
23	Cornelius & Patricia Landis Du Plessis	Dover	7059-00-494195	74.66
23	T & E Development LP	Dover	7062-00-346325	42.00
23	Dorothy R. Bates	Pawling	6857-00-975867	222.80
23	Maryann Hegel-Domemann	Union Vale	6762-00-022947	9.58
23	Ferme Montagne LLC	Union Vale	6860-00-889963	109.24
23	Ferme Montagne LLC	Union Vale	6861-00-819245	84.71
23	Ferme Montagne LLC	Union Vale	6861-00-890525	6.76
23	Ferme Montagne LLC	Union Vale	6861-00-892460	7.67
23	Ferme Montagne LLC	Union Vale	6861-00-957285	87.70
23	Ferme Montagne LLC	Union Vale	6861-00-979495	40.96
23	Ferme Montagne LLC	Union Vale	6960-00-001765	146.46
23	Ferme Montagne LLC	Union Vale	6960-00-001999	130.61
23	Ferme Montagne LLC	Union Vale	6960-00-104980	10.07
23	Ferme Montagne LLC	Union Vale	6961-00-065284	55.69
23	Stone Hill Manor II, LLC	Union Vale	6963-00-140426	17.40

and, be it further

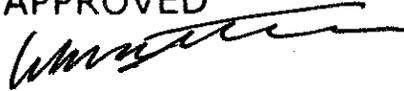
RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Ag. District	Landowner	Town	Parcel #	Acres
20	Ralph & Janice Casale	Clinton	6467-00-730949	20.65

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess County Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agricultural and Markets.

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 7/26, 2010

Amended on Floor 7-12

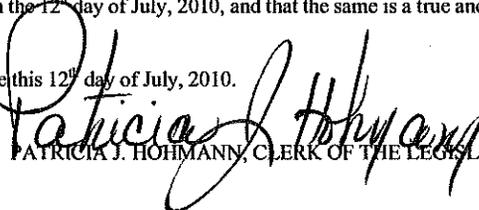
STATE OF NEW YORK

ss:

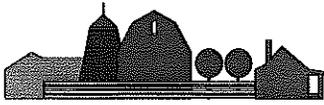
COUNTY OF DUTCHESS

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 12th day of July, 2010, 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 12th day of July, 2010.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE



**Agriculture and
Farmland
Protection
Board of Dutchess
County**

Harry Baldwin
Chairman
845/266-5378

Art Collings
Vice Chairman
Dutchess Land Conservancy
845/677-3002 Ext.100

Peter Coon
Coon Brothers Partnership
845/373-8328

Dave Fraleigh
Rose Hill Farm
845/758-9221

Joann Knapp
Crosswinds Equestrian Center
845/223-7433

John Utter
Utter Brothers
845-855-1130

DC Soil & Water
Conservation District
845/677-3620

Gary Cooper
DC Legislator
(H) 518/398-7687
(C) 518/821-0660

Jennifer Fimbel
Cornell Cooperative Extension
845/677-8223

Kathy Myers
DC Real Property Tax
Service Director
845/486-2140

Kealy Salomon
DC Commissioner of
Planning and Development
845/486-3600

**Minutes of the June 2, 2010 Meeting
Dutchess County Agriculture and
Farmland Protection Board
Draft**

PRESENT
Harry Baldwin
Art Collings
Kathy Meyers
Gary Cooper
Kealy Salomon

ABSENT

Joanne Knapp
Dave Fraleigh

John Utter
Peter Coon
Jennifer Fimbel

Advisers
Marilyn Howard
Dave Tetor
Noela Hooper
Ed Hoxsie

1. The April 15, 2010 meeting of the Dutchess County Ag and Farmland Protection Board was called to order at 7:05 by Chairman Harry Baldwin.

2. The minutes of the April 15, 2010 meeting were approved with the deletion of a sentence in the town plan section on a motion by Art Collings, 2nd by Kathy Myers. Motion Carried.

3. Ag Data Statements: Town of Clinton- #6466-00-590235, Mike and Linda Kondor, 83 Allen Rd., Salt Point, Gary Cooper made the motion that the change of use of the house to a care center would not impact agriculture, Art Collings second, carried.

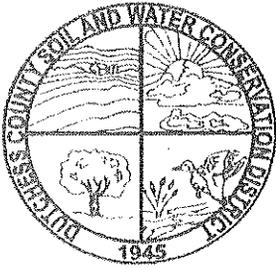
4. County Farmland Protection Plan Update application Status: Jennifer Fimbel spoke with John Brennan and came to the conclusion that the application should be submitted with a few changes.

5. Town Farmland Protection Plans: Clinton has completed their plan and is coming to the next meeting to present their plan. Town of North East still has some confusion on the plan but should vote soon. The Town of Washington is thinking about applying to make a plan.

6. Pending PDR projects status:

- Money for Meads is in the county and they should close by the end of June.
- Marshall's, Smith's, Locust Grove and Bos Haven have been extended and the legislature will vote on going ahead with the process.
- Morgenthau, Fishkill Farms – legislature will vote on the contract

7. Future Seminar ideas: Harry Baldwin suggested a one sheet guide to show the difference between the Ag District and Ag Assessment. Dave Tetor



DUTCHESS COUNTY SOIL AND WATER CONSERVATION DISTRICT

2715 Rt.44, Suite 3

Millbrook, N.Y. 12545

Phone (845) 677-8011 ext. 3 Fax (845) 677-8354

www.dutchessswcd.org

July 12, 2010

Dutchess County Ag & Farmland Protection Board

RE: Annual Agricultural District Inclusion 2010

Property Owner: Seith Allt

Address: 155 Hollow Rd Staatsburg, NY

Tax Parcel #: 132400-6267-00-567590

From: Ed Hoxsie

On Friday July 9, 2010 Seith Allt visited our office to ask for further review of his property (tax # 132400-6267-00-567590) in the Town of Clinton for annual inclusion to Agricultural District #20. The District had recommended to the DCAFPB not to include this parcel based on an aerial photo review. Members of the DCAFPB reviewed this parcel on June 2, 2010 and agreed with the District recommendation not to include this parcel in Ag District #20.

A site visit was made by Art Collings and Harry Baldwin of the DCAFPB and myself on Monday July 12, 2010. Upon walking the property it was determined that the land has been reclaimed from the mining operation (approximately 10.3 acres) is currently being used as pasture for a horse and chickens. The land would support pasture on vegetables, Christmas tree operation and a number of any different types of agricultural activities that a landowner may want to endeavor. The 10.3 acres would qualify as viable agricultural land and that the property should be included in Agricultural District #20.

Sincerely,

Edwin J. Hoxsie, III

Executive Director

Discussion on the foregoing Resolution No. 2010213 resulted as follows:

Legislator Cooper moved to amend the foregoing resolution to add a property to the foregoing resolution as follows:

Property Owner: Seth Allt
Address: 155 Hollow Rd, Staatsburg, NY
Tax Parcel #: 132400-6267-00-567590

duly seconded by Legislator Miccio.

Legislator Goldberg questioned if the Legislature knew the acreage of this piece of property.

Ag. District	Landowner	Town	Parcel #	Acres
20	Seith Allt	Clinton	6267-00-567590	10.3

Legislative Counsel Volkman stated that the current resolution had this property confirming the recommendation to reject that application on page 3 of the Resolution. He further stated that it should be moved to the acceptance section of the resolution and you would then have the proper agricultural district, landowner, town, parcel #, and acreage.

Legislator Cooper moved this amendment duly seconded by Legislator Miccio.

Chairman Rolison questioned if there was further discussion on the amendment.

Legislator Horn requested permission to abstain on the amendment due to her property being located in the Agricultural District listed in the resolution.

Chairman Rolison stated so granted and questioned if anyone was opposed to the amendment there being no one opposed the amendment was unanimously carried.

Legislator Horn requested permission to abstain on the resolution.

Chairman Rolison stated so granted.

Roll call vote on the foregoing Resolution No. 2010213 resulted as follows:

AYES: 22 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss.

NAYS: 0 ABSTENTIONS: 1 – Horn. ABSENT: 2 – Kuffner, White.

Resolution adopted.

RESOLUTION NO. 2010214

RE: AMENDING RESOLUTION NO. 2010185 APPOINTMENT OF
ENVIRONMENTAL MANAGEMENT COUNCIL

Legislators, ROLISON, BOLNER, MICCIO, TRAUDT, and HORTON offer the following and move its adoption:

WHEREAS, vacancies exist on the Dutchess County Environmental Management Council; and

WHEREAS, Peter Berasi has indicated a desire to be appointed to such council; and

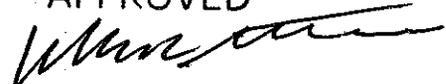
WHEREAS, Lalita Malik, John Degilio, and Larry Steel have indicated a desire to be reappointed to such council; and

WHEREAS, the terms are two years and Resolution No. 2010185 should be amended to reflect the two year term; now therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Peter Berasi and reappoint Lalita Malik, John Degilio, and Larry Steel to the Dutchess County Environmental Management Council for a two-year term commencing July 1, 2010, and expiring on the 30th day of June 2012; and be it further

RESOLVED, that Resolution No 2010185 shall otherwise ~~remain in full~~ force and effect.

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 7/26, 2010

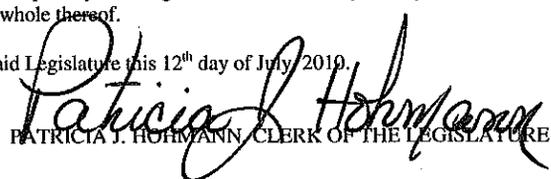
STATE OF NEW YORK

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 12th day of July, 2010, 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 12th day of July 2010.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010214 resulted as follows:

AYES: 20 NAYS: 3 ABSENT: 2 – Kuffner, White.

Resolution adopted.

Resolution No. 2010215

RE: ADOPTING A METHODOLOGY TO CHARGE BACK TO
MUNICIPALITIES THE COSTS OF ELECTION SERVICES

Legislators KELSEY and INCORONATO offer the following and move its adoption:

WHEREAS, the New York State Election Law was amended by the Election Consolidation and Improvement Act of 2005; and

WHEREAS, pursuant to New York State Election Law Section 4-136(1), "...the expenses of providing polling places, voting booths, supplies thereof, ballot boxes and other furniture for polling place for any election, including the storage, transportation and maintenance of voting machines, appliances and equipment or ballot counting devices, and the compensation of the election officers in each election district, shall be a charge upon the county in which such election district is situated..."; and

WHEREAS, pursuant to Election Law Section 4-136(2), "All expenses incurred under this chapter by the board of elections of a county outside the city of New York shall be charged against the county... The expenses incurred by the board of elections of a county outside the city of New York may, pursuant to Section 3-226 of this chapter, be apportioned among the cities and towns therein, or in the case of a village election held other than at the time of the fall primary or general election, apportioned to such villages therein."; and

WHEREAS, pursuant to New York State Election Law Section 3-226(1), "All expenses of such board of elections shall be certified, audited and paid as other claims against the county, or in the case of the city of New York, by said city, and all expenses connected with elections and matters preliminary relating thereto, including compensation of inspectors and clerks of the election, shall be a county charge, except, at the option of the county, all or any part of the type of expenses connected with the elections or matters preliminary or relating thereto, that were previously incurred by towns and cities, may be apportioned pursuant to this chapter to a city or town."; and

WHEREAS, New York State Election Law Section 3-226, 4-136 and 4-138 has been interpreted by the New York State Comptroller in a 2007 opinion to mean "Counties may apportion those expenses among the cities and towns using any method the county reasonably determines is equitable" and specifically enumerates "previously incurred" costs to include "expenses of election inspectors and the expenses for repair and maintenance of voting machines" and "voting machine custodians, election inspectors, poll clerks, election coordinators, as well as the expenses of providing polling places. As such, these expenses may be charged back to the towns and cities, in whole or in part."

WHEREAS the same NYS Comptroller opinion issued March 13, 2007 concluded that "counties, in their discretion, may apportion election expenses using any method that they reasonably determines is equitable, including if the county so determines, on the basis of full valuation of real property, on a per capita basis, based on the number of registered voters a combination of such methods; and

WHEREAS, the Dutchess County Legislature has included a revenue line in its 2010 budget to originate from local municipalities for the cost of elections; and

WHEREAS, there has been established a Elections Oversight Committee, which has been considering means and methods for equitably sharing the cost of elections with local municipalities for the 2010 and 2011 fiscal years; and

WHEREAS the Elections Oversight Committee made a public presentation to the Dutchess County Supervisors and Mayors Association June 1, 2010 meeting centered on possible election cost collection formulas, for the purpose of soliciting input from municipalities so as to achieve the most equitable means of collection; and

WHEREAS, the Elections Oversight Committee has recommended a methodology that seeks to charge local governments only for the specific costs to hold local elections so as to minimize financial impositions to individual municipalities; and

WHEREAS, the Elections Oversight Committee is considering future cost-saving measures to benefit towns in reducing the costs of elections including the potential for costs savings by redistricting election districts, consolidating polling sites in the future, and other ideas; and

WHEREAS, in December 2009 the Dutchess County Board of Elections Commissioners reduced their operating budget by approximately \$1,000,000 so as to avoid the need to share election costs with towns but of this \$650,000 were put back in to the budget for personnel meaning the revenue line in the 2010 budget for sharing election costs has not yet been met in its entirety, now, therefore, be it

RESOLVED, that the adopted formula for election cost-sharing with local municipalities for the fiscal years 2010 and 2011 shall consist of a charge to towns for the costs associated with: payroll and training for election inspectors (four per district) for both primary and general elections; payroll and mileage reimbursement for election coordinators for both primary and general elections (two per municipality); payroll and mileage reimbursement for machine technicians (total of eight for the county apportioned to municipalities by election districts); voter machine storage costs (apportioned to municipalities based upon number of election districts); voter machine transportation costs (apportioned to municipalities based upon actual machine usage); and machine ballot paper and printing costs (other than those provided by HAVA funding).

Amended in Government Services and Administration 8/6/10 lw

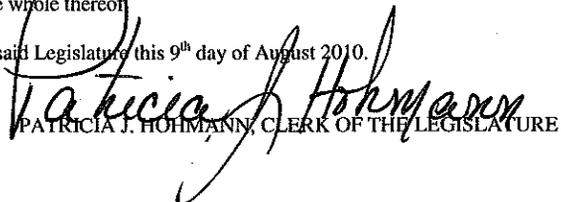
STATE OF NEW YORK

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 9th day of August 2010, 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 9th day of August 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

2010 Budget Estimate For Election Costs

Municipality	# of Voters	# of Election Districts	Election Inspectors		Training \$35	Election Coordinators Wages + Mileage	Machine Techs* 8 / by ED	Machine Ballots** \$1 per voter	Scanner Transport \$85 per machine	Machine Storage \$321 per ED	2010 Cost Projection		
			# of Inspectors	Amount								# of Inspectors	Amount
			Primary Election \$150 each	General Election \$215 each									
Armenia	2,222	4	16	\$2,400	\$560	\$1,354.24	0	0	340	\$1,284	\$9,378		
Beekman	7,373	10	40	\$6,000	\$1,400	\$1,414	0	0	850	\$3,210	\$21,474		
Clinton	2,740	4	16	\$2,400	\$560	\$869	0	0	340	\$1,284	\$8,893		
Dover	4,278	6	24	\$3,600	\$840	\$1,240	0	0	510	\$1,926	\$13,276		
East Fishkill	17,550	22	88	\$13,200	\$3,080	\$1,925	0	0	1870	\$7,062	\$46,057		
Fishkill (T)	11,418	18	72	\$10,800	\$2,520	\$1,003	0	0	1530	\$5,778	\$37,111		
Hyde Park	12,377	19	76	\$11,400	\$2,660	\$1,450	0	0	1615	\$6,099	\$39,564		
Lagrange	10,179	14	56	\$8,400	\$1,960	\$872	0	0	1190	\$4,494	\$28,956		
Millan	1,586	2	8	\$1,200	\$280	\$791	0	0	170	\$642	\$4,803		
Northeast	1,688	2	8	\$1,200	\$280	\$617	0	0	170	\$642	\$4,629		
Pawling	4,876	6	24	\$3,600	\$840	\$1,708	0	0	510	\$1,926	\$13,744		
Pine Plains	1,595	2	8	\$1,200	\$280	\$742	0	0	170	\$642	\$4,754		
Pleasant Valley	5,874	6	24	\$3,600	\$840	\$630	0	0	510	\$1,926	\$12,666		
Poughkeepsie (T)	23,932	44	176	\$26,400	\$6,160	\$4,933	0	0	3740	\$14,124	\$93,197		
Red Hook	7,629	8	32	\$4,800	\$1,120	\$1,078	0	0	680	\$5,440	\$19,998		
Rhinebeck	4,983	7	28	\$4,200	\$980	\$1,000	0	0	595	\$2,247	\$15,042		
Stanford	2,365	3	12	\$1,800	\$420	\$1,181	0	0	255	\$963	\$7,199		
Union Vale	3,071	5	20	\$3,000	\$700	\$1,299	0	0	425	\$1,605	\$10,054		
Wappinger	15,639	28	112	\$16,800	\$3,920	\$3,868	0	0	2380	\$8,988	\$56,193		
Washington	2,911	4	16	\$2,400	\$560	\$1,124	0	0	340	\$1,284	\$9,148		
Beacon	7,886	10	40	\$6,000	\$1,400	\$1,615	0	0	850	\$3,210	\$21,675		
Poughkeepsie (City)	13,819	25	100	\$15,000	\$3,500	\$3,012	0	0	2125	\$8,025	\$53,162		
Total	165,991	249	996	\$149,400	\$34,860	\$214,140	\$0	\$0	21165	\$82,801	\$530,972		

* Storage costs approximate

* Election coordinator fees based upon 2009 rates.

* Machine tech rate pending Dept. of Personnel's approval of BOE Machine Tech approval.

** 2010 Machine ballot cost paid for from HAVA funding



Dutchess
County
Executive

Dutchess

William R. Steinhaus
County Executive

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2000
Fax (845) 486-2021

Memorandum

To: All Legislators

From: William R. Steinhaus 
Dutchess County Executive

Re: **Resolution Number 2010215**, *Adopting a methodology to chargeback to municipalities the costs of election services*

Date: August 20, 2010

As you know, all of the appropriations in the 2010 county budget as adopted by the Legislature are dependent on **all** of the revenues in the 2010 budget as adopted by the Legislature. While I appreciate the difficulty of many issues facing all of us in these very challenging and uncertain fiscal times, this is the second known major revenue shortfall in 2010 resulting from decisions of the County Legislature that are in direct conflict with decisions made when the Legislature adopted the 2010 county budget in December 2009:

- The Legislature adopted mortgage tax revenue in the 2010 county budget, but then chose not to authorize the mortgage tax - **a 2010 shortfall of \$1.7 million.**
- The Legislature adopted the 2010 county budget with elections chargeback revenue of \$988,395. Now, however, the Legislature has adopted a methodology for the elections chargeback to municipalities that is estimated to produce only approximately \$531,000 - far short of the 2010 adopted revenue. This will cause **a 2010 shortfall of an estimated \$457,000.**

Together these two revenue items alone currently cause a **shortfall of over \$2.1 million.** You know there are other negative fiscal impacts to the county's finances, including impacts from the state budget that we continue to evaluate based on the final decisions adopted earlier this month. There have been several communications from me, the Budget Director, and Commissioner of Finance since the start of the year on the topic of the county's finances and fragile nature of our budget, and we have kept the Legislature fully informed of our fiscal challenges.

Yes, it is the responsibility of the Executive to manage the adopted county budget, and as you know I take that job very seriously. But the Legislature makes it a difficult if not impossible task to keep the budget balanced when the Legislature itself is not even willing to support and take ownership of its own revenue decisions and its fiduciary stewardship.

cc: Patricia Hohmann, Clerk of the Legislature
Countywide Elected Officials
Department Heads

Resolution No. 2010215 entitled, "Adopting a Methodology to Charge Back to Municipalities the Costs of Election Services" was introduced and pulled by the sponsor at the July 12, 2010, Regular Board and considered at this time.

Roll call vote on the foregoing Resolution No. 2010215 resulted as follows:

AYES: 14 Borchert, Cooper, Flesland, Horn, Hutchings, Incoronato, Kelsey, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Weiss.

NAYS: 10 - Bolner, Doxsey, Forman, Goldberg, Horton, Jeter-Jackson, Kuffner, MacAvery, Tyner, White

ABSENT: 1 - Miccio.

Resolution adopted.

Pursuant to Section 3.02 (i) of the Dutchess County Charter the foregoing resolution was deemed approved and duly enacted due to the County Executive's failure to act.

**UNANIMOUS CONSENT DENIED7-12-10
Public Works & Capital Projects Committee
PULLED BY SPONSOR**

RESOLUTION NO. 2010216

**RE: REQUEST FOR A REPORT FROM COUNTY OFFICIALS ON THE
DUTCHESS STADIUM JULY 9, 2010 FIREWORKS INCIDENT**

Legislators MacAvery, Goldberg, Horton and Incoronato offer the following and move its adoption;

WHEREAS, Dutchess Stadium located in the Town of Fishkill is a county-owned facility and,

WHEREAS, on July 9, 2010 a malfunction occurred during a fireworks display within Dutchess Stadium which caused pyrotechnic devices to be propelled into the seating area of the stadium which resulted in reported injuries and the unexpected mass departure of the majority of 4,701 individuals in attendance and,

WHEREAS, the incident is currently being investigated by all the proper mandated local authorities, therefore, be it

RESOLVED that the Dutchess County Legislature request the County Attorney or representative to provide information regarding any/or potential liability to the County on the subject of the July 9th occurrence at the September 13, 2010 Board Meeting and be it further

RESOLVED that the Dutchess County Emergency Response Coordinator and the Commissioner of Public Works or representatives bring forth to the members of this body all findings and if required recommendations on the subject of the July 9th occurrence at the September 13, 2010 Board Meeting.

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 9th day of August 2010, 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 9th day of August 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

26 Cynwyd Dr
Fishkill NY 12524-2807

11 July 2010

Dutchess County Legislature
22 Market Street
Poughkeepsie NY 12601

Dear Legislature,

Am writing this statement with regard to the Fireworks mishap that occurred on Friday evening, the 9th of July 2010, at Dutchess Stadium in Fishkill, NY.

As I am a Season Ticket Holder for the Hudson Valley Renegades, I was present at the game, and my seat location is in Row J of Section 109, which is the same section the Dutchess County Legislature has their season seats (directly above the visitor dugout).

As the game was over after 11 innings – the Fireworks immediately started. They went great for about six minutes – when all of a sudden one of the fireworks exploded right on the ground and to the lower right of the Scoreboard. Then, a few went up in the sky, normal – when all of a sudden one was shot right out and travelled over the field like a rocket missile – heading over towards third base and the visitor dugout – where I was sitting. The rocket stopped just short of entering the visitor dugout, but as it traveled over the field, it was exploding in the same manner as it would, had it been shot into the sky.

Soon after this one finished – I heard a large explosion directly behind me and to the right -- as I sit in the very last row of Section 109 and the pedestrian third base walkway is directly behind my seat. As it was dark, the firework appeared to strike the roof just to the right of the announcer booths – and the sparks exploded directly down onto the upper bleacher area where people were seated – in the same manner as it would have exploded if shot into the sky.

At that point – the fireworks stopped, and everyone began to leave -- however, they failed to immediately turn on the Stadium lights, so people had to find their way, in a panic, in the dark. There was no announcement made, to inform everyone to at least stay calm, and leave without panic. Many children could be heard screaming – and yet there was no proper lighting nor any proper announcement.

As the Chelsea Fire Department, the Beacon Volunteer Ambulance Corps and the Town of Fishkill Police Department are regularly at the Stadium – they were present and began emergency operations with any of whom were injured or burned.

In all, it was a very scary situation, as again, children could be heard screaming – and the absence of lighting and an emergency announcement added to it all.

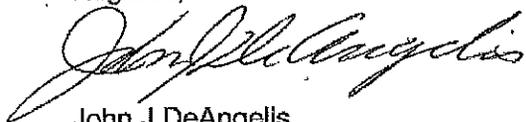
The Fireworks are a great addition to the Renegades games, and perhaps the new Company, July 4 Ever, that was hired, has issues that need to be addressed, as Legion Fireworks always put on a spectacular show and with no safety concerns or issues.

It was observed in the past, the lighting in the Stadium is never activated immediately after a Fireworks show - - and the lighting activates after a few minutes. This is a safety concern that needs to be addressed, as people immediately begin to walk out when the Fireworks are over, and they cannot see where they are going, and are easily susceptible to tripping and falling over such items as pizza boxes, cups and all, that are left on the floor by seats, rather than placed properly in trash receptacles.

Yes, fireworks are dangerous, as witnessed on Friday night - however, if safety matters are in place, and activated and monitored – fireworks are safe. Just look at all of the fireworks that are shot off during the Macy's July 4th Fireworks in New York City - - and no incident of any shells misfiring in a different direction.

This is the very first incident at Dutchess Stadium since opening day in 1994, and there have been many fireworks shows since then. The fault should not be with, nor reflect on the Hudson Valley Renegades organization or the Stadium Corporation – but is an isolated incident of which the July 4 Ever firm needs to provide answers.

Regards,



John J DeAngelis
26 Cynwyd Dr
Fishkill NY 12524-2807

Chief, Military Pay
Defense Military Pay Office
United States Military Academy
West Point NY 10996-1933

Legislator MacAvery requested unanimous consent for Resolution No. 2010216 entitled, "Request for a Report from County Officials on the Dutchess Stadium July 9, 2010, Fireworks Incident".

Legislator MacAvery also stated that she would like to submit a letter into the record from a constituent present at the Fireworks at Dutchess Stadium on July 9, 2010. (Letter attached and made a part of these minutes.)

Legislator Miccio denied unanimous consent.

Budget, Finance, & Personnel Committee
Laid on Desks 7-12-10
Re-laid on Desks 7-14-10

RESOLUTION NO. 2010217

RE: INTRODUCING A LOCAL LAW, ELECTING A RETIREMENT INCENTIVE PROGRAM, PART A THEREOF, AS AUTHORIZED BY CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF DUTCHESS COUNTY

Legislators ROLISON and COOPER offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopts Local Law No. of 2010, which has been submitted this day for consideration by said Legislature.

VETO

WCS
8-31-10

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 9th day of August 2010, 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 9th day of August 2010.

Patricia J. Hohmann
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

LOCAL LAW NO. ____ OF 2010

RE: A LOCAL LAW, ELECTING A RETIREMENT INCENTIVE PROGRAM, PART A THEREOF, AS AUTHORIZED BY CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF DUTCHESS COUNTY

BE IT ENACTED BY THE County Legislature of the County of Dutchess as follows:

SECTION 1: Legislative Intent:

The Dutchess County Legislature hereby elects to provide all of its eligible employees with the 2010 retirement incentive program authorized by Chapter 105, Laws of 2010, of the State of New York.

SECTION 2: Part A:

- A. The Dutchess County Legislature hereby offers Part A of the Retirement Incentive Program.
- B. The commencement date of the retirement incentive program shall be September 1, 2010.
- C. The open period during which eligible employees may retire and receive the additional retirement benefits shall be fifty-nine (59) days in length and shall expire on October 30, 2010.
- D. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this Local Law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Dutchess for each employee who receives the retirement benefits payable under this Local Law.

SECTION 3: Separability.

If any part of this local law is found to be illegal by a Court of competent jurisdiction, the remaining sections shall remain in full force and effect.

SECTION 4: Effective Date.

This Local Law shall take effect on August 31, 2010.



Dutchess
County
Budget
Office

Dutchess

William R. Steinhaus
County Executive

Valerie J. Sommerville
Budget Director

2010 JUL 23 P 4: 38

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2010
Fax (845) 486-2021

MEMORANDUM

To: Robert G. Rolison, Chairman of the Legislature

From: Valerie Sommerville, Budget Director 

Re: Early Retirement Incentive

Date: July 23, 2010

We acknowledge receipt of your July 15, 2010 memorandum to County Executive Steinhaus regarding the state's early retirement incentive (ERI) program and your decision to advance the local laws necessary to participate in the program. Upon reading your memo, one would get the impression there has been no dialogue between the administration and the Legislature. Of course I and other members of the County Executive's senior staff have had numerous discussions with you and your staff on this topic over the past month, including a lengthy meeting with your assistant on June 30th. In addition the County Executive spoke with you personally, and we have been clear and consistent with our concerns in these discussions.

First and foremost, absent the unions' willingness to address this **optional, new benefit** as part of a total package at the negotiating table, this costly incentive would not be a beneficial option for Dutchess County government or the property taxpayers of Dutchess County. As we all know, New York State already offers state and local employees generous public pension plans, and this ERI program would be an additional financial benefit for eligible employees, providing a significant added pension payment. Therefore, our position is it should be a negotiated benefit as was done in 2003.

Your memo noted the date of June 2nd this legislation was signed into law by Governor Paterson. Again, it was made clear we view this ERI as a new, employee benefit, and we would be willing to negotiate it as part of a larger package, if the three unions were interested. As you have already been advised by the Chief of Staff, CSEA representatives formally contacted county representatives Friday July 9th, not until **five weeks after the state law was**

adopted, to say their decision was **not** to make a demand to negotiate on the early retirement because the CSEA sees it as a “permissive” benefit. Translated, that means as recently as just two weeks ago the CSEA union was not willing to bargain for this rich new benefit, rather expected it to be just added on top of all other current benefits. The administration has received no request from the PBA or Correction Officers union to negotiate this new benefit.

Additionally, there was an early afternoon meeting scheduled with you, the Chief of Staff and me Monday the 12th which you cancelled that morning. We made every effort to reschedule the meeting the same day to also include your caucus leadership and the Chairman of the Budget, Finance and Personnel committee. Before you made a decision to lay the local laws on the desks that evening, and although we had gone over much of the same information with your assistant previously, we wanted to be certain you understood the many cost factors that must be considered. Unfortunately, you decided not to have that full meeting prior to finalizing the decision to proceed with the local laws.

Now interestingly on July 16th, one week **after** we were told by the union they would not make a demand to negotiate, within days of you laying the local laws on the desk and one day after your memo to the County Executive (also copied to the CSEA), the CSEA President wrote the administration to request a date for an **immediate** (“due to time constraints”) meeting for “dialogue” regarding the ERI. We are attempting to schedule that CSEA negotiating session and will move forward in good faith, but because the CSEA flip flopped their position, waiting until the 11th hour to submit a demand to negotiate, there is virtually little to no time left to accomplish this within the state’s deadline for enactment of the local law.

You stated in your memo this ERI program is different from the 2003 program “that cost County taxpayers millions of dollars”. While there may be slight differences in the program, the main difference you noted is the state’s offer to amortize the payments over a five year period. This may be an option, but you should be aware it also includes an 8% annual interest charge to the county costs. It is also essentially borrowing from the state pension system, which we and many others have a real problem with. At this time, there is no legal state authorization to bond for these new higher costs, which is the method we used in 2003 to spread the costs over five years. One way or another, it is a significant new cost to the county and a larger burden on our property taxpayers – that is certainly no different than in 2003. In regard to the federal early retiree health insurance incentives you mention, we did advise you that a) it is a temporary program and b) it is not guaranteed. These factors add to the risk for county property taxpayers.

Notably excluded from your memo are references to the specific additional premiums county property taxpayers must fund that must be paid to the State Retirement System for each participant in the program over and above the

county's annual employee pension costs. Part A of the plan would require an **additional premium of 60%** of each participating employee's salary, and Part B would require an **additional premium of 110%** of each participating employee's salary. In 2010, the county's total pension costs are \$14.48 million. All indications are that the total pension costs in 2011 will be higher even **before the additional millions of dollars in premiums are added on for the early retirement incentive.**

The goal of the ERI is to save money in the long term. As you pointed out, Part A of the program requires the employer to demonstrate they will achieve a 50% savings over a two-year period, and allows the administration to "target" certain positions as eligible. Our analysis shows on average, positions would have to be left vacant for 138 work days, or nearly seven months simply to achieve the 50% savings required by the state which is only a portion of the full ERI costs. That is **excluding the \$2.2 million budgeted vacancy factor in 2010 and any budgeted vacancy factor in 2011.**

You noted Westchester and Nassau have decided to participate in the program. Let's add some perspective here:

	2010 adopted budget	2010 adopted FTEs (staff)
Westchester	\$1.82 Billion	4,870
Nassau	\$2.62 Billion	8,810
Dutchess	\$401 Million	1,939

As we have discussed this program over many weeks, we have reminded you that in the past two years alone, Dutchess County has eliminated 86 positions from the county budget. And despite the larger scope of the county's work as a result of continued state mandated pressures and increased caseloads, Dutchess operates today with fewer staff than in 1987 – a total FTE count of 1,939. That is a remarkable achievement, demonstrating just how lean this government is, and cannot be pushed aside as we consider any further reductions in staff, whether by elimination or by early retirement.

From a management perspective, we will tell you unequivocally that Dutchess County government **could not** functionally deliver the services we currently provide our residents with a loss of another 50, 100, or 200 employees without the ability to fill the positions within a reasonable timeframe. It is absolutely clear the only way to achieve real and lasting savings with the early retirement program is if the County Legislature is willing to eliminate positions which would follow the elimination of programs and services.

In that vein, we have tried numerous times to involve you in a critical aspect of this discussion. County government is a people business; we need people in positions to deliver the services required by the programs we fund –

overwhelmingly mandated programs. So we have respectfully asked you what specific programs and services is the County Legislature willing to eliminate? But we have not gotten a response to that question. Yet again, notably excluded from your memo is a list of the programs and services residents currently receive that the Legislature will cut. Without that detailed information, the administration would have no reasonable ability to "target" the appropriate positions and work tasks in order to utilize the ERI as a means to "save" jobs.

You asked for information by July 23rd to meet state mandated timelines associated with either Part A or Part B of the ERI program. To accommodate your request, an analysis of cost impacts for both A and B was made based on a snapshot of actual eligible employees:

Twenty positions over a variety of employee categories with employees eligible for the incentive based on age and length of service were examined. Full retirement incentive costs were calculated including the payment to the NYS Retirement System for the incentive program, employee benefit payouts, and retiree health insurance costs. The state's incentive plan requires savings of at least one-half of the total amount of base salary that would have been paid to the incentive participant over a two year period. Replacement savings were estimated based on whether that particular position could likely be filled at entry level or through promotion with the most senior employee being promoted. Then the number of work days the positions would need to remain vacant to recoup the balance of the required 50% savings over two years was calculated.

Some of what the analysis showed has already been referenced in this memo. Other highlights include:

- Projections based on the cursory assumptions made when we originally provided you information on an estimated 225 early retirees (you should recall this employee count was based upon assumptions made using the 125 interested and eligible employees provided to you by the CSEA and included an estimated number of eligible employees in both management/confidential and law enforcement), showed an additional significant cost in 2010 of \$1.5 million for benefit payouts. In actuality when the more detailed analysis was done on just 20 random eligible employees, an actual total benefit payout calculated to be \$287,000, **or an average of \$14,300 per employee**. This means it would take only about 100 early retirees to reach that \$1.5 million benefit payout cost, and depending on the number of employees who would actually participate in the ERI the total cost to county government could far exceed \$1.5 million.

- Where would the Legislature find this estimated total benefit payout expense that would have to be paid in 2010?
- Retiree health insurance costs for employees in the analysis average over \$9,000 annually for each retiree. This would be a compounding, annually reoccurring expense in addition to the insurance benefits provided to any new employees hired to fill positions vacated as a result of the ERI.
- The cost for the ERI under the five year amortization plan is significantly higher than the lump sum payment. The snapshot analysis shows a higher cost of more than **\$317,000 for just this small group of 20 employees when costs are amortized over the five years.** You can do the multiplication projections for a larger workforce group.

This administration has a record of always trying to balance its responsibilities required by the state, our community and employees with the ability of our property taxpayers to financially support this government. While some have made this ERI program out to be a positive tool during a time of extreme fiscal pressures, it is not in cases where downsizing and lean employee counts already exist, or where there is no apparent will by the Legislature to cut. Please recall last year's legislative veto overrides supported by both caucuses that added spending back into the budget.

Under these circumstances, this program will cost Dutchess taxpayers more money than savings can be realized. It will also be a huge cost to county government by way of a premature exodus of experienced and knowledgeable employees creating a painful void that would require years to fill.

In summary, without the three unions' willingness to negotiate in a meaningful way, and without the Legislature providing a list of the services you are willing to cut from county government in 2011, this optional early retirement program is not a viable one for Dutchess County to consider.

cc: All Legislators
 Countywide Elected Officials
 Department Heads
 Anthony DeRosa, Chief Assistant County Attorney
 Bill Wallens, Labor Attorney
 Patricia Hohmann, Clerk of the Legislature
 CSEA Officers
 PBA Officers
 DCSEA Officers

MEMORANDUM

To: Rob Rolison, Chairman, Dutchess County Legislature
Dutchess County Legislators

From: Lizabeth Piraino, CSEA President

Date: August 2, 2010

The Early Retirement Incentive offered by the New York State Legislature is a matter of law, not a contract matter and therefore cannot be a subject of negotiations. This is not a new additional benefit for the employees in Dutchess County. It simply is a law that allows employees the ability to opt into early retirement and the same time save the County money during this financial downturn of the economy. As an example, in 2007, the Governor signed into law Cancer Screening Law that allows employees who undergo cancer screening 4 hours of administrative leave. We did not negotiate this, as it was a matter of law. It is a new benefit. So the claim that ERI is a new benefit is without merit and it fails under New York State Public Employment Law. In 2003, the ERI was not negotiated—it was just added to the Memorandum of Agreement. Since this ERI is open to management, I was unaware that I am representing their interests. Nor was I aware that I represent the interest of the other unions. It is questionable whether the toher unions are even eligible under the ERI.

The union has always been willing to discuss the early retirement. In fact, in April, I met with the Commissioner of Personnel specifically to discuss the ERI. Since then, I have contacted Dutchess County Senior Management Staff several times to inquire about Dutchess County's interest in the incentive. I received no word from them; they avoided the subject to date. On June 26th while in Albany on the management union case the representatives of Dutchess County told me that they would get back to me on a date. On July 16th, a memo was sent to a Senior Staff as confirmation of my intent to have a dialogue with Dutchess County. I was always willing to sit down to have a dialog or review a proposal. Unfortunately the County is having a war with words with the union to distract others from the real issues. As far as the 11th hour request, there was none. It was the County's

11th hour demand to negotiate what they consider a **rich benefit** although the average CSEA pension is under \$17,000.

In the budget office analysis it was noted that Dutchess County will have to incur 1.5 million in benefit payouts with an average of \$14,000 per employee. While we do have vacation time payouts, for an employee to receive a \$14,000 payout, that employee must make at least \$81,000 per year and must have 45 days of vacation to their credit (the maximum allowed for CSEA members). Our membership does not include a large amount of employees who earn those salaries nor do they have 45 days to their credit. This figure is inflated. These payout costs are realized now when anyone leaves or retires. Why would we add these as additional ERI costs? Isn't it the policy of this administration that we do not fill a position until all of their benefit time costs have been realized so that we are not going over the budgeted appropriation amount? So if an employee leaves October 1st and **if** they have 45 days to their credit, the payout will be paid through the normal budget appropriation and their vacation payout will be realized by the first week in December leaving an additional 3-4 weeks of additional savings for the taxpayers. If they do not have 45 days to their credit, the savings will increase. The budget office analyzed 20 random positions. What titles, how were they chosen, were the vacation payout analysis on the same people or were they other people randomly selected? Furthermore, if these positions were left vacant for a period of time payroll costs such as social security taxes are reduced as well as retirement costs for 2010 and 2011. The cost of the incentive will be covered by not filling the positions for a period of time. The cost savings to the County will exceed the cost of the incentive.

Health Insurance—The budget office is alleging double insurance. Doesn't this occur on an ongoing basis when anyone retires? While the positions are unfilled, there are no additional costs. There is a reference by the Budget Director for a cost of \$9,000 I am unsure what the \$9,000 cost is. Employees pay anywhere from 5 –15% and would be replaced by employees paying 20%. Retirees will be 20% or more including management employees. For employees electing MVP single, the county saves just under \$1000 per year. Those retirees electing family coverage will save the county even more due to the dependent formula risk management uses.

I would like to address the issue regarding services. Although it is hard to address this loss of service without knowing exactly who would take

advantage of the ERI, it appears from our survey that many of the staff expressing interest in the ERI are long-time county employees in higher-level administrative and support positions. As a result there appear to be fewer direct service employees thus alleviating some of the concerns about providing or eliminating services. Additionally, this is a targeted incentive with the intent of this legislation is to provide early retirement for public employees, streamline the workforce, provide savings to state and local government during these economic times without causing drastic cut to services. It is not part of this law to fill positions immediately without cost savings nor is it meant to eliminate services. CSEA usually does not advocate for job elimination or a hiring freeze but we certainly would acquiesce to ERI and freezing positions rather than face a layoff.

As stated in the Budget Director's memo, "remarkable achievement, demonstrating just how lean our government is . . . despite the larger scope of the county's work as a result of continued state mandated pressures and increased caseloads . . . Dutchess operates today with fewer staff then in 1987." This is a glowing testimony to the members of CSEA Local 814 who continue to offer Dutchess County Taxpayers unbeatable professional services.

As it appears that this will not be a positive budget cycle, the county cannot afford to pass up any tool that will enable them to save money, thereby saving valuable services. Savings can be achieved and jobs can be saved if there is willingness for the leadership to work together to create a savings plan in the spirit intended by the law. Without the law in place, the wheels will not be in motion to achieve the best case scenarios required to meet this goal for the taxpayers of this county.

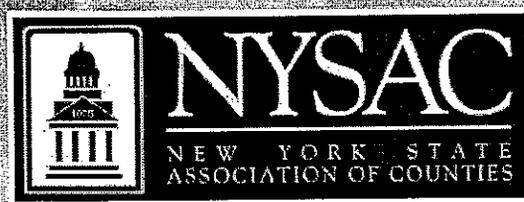
C: Patricia Hohmann, Clerk of the Legislature
Mike Ellison, Assistant to the Chairman

Summary of Provisions

2010



New York State and Local Government Early Retirement Incentive



540 Broadway, 5th Floor, Albany, NY 12207
518-465-1473 • www.nysac.org

Hon. Thomas J. Santulli • President

Stephen J. Acquario • Executive Director

INTRODUCTION

The State Legislature has passed and the Governor has signed Chapter 105 of the Laws of 2010, which institutes a temporary early retirement incentive for state and local government employees. The Law has 2 parts: Part A establishes a program providing for additional service credit for each year of service and Part B provides for a 55/25 retirement incentive.

Both incentive programs are optional with employers having the ability to adopt all, part or none of the retirement incentive options available. Employees electing to participate can retire under the terms of either Part A or Part B, **but not both.**

Elected officials and judges are not eligible for participation under either incentive option.

RETIREMENT SYSTEMS INCLUDED

The incentive program is available to members of the New York State and Local Employee Retirement System, New York City Employees Retirement System, New York State Teachers Retirement System, New York City Board of Education Retirement System and the New York City Teachers Retirement System.

Members of Police and Fire Retirement Systems are not included in the incentive program because of existing 20 and 25 year retirement options included under those plans.

PART A – Additional Service Credit

The incentive under Part A provides an additional month of service credit for each year of service, up to an additional 3 years of service credit (36 years of service).

Participating Employer

Participating employer is defined to include counties and all other units of local government and includes community colleges operated under the State University of New York and the City University of New York

Eligible Titles

The bill is targeted at positions (eligible titles) that might otherwise be eliminated, consolidated or subject to layoffs.

Eligible title is defined under the bill as "...any title where a certain number of positions in that title... would otherwise be identified for layoff but for this act because of economy, consolidation or abolition of functions, curtailment of activities or otherwise."

"However, an eligible title can also include a title as identified..... in which positions would not be eliminated but into which employees in titles affected by layoff can be transferred or reassigned pur-

suant to the civil service law, rule or regulation."

A county may preclude participation of individuals in titles where their participation may result in substantial reduction in local revenue, result in increased overtime or contractual costs, endanger the public safety or health, or result in patient care being placed at risk by retirement of employees under the incentive.

The determination of eligible titles for counties is at the sole discretion of "the chief executive officer or other comparable official for participating employers other than the community colleges."

Community college eligibility and participation in the incentive requires the approval of the board of trustees of the community college and is subject to the approval of the county sponsor.

Elimination of Positions

The incentive is targeted at positions that may be subject to layoff, elimination or consolidation. Counties will not be required to eliminate the positions of eligible employees in eligible titles who elect to take the incentive, if the county employer can demonstrate

total savings in base salary paid to the new hires in the positions of at least one-half of the total amount of base salary that would have been paid to the incentive participant over a 2 year period.

Incentive terms

The incentive provides for one month's additional service credit for each year of service up to a maximum of 3 years additional service credit (36 years of service). Additional service credit awarded to Tiers I & II as part of overall pension enhancements enacted in 2001 under Article 19 are not figured into the length of service calculation for additional credit awarded under this incentive.

The benefits available under Part A are not available to anyone who receives a lump sum incentive from their employer under a local incentive program negotiated through a collective bargaining agreement or other arrangement with their employer unless the employee waives in writing, their right to receive such payment.

The employer may choose to exempt its employees from this prohibition as long as the exemption is part of the local law passed by the county legislative body enacting the incentive.

Enacting Local Law

To participate in Part A of the incentive, a county must enact a local law on or before August 31, 2010.

The local law must specify the commence date of the incentive, the length of the open period for participation and any exemptions given to employees participating in local retirement incentives.

Open Period

The open period must be for no less than 30 days, but no more than 90 days duration and must end on or before December 31, 2010.

Eligibility for Participation

An employee must be in continuous active service of the employer from February 1, 2010 until the date immediately prior to the open period and be either eligible to retire under their membership tier or at least 50 years of age and have at least 10 years of service credit to be able to participate.

To be eligible, the employee must provide written notification to their employer of their intention to take the retirement incentive not

less than 21 days before the end of the open period. The employees must retire on or before the close of the open period.

Eligibility will be first determined by seniority by county and local government employers.

Early Retirement Penalties

Normal penalties for early retirement before the age of 62 years of age or before attainment of 30 years of service resulting in pension payment reductions will apply depending on the employee's membership tier, age and length of service.

Cost of the Incentive

The fiscal note on the chapter indicates that the cost of the incentive will be 60% of the final average salary for each individual participating. Counties may elect to amortize the payment of the incentive over a 5 year period commencing on March 31, 2012.

continued on page 4

Part B – 25 / 55 Retirement Incentive

Part B creates an optional retirement incentive allowing any employee who has reached age 55 and has at least 25 years of service to retire without early retirement penalty. This provision abolishes the penalties for early retirement if an employee is 55 years old and has 25 years of credited service.

According to the bill's fiscal note, an employer electing to provide this option can declare health and safety positions to be ineligible.

Eligible Employees

Any employee of a county or any other unit of local government who has attained age 55 and has at least 25 years of service is eligible for this incentive. The employee must be on the active payroll of the employer from February 1, 2010 until the day preceding the open period to be eligible.

Employee Notification

Employees must notify their employers at least 14 days prior to the end of the window period of their intention to retire under the Provisions of Part B. The employee must retire on or before the end of the open period.

Enacting Local Law

An employer electing to provide a retirement incentive under Part B must enact a local law by September 1, 2010 designating an open period for participation. For county community colleges, election must be made by the board of trustees of the community college, pending approval of the county sponsor to participate.

An employer can provide this incentive benefit, regardless if it has elected or not to provide an incentive program under Part A.

Open Period

The open period under Part B must be of 90 days in duration and end on or before December 31, 2010. Only one open period can be designated.

Cost of the Incentive

According to the fiscal note contained in the bill, the actuaries of the retirement fund estimate that the provision of this benefit will cost approximately 110% of the final average salary of each individual participating under Part B.

Employers may elect to pay this additional benefit cost over a period of 5 years commencing on March 31, 2012.



Any questions on this temporary early retirement incentive,

please call

NYSAC Director of Research Jeff Osinski



120 Broadway, 9th Floor
Albany, New York 12242
518/671-2222



Dutchess
County
Executive

Dutchess

William R. Steinhaus
County Executive

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2000
Fax (845) 486-2021

MEMORANDUM

To: All Legislators

From: William R. Steinhaus, County Executive 

Re: Resolution No. 2010217, A Local Law Electing a Retirement Incentive Program

Date: August 31, 2010

On July 23rd, Budget Director Valerie Sommerville sent the Legislature a multi-page memo on the state's early retirement incentive program and the negative impact, both fiscally and programmatically, it would have on Dutchess County government and the residents of the County.

We expressed our concerns about the excessive cost the program would have on property taxpayers and advised the only way County government would be able to achieve savings from the program would be through the elimination of the positions with the resulting elimination of programs and services those employees provide. So we again respectfully asked Legislators what specific programs and services the County Legislature is willing to eliminate. We again have received no answer to our question.

The required public hearing was held Thursday August 26th and elicited ten speakers. One was a county legislator, one the President of the CSEA union, and the others were either employees or family members of employees wanting the higher pension payments. It is understandable why eligible employees would like to see this enriched retirement benefit adopted. But I read no testimony that changes the considerable cost of this program to Dutchess County taxpayers as described by the Budget Director in the July 23rd memo cited above.

Additionally, it must be noted the leadership of the three County government unions made the choice not to negotiate this added higher pension payment benefit apparently believing it should be their entitlement. That position by union leaders cannot be justified.

As we have stated before, and I refer you back to the Budget Director's memo for the detail, this program will cost Dutchess property taxpayers more money than savings can be realized, and I can not support that additional property taxpayer cost. Resolution No. 2010217, a local law, is vetoed.

cc: Patricia Hohmann, Clerk of the Legislature

NOTES ON PUBLIC HEARING
Resolution No. 2010217
Local Law No. __ of 2010
August 26, 2010

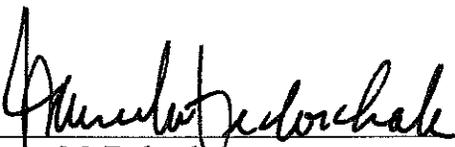
The hearing was declared open at 10:00 a.m. by the presiding officer, James M. Fedorchak, County Attorney and Acting County Executive on behalf of County Executive William R. Steinhaus.

The Legal Notice invited interested parties to be heard concerning:

Introducing a Local Law, Electing A Retirement Incentive Program, Part A thereof, As Authorized by Chapter 105, Laws of 2010 for the Eligible Employees of Dutchess County.

There were several appearances and three (3) submissions of written statements that were read during the hearing.

The Public Hearing was declared closed at 10:35 a.m.



James M. Fedorchak,
County Attorney acting for:
William R. Steinhaus, Dutchess County Executive

August 30, 2010
Date

INTRODUCING A LOCAL LAW, ELECTING A RETIREMENT INCENTIVE PROGRAM, PART A THEREOF, AS AUTHORIZED
 BY CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF DUTCHESS COUNTY
 PUBLIC HEARING, August 26, 2010 at 10:00 A.M.

NAME (PRINT)	ADDRESS (PRINT)	PHONE	ORGANIZATION OR AFFILIATION (IF ANY)	WISH TO SPEAK (YES OR NO)
✓ JOSEPH S. KETO	413 SMITH RD HARTFORD CT	866-3091		YES
✓ Anna Aug 11. Noustart	10 Beechwood Ave Pough N.Y. 25 COBBY STER		Taxpayer / Probation Officer	Yes
✓ GEORGE DEBSTER	POUGHKEEPSIE N.Y. 12601 131 BOOTH BLVD E	482-7119		YES
✓ Jerome Sommer	Wappingers N.Y.	831-5443	Health Dept	NO
✓ Liz PIRANO	207 Beechwood Pough N.Y. AIR	452-6626	CSEA	Yes
✓ ALBERT McWELL	205 WINDMILL DR 45-62533		011004	NO
✓ Shaun Chesley	32 Kalkman's Dr. Pak. N.Y. 12601	705-6479	CSEA	NO
✓ Virginia Perce-Dowd	10 Brown Ave. Wappingers Falls, NY	297-0645		NO

PLEASE PRINT CLEARLY

SIGN IN SHEET # 2 OF _____

INTRODUCING A LOCAL LAW, ELECTING A RETIREMENT INCENTIVE PROGRAM, PART A THEREOF, AS AUTHORIZED BY CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF DUTCHESS COUNTY PUBLIC HEARING, August 26, 2010 at 10:00 A.M.

NAME (PRINT)	ADDRESS (PRINT)	PHONE	ORGANIZATION OR AFFILIATION (IF ANY)	WISH TO SPEAK (YES OR NO)
✓ Lois Miller	DA's office	486-2300	DA	No
✓ Peggy Malone	Probation	2625		No
✓ Maryann Loiacono	DSS	3148		✓
✓ Joan Markey	DSS	3182		N
✓ Amy Conwin	DSS	3013		M
✓ Robert Richard	Probation	2618		Y
✓ Jack Krzak	PROBATION	2637		N

PLEASE PRINT CLEARLY

INTRODUCING A LOCAL LAW, ELECTING A RETIREMENT INCENTIVE PROGRAM, PART A THEREOF, AS AUTHORIZED BY CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF DUTCHESS COUNTY PUBLIC HEARING, August 26, 2010 at 10:00 A.M.

NAME (PRINT)	ADDRESS (PRINT)	PHONE	ORGANIZATION OR AFFILIATION (IF ANY)	WISH TO SPEAK (YES OR NO)
XXXXXXXXXX				
Gloria Matranga	1040 Violet Ave #211A	833-4738	DC county SS	No
Veera Krishniaru	10 Cottrell St. Ed, NY	486-2038	DC Finance	No
Melissa Brown	15 Field St. Fok	—	Protestion	No
Gary Basdon	Pol. NY	—	DCSS	Yes

PLEASE PRINT CLEARLY

INTRODUCING A LOCAL LAW, ELECTING A RETIREMENT INCENTIVE PROGRAM, PART A THEREOF, AS AUTHORIZED BY CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF DUTCHESS COUNTY PUBLIC HEARING, August 26, 2010 at 10:00 A.M.

FOR ELECTED OFFICIALS

NAME (PRINT)	ADDRESS (PRINT)	PHONE	OFFICE	WISH TO SPEAK (YES OR NO)
Sandrina Goldberg	40 W. Wood Dr	297-7670	DC Leg. in Dutchess	Yes No

PLEASE PRINT CLEARLY

OPENING STATEMENT
BY JAMES M. FEDORCHAK
August 26, 2010

Good morning. I am James M. Fedorchak, County Attorney and Acting County Executive. As such, I shall conduct this hearing which is held pursuant to Section 20(5) of the Municipal Home Rule Law. A summary of all oral testimony and the original documentation of written testimony presented shall be provided to the County Executive for his review and consideration.

The purpose of this public hearing is to receive public comments regarding a local law enacted by the Dutchess County Legislature on August 9, 2010. The formal name of this law is: "A Local Law Electing a Retirement Incentive Program, Part A Thereof, As Authorized by Chapter 105, Laws of 2010 for the Eligible Employees of Dutchess County". This local law offers a retirement incentive program, commonly referred to as Part A, to Dutchess County employees found to be eligible. This program is authorized by Chapter 105 of the New York State Statutes of 2010.

All those who wish to speak shall be allowed 3 minutes each. In lieu of speaking, you may submit a written statement.

Your comments must be confined to the local law. This public hearing is your opportunity to be heard. It is not an opportunity for discussion or questions and answers.

Please note that in addition to the minutes which are being taken, these proceedings may be recorded.

Each speaker must announce his or her name and address before making your statement. If you have not already done so, please enter the information requested on our "sign-in" sheet. You will be called in the order in which your name appears on the sheet. So we can move things along, please note the names called before yours. Elected officials will be called upon last.

Before we begin public comment, let the record show that notice of this hearing was published once in the Poughkeepsie Journal on August 19, 2010 and once in the Southern Dutchess News on August 18, 2010.

We will now open the hearing for comment.

SOUTHERN DUTCHESS NEWS
NORTHERN DUTCHESS NEWS
84 EAST MAIN STREET
WAPPINGERS FALLS, NY 12590

Affidavit of Publication

To: DUTCHESS CTY EXECUTIVE OFFICE
22 MARKET ST
POUGHKEEPSIE, NY 12601

Re: Legal notice #85974

State of NEW YORK }
County of DUTCHESS } SS:

I, JOAN MILLER, being duly sworn, depose and say: that I am the Publisher of Southern Dutchess News, a weekly newspaper of general circulation published in WAPPINGERS FALLS, County of DUTCHESS, State of NEW YORK; and that a notice, of which the annexed is a printed copy, was duly published in Southern Dutchess News once on 08/18/10.

Joan Miller

Sworn to before me this 18th day of August, 2010

Nancy Hyduke

NANCY HYDUKE

Notary Public, State of NEW YORK
No. 01HY6221990

Qualified in DUTCHESS County
My commission expires on June 14, 2014

LEGAL NOTICE
NOTICE IS HEREBY GIVEN that a public hearing will be held by the County Executive of Dutchess County in the County Office Building, County Attorney's Conference Room, 5th Floor, 22 Market Street, Poughkeepsie, New York, on the 26th day of August, 2010 at 10:00 a.m. on the following local law: **A local law, electing a Retirement Incentive Program, Part A thereof, as authorized by Chapter 105, Laws of 2010 for the eligible employees of Dutchess County** At said time and place, all parties interested will be heard.

August 12, 2010
William R. Steinhaus
Poughkeepsie,
New York
County Executive

DATED:

Poughkeepsie Journal

Poughkeepsie, N.Y.

AFFIDAVIT OF PUBLICATION

State of New York
County of Dutchess
City of Poughkeepsie

Rita Lombardi, _____ of the City of Poughkeepsie,
Dutchess County, New York, being duly sworn, says
that at the several times hereinafter mentioned he/she
was and still is the Principle Clerk of the Poughkeepsie
Newspapers Division of Gannett Satellite Information
Network, Inc., publisher of the Poughkeepsie Journal, a
newspaper published every day in the year 2010 in the
city of Poughkeepsie, Dutchess County, New York, and
that the annexed Notice was duly published in the said
newspaper for one insertion
successively, in each week, commencing on the 19th
day of Aug. in the year of 2010 and
on the following dates thereafter, namely on:

And ending on the _____ day of _____ in
the year of 2010, both days inclusive.

Rita Lombardi
Subscribed and sworn to before me this 20 day
of AUGUST in the year of 2010.

JANICE KAIZ

Notary Public

LEGAL NOTICE
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At said time and place,
all parties interested
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DATED: August 12, 2010
Poughkeepsie, New
York
William R. Steinhilber
County Executive
6354

My commission expires _____
JANICE KAIZ
NOTARY PUBLIC, State of New York
NO. 01KA6215075
Qualified in Dutchess County
Commission Expires December 21, 2013

The foregoing local law Resolution (#2010217) was laid on the desk at this meeting and revised and re-laid on the desk by mail on July 14, 2010, and considered at the August 9, 2010 Regular Board Meeting.

Discussion on the foregoing Resolution No. 2010217 resulted as follows:

The Chairman entertained a motion from the floor, duly seconded and unanimously adopted, to suspend the regular order of business to allow the public to address the Legislature on Resolution No. 2010217.

Legislator Kelsey questioned Elizabeth Piraino, President, CSEA Union, regarding the cost of implementing this program and wondered if during negotiations would the CSEA be supporting saving costs.

Legislator Kuffner called for "Point of Order" and questioned the fairness of Legislator Kelsey asking questions regarding negotiations that should be private matters.

Chairman Rolison stated that Elizabeth Piraino could state that and it would end the discussion.

Piraino, President, CSEA Union, responded that the CSEA Union is always looking to help the county cut costs wherever they can. She further stated that the Legislature had to remember that whatever suggestions that she would have and also that she could say yes to a million things but it would have to go before the general membership and they would have to approve it.

No one else wishing to be heard, the Chairman entertained a motion to resume the Regular Order of Business.

Roll call vote on the foregoing Resolution No. 2010217 resulted as follows:

AYES: 19 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg,
Horton, Jeter-Jackson, Kuffner, MacAvery, Rolison, Roman, Sadowski,
Thomes, Traudt, Tyner, Weiss, White.

NAYS: 5 - Horn, Incoronato, Hutchings, Surman, Kelsey.

ABSENT: 1 - Miccio.

Resolution adopted.

The County Executive held a public hearing on the foregoing local law on Thursday, August 26, 2010, at 10 am and returned the local law vetoed. There was no attempt to override the veto. Vetoed sustained.

Budget, Finance, & Personnel Committee
Laid on Desks 7-12-10
Re-laid on Desks 7-14-10
Pulled by sponsors and not considered in 2010

RESOLUTION NO. 2010218

**RE: INTRODUCING A LOCAL LAW, ELECTING A RETIREMENT
INCENTIVE PROGRAM, PART B THEREOF, AS AUTHORIZED BY
CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF
DUTCHESS COUNTY**

Legislators ROLISON and COOPER offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopts Local Law
No. of 2010, which has been submitted this day for consideration by said
Legislature.

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

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 day of , 2010, 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 day of 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

LOCAL LAW NO. ____ OF 2010

RE: A LOCAL LAW, ELECTING A RETIREMENT INCENTIVE PROGRAM, PART B THEREOF, AS AUTHORIZED BY CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF DUTCHESS COUNTY

BE IT ENACTED BY THE County Legislature of the County of Dutchess as follows:

SECTION 1: Legislative Intent:

The Dutchess County Legislature hereby elects to provide all of its eligible employees with the 2010 retirement incentive program authorized by Chapter 105, Laws of 2010, of the State of New York.

SECTION 2: Part B:

- A. The Dutchess County Legislature hereby offers Part B of the 2010 Retirement Incentive Program.
- B. The commencement date of the retirement incentive program shall be October 1, 2010.
- C. The open period during which eligible employees may retire and receive the additional retirement benefits shall be 90 days in length and shall expire on December 29, 2010.
- D. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this Local Law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Dutchess.

SECTION 3: Separability.

If any part of this local law is found to be illegal by a Court of competent jurisdiction, the remaining sections shall remain in full force and effect.

SECTION 4: Effective Date.

This Local Law shall take effect on September 1, 2010.

The foregoing local law Resolution No. 2010218 was laid on the desk at this meeting and revised and re-laid on the desk by mail on July 14, 2010, and not considered in 2010.

Condolence: Allan E. Rappleyea

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

Whereas, The Dutchess County Legislature expresses its deepest sadness and sense of great loss over the recent death of Allan E. Rappleyea who passed away on June 27, 2010 surrounded by his loving wife and family; and

Whereas, Allan E. Rappleyea was the son of Guy and Gertrude (Whalen) Rappleyea, born on February 3, 1930, in Poughkeepsie, New York. Allan attended and graduated from Poughkeepsie High School and thereafter attended Albany Teachers College and graduated from Albany Law School; and

Whereas, Allan E. Rappleyea served in the U.S. Army for three (3) years and was honorably discharged; and

Whereas, Allan wed his wife, Julie on June 29, 1957 and they had seven (7) children, Julie Audia, Mary McCarthy, Patricia O'Brien, Sara Johnson, Susan Whalen and John and Allan Rappleyea. He is loved by twenty-five grandchildren and two great-grandchildren; and

Whereas, Allan E. Rappleyea practiced law in Poughkeepsie, he was a Senior Partner in the Law Firm of Corbally, Gartland, and Rappleyea. Allan practiced law for almost 60 years; and

Whereas, Allan E. Rappleyea was a life long communicant of St. Mary's Parish, he was proudest of his service to St. Mary's with his commitment to the rebuilding of the church as one of his finest moments; and

Whereas, Allan E. Rappleyea was an active member of the community where he served on many boards and charities and was the recipient of many honors and awards during his life time. Allan had received "Man of the Year" from the Boy Scouts in 2005, Franciscan Award from St. Francis Hospital, he was very proud of his long time association with Dutchess Community College, Stissing National Bank, the Bank of Millbrook, St. Francis Hospital, and the Dutchess Community Agricultural Society to mention a few; and

Whereas, his passing will be mourned by his family, friends and colleagues throughout Dutchess County and the surrounding Counties, now, therefore, be it

Resolved, the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deepest sympathy and sincere condolences to the family and friends of Allan E. Rappleyea, and be it further

Resolved, that a copy of this resolution be forwarded to the family of Allan E. Rappleyea and that this meeting at the Dutchess County Legislature be adjourned in memory of the late Allan E. Rappleyea.

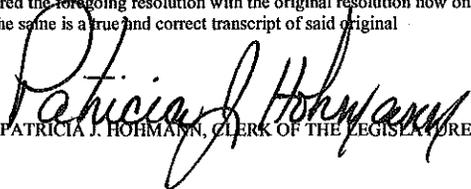
STATE OF NEW YORK

ss: 2010219

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Resolution No. 2010219 entitled, "Condolence – Allan E. Rappleyea" was unanimously adopted by voice vote.

Condolence: Richard M. Dorrer

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

Whereas, The Dutchess County Legislature has learned with sadness and regret of the recent death of Richard M. Dorrer, a longtime public servant, on July 6, 2010, peacefully at home in Pine Plains, New York; and

Whereas, Richard M. Dorrer was a lifelong resident of Dutchess County. He was born March 5, 1943 in Rhinebeck, New York. He was the son of the late John and Estella Kilmer Dorrer; and

Whereas, he attended Rhinebeck Schools and proudly worked on local farms; and

Whereas, Richard married the former Linda Dalzell on March 22, 1985. Richard is survived by one son, Scott Dorrer and two stepdaughters Cathy Robinson and Cara Romanowsky; and

Whereas, Richard M. Dorrer was baptized as one of Jehovah's Witnesses on March 21, 1992 and was a member of the Millerton, New York (English) congregation; and

Whereas, Richard M. Dorrer, was an electrician at Western Publishing Company for over twenty years until the facility closed. Thereafter, he worked as an electrician for the Dutchess County Department of Public Works for twenty-five years, retiring in April 2009; now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Richard M. Dorrer, and, be it further

Resolved, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Richard M. Dorrer.

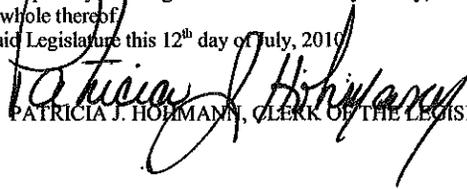
STATE OF NEW YORK

ss: 2010220

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOLMANN, CLERK OF THE LEGISLATURE

Resolution No. 2010220 entitled, "Condolence – Richard M. Dorrer" was unanimously adopted by voice vote.

Condolence: Robert J. O'Leary

Legislator MacAVERY offers the following and moves its adoption:

Whereas, The Dutchess County Legislature has learned with sadness and regret of the recent death of Robert J. O'Leary on June 24, 2010, at home in Beacon, New York; and

Whereas, Robert J. O'Leary was born December 11, 1943 in Beacon, New York . He is the son of John J. and Katherine Kreider O'Leary; and

Whereas, Robert is survived by his two children Timothy P. O'Leary and Robin M. Miket and two grandchildren, Alexis and Madison Miket; and

Whereas, Robert J. O'Leary was a retired Union Carpenter from Empire State Carpenters Union Local 323, Poughkeepsie, New York; and

Whereas, Robert J. O'Leary dedicated his life to his community as a fireman and leader of several fire fighting organizations. Robert was a member of Mase Hook and Ladder Co., a Director in the Dutchess County Fireman's Association, a volunteer of the New York State Fireman's Home in Hudson, and a member of the Beacon Lodge of Elks, Lodge 1493; and

Whereas, Robert J. O'Leary was an honorary life member of the Beacon Engine Co., and a life member in the following organizations, Hudson Valley Fireman's Association, Red Vest Organization, as well as a life member of Hudson-Mohawk Firemen's Association

Whereas, Robert J. O'Leary was a life member of St. Rocco's society; now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Robert J. O'Leary; and, be it further

Resolved, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Robert J. O'Leary.

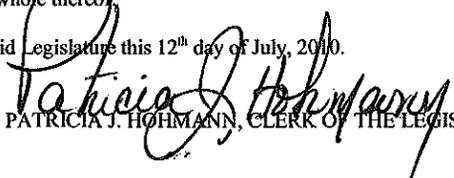
STATE OF NEW YORK

ss: 2010221

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Resolution No. 2010221 entitled, "Condolence – Robert J. O'Leary" was unanimously adopted by voice vote.

RE: Proclaiming July 2010 as Dutchess Watershed Awareness Month

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

WHEREAS, water quantity and quality are basic ingredients to the health and quality of life in Dutchess County, and

WHEREAS, water exists in watersheds that extend beyond municipal boundaries, and Dutchess County's municipalities are working together to protect water resources, and

WHEREAS, there is a need to educate all members of the community about how watersheds contribute to the health and quality of life in Dutchess County, the recreational activities they provide, and how daily actions of residents can affect the quantity and quality of water in the watershed, and

WHEREAS, watershed groups and organizations are working throughout the County to maintain and improve water quantity and quality in all of our watersheds, and

WHEREAS, these various watershed groups have collaborated to organize over 40 events throughout the county that are mostly free and family-friendly to increase awareness of the need to protect water resources, with information on events being provided at www.dutchesswam.com, and

WHEREAS, Dutchess County is a leader in watershed protection, and in organizing a Watershed Awareness Month on this scale and breadth of activities, now, therefore be it

RESOLVED, that the Dutchess County Legislature proudly proclaims the month of July 2010 as Dutchess Watershed Awareness Month and encourages all municipal officials, citizens and visitors to participate in the scheduled events to learn more about watersheds: how they contribute to health and the quality of life, the recreational activities they provide, and how daily actions can affect the quantity and quality of water in watersheds. The Dutchess County Legislature also commends the Dutchess Watershed Coalition including Cornell Cooperative Extension Dutchess County, Clearwater, Vassar College, and representatives from the many watershed organizations, partnering organizations and local sponsors for their collaborative efforts, involving numerous volunteer hours, to organize Dutchess Watershed Awareness Month.

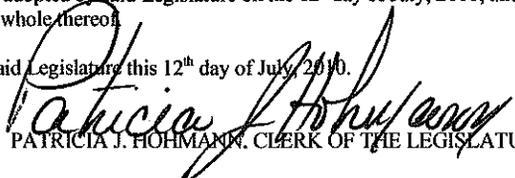
STATE OF NEW YORK

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 12th day of July, 2010, 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 12th day of July, 2010.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Resolution No. 2010222 entitled, "Proclaiming July 2010 as Dutchess Watershed Awareness Month" was unanimously adopted by voice vote.

On motion by Legislator Cooper, duly seconded by Legislator Flesland and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non agenda items.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, New York, spoke on the need of regional spaying of cats. He further stated that he would like to speak on retirement and that an employee should not receive a pension that was more than the salary due to overtime and that the retirement system should be reviewed.

No one else wishing to speak, on motion by Legislator Cooper duly seconded by Legislator Flesland and carried, the Regular Order of Business was resumed.

On motion by Legislator Cooper, duly seconded by Legislator Flesland and carried, the meeting was adjourned in memory of Richard M. Dorrer, Robert J. O'Leary, and Allan E. Rappleyea at 8:30 pm subject to call of the Chair.