Organizational Meeting

of the

Dutchess County Legislature

Tuesday, January 5, 2010

The Clerk of Legislature called the meeting to order at 7:05 p.m.

Roll Call by the Clerk of the Legislature

PRESENT: 25 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White

ABSENT: 0

Quorum Present.

Presentation of the Colors by the Dutchess County Sheriff's Office Color Guard, led by Undersheriff Kirk Imperati.

Pledge of Allegiance to the Flag led by Undersheriff Kirk Imperati.

Invocation by Father John Brinn of St. Mary's Church, Poughkeepsie, followed by a moment of silent meditation.

Singing of the Star Spangled Banner by Karen Johnson.

Swearing-in Ceremony of Legislators officiated by the Honorable George Marlow, Supreme Court Justice.

Legislator Miccio made a motion, which was seconded, to elect Legislator Hutchings as Temporary Chairman of the Legislature.

Roll call vote on the motion to elect Legislator Hutchings as Temporary Chairman of the Legislature proceeded as follows:

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

NAYS: 1 Doxsey

ABSTAIN: 1 Goldberg

Motion carried.

Legislator Hutchings was elected temporary Chairman of the Legislature.

Legislator Flesland made a motion, which was seconded, to nominate Legislator Rolison as Chairman of the Legislature.

Roll call vote on the motion to elect Legislator Rolison as Chairman of the Legislature proceeded as follows:

AYES: 25 Rolison, Cooper, Flesland, Goldberg, Kuffner, Bolner, Borchert, Doxsey, Forman, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White

NAYS: 0

Motion carried.

Legislator Rolison was elected Chairman of the Legislature

Chairman Rolison read the foregoing address.

January 5, 2010

CHAIRMAN'S ADDRESS
to the Dutchess County Legislature

Today is a day of new beginnings.

I'm grateful and honored to serve this distinguished legislative body as its new Chairman and I hope that you too recognize that today is a fresh, new start for all of us.

We, as Legislators, come from different perspectives, points of views, and geographic regions. In order for us to be successful public servants we must end political infighting and partisan bickering while we engage in civil debates, respectful consideration of our differences, and remember the importance of governing through consensus.

I challenge my colleagues, regardless of party affiliation, to put the work of serving the people above serving a political party so that together we can restore confidence in this government. By putting aside our differences and reaching out into the vast landscape of this county, we will tackle the many challenges facing county government and the individuals, families and businesses we are entrusted to serve. Those elected to lead will indeed need to listen to the people, make the difficult choices, and be part of the solutions – never part of the problems.

As the legislative branch of our county's government, we adopt a budget and establish policy. Of course, we cannot do this alone or in a vacuum. We must work with others selected by residents to serve this county as a whole: County Executive Bill Steinhaus, Sheriff Butch Anderson, District Attorney Bill Grady, County Clerk Brad Kendall and our new Comptroller Jim Coughlan. We will seek partnership, advice and counsel from county department heads, our municipal leaders, the Dutchess County Supervisors and Mayors Association, community and business leaders, and most importantly, the people of Dutchess County

Now, more than ever, is the time for citizens to get involved and we must do more to give them every opportunity to do so. Let us open up county government by building upon initiatives to web cast legislative meetings, expand television and live feed coverage, hold more public hearings and ultimately make the process of crafting legislation as transparent as possible.

Recognizing the importance of technology, we will ensure the Legislature's website is more user-friendly, allowing for easier communication with elected representatives and the people we serve. Networking tools such as Facebook and Twitter should be utilized to help us communicate with our constituents. Our legislative Clerk Patty Hohmann, my assistant, Mike Ellison, and the great staff we have assembled will surely help us utilize technology so we can better keep our finger on the pulse of our diverse county.

I firmly believe public involvement leads to better policy.

While we listen to the concerns and ideas of the people, we must recognize that jump-starting a struggling economy - burdened by high taxes and unemployment - is our number one priority. To ensure our county finances are solvent we must stress fiscal responsibly with every decision.

We need to ask ourselves two basic questions every time we vote on a program or regulation... Is this something residents need? Is this something they can afford? If the answer is ***no***, the vote should be ***no***.

Tough decisions certainly await us; one of the toughest will be how to improve the Resource Recovery Agency. The RRA's mission seems simple enough; take our garbage and turn it into usable, affordable energy. It's a great effort, but now the agency is in desperate need of reform.

We begin this path to reform by working with our new County Comptroller Jim Coughlan in auditing the agency and considering his recommendations on how best to make the RRA more cost-efficient. We will hold a series of public hearings on funding the RRA so that this body can vet ideas and act in a prudent manner. If a new revenue stream is needed, we must bring the idea directly to the people, municipal leaders, and those in the waste industry. We must revisit flow control and facility upgrades that will help protect our environment and the taxpayers of Dutchess County.

In order for us to better grapple with all our fiduciary responsibilities, I respectfully suggest that, for us, the 2011 budget process begin ***now***!

Understanding that difficult choices lie ahead, we must initiate dialogue with our County Executive, department heads, elected officials, and contract agencies as we examine the role of county government moving forward.

I have asked Legislator Dale Borchert to Chair our Budget, Finance and Personnel Committee. With his leadership, and your involvement, we should begin meeting with the necessary parties so that together we can craft new policy and confront specific budget concerns well in advance of the our deadline.

We should return to the intense budget review and development model that worked so successfully under my predecessors, Brad Kendall and Gary Cooper, and their respective Budget Committee Chairmen, now state Assemblyman, Marcus Molinaro and, now Pawling Town Supervisor, David Kelly. Hearings will begin in earnest immediately upon receipt of the executive's proposal, time will be managed efficiently, and the public will be provided our intent as we consider amendments. We must evaluate every expenditure and consider every program in terms of how they fit into the core mission of this county government.

Dale will have his work cut out for him, but I know he will do this job well with a constant effort to maintain an open line of communication with the administration and his fellow legislators. Yet again, for the sake of all Dutchess County taxpayers the communication, the dialogue that will eventually produce 2011's budget must begin ***now***.

New York leads the nation in what has been dubbed the "brain drain." Too many of our state's young people are leaving to earn an education, secure a job, or grow a family elsewhere. Dutchess County cannot afford to lose our best and brightest to other regions.

By harnessing the energy of the young professional groups within the Dutchess County Regional Chamber of Commerce and the Greater Southern Dutchess Chamber of Commerce, and partnering with this county's great community college we will seek new ideas to support job growth, open new educational opportunities, address housing needs and ensure that Dutchess County's students and young people know this government is their government. I will ask Ben Traudt - who is among the youngest elected officials in the state, if not the nation - to work with those other young professionals and lead this charge.

We know that every level of government and every taxpayer is overburdened. One area where this county can continue to lead is by fostering shared services. Whether it's the delivery of emergency response, providing for law enforcement or the cost of running elections we must make building partnership with local governments a priority. Just as we cannot tolerate Washington and Albany's tired old approach of passing the cost to us, we too cannot sanction shifting the burden to others.

But now is also not the time for county government to expand its core mission, nor can anyone expect it to take on new programs and new costs. If we are to weather this economic crisis, restraint and partnership will be needed. The sharing of services will allow us to assist each other while dealing with enormous budget challenges.

To identify areas where cooperation and partnership can save taxpayer dollars I will form a "shared services commission" where Legislators Angela Flesland, DJ Sadowski and Dan Kuffner will be called upon to spearhead this essential, bipartisan effort.

Having spent my professional life in law enforcement, and now responding to the emergency needs of our county with the American Red Cross, I must commend all those who courageously serve and protect. Whether in local police or fire departments, the County Sheriff's Office or our state Police, these men and women deserve our utmost support, encouragement, and gratitude.

I respect and support, and that this Legislature, as the policy making branch of county government, has twice rejected, any move to require local payment for the provision of County Sheriff road patrols. I also accept the challenge of addressing an issue that has challenged us for some time, the handling of inmates and the size of our county jail.

Both of these matters demand greater discussion and dialogue than I can offer in my remarks today, so I will ask the Public Safety Committee, under the direction of Legislator Kenny Roman, to initiate meetings with law enforcement personnel, local municipal leaders, state police as well as our Sheriff and County Executive so that these issues become its priority.

Overall, the committee process will be strengthened. Every committee chair and their members will be asked to engage in the careful crafting of legislation with the best

interest of Dutchess County residents in mind. As we progress I will ask veteran and freshman legislators, Republicans and Democrats, to lead our committees. No one's talents will be overlooked, no one's passion will be ignored, and no one's willingness to work will be pushed aside.

The talent assembled in this room is immense. Congratulations to all those who return today in service, your experience will prove invaluable. And, to those who begin their service today, you have much to be proud of. You all represent the mindset of our mutual constituents that have demanded fresh, innovative ideas and we should not disappoint them.

We must work together, have constructive debates and dialogue, build consensuses so that we can find other areas to reduce spending, lower taxes and make Dutchess County a place where residents can afford to live, work and raise a family.

As I conclude, let me offer that good financial stewardship has been the hallmark of this county's administration. I commend our County Executive, department heads, our countywide elected officials and hard-working county employees for their service and commitment to improving the quality of life for all our residents. They should know, as should our constituents, that this new county Legislature is ready, willing and able to embrace fresh ideas, engage in the debates, build necessary consensuses, and meet whatever challenges come our way.

I am humbled by the honor bestowed upon me today. Rest assured, I understand all too well that actions speak louder than words. As we begin anew today I know that we can restore the public's confidence in us, not just by the words we speak, but also by the collective actions of this legislative body in the weeks and months ahead.

In speaking on behalf of Majority Leader Gary Cooper, Assistant Majority Leader Angela Flesland - dare I suggest Minority Leader Sandy Goldberg and Assistant Minority Leader Dan Kuffner - and hopefully all my colleagues, I offer confidently that today, as we begin anew, we seek to promote the very best in us, so we may deliver the very best for the people who sent us here.

Let us bring about the solutions to the problems facing us at a price our constituents can afford.

Thank you!!

Chairman, Robert Rolison – District 8/Poughkeepsie

RESOLUTION NO. 2010001

RE: APPOINTMENT OF THE CLERK OF THE COUNTY LEGISLATURE

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

RESOLVED, that Patricia J. Hohmann be and hereby is appointed Clerk of the Dutchess County Legislature of the County of Dutchess.

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 5th day of January, 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 6th day of January, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Discussion on Resolution No. 2010001 APPOINTMENT OF THE CLERK OF THE COUNTY LEGISLATURE resulted as follows:

Legislator Flesland made a motion, which was seconded and carried by unanimous voice vote, to amend the resolution to add Patty Hohmann as Clerk.

Roll call vote on Resolution No. 2010001 resulted as follows:

AYES:	20	Rolison, Cooper, Flesland, Bolner, Borchert, Forman, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio, Roman, Sadowski, Surman, Thomes, Traudt, Weiss.
NAYS:	3	Goldberg, Kuffner, Doxsey.
ABSTAIN:	2	Tyner, White.

Resolution No. 210001 adopted.

RESOLUTION NO. 2010002

RE: APPOINTMENT OF THE DEPUTY CLERK OF THE COUNTY LEGISLATURE

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

RESOLVED, that Carolyn Morris be and hereby is appointed Deputy Clerk of the Dutchess County Legislature of the County of Dutchess.

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 5th day of January, 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 6th day of January, 2010.

Patricia J. Hohmann

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Discussion on Resolution No. 2010002 APPOINTMENT OF THE DEPUTY CLERK OF THE COUNTY LEGISLATURE resulted as follows:

Legislator Flesland made a motion, which was seconded and carried by unanimous voice vote, to amend the resolution to add Carolyn Morris as Deputy Clerk.

Roll call vote on Resolution No. 2010002 resulted as follows:

AYES:	20	Rolison, Cooper, Flesland, Bolner, Borchert, Forman, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio, Roman, Sadowski, Surman, Thomes, Traudt, Weiss
NAYS:	3	Goldberg, Kuffner, Doxsey
ABSTAIN:	2	Tyner, White

Resolution No. 210002 adopted.

RESOLUTION NO. 2010003

RE: ADOPTION OF THE TEMPORARY RULES OF THE DUTCHESS COUNTY LEGISLATURE

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

RESOLVED, that the 2010 Rules, as attached hereto, be and they hereby are adopted as the Temporary Rules of the Dutchess County Legislature, effective January 1, 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 5th day of January, 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 5th day of January, 2010.

BARBARA HUGO, CLERK OF THE LEGISLATURE

2010

Temporary Rules of the Dutchess County Legislature

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TEMPORARY RULES OF THE DUTCHESS COUNTY LEGISLATURE FOR THE YEAR 2010

ARTICLE I

ORGANIZATIONAL MEETING OF THE COUNTY LEGISLATURE

RULE 1.1 ORGANIZATION MEETING:

The Organizational meeting of the County Legislature shall be conducted on or before the first Tuesday after the first Monday in January at 7:00 pm.

RULE 1.2 NOTICE OF ORGANIZATIONAL MEETING:

The Clerk of the County Legislature shall serve upon each member of the Legislature a written notice stating the date, time and place of meeting pursuant to Section 151 of the County Law. In the event of a vacancy in the Office of the Clerk of the Legislature, or his/her inability or failure to act in accordance with this provision, notice shall be given by the Deputy Clerk. If the offices of Clerk and Deputy Clerk of the Legislature are vacant, notice shall be given by the County Clerk.

RULE 1.3 ELECTION OF CHAIRMAN OF THE LEGISLATURE AND LEADERSHIP:

A. A Chairman of the County Legislature shall be elected by a roll call vote from the membership of the County Legislature at its Organizational Meeting, or at an adjourned meeting thereof,

who shall serve as Chairman for the balance of the calendar year. In the event of a vacancy, the County Legislature shall fill the office of Chairman in the manner provided by its rules. Should the County Legislature fail to select a Chairman within thirty (30) days after the office shall become vacant for any reason, the County Executive shall appoint a member of the County Legislature to serve as its Chairman for the balance of the calendar year, as provided in Section 302 (j) of the Dutchess County Charter.

B. Prior to the commencement of the Legislative Term, Members of the two political parties which shall have polled the largest vote in the past general election for the County Legislature shall elect leaders of their respective parties. The leader of the political party whose membership constitutes a majority shall be known as Majority Leader; the leader of the other political party shall be known as Minority Leader. The assistant leader of the political party whose membership constitutes a majority shall be known as Assistant Majority Leader; the assistant leader of the other political party shall be known as the Assistant Minority Leader.

RULE 1.4 APPOINTMENT OF CLERK OF LEGISLATURE

A Clerk of the Legislature shall be appointed by the Legislature at its Organizational Meeting, or at an adjourned meeting thereof, in the manner provided by its rules. The Clerk shall be and remain an elector of the County, and he/she shall serve at the pleasure of the Legislature and until his/her successor shall be appointed and shall qualify. A vacancy in the Office of the Clerk shall be filled by the County Legislature. The Legislature may appoint such Deputy Clerks and employees as it may require.

RULE 1.5 APPOINTMENT OF COUNSEL TO THE LEGISLATURE:

A Counsel to the Legislature shall be appointed in accordance with the provisions of Section 2.14 of the Dutchess County Charter.

RULE 1.6 CONFIRMATION OF APPOINTMENTS:

Confirmation of appointment, where required by the Dutchess County Charter, shall be by affirmative roll call vote of a majority of the members of the County Legislature, except that if the Legislature shall fail to take action within sixty (60) days after the filing of written notification of appointment with the Clerk of the Legislature such appointment shall be deemed approved.

ARTICLE II

MEETINGS OF THE LEGISLATURE

RULE 2.1 GENERAL PROVISIONS OF MEETINGS:

The County Legislature shall, in addition to its Organizational Meeting, hold regular meetings at stated intervals and special meetings as herein provided, all of which shall be public and may be adjourned from time to time. All such meetings shall be held at the Legislative Chambers in the Dutchess County Office Building, City of Poughkeepsie, Dutchess County, New York, and shall begin at the hour specified in these Rules unless a different time and place shall be provided by a motion for adjournment, or by notice of a special meeting. All meetings - regular, adjourned, or special - shall begin with the Pledge of Allegiance to the Flag. The time of convening and adjournment of each meeting shall be recorded in the Proceedings of the County Legislature.

RULE 2.2 REGULAR MONTHLY MEETINGS:

A. Regular monthly meetings of the County Legislature shall commence at 7:00 pm on the second Monday in each month during the year, except when the second Monday of a month shall fall on a legal holiday, in which case, such regular monthly meeting shall be held on the following day at the same hour and place, except in the month of January when the regular monthly meeting shall be on the fourth Monday of the month. Meetings of the Legislature may be established by resolution at the Organizational meeting for the ensuing term.

B. The Clerk of the County Legislature shall serve upon each member of the Legislature a written notice stating the date, time and place of the meeting at least forty-eight (48) hours before the date of the meeting, stating the subject matter of all resolutions, ordinances and local laws to be voted on at such meeting, except as otherwise provided in Rule 4.5. Such meeting may be postponed for up to 24 hours by the Chairman of the Legislature subject to the concurrence with the Majority and Minority Leaders.

RULE 2.3 SPECIAL MEETINGS:

Special meetings shall be held at the Call of the Clerk or Deputy Clerk of the Legislature upon direction of the Chairman or upon written request signed by a majority of the members of the Legislature; notice in writing stating the time, place and purpose of the special meeting shall be served either personally or by mail upon each member by the Clerk of the Legislature. In the event that such service is personal, it shall be made at least forty-eight (48) hours in advance of such meeting, upon each member of the Legislature by the Clerk of the Legislature or his/her designee,

who is competent to execute service of process in the State of New York. In the event that such service is by mail it shall be made upon each member of the Legislature at least seventy-two (72) hours in advance of such meeting by the Clerk of the Legislature. Service shall be deemed complete when deposited in a postage, prepaid envelope in a duly maintained depository of the United States Postal Service.

Special meetings will be held annually where county elected officials and department heads are invited to meet with the Legislature, in addition to meetings held at budget time.

Service either personal or by mail shall be evidenced by a notarized affidavit of service duly executed by the person making service. A member may waive the service of notice of such meeting by a waiver signed by the member.

Such meeting may be postponed for up to 24 hours by the Chairman of the Legislature subject to the concurrence with the Majority and Minority Leaders.

RULE 2.4 DUTIES OF THE CLERK OF THE LEGISLATURE:

The Clerk of the Legislature shall keep a record of all acts and proceedings of the Legislature and be the custodian of the records, vouchers and other papers required or authorized by law to be deposited in his/her office. The Clerk's responsibilities will include, but are not limited to, forwarding to all Legislators committee reports and printed draft minutes of committee and full Legislature meetings. He/she shall perform such additional and related duties as may be prescribed by law and/or directed by the County Legislature.

ARTICLE III

ORDER OF BUSINESS

RULE 3.1 ORDER OF BUSINESS:

The Order of Business at each meeting of the County Legislature shall be as follows:

a) Roll Call by the Clerk of the Legislature;
b) Pledge of Allegiance to the Flag, Invocation, and a Moment of Silent Meditation;
c) Privilege of the Floor with respect to printed agenda items;
d) Privilege of the Floor with respect to non-agenda items;
e) Approval of prior month's meeting minutes
f) Resolutions
1) Consent Resolutions
2) All Other Resolutions
3) Resolutions for Unanimous Consent;
g) Other County business;
h) Privilege of the Floor with respect to agenda and non-agenda County business; and
i) Adjournment.

ARTICLE IV

RULES OF ORDER AND PROCEDURE

RULE 4.1 ROLL CALL:

The members of the County Legislature shall be called to order by the Chairman at every meeting of the Legislature and it shall be the duty of the Clerk of the Legislature to call roll and record names of those members who are present or absent. Any member arriving after the roll call has been completed shall report to the Clerk and shall be recorded "Present, Late."

RULE 4.2 ATTENDANCE AND QUORUM:

A. A Majority of the whole of the members of the County Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

B. A member of the County Legislature who has answered roll call at any meeting of the Legislature shall not be permitted to absent himself/herself from such meeting without notifying the Clerk.

C. Any legislator failing to be properly seated at any regular or special meeting of the Legislature shall be recorded absent by the Clerk.

RULE 4.3 POWERS AND DUTIES OF THE CHAIRMAN:

A. It shall be the duty of the Chairman of the Dutchess County Legislature:

a) to become familiar with the property function and fiscal affairs of the County;
b) to see that the statutes, local laws and resolutions of the County Legislature and directions of County officers empowered to make the same are faithfully executed and report to the Legislature any neglect of duty; and
c) to make recommendations to the County Legislature on legislation and such other matters deemed material and advisable.

B. The Chairman shall preside at all meetings of the Legislature at which he/she is present; shall preserve order and decorum; shall decide all questions of order subject to appeal to the Legislature; and shall perform such duties as are provided by Law and these Rules.

C. In the event that the Chairman fails to appear within fifteen (15) minutes of the time fixed for a meeting of the Legislature, it shall be the duty of the Clerk of the Legislature to call the meeting to order and the Legislative members present, by a majority vote, shall select a member of the Legislature as Chairman who shall have and exercise all the duties and powers of the Chairman as temporary Chairman for said meeting.

D. The Chairman shall designate a Legislator as acting Chairman to preside when the Chairman desires to speak from the floor on any pending matter. Such designation shall be effective

until the question on the floor is disposed of or the Chairman elects to return to the Chair.

E. The Chairman shall in all cases, have the right to vote, except on appeals to the Legislature from decisions of the Chair; on all other questions, when the vote is equally divided, including the vote of the Chairman, the question shall be lost.

F. The County Legislature may delegate to the Chairman the power to:

a) determine what officers and employees of the Legislative Branch may attend conferences and schools conducted for the betterment of County government.
b) perform such other duties as the Legislature may determine to be necessary to give full effect to the provisions of the County Law or these Rules.

G. The Chairman may declare an emergency and adjourn a regular or special meeting to a date not to exceed seven (7) days beyond the meeting so adjourned.

H. After the Organizational Meeting of the Legislature, the Chairman shall establish a seating plan. Such plan shall be observed at all regular and special meetings of the Legislature.

I. The Chairman will notify, in a timely fashion, the sponsors of any resolutions, including those resolutions submitted by the Executive Branch, petitions, reports, or local laws which may have conformed to all other requirements of the Legislative rules but have been pulled by the Chairman. This notification will be accompanied by a written explanation from the Chairman.

RULE 4.4 PRIVILEGE OF THE FLOOR:

Persons not members of the County Legislature may, on motion to suspend the rules, be permitted to speak in regard to matters pending before the Legislature or in the process of being presented to said Legislature.

RULE 4.5 PETITIONS, REPORTS, MOTIONS AND RESOLUTIONS:

A. All petitions, reports, and resolutions shall be reduced to writing, sponsored by at least two members of the Legislature and filed with the Clerk.

B. Any Legislator who wishes to be a sponsor of any resolution shall notify the Clerk, at any time prior to the taking of the vote, and the Clerk with the permission of the sponsors(s) shall add the Legislator's name to the resolution as a sponsor or co-sponsor.

C. Petitions, reports, and communications may be presented to the County Legislature by the Chairman or any member of the Legislature and the same or a summary thereof shall be read by the Clerk.

D. All petitions, reports, motions, resolutions and communications requiring action of a committee shall be referred by the Chairman without motion to the committee having in charge matters relating to the same.

E. All resolutions, to be presented at a regular, adjourned or special meeting of the County Legislature shall be filed with the Clerk of the County Legislature not later than 4:45 pm

on the resolution deadline date established annually except that this requirement may be waived by the Chairman of the Legislature.

F. All resolutions amending the adopted budget or directing a capital expenditure must be submitted with a fiscal impact statement.

G. All resolutions authorizing the bonding of expenditures of $500,000 or more shall be presented at a meeting of the relevant Committee no later than seven (7) calendar days prior to the regularly scheduled legislative committee day and copies thereof shall be placed immediately thereafter in the mailbox of each legislator located in the legislative office This requirement may be waived by the Chairman of the Legislature.

H. No resolution except those subject to Rule 4.5 (G) shall be considered by a committee unless the same shall have been placed in the mailbox of each legislator located in the legislative office at least three (3) calendar days prior to the legislative committee day. This requirement may be waived by the Chairman of the Legislature or in his/her absence by the Chairman of the relevant Committee.

I. A proposed local law may be introduced by a member of the Legislature at a meeting of the Legislature by laying it on the desks of each Legislator.

As an alternative means of introduction, the Chairman of the Legislature may introduce the Local Law by mailing copies to each Legislator in postpaid, properly addressed and securely closed envelopes or wrappers in a post box or post office of the United States Post Office, at least ten (10) calendar days, exclusive of Sunday, prior to a meeting of the Legislature and, at the same

time, placing copies in the mailbox of each Legislator at the Legislative office.

J. The Clerk will notify, in a timely fashion, the sponsors of any resolutions, including those resolutions submitted by the Executive Branch, petitions, reports, or local laws which have conformed to all other requirements of the Legislative rules which have been pulled by the Committee Chairman. This notification will be accompanied by a written explanation from the Committee Chairman.

K. A Consent Agenda may be presented by the Chairman of the Legislature at the beginning of a meeting. Any item of business requiring action by the Legislature but considered to be routine or not controversial in nature, may be presented as part of the Consent Agenda. The Consent Agenda shall be introduced by a motion "to approve the Consent Agenda" and shall be considered by the Legislature as a single item. The motion to approve the Consent Agenda is not debatable. Upon objection by any Legislator to inclusion of any item on a Consent Agenda, that item shall be removed from the Consent Agenda. Such objections may be recorded any time prior to the taking of a vote on a motion to approve the Consent Agenda. Any item removed from the Consent Agenda shall be considered as part of all other resolutions portion of the agenda. The approval of motion to approve the Consent Agenda shall be fully equivalent to approval, adoption or enactment of each such motion or resolution or other item of business thereon, exactly as if each had been acted upon individually.

RULE 4.6 PRIORITY OF BUSINESS:

All questions relating to the priority of business under the same order of business shall be decided by the Chairman without debate.

RULE 4.7 WHEN DEBATE IN ORDER:

No debate shall be in order until the pending questions shall be stated by the Chair.

RULE 4.8 ADDRESSING THE CHAIR:

A member rising to debate, to give notice, to make a motion, or report, or to present a petition on other Legislative business, shall address the Chair and shall not proceed until recognized by the Chair. When two or more members rise to speak at the same time, the Chair shall decide and determine which party is entitled to the floor.

RULE 4.9 CALLS TO ORDER:

If a member shall breach or violate the Rules of the County Legislature or Robert's rules of Order, the Chairman shall call him/her to order, in which case the member so called shall yield the floor and observe order and decorum until recognized by the Chair.

RULE 4.10 MEMBERS ENTITLED TO VOTE:

A. Any member who shall be present when the Chairman announces a vote shall vote.

B. A member has the right to change his/her vote up to the time the vote is finally announced by the Chairman.

RULE 4.11 APPEAL FROM DECISION OF CHAIR:

A. Any member of the Legislature may appeal from any decision of the Chairman, except when another appeal is pending, but it can be made only at the time the ruling is made. If any debate or business has intervened, it is too late to appeal.

B. When a member wishes to appeal from the decision of the Chair, he/she shall do so as soon as the decision is made, even though another has the floor and without waiting to be recognized by the Chair, saying, "Madame/Mr. Chairman, I appeal from the decision of the Chair." If this appeal is seconded, the Chair should state clearly the question at issue and his reasons for the decision if he/she thinks it necessary and then state the question. If there is a tie vote, the Chair is sustained.

C. An appeal cannot be debated when related to indecorum, transgression of rules of speaking, priority of business or while the immediately-pending question is undebatable. When debatable, no member is allowed to speak more than once except the Chairman, who may at the close of the debate answer the arguments against the decision.

RULE 4.12 VOTE REQUIRED FOR ADOPTION OF RESOLUTIONS:

A. It shall require a majority vote of all members of the Legislature to adopt a resolution; however, any procedural matter may be adopted by a majority of the members present, except where these rules expressly provide to the contrary and where otherwise required by law.

B. Once the County Budget in any given fiscal year has been adopted it shall require 2/3 affirmative vote of all members of the Legislature to adopt resolutions authorizing the transfer of funds from any contingency line in the adopted County Budget or from the fund balance.

RULE 4.13 EFFECTIVE DATE OF RESOLUTIONS

All resolutions shall become effective as provided by law.

RULE 4.14 POWER TO AMEND OR REPEAL RESOLUTIONS, ORDINANCES AND LOCAL LAWS:

Except as otherwise expressly provided by law or these Rules, the Legislature shall have the power to amend, repeal or supersede any local laws, ordinances or resolutions theretofore adopted.

RULE 4.15 ROLL CALL VOTE TAKEN:

The roll call vote shall be taken on any questions when required by statute or these Rules, or upon demand by any member of the Legislature at any time prior to stating the next question.

RULE 4.16 WITHDRAWAL OF A MOTION:

A motion for leave to withdraw a motion may be made by the mover at any time before voting on the question has commenced, even though the motion has been amended and it requires no second. After the question has been stated, it is in possession of the Legislature, and a member can neither withdraw nor modify it without the consent of the Legislature.

RULE 4.17 MOTIONS WHEN RECEIVABLE:

When a question is under debate, no motion shall be entertained unless:

1) for an adjournment;
2) to lay on the table;

3) for the previous questions;
4) to postpone;
5) to refer to a committee;
6) to amend.

These motions shall have preference in the order in which they are here stated; the first four motions are neither amendable nor debatable.

RULE 4.18 ADJOURNMENT:

A motion to adjourn may be made by a member who has the floor; it cannot be made during a roll call or when the Legislature is engaged in voting and it shall be decided without debate.

RULE 4.19 MOVING THE QUESTION:

A. The Chair shall not close debate so long as any member who has not exhausted his/her right to debate desires the floor, except by order of the Legislature, which requires a 2/3 majority of those present and voting.

B. The form of this motion is "I move (or demand, or call for) the question on (here specify the motion on which it is desired to be ordered)." It cannot be debated or amended and must be voted on immediately. When the Legislature shall order the question and amendments are pending, the questions shall first be taken upon such amendments in reverse order and then upon the main question without further debate or amendment.

RULE 4.20 POSTPONEMENT OF CONSIDERATION:

A. A motion to lay a question on the table shall be decided without amendment or debate. This motion cannot be applied to anything except a question actually pending.

B. A motion to postpone to a day certain or to make the consideration of the question a special order for a day certain shall until it is decided preclude all amendments to the main question. A question cannot be postponed beyond the next regular session of the Legislature.

RULE 4.21 REFERENCE TO COMMITTEE:

The motion to commit or refer to a committee shall, until it is decided, preclude all amendments to the main question.

RULE 4.22 RECONSIDERATION GENERALLY:

No motion for reconsideration shall be in order unless made on the same day, or the meeting, regular or special, next succeeding that on which the decision proposed to be reconsidered took place, nor unless made by a member who voted with the prevailing side on the vote of the motion or resolution proposed to be reconsidered.

RULE 4.23 MINUTES OF MEETINGS OF THE LEGISLATURE:

A. All resolutions, reports of committees of this Legislature, reports of County Officers, notices and communications from State Officers directing the levy of any tax shall be printed in full in the proceedings of the Legislature.

B. The printed minutes of the Clerk shall record the reading of other communications with sufficient description to show their nature and purpose, but they need not be printed in full in the proceedings except upon the order of this Legislature. Public comment shall be included in the minutes, which will include the name and address of the person who speaks.

C. In all cases where a resolution or motion is entered on the minutes the Clerk shall enter the name of the moving members.

D. A draft of the previous regular monthly meeting's minutes shall be given to Legislators, either by e-mail or in their mail boxes, no later than five days before the next regularly scheduled monthly meeting. Accepted minutes shall be made available to Legislators no more than seven days after the meeting at which they were accepted. The same requirements shall apply to the minutes of any special meeting conducted by the Legislature.

RULE 4.24 WHERE NO EXPRESS RULE IS PROVIDED:

Except as herein otherwise provided, Robert's Rules of Order (newly revised), shall be applicable and shall govern.

RULE 4.25 STATE STATUTE OR COUNTY CHARTER SHALL GOVERN:

A. In the event that any Rules herein, or portion thereof, is inconsistent or in conflict with any State Statute or County Charter, the said State Statute or County Charter shall govern.

B. In the absence of any rule or in the event of an inconsistency of any rules of this Legislature with respect to any requirement of the statutes of the State of New York or the County Charter, such statutory provision or requirement shall be deemed to be a part of these Rules and such statute shall govern.

RULE 4.26 AMENDMENT TO RULES:

The Legislature shall have the power to amend these Rules by affirmative vote of a majority of the whole Legislature.

ARTICLE V

COMMITTEES

RULE 5.1 CREATION OF COMMITTEES:

For the purpose of aiding or assisting the Legislature in the transaction of its business, the Legislature shall create Standing and Special Committees. The local law or resolution creating such Standing or Special Committee shall specify the power, duties and number of such committee members.

RULE 5.2 GENERAL DUTIES AND FUNCTIONS OF COMMITTEES:

Every committee shall have actual or implied authority to do whatever is necessary to carry out the functions of the committee or whatever is reasonably incidental thereto, and shall do things as may be necessary or advisable to comply with the requirements of the law and of this Legislature.

RULE 5.3 TIME AND MANNER OF APPOINTMENT COMMITTEES:

Except as specifically required by law, all committees of this Legislature shall be appointed from its membership by the Chairman within thirty (30) days from the date of the Organizational Meeting by filing with the Clerk a list showing the name of the committee and the membership thereof and all vacancies shall be filled in like manner. The Clerk shall, upon receipt of such list, mail a copy to each member of the Legislature. Those committees specifically required to be appointed pursuant to law shall be created as directed by Statute. The Chairman of the Legislature, Majority Leader, Assistant Majority Leader,

Minority Leader and Assistant Minority Leader shall be ex officio members of each of said Committees.

RULE 5.4 TERM OF COMMITTEE MEMBERSHIP:

A member of any Standing or Special Committee shall serve until the end of the year of his/her appointmentunless sooner replaced by the Chairman for stated written cause. Each member of any Special Committee shall serve for a period specified in the resolution appointing him/her unless sooner replaced by the Chairman, provided, however, no committee member shall serve longer than the term of which he/she shall have been elected as Legislator.

RULE 5.5 RULES OF PROCEDURE FOR COMMITTEES:

A. The Chairman of each committee shall be the Presiding Officer and shall cause the members thereof to be notified twenty-four (24) hours in advance of each meeting and call all necessary and required meetings. Upon his refusal or neglect to call any meeting, the Clerk of the Legislature upon written request signed by a majority of the committee shall call such meetings. Each committee shall perform the duties assigned to it by the Legislature and such other duties as may be required by law.

B. The Order of Business at each meeting of Committees of the County Legislature shall be as follows:

a) Roll Call by the Clerk
b) Presentations and Reports
c) Privilege of the floor with respect to printed agenda items
d) Consideration of Resolutions with respect to printed agenda items
e) Other Business
f) Adjournment

C. A quorum shall be defined as a majority of the members of any given committee including the Chairman of the Legislature, the Majority Leader, the Minority Leader, the Assistant Majority Leader, and the Assistant Minority Leader.

For the purpose of conducting the business of any given committee, a quorum must be maintained. Except as provided in Rule 4.12, once a quorum has been established all voting shall be decided by a majority of those present and voting, including the Chairman of the Legislature, the Majority Leader, the Minority Leader, the Assistant Majority Leader and the Assistant Minority Leader. Except as provided in Rule 4.12, all committee determinations shall be on recorded roll call vote of a majority of those present and voting. All votes shall be cast in person in open session of the committee.

D. The chairman of a committee shall not close debate so long as any member of the committee who has not exhausted his/her right to debate desires the floor, except by order of the committee, which requires a 2/3 majority of those members present. Every member of the committee present shall have the opportunity to speak at least once for a period not to exceed ten minutes.

E. All petitions, reports, and resolutions to be considered by a committee and that have followed the procedures set forth in these Rules, shall be reduced to writing, sponsored by at least two members of the Legislature and may be offered without a seconding motion.

F. No report shall be made by any committee on any subject referred to it in the absence of approval by a majority of the said committee unless a majority of the Legislature so orders or directs.

G. All committee meetings shall be open to the public, except as otherwise provided by law.

H. The Chairman of each committee shall appoint a standing subcommittee for the purpose of reviewing and making recommendations regarding appointments submitted for confirmation by the Legislature. Such appointments to the standing subcommitee will be provided to the Majority and Minority leaders by February 1st along with any changes that are made during such term.

RULE 5.6 COMMITTEE AUTHORIZED TO ACCEPT HELP FROM NON-MEMBERS

Any committee of this Legislature is authorized to accept advice and counsel from citizens who are not members of the Legislature.

RULE 5.7 POWERS AND DUTIES OF THE LEGISLATURE NOT BE DELEGATED:

Except when expressly authorized by law, nothing herein shall be deemed to authorize the delegation of the power, duties, or responsibilities of the legislature, or of any officer.

RULE 5.8 REFERENCE TO COMMITTEES:

A. No action shall be taken by the Legislature upon any matter or resolution on the same day on which it is presented, except for the election or appointment of the Chairman, Clerk, and Deputy Clerk of the County Legislature, members of committees whose terms have expired, resolutions directing the Chairman and the Clerk of the Legislature to sign tax rolls and affix the seal of the Legislature thereto, resolutions ratifying and confirming the tax rolls and directing the collection of taxes, and matters or resolutions which have theretofore been considered by and reported out of committee.

B. Except by unanimous consent of the Legislature in attendance, no matter, except the election or appointment of the Chairman, Clerk, and Deputy Clerk of the County Legislature, shall be acted upon by the Legislature until after reported out by the proper committee.

C. Any resolution considered by a committee shall be considered by any subsequent committee in the form reported out by the prior committee. The resolution considered or amended by the last committee to consider or amend such resolution shall be the version of such resolution listed on the Legislature's meeting agenda.

RULE 5.9 REFERENCE TO SPECIAL COMMITTEE:

Upon the majority vote of all members of the Legislature, any matter entrusted to any committee may be withdrawn from the consideration of such committee and referred to a special committee appointed in such manner as the resolution withdrawing such matter shall direct.

RULE 5.10 RESIGNATION FROM COMMITTEE:

No member shall be entitled to resign from any Committee to which he/she has been appointed unless said application has been approved by the Chairman of the Legislature.

RULE 5.11 PRESIDING OFFICER OF THE COMMITTEE OF THE WHOLE:

In forming a Committee of the Whole Legislature, the Chairman shall leave the Chair and appoint another Legislator to preside.

RULE 5.12 RULES FOR THE COMMITTEE OF THE WHOLE:

A. The Rules of the Legislature shall be observed by this Committee so far as they may be applicable except limiting the number of times of speaking and except that the yeas and nays shall not be taken on substantive matters and except that a motion to rise and report progress shall always be in order and decided without debate.

B. The Committee of the Whole shall be open to the public, except as otherwise provided by law.

RULE 5.13 STANDING COMMITTEES OF THE LEGISLATURE:

A. BUDGET, FINANCE, AND PERSONNEL

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of the law and the action of the Legislature with respect to:

1) **Annual Budget Review**
2) **County Comptroller**
3) **Dutchess Community College**
4) **Employee Contracts**
5) **Grants**
6) **Leases**
7) **Merit Awards**
8) **Off-Track Betting**

9) **Personnel Department**
10) **Real Property Tax Agency**
11) **Risk Management, Office of**
12) **Taxes - hotel/motel, property, sales**
13) **Arts, History, Tourism**
14) **Economic Development Corporation**
15) **Economic Development Zone**
16) **Industrial Development Agency**
17) **Above Department Budget Amendments**

B. ENVIRONMENT

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to:

1) **Cooperative Extension**
2) **Environmental Impact Statements**
3) **Environmental Mangament Council**
4) **Fish & Wildlife**
5) **Grants**
6) **Forest Practice Board**
7) **Planning and Development, Department of**
8) **Resource Recovery Agency**
9) **Soil Conservation Board**
10) **Solid Waste Agency**
11) **Water and Natural Resources**
12) **Above Department Budget Amendments**

C. FAMILY AND HUMAN SERVICES

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to:

1) **Aging, Office of**
2) **Community Action Agency**
3) **Family Court**
4) **Grants**
5) **Health Department**
6) **Human Rights Commission**
7) **Mental Hygiene Department**
8) **Social Services Department**
9) **Veterans Affairs, Office of**
10) **Voluntary Action Agency**
11) **Youth Bureau**
12) **Above Department Budget Amendments**

D. GOVERNMENT SERVICES AND ADMINISTRATION

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to:

1) **Board of Elections**
2) **Board/Code of Ethics**

3) **Central Services, Division of**
4) **Computer Information Services, Office of**
5) **County Attorney**
6) **County Charter**
7) **County Clerk**
8) **County Executive**
9) **County Legislature**
10) **Consumer Affairs Department**
11) **Grants**
12) **Local Laws**
13) **Above Department Budget Amendments**

E. PUBLIC SAFETY

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and action of the Legislature with respect to:

1) **Commissioner of Jurors**
2) **County of Courts (except Family Court)**
3) **County Sheriff**
4) **District Attorney**
5) **Emergency Response, Department of**
6) **Grants**
7) **Homeland Security**
8) **Probation, Department of**
9) **STOP-DWI**
10) **Traffic Safety**
11) **Above Department Budget Amendments**

F. PUBLIC WORKS AND CAPITAL PROJECTS

This committee shall consist of twelve (12) members of the Legislature inclusive of ex officio members.

Except as to matters specifically assigned to other committees, this committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to:

1) **Capital Budget**
2) **Capital Projects**
3) **Grants**
4) **Public Works, Department of**
   - **Airport**
   - **Buildings and Grounds**
   - **Dutchess Stadium**
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5) **Above Department Budget Amendments**
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Roll call vote on the foregoing Resolution No. 2010003 resulted as follows:

AYES: 25 - Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White.

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010004

RE: ATTENDANCE AT CONVENTIONS AND CONFERENCES FOR THE YEAR 2010

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

RESOLVED, that pursuant to Section 77 (b) of the General Municipal Law the Clerk and the Deputy Clerk of the County Legislature be and they hereby are authorized to attend the official and unofficial conferences and conventions of the New York State Association of Counties and the official and unofficial conferences and conventions of the Association of Clerks of the Board of Supervisors, and, be it further

RESOLVED, that the members of the Dutchess County Legislature are hereby authorized to attend the official and unofficial conventions and conferences of the Association of Supervisors and County Legislators, the official and unofficial conferences and conventions of the New York State Association of Counties, the official and unofficial conferences and conventions of the New York State Conference of Mayors and other Municipal Officials, the official and unofficial conferences and conventions of the Association of Towns, and the official and unofficial conferences and conventions of the National Association of Counties, and, be it further

RESOLVED, that this Legislature does hereby ask members of the County Legislature to notify the Chairman of the County Legislature when attending aforesaid meetings, conferences, and conventions.

Amended on floor cm 1-6-10

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 5th day of January, 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 6th day of January, 2010.

Patricia J. Hohmann

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Discussion on Resolution No. 2010004 ATTENDANCE AT CONVENTIONS AND CONFERENCES FOR THE YEAR 2010 proceeded as follows:

Legislator Goldberg made a motion, which was seconded and carried by unanimous voice vote to amend the last resolved as follows:

RESOLVED, that this Legislature does hereby ask members of the County Legislature to notify the Chairman of the County Legislature when attending aforesaid meetings, conferences, and conventions.

Roll call vote on the foregoing Resolution No. 2010004 resulted as follows:

AYES: 25 - Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White.

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010005

RE: ATTENDANCE AT CONFERENCES AND CONVENTIONS – BOARD OF ELECTIONS

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

RESOLVED, that the two Election Commissioners of Dutchess County be and they hereby are authorized to attend the official and unofficial conventions of the County Officers Association, and, be it further

RESOLVED, that the two Election Commissioners of Dutchess County and their Deputies be and they are authorized to attend the official and unofficial conventions of the Election Commissioners Association of the State of New York, State Board of Elections Commissioners seminars and training programs, and Downstate Region I Meetings.

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 5th day of January, 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 5th day of January, 2010.

Barbara Hugo

BARBARA HUGO, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010005 resulted as follows:

AYES: 25 - Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White.

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010006

RE: UNDERTAKINGS 2010

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

WHEREAS, by Resolution No. 87 of 1973, the County Legislature authorized a blanket undertaking in lieu of individual undertakings in accordance with Section 11, Subdivision 2 of the Public Officers Law of the State of New York, and

WHEREAS, Section 2.02 (1) of the Dutchess County Charter requires that the County Legislature shall establish the amount of bonds of officers and employees, now, therefore, be it

RESOLVED, that the blanket undertaking be continued in force and that the amount of the bond shall be $100,000 for each covered officer and employee.

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 5th day of January, 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 5th day of January, 2010.

BARBARA HUGO, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010006 resulted as follows:

AYES: 25 - Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White.

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Resolution adopted.

Resolution No. 2010007 was replaced by Resolution No. 2010019 , Establishing Dates of the Regular Monthly Meetings for 2010 that will be discussed at the January 25, 2010 Board Meeting.

RESOLUTION NO. 2010008

RE: DESIGNATION OF OFFICIAL NEWSPAPERS FOR THE PUBLICATION OF LOCAL LAWS, NOTICES, AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED PURSUANT TO SECTION 214 (2) OF THE COUNTY LAW

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

WHEREAS, pursuant to Section 214 (2) of the County Law at least two newspapers published within the County shall annually be designated by the Legislature to be official newspapers for the publication of all local laws, notices, and other matters required by law to be published, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby designate the *Poughkeepsie Journal* and the *Southern Dutchess News* as the official newspapers for the year 2010 for the publication of all local laws, notices, and other matters required by law to be published pursuant to Section 214 (2) of the County Law.

Amended on floor cm 1-5-10

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 5th day of January, 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 6th day of January, 2010.

Patricia J. Hohman

PATRICIA J. HOHMAN, CLERK OF THE LEGISLATURE

Discussion on Resolution No. 2010008 DESIGNATION OF OFFICIAL NEWSPAPERS FOR THE PUBLICATION OF LOCAL LAWS, NOTICES, AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED PURSUANT TO SECTION 214 (2) OF THE COUNTY LAW proceeded as follows:

Legislator Flesland made a motion, which was seconded and carried by unanimous voice to amend the resolution to add the Poughkeepsie Journal and the Southern Dutchess News.

Roll call vote on the foregoing Resolution No. 2010008 resulted as follows:

AYES: 25 - Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White.

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010009

RE: CONFIRMATION OF APPOINTMENT OF SCOTT L. VOLKMAN AS COUNSEL TO THE DUTCHESS COUNTY LEGISLATURE

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

WHEREAS, pursuant to Article II, Section 2.14 of the Dutchess County Charter, Robert G. Rolison, Chairman of the Dutchess County Legislature, has appointed Scott L. Volkman, as Counsel to the Dutchess County Legislature; now, therefore, be it

RESOLVED, that David A. Sears' service as Legislative Counsel is hereby terminated; and, be it further

RESOLVED, that said appointment of Scott L. Volkman, as Counsel to the Dutchess County Legislature, be and the same is hereby confirmed.

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 5th day of January, 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 5th day of January, 2010.

CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010009 resulted as follows:

AYES:	19	Rolison, Cooper, Flesland, Bolner, Borchert, Forman, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Miccio, Roman, Sadowski, Surman, Thomes, Traudt, Weiss
NAYS:	6	Goldberg, Kuffner, Doxsey, MacAvery, Tyner, White

Resolution adopted.

There being no further business, the Chairman adjourned the meeting at 7:56 p.m.

Democratic Caucus Leadership
2010-2011

At a meeting held on December 2, 2009, the Democratic Caucus selected the following legislator to serve as ***Minority Leader*** for the 2010-2011 legislative term:

Minority Leader SANDRA GOLDBERG

Sandra Goldberg

Barbara Jeter-Jackson

Dan Kuffner

Alison MacAvery

Joel Tyner

Steven White

Democratic Caucus Leadership
2010-2011

At a meeting held on December 2, 2009, the Democratic Caucus selected the following legislator to serve as ***Assistant Minority Leader*** for the 2010-2011 legislative term:

Assistant Minority Leader DAN KUFFNER

Sandra Goldberg

Barbara Jeter-Jackson

Dan Kuffner

Alison MacAvery

Joel Tyner

Steven White

Democratic Caucus Newspaper
2010-2011

At a meeting held on December 2, 2009, the Democratic Caucus designated the following its official caucus newspaper for the 2010-2011 legislative term:

Newspaper THE WAPPINGERS FALLS SHOPPER - INCLUDING THE SOUTHERN DUTCHESS NEWS, THE NORTHERN DUTCHESS NEWS, ET. AL.

Sandra Goldberg _____

Barbara Jeter-Jackson _____

Dan Kuffner _____

Alison MacAvery _____

Joel Tyner _____

Steven White _____

We, the undersigned 2010 Republican members of the Dutchess County Legislature, support Legislator ROBERT ROLISON for Chairman of the Legislature for the year 2010

Suzanne Horn

Dale Borchert

DJ Sadowski

Ken Roman

Angela Flesland

Rob Rolison

Rob Weiss

Donna Bolner

Joseph Incoronato

James Miccio

John Forman

Gary Cooper

Benjamin Traudt

Marge Horton

Gerry Hutchings

John Thomes

Alan Surman

Michael Kelsey

Dated: December 17, 2009

We, the undersigned elected Republican members to the 2010 Dutchess County Legislature, designate

Poughkeepsie Journal

As the official political newspaper for the year 2010

Suzanne Horn

Dale Borchert

DJ Sadowski

Ken Roman

Angela Flesland

Rob Rolison

Rob Weiss

Donna Bolner

Joseph Incoronato

James Miccio

John Forman

Gary Cooper

Benjamin Traudt

Marge Horton

Gerry Hutchings

John Thomes

Alan Surman

Michael Kelsey

Dated: December 17, 2009

We, the undersigned 2010 Republican members of the Dutchess County Legislature, support

CAROLYN MORRIS

for Deputy Clerk of the Legislature for the years 2010 - 2011

Suzanne Horn

Dale Borchert

DJ Sadowski

Ken Roman

Angela Flesland

Rob Rolison

Rob Weiss

Donna Bolner

Joseph Incoronato

James Miccio

John Forman

Gary Cooper

Benjamin Traudt

Marge Horton

Gerry Hutchings

John Thomes

Alan Surman

Michael Kelsey

Dated: December 17, 2009

We, the undersigned 2010 Republican members of the Dutchess County Legislature, support

Patricia Hohmann

for Clerk of the Legislature for the years 2010 - 2011

Suzanne Horn

Dale Borchert

DJ Sadowski

Ken Roman

Angela Flesland

Rob Rolison

Rob Weiss

Donna Bolner

Joseph Incoronato

James Miccio

John Forman

Gary Cooper

Benjamin Traudt

Marge Horton

Gerry Hutchings

John Thomes

Alan Surman

Michael Kelsey

Dated: December 17, 2009

We, the undersigned 2010 Republican members of the Dutchess County Legislature, support Legislator GARY COOPER for Majority Leader of the Legislature for the years 2010-2011

Suzanne Horn

Dale Borchert

DJ Sadowski

Ken Roman

Angela Flesland

Rob Rolison

Rob Weiss

Donna Bolner

Joseph Incoronato

James Miccio

John Forman

Gary Cooper

Benjamin Traudt

Marge Horton

Gerry Hutchings

John Thomes

Alan Surman

Michael Kelsey

Dated: December 17, 2009

We, the undersigned 2010 Republican members of the Dutchess County Legislature, support Legislator ANGELA FLESLAND for Assistant Majority Leader for the years 2010-2011

Suzanne Horn

Dale Borchert

DJ Sadowski

Ken Roman

Angela Flesland

Rob Rolison

Rob Weiss

Donna Bolner

Joseph Incoronato

James Miccio

John Forman

Gary Cooper

Benjamin Traudt

Marge Horton

Gerry Hutchings

John Thomes

Alan Surman

Michael Kelsey

Dated: December 17, 2009