Regular Meeting

of the

Dutchess County Legislature

Monday, February 14, 2011

The Clerk of 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, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Surman, Thomes, Traudt, Tyner, Weiss, White.

ABSENT: 2 Horton, Sadowski.

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag; invocation to be given by Monsignor Frank Bellew of St. Mary's Church in Wappingers Falls; and a moment of silent meditation

Commendations and Proclamations

Commendation: Honorable Thomas J. Dolan

The Chairman entertained a motion from the floor, duly seconded, to suspend the rules to allow the public to address the Legislature with respect to agenda items.

Virginia Buechele, Town of Poughkeepsie, spoke against the adoption of Resolution No. 2011045 entitled, "Support of the need to Demolish a Building on the Site of the Eastern Dutchess Government Center Due to an Emergency Situation Related to Severe Storm Damage".

Scott Woebse, Mobile Life Services, spoke in support of Resolution No. 2011045 entitled, "Confirming the Appointment of Dana Smith as Coordinator of Emergency Response."

No one else wishing to be heard, the Chairman entertained a motion from the floor, duly seconded, to resume the regular order of business.

Chairman Rolison entertained a motion to approve the January 24 minutes.

Legislator Goldberg stated that on Page 12 there was discussion about the motion that was taken back up by the full body after it had been defeated in committee prior to the full body meeting. She further added that she would like her comments reflected in the minutes. She further stated specifically her comments referenced page 17 of the *Rules of the Dutchess County Legislature* the specific reading that someone from the prevailing side having to make this motion, duly seconded.

Chairman Rolison entertained a motion to approve the January 24 minutes as amended.

The January 24, 2011 minutes were adopted as amended.

COMMUNICATIONS RECEIVED FOR THE FEBRUARY, 2011 BOARD MEETING

RECEIVED from Dutchess County Board of Elections "Annual Report to the Dutchess County Legislature".

RECEIVED from Legislator Kuffner, a petition regarding the development of a Hyde Park waterfront.

RECEIVED from William J. Caloger, Executive Director, Dutchess County Resource Recovery Agency, copy of the Local Solid Waste Management Plan for Dutchess County.

RECEIVED from New York State Department of Environmental Conservation – Fact Sheet Brownfield Site.

RECEIVED from Palma Gervasi, Senior Citizen, letter regarding Amenia Senior Center.

RECEIVED from Catherine Giordano, Town Pawling Town Clerk, notices of public hearing at the Town Hall on March 2, 2011 at 7 pm to consider the adoption of proposed Local Laws Nos. 1, 2, and 3 of 2011.

RECEIVED 2009-2010 County of Dutchess Affirmative Action Plan.

Public Works & Capital Projects

RESOLUTION NO. 2011032

RE: AUTHORIZING GRANT AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FTA SECTION 5311 FUNDS FOR 2011 AND 2012

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

WHEREAS, the County of Dutchess is submitting a grant to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United Sates Code, for a project to provide public mass transportation service on a continuing basis in Dutchess County's rural and small urban areas for the 2011 fiscal year in the amount of $66,900 and for the 2012 fiscal year in the amount of $66,900, and

WHEREAS, the County of Dutchess and the State of New York entered into a continuing agreement identified as State Contract No.C003697 that authorizes the undertaking of the project and the payment of the federal share, and which was authorized by Resolution No. 203259, and

WHEREAS, the County of Dutchess is contracting with a third party subcontractor for the project described above, now therefore, be it

RESOLVED, that the County Executive is authorized on behalf of the County of Dutchess to sign the application to progress and complete the above named project, and be it further

RESOLVED, that the County Executive is authorized to sign any contracts or agreement(s) between Dutchess County and any third party subcontractor necessary to complete the public transportation project.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

CA-17-11
C-6577
1/13/11
Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

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 $ _____
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:
This resolution will authorize the County Executive to sign agreements and accept funds from the New York State Department of Transportation for the federal section 5311 program for 2011 and 2012. The funds are included in the 2011 Budget and will be included in the 2012 operating budget.

Prepared by: Cynthia Ruiz, Transit Administrator

Roll call vote on the foregoing Resolution No. 2011032 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton, Sadowski.

Resolution adopted.

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 3 - Town of LaGrange	Borchert	✓	
District 4 - Town of Hyde Park	Sadowski (VC)	✓	
District 5 - Town of Poughkeepsie	Roman	Absent	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 22 - Town of Beekman	Hutchings (C)	Absent	

Present: 10 **Resolution:** X **Total :** 10 Yes 0 No

Absent: 2 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2011032 Authorizing Grant Agreement with New York State Department of Transportation for FTA Section 5311 Funds for 2011 and 2012

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011032 Authorizing Grant Agreement with New York State Department of Transportation for FTA Section 5311 Funds for 2011 and 2012

Date: 2/14/11

RESOLUTION NO. 2011033

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF HYDE PARK
ASSESSED UNDER THE NAME OF BURDINE BARBARA JANE BURDINE HENRY W
GRID: 133200-6263-04-658285-0000

Legislators BORCHERT, SADOWKSI, and KUFFNER offer the following and move its adoption:

WHEREAS, unpaid tax on property in the Town of Hyde Park assessed to Burdine Barbara Jane Burdine Henry W for the levy year 2007 and described as Grid No. 133200-6263-04-658285-0000 amounting to $52.41 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 3, 2008 for the tax lien year of 2008, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index 2008/7887, to enforce the collection of delinquent tax liens for the levy year 2007 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded on July 14, 2010 in the Office of the Dutchess County Clerk, Document # 02 2010 3462, and

WHEREAS, the sum of $100.00 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Keith Albano, 60 Peach Road, Poughkeepsie, NY 12601 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24 2011

CA-26-11
PB:CM:deb/ca
1/20/2011
Fiscal Impact: None

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2011033 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton and Sadowski.

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 18 - City of Beacon	Forman		
District 22 - Town of Beekman	Hutchings	Absent	
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11 **Resolution:** X **Total :** 11 0

Absent: 1 **Motion:** ___ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2011033 Quitclaim Deed, property in the Town of Hyde Park assessed under the name of Burdine Barbara Jane, Burdine, Henry W

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011033 Quitclaim Deed, property in the Town of Hyde Park assessed under the name of Burdine Barbara Jane, Burdine, Henry W

Date: 2/14/11

Budget, Finance, & Personnel

RESOLUTION NO. 2011034

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF POUGHKEEPSIE ASSESSED UNDER THE NAME OF STANLEY KIMBERLY B STANLEY ROBERT J
GRID: 134689-6260-01-073995-0000

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

WHEREAS, unpaid tax on property in the Town of Poughkeepsie assessed to Stanley Kimberly B Stanley Robert J for the levy year 2007 and described as Grid No. 134689-6260-01-073995-0000 amounting to $2,159.40 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 3, 2008 for the tax lien year of 2008, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index 2008/7887, to enforce the collection of delinquent tax liens for the levy year 2007 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded on July 14, 2010 in the Office of the Dutchess County Clerk, Document # 02 2010 3462, and

WHEREAS, the sum of $500.00 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Asad Mufti, 2 East Croton Dr, Carmel, NY 10512 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-23-11
PB:CM:deb/ca
1/20/2011
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2011034 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton and Sadowski.

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 18 - City of Beacon	Forman		
District 22 - Town of Beekman	Hutchings	Absent	
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11 **Resolution:** Y **Total :** 11 0
Absent: 1 **Motion:** ___ **Yes** **No**
Vacant: 0 **Abstentions:** 0

2011034 Quitclaim Deed, property in the Town of Poughkeepsie assessed under the name of Stanley Kimberly B, Stanley Robert J

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** ✓ **Total :** 23 0

Absent: 2 **Motion:** ____ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2011034 Quitclaim Deed, property in the Town of Poughkeepsie assessed under the name of Stanley Kimberly B, Stanley Robert J

Date: 2/14/11

RESOLUTION NO. 2011035

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF WAPPINGER ASSESSED UNDER THE NAME OF HALL JANET A HALL ROBIN W GRID: 135689-6157-01-460625-0000

Legislators BORCHERT and INCORONATO offer the following and move its adoption,

WHEREAS, unpaid tax on property in the Town of Wappinger assessed to Hall Janet A Hall Robin W for the levy year 2007 and described as Grid No. 135689-6157-01-460625-0000 amounting to $4,624.77 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 3, 2008 for the tax lien year of 2008, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index 2008/7887, to enforce the collection of delinquent tax liens for the levy year 2007 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded on July 14, 2010 in the Office of the Dutchess County Clerk, Document # 02 2010 3462, and

WHEREAS, the sum of $15,505.00 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Linda M. Hall, 5 Meadow Street #1, Highland NY 12528 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-25-11
PB:CM:deb/ca
1/20/2011
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2011035 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton, Sadowski.

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 18 - City of Beacon	Forman		
District 22 - Town of Beekman	Hutchings	Absent	
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11 **Resolution:** X **Total :** 11 0

Absent: 1 **Motion:** ____ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2011035 Quitclaim Deed, property in the Town of Wappinger assessed under the name of Hall Janet A, Hall Robin W

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011035 Quitclaim Deed, property in the Town of Wappinger assessed under the name of Hall Janet A, Hall Robin W

Date: 2/14/11

RESOLUTION NO. 2011036

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF EAST FISHKILL ASSESSED UNDER THE NAME OF CIOFFI PATSY GRID: 132800-6356-04-617346-0000

Legislators BORCHERT and HORTON offer the following and move its adoption:

WHEREAS, unpaid tax on property in the Town of East Fishkill assessed to Cioffi Patsy for the levy year 2007 and described as Grid No. 132800-6356-04-617346-0000 amounting to $360.91 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 3, 2008 for the tax lien year of 2008, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index 2008/7887, to enforce the collection of delinquent tax liens for the levy year 2007 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded on July 14, 2010 in the Office of the Dutchess County Clerk, Document # 02 2010 3462, and

WHEREAS, the sum of $500.00 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Asad Mufti, 2 East Croton Dr, Carmel, NY 10512 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-24-11
PB:CM:deb/ca
1/20/2011
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2011036 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton, Sadowski.

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 18 - City of Beacon	Forman		
District 22 - Town of Beekman	Hutchings	Absent	
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11 **Resolution:** X **Total :** 11 0

Absent: 1 **Motion:** ___ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2011036 Quitclaim Deed, property in the Town of East Fishkill assessed under the name of Cioffi Patsy

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 23 0

Absent: 2 **Motion:** ____ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2011036 Quitclaim Deed, property in the Town of East Fishkill assessed under the name of Cioffi Patsy

Date: 2/14/11

Family & Human Services

RESOLUTION NO. 2011037

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

LEGISLATORS HORN, BOLNER, and HORTON offer the following and move its adoption:

WHEREAS, the United States Congress enacted the Trade Adjustment Assistance (TAA) Program and the Workforce Investment Act of 1998 (WIA) 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 2009 TAA funding for the period 10/01/08 through 9/30/11, FY 2010 TAA funding for the period of 10/01/09 through 9/30/12, and for the operation of PY 2010 Title 1B Supplemental Dislocated Worker funds for the period 7/1/10 through 6/30/11, 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 2009		
CD6292.2009.4813	TAA Participant Funding	(1,965)
FY 2010		
CD6292.2010.4813	TAA Participant Funding	15,605
PY 2010		
CD6292.2010.4807	T-1B Dislocated Worker Supplemental	57,619
		$71,259

REVENUES
Increase (Decrease)

FY 2009		
CD6292.2009. 47910.22	TAA Participant Funding	(1,965)
FY 2010		
CD6292.2010.47910.22	TAA Participant Funding	15,605
PY 2010		
CD6292.2010.47910.18	T-1B Dislocated Worker Supplemental	57,619
		$71,259

CA-18-11
RA/CRC/kvh-G-1263
1/14/11 ca amended 1/20/11
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

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 $ 71,259

Total Current Year Revenue $ 71,259
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

Roll call vote on the foregoing Resolution No. 2011037 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton and Sadowski.

Resolution adopted.

37

Family and Human Services Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (C)		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	Absent	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (VC)		

Present: 11 **Resolution:** X **Total :** 11 Yes 0 No

Absent: 1 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2011037 Authorizing acceptance of funding under the Workforce Investment Act of 1998 and the Trade Adjustment Assistance Act

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011037 Authorizing acceptance of funding under the Workforce Investment Act of 1998 and the Trade Adjustment Assistance Act

Date: 2/14/11

Public Safety

RESOLUTION NO. 2011038

RE: AMENDING THE 2011 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

LEGISLATORS ROMAN and ROLISON offers the following and moves its adoption:

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

WHEREAS, pursuant to Article 13-A of the CPLR, said funds must be used ~~to~~ for law enforcement training, equipment and operations and not to supplement ordinary budgetary expenses, and

WHEREAS, the District Attorney has requested that the sum of $30,892 be placed in various District Attorney Asset Forfeiture accounts to be used for law enforcement training, equipment and operations, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized and directed to amend the 2011 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.1165.05.4456	Training Programs-Education	$ 3,900
A.1165.05.4160	Office Stationery & supplies	6,617
A.1165.05.4631	Training, Seminars & Conference	6,100
A.1165.05.4710	Computer	3,075
A.1165.05.4613	Repairs, alterations to real property	11,200
		$30,892

REVENUES

Increase

A.9998.95110.01	Asset Forfeiture State Reserve	$30,892

CA-16-11
kvh/G-0135
1/11/11
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

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 $ 30,892

Total Current Year Revenue $ 30,892
and Source

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

Identify Line Items(s):
See attached sheet

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:
This resolution is to appropriate State-Reserve Asset Forfeiture funds to enable the purchase of equipment, etc. listed on the attached Asset Forfeiture Expenditure sheet.

Prepared by: Gina Barry/Deb Patora

Asset Forfeiture Expenditures

TRAINING PROGRAMS-EDUCATION - 4456		Program
Cellular Telephone, Internet Investigation and Legal Process Training for Law Enforcement, including facility costs and lunch for Law Enforcement Personnel	3,900.00	District Attorney's Office
Total-4456	**3,900.00**	
4160-Office Stat & Supplies		
Miscellaneous Office Supplies and Furniture	5,000.00	District Attorney's Office
Computer case for Laptop	45.00	District Attorney's Office
Portfolio and pen for Cellular Telephone, Internet Investigation and Legal Process Training at Law Enforcement Seminar desribed in Line 4456/Training Programs-Education	1,500.00	District Attorney's Office
Computer case	37.00	District Attorney's Office
Additional Memory for Laptop Computer	35.00	District Attorney's Office
Total:	**6,617.00**	
TRAINING, SEMINARS & CONFERENCES - 4631		
Basic Polygraph Course w/ additional Post Conviction Sexual Offender Testing Course	6,100.00	District Attorney's Office/CAC
Total:	**6,100.00**	
COMPUTER - 4710		
Macbook Computer	2,000.00	District Attorney's Office
Laptop Computer	1,075.00	District Attorney's Office
Total:	**3,075.00**	
REPAIRS, ALTERATIONS TO REAL PROPERTY - 4613		
Carpeting for the second and third floors of District Attorney's Office	11,200.00	District Attorney's Office
Total:	**11,200.00**	
TOTAL TO BE APPROPRIATED:	**30,892.00**	
TOTALS BY PROGRAM		
District Attorney's Office	24,792.00	
District Attorney's Office/CAC	6,100.00	
TOTAL TO BE APPROPRIATED:	**30,892.00**	

Roll call vote on the foregoing Resolution No. 2011038 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton and Sadowski.

Resolution adopted.

Public Safety Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Sadowski	Absent	
District 5 - Town of Poughkeepsie	Roman (C)	Absent	
District 9 - City of Poughkeepsie	White (VC)		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	Absent	

Present: 9 **Resolution:** X **Total :** 9 (Yes) 0 (No)

Absent: 3 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011038 Amending the 2011 Adopted County Budget as it pertains to the District Attorney (A.1165.05)

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 23 0

Absent: 2 **Motion:** ___ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2011038 Amending the 2011 Adopted County Budget as it pertains to the District Attorney (A.1165.05)

Date: 2/14/11

RESOLUTION NO. 2011039

RE: AMENDING THE 2011 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PROBATION AND COMMUNITY CORRECTIONS (A.3140)

LEGISLATORS ROMAN and FLESLAND offer the following and move its adoption:

WHEREAS, the Director of Probation and Community Corrections has advised that monies received through a Department of Social Services grant is available to be used to pay Probation Officers overtime to make home visits and curfew checks after hours and weekends, educational supplies for cognitive behavioral classes and to provide additional monitoring and support to families through the Curfew Monitoring Program, and

WHEREAS, it is necessary to amend the 2011 Adopted County Budget to provide for receipt and expenditure of these funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2011 Adopted County Budget as follows:

APPROPRIATIONS		
Increase		
A.3140.4412	Grant Projects Costs	$79,888
REVENUES		
Increase		
A.3140.15890.17	Other "Safety DSS Juvenile Pretrial	$79,888

CA-20-11
ca/G-0182-A
1/18/11
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

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 $ 79,888

Total Current Year Revenue and Source $ 79,888

Federal Pass through

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

Identify Line Items(s):

4412- Grant Project Costs

Related Expenses: Amount $ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Peggy Milone / William A. Fluck

Dut.pdf

Roll call vote on the foregoing Resolution No. 2011039 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton, Sadowski.

Resolution adopted.

Public Safety Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Sadowski	Absent	
District 5 - Town of Poughkeepsie	Roman (C)	Absent	
District 9 - City of Poughkeepsie	White (VC)		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		Absent

Present: 9 **Resolution:** X **Total :** 9 (Yes) 0 (No)

Absent: 3 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011039 Amending the 2011 Adopted County Budget as it pertains to the Department of Probation and Community Corrections (A.3140)

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011039 Amending the 2011 Adopted County Budget as it pertains to the Department of Probation and Community Corrections (A.3140)

Date: 2/14/11

Public Safety

RESOLUTION NO. 2011040

RE: AUTHORIZING PAYMENT OF 2010 UNENCUMBERED VOUCHERS FROM 2011 FUNDS – (A.1170)

Legislators ROMAN and BORCHERT offer the following and move its adoption:

WHEREAS, the Chief Assistant Public Defender has advised that there are $76,500 in outstanding 2010 Assigned Counsel vouchers and only $23,095 remaining in the 2010 budget to encumber, and

WHEREAS, the charges reflected by said vouchers are proper and remain 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 2011 funds is hereby approved from the following accounts in the amounts indicated:

Line Item No.		Amount
A.1170.4444	Assigned Counsel	$53,405

CA-27-11
LDF/ca/G-0186
1/21/11
Fiscal Impact: None. Reduction of 2011 appropriations in amounts indicated.
See attached statements

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

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 $ 53,405

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):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:
There is no way to determine how much money will be spent for Assigned Counsel each year.
There is no way of knowing how many more 2010 Assigned Counsel Vouchers we will receive in 2011/

Prepared by: Laura M. Aylward

Resolution No. 2011040 was pulled in Government Services Committee.

40

Public Safety Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Sadowski		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White (VC)		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

Present: ____ **Resolution:** ____ **Total :** ____ ____

Absent: ____ **Motion:** ____ **Yes** **No**

Vacant: ____ **Abstentions:** ____

2011040 Authorizing Payment of 2010 unencumbered vouchers from 2011 funds – (A.1170)

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.		
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: ____ **Resolution:** ____ **Total :** _____ _____

Absent: ____ **Motion:** ____ **Yes** **No**

Vacant: ____ **Abstentions:** ____

2011040 Authorizing Payment of 2010 unencumbered vouchers from 2011 funds – (A.1170)

Date: 2/14/11

Environment

RESOLUTION NO. 2011041

RE: AUTHORIZING AN AGREEMENT AMONG THE COUNTY AND THE FOURTH WARD SEWER IMPROVEMENT AREA OF THE TOWN OF POUGHKEEPSIE AND CITY OF POUGHKEEPSIE TO ALLOW COUNTY'S QUIET COVE PARK TO DISCHARGE SEWER WASTE THROUGH TOWN'S FOURTH WARD SEWER SYSTEM & INTO THE CITY'S WASTEWATER TREATMENT PLANT

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

WHEREAS, the County operates as Quiet Cove Park ("Park"), located on the west side of Route 9 in the Town of Poughkeepsie having Tax Grid Numbers: 6063-04-826208 and 6063-04-880180, and

WHEREAS, the Fourth Ward Sewer Improvement Area of the Town of Poughkeepsie ("Fourth Ward") has agreed to assist the County by allowing the Park to discharge sewer waste through the Town's Fourth Ward Sewer System; and

WHEREAS, the City of Poughkeepsie has agreed to assist the County by allowing the Park to discharge its sewer waste water into the City's wastewater treatment plant; and

WHEREAS, the County will be charged by the Fourth Ward for sewer use as an "out-of-district" sewer user in accordance with the Town's Fourth Ward rates, and

WHEREAS, the County, Fourth Ward and City desire to enter into an Agreement entitled "Agreement Among Fourth Ward Sewer Improvement Area and City of Poughkeepsie and Dutchess County" with respect to this project, a copy of which is attached hereto, and

WHEREAS, pursuant to Article 5-G of the General Municipal Law, these entities are authorized to enter into such Agreement, and

WHEREAS, the Fourth Ward and the City are in the process of approving the attached Agreement, and

WHEREAS, the proposed Agreement will benefit all of the parties, now, therefore, be it

RESOLVED, that this Legislature hereby approves the proposed Agreement and authorizes the County Executive to execute such Agreement with the Fourth Ward Sewer Improvement of the Town of Poughkeepsie and City of Poughkeepsie in substantially the same form attached hereto.

CA-15-11
CAB/kvh
C-7978
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

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 $ 1,250

Total Current Year Revenue and Source $ 0

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

Identify Line Items(s):
A7110.4240

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: $0

Net County Cost (this year): $1,250
Over Five Years: $6,250

Additional Comments/Explanation:
Request to grant authorization to County Executive to sign Agreement between County and Town/City of Poughkeepsie to allow County's Quiet Cove Park to discharge sewer waste through Town of Poughkeepsie's 4th Ward sewer system and into the City of Poughkeepsie's Wastewater Treatment Plant. County will be charged for sewer use as an out-of-district sewer user in accordance with Town of Poughkeepsie's 4th Ward rates.

Prepared by: Robert H. Balkind, P.E.

AGREEMENT AMONG
FOURTH WARD SEWER IMPROVEMENT AREA and
CITY OF POUGHKEEPSIE
AND
DUTCHESS COUNTY

THIS AGREEMENT made this ____ day of _____, 2011 among DUTCHESS COUNTY, c/o Dutchess County Attorney, Dutchess County Office Building, 22 Market Street, Poughkeepsie, New York 12601 and the FOURTH WARD SEWER IMPROVEMENT AREA OF THE TOWN OF POUGHKEEPSIE by the Town Board of the Town of Poughkeepsie (hereinafter referred to as "FOURTH WARD"), having its principal place of business at One Overocker Road, Poughkeepsie, New York 12603 and the CITY OF POUGHKEEPSIE (hereinafter referred to as "CITY") having its principal place of business at 62 Civic Center Plaza, Poughkeepsie, New York 12601.

WITNESSETH:

WHEREAS, the parties wish, pursuant to Section 198.1(f) of the Town Law and Section 20(7) of the General City Law, to provide for wastewater services for Dutchess County at a park on the west side of Route 9, known as Quiet Cove, having Tax Grid Numbers 6063-04-826208 and 6063-04-880180;

NOW, THEREFORE, IN CONSIDERATION of the following terms and conditions, it is agreed as follows:

1. DUTCHESS COUNTY may deliver waste water to the waste water treatment facilities of the FOURTH WARD/CITY for treatment and disposal by utilization of the FOURTH WARD transmissions lines maintained by the Town Sewer Department and the New York State Office of Mental Hygiene on behalf of the FOURTH WARD and lines maintained by DUTCHESS COUNTY.

2. The quantity of waste water to be transported through the FOURTH WARD'S transmission lines shall be limited to that resulting from DUTCHESS COUNTY'S operation of Quiet Cove Park as it currently exists, which has been determined to be an average daily flow of

2030 gpd. The need for additional treatment capacity is anticipated for future development of the Quiet Cove Park. Any increase in quantity in excess of 2030 gpd must receive the prior approval of the Town Board of the Town of Poughkeepsie and the Common Council of the City of Poughkeepsie.

3. (a) For treatment services, DUTCHESS COUNTY shall pay to the FOURTH WARD quarterly an adjusted operation and maintenance (O&M) rate equal to one hundred twenty-five per cent(125%) of the then current unadjusted rate (unadjusted rate equals current charge to users in FOURTH WARD) that it otherwise would pay if it were within the geographic area of the FOURTH WARD, times the volume of water used by DUTCHESS COUNTY, as measured by a water meter installed and maintained by DUTCHESS COUNTY at its own cost and expense. The current unadjusted Fourth Ward O&M rate is $1.50/100 cubic feet of waste water.

(b) If the FOURTH WARD/CITY incurs additional capital expenses during any one year during the term of this agreement in excess of $100,000.00 as adjusted annually by the Consumer Price Index as published by the United Stated Department of Commerce, or any subsequent substituted index of that agency, for which additional debt obligations are incurred pursuant to the Local Finance Law or if Town funds are utilized, and the cost of payment of the debt service is a charge generally paid by property owners within the FOURTH WARD, then, in that event, DUTCHESS COUNTY shall, in addition, pay annually or otherwise a prorated share of the annual debt service. Said prorated share shall be an annual amount equal to the ratio of usage by DUTCHESS COUNTY to the total FOURTH WARD treatment flow on an average basis during said year.

4. The term of this agreement shall be for fifteen (15) years unless otherwise terminated pursuant to separate provisions of this agreement. The term of this agreement can only be extended upon the request of DUTCHESS COUNTY and affirmative action of the Town Board of the Town of Poughkeepsie and the Common Council of the City of Poughkeepsie prior to the termination of this agreement. Both the Town Board and the Common Council must affirmatively approve this agreement for it to be in effect.

5(a). In the event that either the FOURTH WARD/CITY plant or transmission lines no longer have any surplus capacity for treatment allocated to the FOURTH WARD or transmission of the waste water discharge of DUTCHESS COUNTY, then DUTCHESS COUNTY may request that the plant or lines be expanded to accommodate the additional flow requested by DUTCHESS COUNTY. If consent is not given in the sole discretion of the Town Board and the City Common Council, then the expansion would not occur. In the event, however, that the expansion is approved, then in such case, DUTCHESS COUNTY shall compensate the FOURTH WARD/CITY for the full cost of such expansion including all costs associated with the planning, bonding, permit application, engineering, design, SEQR process and capital construction to the extent attributable to the allowed additional flow of DUTCHESS COUNTY. Such payments shall be made to the FOURTH WARD as the obligations become due as determined by the FOURTH WARD in its plan of financing as adopted pursuant to the Local Finance Law, including but not limited to engineering and consulting expenses. The Town Board of the Town of Poughkeepsie, on behalf of the FOURTH WARD reserves the right under this agreement for lump sum payments so that public funds are not used to finance any improvement on behalf of the proposed expansion for the exclusive benefit of DUTCHESS COUNTY. (For the purpose of this agreement, plant surplus is defined as being the amount of the waste water treatment capacity allocated to the FOURTH WARD under the intermunicipal agreement governing joint ownership of the treatment facility, i.e., 35% of the wastewater treatment flow permitted by the SPDES permit issued by the Department of Environmental Conservation for this treatment facility, less the actual flow attributable to the FOURTH WARD).

5(b). In the event the capacity of the treatment facility is expanded to provide capacity to DUTCHESS COUNTY and DUTCHESS COUNTY pays the full costs of the same as described in 5(a) above, then such capacity shall be allocated to DUTCHESS COUNTY for the useful life of such capital improvements as established by the Local Finance Law unless DUTCHESS COUNTY waives its right to such allocation. Any benefit assessment otherwise payable by the

County shall also be reduced by the same ratio as the allocated capacity to the total daily average flow of waste water transmitted for treatment by the FOURTH WARD as determined by the prior year's billing.

6(a). The obligation of the FOURTH WARD for transmission and the FOURTH WARD/CITY for treatment of the wastewater of DUTCHESS COUNTY shall only continue as long as the FOURTH WARD has surplus capacity to transport and the FOURTH WARD/CITY has surplus capacity to treat the wastewater flow of DUTCHESS COUNTY. If it is determined that there is no surplus capacity for treatment or transmission of DUTCHESS COUNTY wastewater, then the FOURTH WARD or the CITY may terminate this agreement on four (4) year's advanced written notice to DUTCHESS COUNTY of its intent to terminate the contract because it no longer has treatment or transmission surplus, unless in the event of termination for no surplus capacity for treatment and the CITY has surplus capacity to treat and is willing to allocate it to DUTCHESS COUNTY. If the Town Board for the FOURTH WARD or CITY determines that a public health emergency exists that can be eliminated by termination of utilization of the FOURTH WARD facilities by DUTCHESS COUNTY, than in that event, there shall be one (1) year advance written notice of termination.

7. DUTCHESS COUNTY upon the request of the FOURTH WARD shall at its own cost and expense provide samples of the waste water being delivered to the waste water line and in addition to any requirements set forth in the Town of Poughkeepsie rules and regulations for the FOURTH WARD(i.e., Chapter 168 of the Town Code or any successor law), the Town, its agents, servants, or representatives, have the unilateral right to enter on the premises upon one business day advance notice to the Department of Public Works of DUTCHESS COUNTY absent emergency conditions and to take its own samples upon reasonable notice. DUTCHESS COUNTY shall bear the reasonable costs of sampling done by the FOURTH WARD.

8. If an action is commenced by the Town on behalf of the FOURTH WARD to obtain payment of any unpaid bills, in addition to any remedies provided by the Town Law, the Town of Poughkeepsie Code at Chapter 168 or any successor law it shall be entitled to compensation

for the reasonable cost of its legal expenses.

9. DUTCHESS COUNTY shall be solely responsible for obtaining permission for use of any intervening sanitary waste transmission lines necessary to deliver its waste water to the sewage treatment facility of the FOURTH WARD and for the maintenance and repair of such line.

10. Excepting the manner of compensation for transmission and treatment of the waste water of DUTCHESS COUNTY, DUTCHESS COUNTY shall be subject to the same local laws, ordinances and rules and regulations relative to its use of the FOURTH WARD'S waste water treatment facilities (including Chapter 168 of the Town Code and if applicable, the CITY's ordinances), as it would be if the real property of DUTCHESS COUNTY and its use of the waste water treatment facilities of the FOURTH WARD were within the geographic area of the FOURTH WARD. Chapter 168 of the Town Code, as amended from time to time during the term of this Agreement, shall be deemed an integral element of this Agreement and shall define the standards for use of the FOURTH WARD'S treatment facilities. To the extent the CITY'S laws governing discharges into sewer lines are inconsistent with, or more stringent than, the FOURTH WARD, the CITY'S standards shall also be complied with by DUTCHESS COUNTY.

11. DUTCHESS COUNTY will not permit any third party to use its sanitary waste water facilities or permit any third party to discharge their sanitary waste into lines DUTCHESS COUNTY uses and maintains for transmission of waste water to the FOURTH WARD/CITY'S treatment facilities without the written consent of the FOURTH WARD/CITY.

12. This Agreement may be terminated by the FOURTH WARD/CITY upon the following events:

a. The failure of DUTCHESS COUNTY to remit payment of any monetary obligation it has under this Agreement within thirty (30) days of billing and after its failure to pay that amount within ten (10) days after notice of such default;

b. Subject to the provisions of preceding paragraph 6(a), the determination by the FOURTH WARD that the lines and/or plant no longer have surplus, or the determination by any other party providing additional transportation or treatment of the same waste water that it no longer has sufficient surplus to permit the continuation of such service

c. The failure of DUTCHESS COUNTY , excepting those defaults listed in subparagraph (b), to cure any non-monetary default including, but not limited to violations of section 10 of this Agreement within thirty (30) days of written notice thereof or such reasonable time as may be necessary under the circumstances if more than thirty (30) days is necessary for correction, as determined by the FOURTH WARD;

d. If DUTCHESS COUNTY knowingly engages in a pattern of conduct that results in repeated violations of Chapter 168 of the Town Code, or the City ordinances, if applicable, and fails to implement remedies satisfactory to the Town after being given a reasonable opportunity to implement such remedies, and upon one year's notice following notice of termination pursuant to this subsection.

If because of violations of the FOURTH WARD'S or CITY'S sewer ordinance or local laws, it is necessary for FOURTH WARD or CITY to take steps to preserve the integrity of its collection lines or treatment facility, the FOURTH WARD or CITY, upon notice to DUTCHESS COUNTY of the steps it is taking, shall be entitled to recover the reasonable costs of its actions taken for such purpose.

This Agreement may be terminated by DUTCHESS COUNTY upon six (6) months prior written notice, and (2) upon it demonstrating to the satisfaction of the FOURTH WARD that it has disabled the connection of transmission lines to those having access to the lines of the FOURTH WARD.

13. Notice to DUTCHESS COUNTY shall be given to the Department of Public Works, Dutchess County Office Building, 22 Market Street, Poughkeepsie, New York 12601. Notice to the FOURTH WARD shall be given to the Town Sewer Department and the Town Board. Notice to the CITY shall be given to the City Engineer.

14. DUTCHESS COUNTY has installed a water meter. It shall maintain said meter and replace it if necessary. The FOURTH WARD, for billing purposes, shall use the readings provided by this meter but offset by any third party flows which pass through the same meter.

15. This Agreement supersedes any prior agreement between the parties to the extent its provisions are inconsistent with those prior agreements.

IN WITNESS WHEREOF, the parties have executed this Agreement the date and year first above written.

DUTCHESS COUNTY

By: _____

FOURTH WARD SEWER IMPROVEMENT DISTRICT
OF THE TOWN OF POUGHKEEPSIE

By: _____
Patricia Myers, Supervisor

CITY OF POUGHKEEPSIE

By: _____

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On the ___ day of _____, 2011 before me, the undersigned, a Notary Public in and for said State, personally appeared _____, 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 she/he executed the same in her/his capacity and that by her/his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On the ___ day of _____, 2010 before me, the undersigned, a Notary Public in and for said State, personally appeared _____, 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 she/he executed the same in her/his capacity and that by her/his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On the ___ day of _____, 2011 before me, the undersigned, a Notary Public in and for said State, personally appeared _____, 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 she/he executed the same in her/his capacity and that by her/his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

G:\mllegal\contr\quietcove-dutchesscty-seweragrmt.doc

Roll call vote on the foregoing Resolution No. 2011041 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton, Sadowski.

Resolution adopted.

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 20 - Town of Red Hook	Traudt (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12 **Resolution:** X **Total :** 12 Yes 0 No

Absent: 0 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011041 Authorizing an Agreement among the County and the Fourth Ward Sewer Improvement Area of the Town of Poughkeepsie and City of Poughkeepsie to allow County's Quiet Cove Park to discharge sewer waste through Town's Fourth Ward Sewer System and into the City's Wastewater Treatment Plant

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2011041 Authorizing an Agreement among the County and the Fourth Ward Sewer Improvement Area of the Town of Poughkeepsie and City of Poughkeepsie to allow County's Quiet Cove Park to discharge sewer waste through Town's Fourth Ward Sewer System and into the City's Wastewater Treatment Plant

Date: 2/14/11

RESOLUTION NO. 2011042

RE: AUTHORIZING THE FINANCE DEPARTMENT TO AMEND COMMUNITY DEVELOPMENT ACCOUNT FOR URBAN COUNTY IN-HOUSE LOAN PROGRAM

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

WHEREAS, the County is a participant in the Community Development Block Grant Program pursuant to the Housing and Community Development Act, and

WHEREAS, pursuant to the Program, the County makes loans known under the Program as In-House Loans, to qualified moderate-income property owners to rehabilitate their homes, who repay the loans to the County, and on repayment the County is authorized to make additional loans to other qualified candidates, and

WHEREAS, by Resolution No. 144 of 1994, the Commissioner of Finance was directed to establish a Community Development account, which account has from time to time been amended, and

WHEREAS, loan repayments received by the County have exceeded the amount appropriated to date and it is necessary to appropriate additional funds, now, therefore, be it

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to amend the In-House Loans Community Development Account as follows:

APPROPRIATIONS		
Increase		
CD.8668.2705.4404	Rehab Loans & Grants	$60,000
REVENUES		
Increase		
CD.8668.21700.00	Community Dev. General	$60,000

CA-19-11
ca/G-179
1/18/11
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

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 $ 60,000

Total Current Year Revenue and Source $ 60,000

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): $0

Over Five Years: $0

Additional Comments/Explanation:

Prepared by: Patricia Longbard, Department of Planning and Development

Dutchess County
Department of
Planning and
Development

Dutchess

William R. Steinhaus
County Executive

Kealy Salomon
Commissioner

Eoin Wrafter
Assistant Commissioner

27 High Street
Poughkeepsie
New York 12601
(845)486-3600
Fax(845)486-3610
E-mail:plandev@co.dutchess.ny.us

To: Nancy Giordano, Chief of Staff

From: Kealy Salomon, Commissioner of Planning and Development

Date: December 3, 2010

RE: Legislative Resolution – January, 2011 Meeting
Urban County In House Loan Program

Attached please find a resolution for your review and consideration regarding the authorization of the Finance Department to increase the appropriations for the In-House Loan Program by $60,000.00.

Traditionally our Department has requested an increase in the appropriations line based on the exact amount of revenue in our account. This resolution request represents a combination of existing and anticipated revenue over the next year. We changed the way we increase the appropriation line last year to bring us into compliance with federal regulations on program income. This is our second request under this new process.

As we outlined last year, the U.S. Department of Housing and Urban Development requires that we expend program income prior to drawing down new money from the Federal Treasury. As we receive monthly repayments and lump sum payoffs on this program we should expend the money we receive each month on the following month's payment requests. Our Department has implemented a tracking process to insure that our expenditures on this program do not exceed the monthly revenues even though we have the authority for the expenditure.

If you have any questions please contact Anne Saylor, Housing Coordinator, at 486-3600 or asaylor@co.dutchess.ny.us.

KS/pal
Attachments
cc: Dutchess County Attorney's Office

Planning Comp

Background to Res. #2011042 5-9 7

RESOLUTION NO. 144 1994

RE: AUTHORIZING THE COMMISSIONER OF FINANCE TO RECEIVE AND DISPERSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE URBAN COUNTIES PROGRAM

Legislator HIRT offers the following and moves its adoption:

WHEREAS, the County is a participant in the Community Development Block Grant Program (Urban Counties), pursuant to the Housing and Community Development Act, and

WHEREAS, pursuant to the Program, the County makes loans , known under the Program as In-House Loans, to qualified moderate-income property owners to rehabilitate their homes, who repay the loans to the County, and

WHEREAS, on repayment the County is authorized under the Program to make additional loans to other qualified candidates, and

WHEREAS, the Comissioner of Planning has advised that repayments of loans have been received and it is necessary to establish an appropriate Community Development account for the In-House Loan Program, now, therefore, be it

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to establish a Community Development account as follows:

APPROPRIATIONS

Increase CD8669.0168	In-House Loans - Rehab. Loans & Grants	$25,000.00

REVENUES

Increase CD8669.2170.00	Community Development Income	$25,000.00

CA-86-94
ld
4/21/94

Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 5/17, 1994

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 9th day of May 19 94, 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 May 19 94

CLERK OF THE LEGISLATURE

BR-3

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

Total Current Year Cost $ - 0 -

Total Current Year Revenue $ 25,000.00

and Source CDBG satisfaction of mortgage payback and repayment of loans.

Source of County Funds (Contingency, Transfer of Existing Appropriations, other)

Identify Line Item(s): CD8669.0168

Related Expenses: - 0 -

Nature of Expenses: N/A

Anticipated Savings to County: - 0 -

Net county Cost (this year): - 0 -

(next five years): - 0 -

Prepared by: Mary Brown, Planning Dept.

BOND RESOLUTIONS

Total Principal $_____

Anticipated Interest Rate _____%

Term _____ years. Total Anticipated Fees $_____

Anticipated Annual cost (Principal and Interest) $_____

Total Payback (Annual Cost X Term) $_____

Potential Related Expenses: Annual $_____ Term $_____

Potential Related Revenues: Annual $_____ Term $_____

Related Savings to County (Describe): _____

Prepared by: _____

Roll call vote on the foregoing Resolution No. 2011042 resulted as follows:

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

NAYS: 0

ABSENT: 2 Horton, Sadowski.

Resolution adopted.

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 20 - Town of Red Hook	Traudt (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12 **Resolution:** X **Total :** 12 Yes 0 No

Absent: 0 **Motion:** ___

Vacant: 6 **Abstentions:** 0

2011042 Authorizing the Finance Department to amend Community Development Account for Urban County In-House Loan Program

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 23 0

Absent: 2 **Motion:** ____ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2011042 Authorizing the Finance Department to amend Community Development Account for Urban County In-House Loan Program

Date: 2/14/11

RESOLUTION NO. 2011043

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

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

RESOLVED, that the Permanent Rules, as attached hereto, be and they hereby are adopted as the Permanent Rules of the Dutchess County Legislature, effective January 1, 2011.

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

TABLE OF CONTENTS

	PAGE
Organizational Meeting	1
Notice of Organizational Meeting	1
Election of Chairman	1
Appointment of Clerk	2
Appointment of Counsel	3
Confirmation of Appointments	3
Meetings; General	3
Meetings; Regular, Special	4
Duties of Clerk	5
Order of Business	6
Roll Call	7
Attendance and Quorum	7
Powers and Duties of Chairman	8
Privilege of the Floor	10
Petitions, Reports, Motions and Resolutions	10
Priority of Business	12
Debate	13
Addressing Chair	13
Calls to Order	13
Members Entitled to Vote	13
Appeal Decision of Chair	14
Vote Required for Adoption of Resolution	14
Effective Date of Resolutions	15
Power to Amend or Repeal	15
Roll Call Vote	15
Withdrawal of Motion	15
Motions	16
Adjournment	16
Moving the Question	16
Postponement of Consideration	17
Reference to Committee	17

Reconsideration....17
Minutes of Meeting....17
Where no Express Rule is Provided....18
State Statute or County Charter Shall Govern....18
Amendment to Rules....19
Creation of Committees....19
Duties and Functions of Committees....19
Time and Manner of Appointment
Committees....19
Term of Committee Membership....20
Rules of Procedure for Committees....20
Committee Authorized to Accept Help
from Non-Members....22
Powers and Duties of the Legislature not be Delegated....22
Reference to Committees....22
Reference to Special Committee....23
Resignation from Committee....23
Presiding Officer of the Committee of the Whole....24
Rules of Committee of the Whole....24
Standing Committees:
Budget, Finance, & Personnel....24
Environment....25
Family and Human Services....26
Government Services and Administration....27
Public Safety....27
Public Works and Capital Projects....28
Index....29

PERMANENT RULES OF THE DUTCHESS COUNTY LEGISLATURE FOR THE YEAR 2011

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 electronic notice or if requested 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.

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, by mail, and electronic 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.

Service either personal, or by mail and by electronic 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.

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 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) Proclamations, Commendations and Presentations
d) Privilege of the Floor with respect to printed 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. Memorialization resolutions shall require at least four sponsors.

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.

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* (newly revised), 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, unless he/she has obtained permission of the chair to abstain.

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

C. A member who declares a conflict or an intent to abstain may not participate in the discussion of the question.

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 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 appointment unless 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, except during budget review sessions of the Budget & Finance Committee subject to Rule 5.13 (A).
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. 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.

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

G. 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, with no public comment.

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) **Arts, History, Tourism**
3) **County Comptroller**
4) **Dutchess Community College**
5) **Economic Development Corporation**
6) **Economic Development Zone**
7) **Employee Contracts**
8) ***Finance***
   Real Property Tax
9) **Grants**
10) ***Human Resources***
    Risk Management
11) **Industrial Development Agency**
12) **Leases**
13) **Merit Awards**
14) **Off-Track Betting**
15) **Taxes - hotel/motel, property, sales**
16) **Above Department Budget Amendments**

Not withstanding Rule 5.5 (B)(c) it is intended that public comment on the Tentative Budget and the reports by this committee will be reserved for a public hearing(s) on said budget.

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
2) Community Action Agency
3) Family Court
4) Grants
5) *Health Department*
   Weights and Measures
6) Mental Hygiene Department
7) Services for Aging, Veterans, and Youth
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
   - Highways
   - Parks
5) Above Department Budget Amendments
6) Transportation

INDEX

A

PAGE
Addressing Chair 13
Adjournment 16
Amendment to Rules 19
Appeal Decision of Chair 14
Appointments:
Clerk 2
Counsel 3
Confirmation of 3
Attendance and Quorum 7

B

Budget, Finance, and Personnel Committee 24
Business:
Order of 6
Priority of 12

C

Chairman, Election of 1
Chairman, Powers and Duties 8
Clerk:
Appointment of 2
Duties of 5
Committee of the Whole
Presiding Officer 24
Rules 24
Committees:
Creation of 19
Duties and Functions 19

Reference to 17, 22
Resignation from 23
Rules of Procedures 20
Special, Reference to 23
Standing 24-28
Term of Membership 20
Time and Manner of Appointment 19

D

Debate 13

E

Environment Committee 25

F

Family & Human Services Committee 26

G

Government Services and Administration Committee 27

M

Meetings:
Calls to Order 13
General, Regular 4
Members Entitled to Vote 13
Special 4
Minutes of Meeting 17
Motions 16
Reconsideration 17
Moving the Question 16

O

Organization Meeting 1
Organization Meeting, Notice of 1

P

Petitions, Reports, Motions and Resolutions 10
Postponement of Consideration 17
Priority of Business 12
Privilege of Floor 10
Public Safety Committee 27
Public Works & Capital Projects Committee 28

R

Reference to Committee 17
Reconsideration 17
Resolutions:
Effective Date of 15
Power to Amend or Repeal 15
Roll Call Vote 15
Vote Required for Adoption 14
Withdrawal of Motion 15
Roll Call 7

Discussion on the foregoing Resolution No. 2011043 resulted as follows:

Legislator Goldberg moved to amend the foregoing resolution *Rules of the Dutchess County Legislature* duly seconded on page 6 Rule 3.1 Order of Business d) add "and non" – after the word printed as follows:

D) Privilege of the Floor with respect to printed **and non** agenda items.

Roll call vote on the foregoing amendment resulted as follows:

AYES: 8 Doxsey, Goldberg, Jeter-Jackson, Kuffner, MacAvery, Traudt, Tyner, White.

NAYS: 15 Rolison, Cooper, Flesland, Horn, Borchert, Roman, Weiss, Bolner, Incoronato, Miccio, Forman, Hutchings, Thomes, Surman, Kelsey.

ABSENT: 2 Horton, Sadowski.

Motion defeated.

Legislator Goldberg moved to amend the foregoing resolution *Rules of the Dutchess County Legislature* page 6 Rule 3.1 Order of Business to eliminate h) Announcements (limited to three minutes) of Rule 3.1 duly seconded.

Roll call vote on the foregoing amendment resulted as follows:

AYES: 8 Doxsey, Goldberg, Jeter-Jackson, Kuffner, MacAvery, Tyner, Weiss, White.

NAYS: 15 Rolison, Cooper, Flesland, Horn, Borchert, Roman, Bolner, Incoronato, Miccio, Forman, Hutchings, Thomes, Surman, Kelsey, Traudt.

ABSENT: 2 Horton, Sadowski.

Motion defeated.

Legislator Goldberg moved to amend the foregoing resolution *Rules of the Dutchess County Legislature* page 12 to eliminate Rule 4.5 Petitions, Reports, Motions, and Resolutions: (L) duly seconded.

Roll call vote on the foregoing amendment resulted as follows:

AYES: 7 Doxsey, Goldberg, Jeter-Jackson, Kuffner, MacAvery, Tyner, White.

NAYS: 16 Rolison, Cooper, Flesland, Horn, Borchert, Roman, Weiss, Bolner, Incoronato, Miccio, Forman, Hutchings, Thomes, Traudt, Surman, Kelsey.

ABSENT: 2 Horton, Sadowski.

Motion defeated.

Roll call vote on the foregoing Resolution No. 2011043 resulted as follows:

AYES: 16 Bolner, Borchert, Cooper, Flesland, Forman, Horn, Hutchings, Incoronato, Kelsey, Miccio, Rolison, Roman, Surman, Thomes, Traudt, Weiss.

NAYS: 7 Doxsey, Goldberg, Jeter-Jackson, Kuffner, MacAvery, Tyner, White.

ABSENT: 2 Horton, Sadowski.

Resolution adopted.

43

Government Services and Administration Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*		✓
District 7 - Town of Hyde Park	Kuffner*		✓
District 9 - City of Poughkeepsie	White		✓
District 12 - Town of East Fishkill	Weiss (C)	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		✓
District 17 - Town and Village of Fishkill	Miccio	✓	
District 18 - City of Beacon	Forman (VC)	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	✓	

Present: 12 **Resolution:** 9 **Total :** 8 Yes, 4 No

Absent: 6 **Motion:** x

Vacant: 0 **Abstentions:** 0

Amendment to #43

Rule 4.5 Petitions, Reports, Motions and Resolutions.

2-10-11

43

Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*		✓
District 7 - Town of Hyde Park	Kuffner*		✓
District 9 - City of Poughkeepsie	White		✓
District 12 - Town of East Fishkill	Weiss (C)	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		✓
District 17 - Town and Village of Fishkill	Miccio	✓	
District 18 - City of Beacon	Forman (VC)	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	✓	

Present: 12 **Resolution:** ___ **Total :** 8 Yes, 4 No

Absent: 0 **Motion:** X **Abstentions:** 0

Vacant: 0

Rule 3.1 Order of Business

Change "H" and "I" to "I" and "J" respectively and create a new "H" for "Announcements (limited to three minutes)"

#43

2-10-11

Government Services and Administration Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		✓
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		✓
District 6 - Town of Poughkeepsie	Flesland*		✓
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 9 - City of Poughkeepsie	White	✓	
District 12 - Town of East Fishkill	Weiss (C)		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	✓	
District 17 - Town and Village of Fishkill	Miccio		✓
District 18 - City of Beacon	Forman (VC)		✓
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		✓

Present: 12 **Resolution:** ____ **Total :** 4 (Yes) 8 (No)

Absent: 0 **Motion:** X **Abstentions:** ____

Vacant: 0

#43

Rule 3.1 Order of Business (p. 6)

(d) add "and non-agenda" items

Defeated

2-10-11

43

Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		✓
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		✓
District 6 - Town of Poughkeepsie	Flesland*		✓
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 9 - City of Poughkeepsie	White	✓	
District 12 - Town of East Fishkill	Weiss (C)		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	✓	
District 17 - Town and Village of Fishkill	Miccio		✓
District 18 - City of Beacon	Forman (VC)		✓
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		✓

Present: 12 **Resolution:** ___ **Total :** 7 Yes 8 No

Absent: 0 **Motion:** X **Abstentions:** 0

Vacant: 0

DeSeated

Amendment to Amendment to Rules 3.1 Order of Business eliminating (limited to three minutes) from the amendment "Announcements"

2·10·11

43

43

Government Services and Administration Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*		✓
District 7 - Town of Hyde Park	Kuffner*		✓
District 9 - City of Poughkeepsie	White		✓
District 12 - Town of East Fishkill	Weiss (C)	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		✓
District 17 - Town and Village of Fishkill	Miccio	✓	
District 18 - City of Beacon	Forman (VC)	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	✓	

Present: 12 **Resolution:** X **Total :** 8 (Yes) 4 (No)

Absent: 0 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2011043 Adoption of the Permanent Rules of the Dutchess County Legislature

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		✓
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		✓
District 6 - Town of Poughkeepsie	Flesland		✓
District 14 - Town of Wappinger	Goldberg	✓	
District 7 - Town of Hyde Park	Kuffner	✓	
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		✓
District 3 - Town of LaGrange	Borchert		✓
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		✓
District 9 - City of Poughkeepsie	White	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 12 - Town of East Fishkill	Weiss		✓
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	✓	
District 17 - Town and Village of Fishkill	Miccio		✓
District 18 - City of Beacon	Forman		✓
District 20 - Town of Red Hook	Traudt	✓	
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		✓
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		✓
District 24 - Towns of Dover and Union Vale	Surman		✓
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		✓

Present: 23 **Resolution:** ___ **Total :** 8 15

Absent: 2 **Motion:** X **Yes** **No**

Vacant: 0 **Abstentions:** 0

Goldberg
Amendment to Rule 3.1 Order of Business
d) add "and non-agenda items"

2011043

2/14/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		✓
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		✓
District 6 - Town of Poughkeepsie	Flesland		✓
District 14 - Town of Wappinger	Goldberg	✓	
District 7 - Town of Hyde Park	Kuffner	✓	
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		✓
District 3 - Town of LaGrange	Borchert		✓
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		✓
District 9 - City of Poughkeepsie	White	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 12 - Town of East Fishkill	Weiss	✓	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	✓	
District 17 - Town and Village of Fishkill	Miccio		✓
District 18 - City of Beacon	Forman		✓
District 20 - Town of Red Hook	Traudt		✓
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		✓
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		✓
District 24 - Towns of Dover and Union Vale	Surman		✓
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		✓

Present: 23 **Resolution:** ___ **Total :** 8 (Yes) 15 (No)

Absent: 2 **Motion:** X

Vacant: 0 **Abstentions:** 0

Amendment Rule 3.1 Order of Bus
eliminate H) Announcements -
3 min. Limit

2011043
2/14/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		✓
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		✓
District 6 - Town of Poughkeepsie	Flesland		✓
District 14 - Town of Wappinger	Goldberg	✓	
District 7 - Town of Hyde Park	Kuffner	✓	
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		✓
District 3 - Town of LaGrange	Borchert		✓
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		✓
District 9 - City of Poughkeepsie	White	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 12 - Town of East Fishkill	Weiss		✓
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	✓	
District 17 - Town and Village of Fishkill	Miccio		✓
District 18 - City of Beacon	Forman		✓
District 20 - Town of Red Hook	Traudt		✓
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		✓
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		✓
District 24 - Towns of Dover and Union Vale	Surman		✓
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		✓

Present: 23 **Resolution:** ___ **Total :** 7 (Yes) 16 (No)

Absent: 2 **Motion:** X

Vacant: 0 **Abstentions:** 0

Goldberg
eliminate 4.5 (L)

2011043
2/14/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper	✓	
District 6 - Town of Poughkeepsie	Flesland	✓	
District 14 - Town of Wappinger	Goldberg		✓
District 7 - Town of Hyde Park	Kuffner		✓
District 1 - Town of Poughkeepsie	Doxsey		✓
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn	✓	
District 3 - Town of LaGrange	Borchert	✓	
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman	✓	
District 9 - City of Poughkeepsie	White		✓
District 10 - City of Poughkeepsie	Jeter-Jackson		✓
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss	✓	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		✓
District 17 - Town and Village of Fishkill	Miccio	✓	
District 18 - City of Beacon	Forman	✓	
District 20 - Town of Red Hook	Traudt	✓	
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings	✓	
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	✓	
District 24 - Towns of Dover and Union Vale	Surman	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	✓	

Present: 23 **Resolution:** X **Total :** 16 7

Absent: 2 **Motion:** ____ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2011043 Adoption of the Permanent Rules of the Dutchess County Legislature

Date: 2/14/11

Public Safety

RESOLUTION NO. 2011044

RE: CONFIRMING THE APPOINTMENT OF DANA SMITH AS COORDINATOR OF EMERGENCY RESPONSE

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

WHEREAS, the position of Coordinator of Emergency Response is vacant, and

WHEREAS, the Commissioner of Human Resources has determined that Dana Smith, whose resume is attached, is qualified to perform the duties of the position of Coordinator of Emergency Response, and

WHEREAS, the County Executive has appointed Dana Smith to the position of Coordinator of Emergency Response subject to the confirmation by the County Legislature in accordance with Article XVIII, Section 18.01 of the Dutchess County Charter, now, therefore, be it

RESOLVED, that the Legislature of the County of Dutchess does hereby confirm the appointment of Dana Smith as Coordinator of Emergency Response effective immediately.

CA-30-11
ca/G-0148-A
2/2/11

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2-15, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Dana H. Smith
109 Applehill Road
Hurley, New York 12443
845-416-0215
DanaHSmith05@gmail.com

Profile Summary

- Experienced professional with a successful career in emergency services, project development, and administration.
- Excel at collaborating with others at all levels to ensure organizational goals are achieved.
- Possess excellent interpersonal, analytical, and organizational skills.
- Excel within highly stressful environments where leadership skills are the keys to success.
- An effective leader with the skills necessary to direct, lead, and motivate department staff to their fullest potential.

Employment

Dutchess County, New York *2008-Present*
Assistant Coordinator-Emergency Medical Services

- High-profile professional position accountable for coordinating and improving Emergency Medical Services in Dutchess County.
- Monitor and develop plans to address issues and needed improvements to the EMS system.
- Serve as the Coordinator of Emergency Medical Dispatch program within the Dutchess County 911 Center.
- Liaison with the Dutchess County Department of Health regarding emergency preparedness planning.
- Prepare and submit budgets for EMS and MRC divisions.

Highlights

- Developed and instituted an EMS Leadership program.
- Led a complete restructuring of the Mutual Aid Plan.
- Completed and activated a Strategic National Stockpile Plan, which was utilized extensively in the H1N1 Pandemic.

Dutchess County, New York 2006-2008
Medical Reserve Corps Coordinator

- Tasked with coordinating and developing the MRC to a functional unit.
- Recruited, trained and deployed MRC Volunteers.
- Represented Dutchess County MRC at local, state and federal level.

Highlights

- Developed response capable unit.
- Selected to participate in numerous state initiatives.
- Recognized nationally for *best practices.*

Newburgh, New York 2000-2006

Mobile Life Support Services

Director of Field Operations

- Senior Administration Position in Multi-County EMS System.
- Plan, directs and coordinates all activities of a nationally accredited EMS agency.
- Responsible for all facets of personnel management.
- Responsibility for budget development and management.

Highlights

- Developed two new county operations.
- Led local government board presentation and negotiations.
- Project director for two new facility construction projects.

Education

- Currently enrolled SUNY Empire- AS in Emergency Management, anticipated completion January 2012.
- FEMA Professional Development Series.
- All required NIMS ICS Courses.

Certifications

- Emergency Medical Technician-Paramedic 1986-present
- National Disaster Life Support Advanced Instructor 2010

Volunteer Experience

- Marlboro Hose Company # 1, held various operations and training leadership positions. 1985-2001
- Horizons Critical Incident Management Team-Chairman. 1997-2004

References available upon request.

POLICE DEPARTMENT
CITY OF POUGHKEEPSIE
New York

Ronald J. Knapp
Chief of Police

February 1, 2011

Earl Bruno
Dutchess County Commissioner of Personnel
22 Market Street
Poughkeepsie, NY 12601

Dear ~~Mr. Bruno~~ Earl

Please accept this letter of support for the application of Dana Smith for the position of Dutchess County Emergency Response Coordinator. I have known Dana since he began his employment with Dutchess County. I find him to be a very energetic individual who presents himself as a true professional when he represents his department.

The position is critical to the community and it's important that the person who serves in this capacity be knowledgeable of the operation of the Department of Emergency Response. Currently serving as an employee of that department and recently as the acting coordinator, there is no doubt that Dana possesses these qualities. My interactions with him find him to be both committed and responsive to dealing with the issues at hand.

My agency interacts with the county center on a daily basis. I also personally attend joint meetings and work on mutual issues and projects with the staff. I find Dana to possess those leadership skills I would expect of a person in this position.

Hopefully Dana will be chosen to become the next coordinator, a position he has certainly earned.

Sincerely,

Ron

Ronald J. Knapp

Municipal Building • 62 Civic Center Plaza, Poughkeepsie NY 12601 • Tel: (845) 451-4132 • Fax: (845) 451-4133

705 Pine Grove Road
Wappingers Falls, NY 12590-6504

February 2, 2011

Mr. Earl Bruno
Commissioner of Personnel
County of Dutchess
22 Market Street
Poughkeepsie, NY 12601

Dear Mr. Bruno,

I am pleased to be writing this as a reference for Mr. Dana Smith. I have known Dana for many years, beginning with professional contacts when I was Deputy Fire Coordinator, EMS, and he was employed by a commercial ambulance service. At that time we were engaged in coordinating Dutchess county EMS agencies with emergency responses to Stuart airport.

Since that time it has been my pleasure to interact with Mr. Smith on numerous occasions related to emergency services at both the local and state level. Mr. Smith has always been knowledgeable about matters of emergency service response. He also has proved to interact well with others and accept viewpoints other than his own.

Sincerely yours,

Michael T. Quinn

Michael T. Quinn

22 Roosevelt Road
Hyde Park, NY 12538

February 2, 2011

Mr. Earl Bruno
Commissioner of Human Services
22 Market Street
Poughkeepsie, NY 12601

Dear Commissioner Bruno:

I want to recommend Acting Emergency Response Coordinator Dana Smith to be appointed to the position of Dutchess County Emergency Response Coordinator.

I have known Mr. Smith since the beginning of 2008 when he was hired as the Emergency Medical Service Coordinator, in which he grew the Medical Reserve Corps. Since that point just a few years ago, Mr. Smith has grown the MRC into a nationally recognized program. His leadership and project management skills have also been witnessed by me on multiple other projects in the emergency response field.

Mr. Smith's previous experience in the field of Emergency Medical Services has been very helpful to several fire departments within the County as he is able to provide support to those fire departments that need to look at different ways to provide service due to increasing calls and decreasing members.

As a Deputy Fire Coordinator, I have already worked with Mr. Smith in his acting capacity on several projects, including his view on the future of the fire training center and fire training programs. It is enlightening to hear his shared goal of moving the training center to an 'emergency response' training facility rather than just scoped for fire services.

In talking with Mr. Smith about the future of the Department of Emergency Response, his view on leadership and accountability is most welcome. He understands that we can get much accomplished by working together and holding people accountable for their respective programs. This point alone will be the largest improvement that can occur within the management of the Department of Emergency Response.

Please feel free to contact me at (845) 229-6041 or eoneray@prodigy.net if you with to discuss this matter with me.

Sincerely,

Raymond H. Nichols

28 Louise Place

Staatsburg, New York 12580

February 1, 2011

Mr. Earl Bruno, Commissioner of Human Services
22 Market Street
Poughkeepsie, New York 12601

Dear Commissioner Bruno:

As the position of Dutchess County Emergency Response Coordinator is presently vacant upon the retirement of Mr. John Murphy, I want to recommend a highly qualified individual to that position. I recommend that the present Acting Emergency Response Coordinator, Dana Smith, be appointed to the position of Emergency Response Coordinator for Dutchess County. Mr. Smith's past professional experience which he brings to his present position and the experience of team building along with the management qualities he displays make him an excellent candidate.

In my past position as Emergency Response Coordinator, I hired Mr. Smith as the Emergency Medical Services Coordinator for Dutchess County, knowing he would be a great asset to our team and he proved me right! He displays his dedication, professionalism, management and team building skills in all his endeavors while keeping in sight the "big picture" of the impact of his decisions. He listens closely to others and is courteous to all. He works well with the many other County department heads on the "Steinhaus Team".

I would be proud to see Dana Smith as Dutchess County's Emergency Response Coordinator.

Please feel free to contact me at any time if you need further information or comments. I can be reached at 845-229-7439 or by email at dsagendorph@msn.com.

Sincerely,

DeWitt R. Sagendorph

DUTCHESS COUNTY FIRE AND SAFETY ADVISORY BOARD

392 Creek Road
Poughkeepsie, New York 12601
(845) 486-2080

Mr. Earl Bruno
Dutchess County Commissioner of Personnel
22 Market Street
Poughkeepsie, New York 12601

February 2, 2011

Dear Commissioner Bruno:

As the Chairman of the Dutchess County Fire Safety Advisory Board I would like to take this opportunity to offer our support and recommendation of Mr. Dana Smith for the position of Emergency Response Coordinator.

Dana has been a strong supporter of the emergency services in Dutchess County both volunteer and career. Dana has demonstrated his ability to accept new and challenging assignments and the ability to provide accurate and timely information to our board. Our experiences with Dana have always been positive and very professional.

Dana is a pleasure to work with and demonstrates terrific interpersonal skills when dealing directly with his colleagues and others. In meetings, Dana strives to understand the issues and always offers innovative ideas and strategies to successfully address those issues. Dana is well versed in communicating with others and truly does appreciate their questions or concerns.

Dana has the unique knowledge, ability and desire to work with people of all backgrounds and interests. He has a sense of diplomacy that will make him a first rate coordinator.

Therefore, on behalf of the Fire Advisory Board, I highly recommend Dana Smith for the position of Emergency Response Coordinator for Dutchess County.

Sincerely;

Steven Shultis
Chairman, DC Fire and Safety Advisory Board

CITY OF BEACON
New York

February 10, 2011

Mr. Earl T. Bruno, Jr.
Dutchess County Commissioner of Human Resources
22 Market Street – 5th Floor
Poughkeepsie, New York 12601

Dear Mr. Bruno:

I am writing with regard to my position on Dana Smith's appointment as the Dutchess County Emergency Response Coordinator. I have known Dana professionally for a number of years dating back to when he was the Operation's Director for Mobile Life Support Services, a private ambulance company. At the time the City of Beacon was exploring a public/private partnership to provide enhanced services to our residents. From the very beginning I felt comfortable working with Dana and found him to be forthright and trustworthy. Dana is a true gentleman and his dedication to the profession is a genuine unsurpassed quality. When Dana left his private employment and was hired by Dutchess County to work in the Department of Emergency Response, I was pleased that he would be working on our "side" joining the many dedicated individuals providing fire and emergency response services to the residents of Dutchess County.

Since joining the Department of Emergency Response, I have worked with Dana on a number of projects here in the City of Beacon. Dana was a true professional as we worked through some very sensitive issues. He has a firm, yet compassionate easy-going manner that is conducive to the job of Emergency Response Coordinator. The Dutchess County Department of Emergency Response is a model agency that is well respected in the industry and therefore the person selected to serve as the Emergency Response Coordinator is critical. The position of Emergency Response Coordinator requires a special skill set in order to be successful in working with the many volunteer and career members that provide disaster and emergency response to the residents of Dutchess County that I believe Dana possesses, along with the knowledge, integrity, and energy necessary to represent and lead the department.

I was pleased when the County Executive announced that Dana Smith would be his nominee for the position of Emergency Response Coordinator. I truly believe that Dana is the best person to fill the position. Dana represents disaster and emergency service providers well and will be a tremendous representative of Dutchess County.

You can tell by the content of this letter that I hold the Dutchess County Department of Emergency Response in high regard. I truly believe Dana's nomination is in the best interest of the department's continued success. I would be happy to discuss this further if necessary and can be reached in my office at City Hall at 845-838-5020 or on my cell phone at 845-629-2988.

Sincerely,

Timothy P. Dexter

Lt. Timothy P. Dexter
City of Beacon Fire

Roll call vote on the foregoing Resolution No. 2011044 resulted as follows:

Legislator Tyner abstained.

Chairman Rolison requested the reason for abstaining.

Legislator Tyner stated that he did not want to vote no because he did not want this to be seen as a criticism or an attack on Mr. Smith because he is a good qualified man.

Chairman Rolison stated that he could not allow abstention.

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

NAYS: 1 Tyner.

ABSENT: 1 Horton, Sadowski.

Resolution adopted.

Public Safety Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Sadowski	Absent	
District 5 - Town of Poughkeepsie	Roman (C)	Absent	
District 9 - City of Poughkeepsie	White (VC)		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	Absent	

Present: 9 **Resolution:** X **Total :** 9 (Yes) 0 (No)

Absent: 3 **Motion:** ___ **Abstentions:** 0

Vacant: 0

2011044 Confirming the Appointment of Dana Smith as Coordinator of Emergency Response

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.	Absent	
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton	Absent	
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 23 **Resolution:** X **Total :** 22 1

Absent: 2 **Motion:** ____ **Yes** **No**

Vacant: 0 **Abstentions:** ____

2011044 Confirming the Appointment of Dana Smith as Coordinator of Emergency Response

Date: 2/14/11

Public Works

RESOLUTION NO. 2011045

RE: SUPPORT OF THE NEED TO DEMOLISH A BUILDING ON THE SITE OF THE EASTERN DUTCHESS GOVERNMENT CENTER DUE TO AN EMERGENCY SITUATION RELATED TO SEVERE STORM DAMAGE

LEGISLATORS ROLISON, FLESLAND, and KELSEY offer the following and move its adoption:

WHEREAS, this Legislature, by Resolution No. 204241A, adopted on October 13, 2004, declared Dutchess County lead agency and adopted a negative declaration for the design and reconstruction of the Eastern Dutchess Government Center, located in the Town of Washington, and

WHEREAS, the Short Environmental Assessment Form that was annexed to Resolution No. 204241A indicated that the former West Wing of the Infirmary would be retained and reconstructed and that it was "the County's intent to abate asbestos and then demolish the remaining former infirmary buildings", and

WHEREAS, during the evening of February 2, 2011 or the early morning hours of February 3, 2011, the roof of the former East Wing of the Infirmary suffered a catastrophic collapse and a portion of the hallway that connects the former East Wing with the rest of the complex was affected by the roof collapse due to masonry debris from the roof falling on it, and

WHEREAS, a professional licensed engineer who inspected the infirmary site has determined that "the building is currently unfit and is unstable and should be immediately demolished along with a portion of the hallway that connects the East Wing Building with the rest of the complex", and

WHEREAS, the New York State Building Code Enforcement consultant to the Dutchess County Department of Public Works has also inspected the site and "strongly recommends that the building be completely demolished along with a section of the connecting walkway which was also affected" and "that this work be done as soon as possible to preclude any further risk to the surrounding site", and

WHEREAS, the Commissioner of the Department of Public Works (DPW) has declared this incident to be a public emergency in accordance with General Municipal Law Section 103 (4) which allows DPW to obtain quotes immediately from experienced contractors, and

WHEREAS, Risk Management has been in contact with the County's insurance broker and believes the County's insurance policy will cover most expenses associated with the

demolition of the former East Wing and a portion of the connecting walkway (hallway), now therefore be it

RESOLVED, that this Legislature supports the need for and approves the demolition of the former East Wing and some portion of the connecting walkway of the building as expeditiously as possible.

CA-36-11
CAB/ca/G-1530
2/10/11
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 2/24, 2011

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 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Unanimous Consent

RESOLUTION NO. 204241A

RE: DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF NEGATIVE DECLARATION FOR THE DESIGN AND RECONSTRUCTION OF THE EASTERN DUTCHESS CENTER

Legislators LAFRANCE, KENDALL, and MOLINARO offer the following and move its adoption:

WHEREAS, Dutchess County is considering the design and reconstruction of a portion (approximately 30,000 square feet) of the former Dutchess County Infirmary, and related demolition as appropriate, to upgrade the facilities and more efficiently provide government services to eastern Dutchess County, and

WHEREAS, the Dutchess County Department of Public Works has identified Dutchess County as the only involved agency, has completed a short environmental assessment form, and based thereon concluded the proposed unlisted action will not have a significant adverse effect on the environment, and

WHEREAS, it is the purpose of this Legislature in adopting this Resolution to establish Dutchess County as the lead agency which will undertake and coordinate this project and to adopt the short environmental assessment form attached hereto which sets forth the basis for its conclusion of environmental significance, now, therefore, be it

RESOLVED, Dutchess County hereby assumes lead agency status with respect to the above referenced project, adopts and confirms the short environmental assessment form referenced above, and hereby adopts a Negative Declaration concluding, based on the information contained in the short environmental assessment form, the proposed design and reconstruction of a portion of the former Dutchess County Infirmary with related demolition as appropriate, to provide government services through the Eastern Dutchess Center, will not have a significant adverse effect on the environment.

CA-198-04
ca/G-1045-A
10/13/04

Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 10/25, 2004

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of October, 2004, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of October, 2004.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

204288

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
County of Dutchess

2. PROJECT NAME
Eastern Dutchess Center

3. PROJECT LOCATION:
Municipality Town of Washington County Dutchess

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
The involved site is the former Dutchess County Infirmary, located at the intersection of Oak Sumit (CR95) and County House (CR 97) Roads.

5. PROPOSED ACTION IS:
☑ New ☐ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
The design and reconstruction of a portion of the former Dutchess County Infirmary (approximately 30,000 sq. ft.) to upgrade the facilities and more efficiently provide needed government services to Eastern Dutchess County. The remainder of the facility and out-buildings would be demolished. A seperate residence on the property would be returned to residential use or relocated.

7. AMOUNT OF LAND AFFECTED:
Initially 2.5 acres Ultimately 1 acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
☐ Yes ☑ No If No, describe briefly
This is a government facility, which is exempt from local zoning.

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
☑ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☑ Other
Describe:
The surrounding area is mostly residential with the exception of the county Highway Outpost located on the involved parcel.

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
☐ Yes ☑ No If Yes, list agency(s) name and permit/approvals:

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
☐ Yes ☑ No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes ☑ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/sponsor name: County Of Dutchess Date: 10/7/04

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

RESET

Exhibit A

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:

(See Attachment)

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

(See Attachment)

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

The project is a reconstruction of an existing facility; as such, no previously undisturbed land will be impacted.

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:

The project involves the upgrading of facilities for existing government programs. Only 10 employees are anticipated to be relocated to the site as a result of the project.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

(See Attachment and Negative Declaration

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

No; there will be an increase in the efficiency of energy use at the site.

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.

County of Dutchess	10/13/04
Name of Lead Agency	Date
Brad Barclay	Senior Planner
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)

Reset

Attachment for Short Environmental Assessment Form
Eastern Dutchess Center

C1. The project involves the reconstruction of a portion of the former Dutchess County Infirmary. The current project will occupy only a portion of the former Infirmary facility. Prior to closing the infirmary was a twenty-four hour a day seven day a week operation with one hundred and ten employees working on three shifts. The Health Department was also operating out of the house on the property, which continues to this day. The number of employees to be housed by the project is 71, with limited space for expansion. Most of the space to be reconstructed will be taken up by the uses currently located on the property. The vast majority of the clients that attend current programs at the site are transported to and from the site as part of the program, limiting trip generation from these uses. The relocation of the County Probation Department's operations, currently housed in Dover to the site will add approximately 300 additional visits a month, including 30 visits a week, between 6-9pm Thursday nights. The facility is currently used on Thursdays nights for clinics, so the added use nighttime use will not alter the existing hours of operation.

Proper soil and erosion controls will be maintained during construction. The demolition and asbestos abatement portion of the project will be conducted as per NYSDEC regulations.

C2. Dutchess County has operated facilities on the subject parcel since the turn of the century, so no significant impacts to the community are anticipated.

Dutchess County has decided to retain and reconstruct one of the original structures from the Dutchess County Infirmary, in part because of the property's long history of use by the County. The former West Wing of the Infirmary is the most visible portion of the old facility and it is in the best condition, as it had been occupied most recently. It was originally designed and used as office space for the former infirmary and has an existing elevator. These factors greatly increase the building's ability to be reused. The County will design and construct a display to be located on the premises, which will inform visitors of the historic use of the property by the County.

It is the County's intent to abate for asbestos and then demolish the remaining former infirmary buildings. As part of the design portion of this project, DCDPW will, in consultation with NYSOPRHP, review the architecture of the former Infirmary structures for historically significant elements. DCDPW will document and preserve any architectural elements determined to be significant, in keeping with State Historic Preservation Law. The historic use of the property by the County will be documented and exhibited in the display in a portion the reconstructed facility.

12-12-79 (3/99)-9c

SEQR

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

Project Number Date: 10/13/04

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

Name of Action:

Eastern Dutchess Center

SEQR Status: Type 1 ☐
Unlisted ☑

Conditioned Negative Declaration: ☐ Yes
☑ No

Description of Action:

The design and reconstruction of a portion of the former Dutchess County Infirmary (approximately 30,000 sq. ft.) to upgrade the facilities and more effieciently provide needed government service to Eastern Dutchess County. The remainder of the facility and out-buildings would be demolished. A separate residence on the property will be returned to residential use or relocated.

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

The site is located at the intersection of CR 95/07, at the former County Infirmary

Reasons Supporting This Determination:
(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

As identified in the EAF for this project, any adverse environmental impacts resulting from this project are not significant for the following reasons:

1. The asbestos waste generated by the project will be disposed of in accordance with the applicable laws and regulations and will pose less of an environmental risk than it poses at present.

2. Similarly, any impacts on the historic properties at the site will be fully mitigated in accordance with SHPO regulations, and will allow for the long-term preservation of the historic significance of this site.

3. Any short-term traffic increase due to construction will be very brief in duration and will not cause significant environmental impacts. Any long-term traffic impacts will be insignificant as it is only anticipated that there will be 10 additional employees employed at the site.

4. Positive environmental impacts include the elimination of any hazardous and solid waste in the buildings at present, and the elimination of negative impacts and liabilities associated with the continued deterioration of vacant and unused structures.

5. The project is being developed to accommodate existing programs with little room for expansion, thus the project will not have significant growth inducing impacts. With respect to growth at the site, only 10 new employees will be relocated to the site.

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: Michael P. Murphy, Commissioner of D.C. Public Works

Address: 22 Market St. Poughkeepsie, NY 12601

Telephone Number: (845) 486-2121

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)

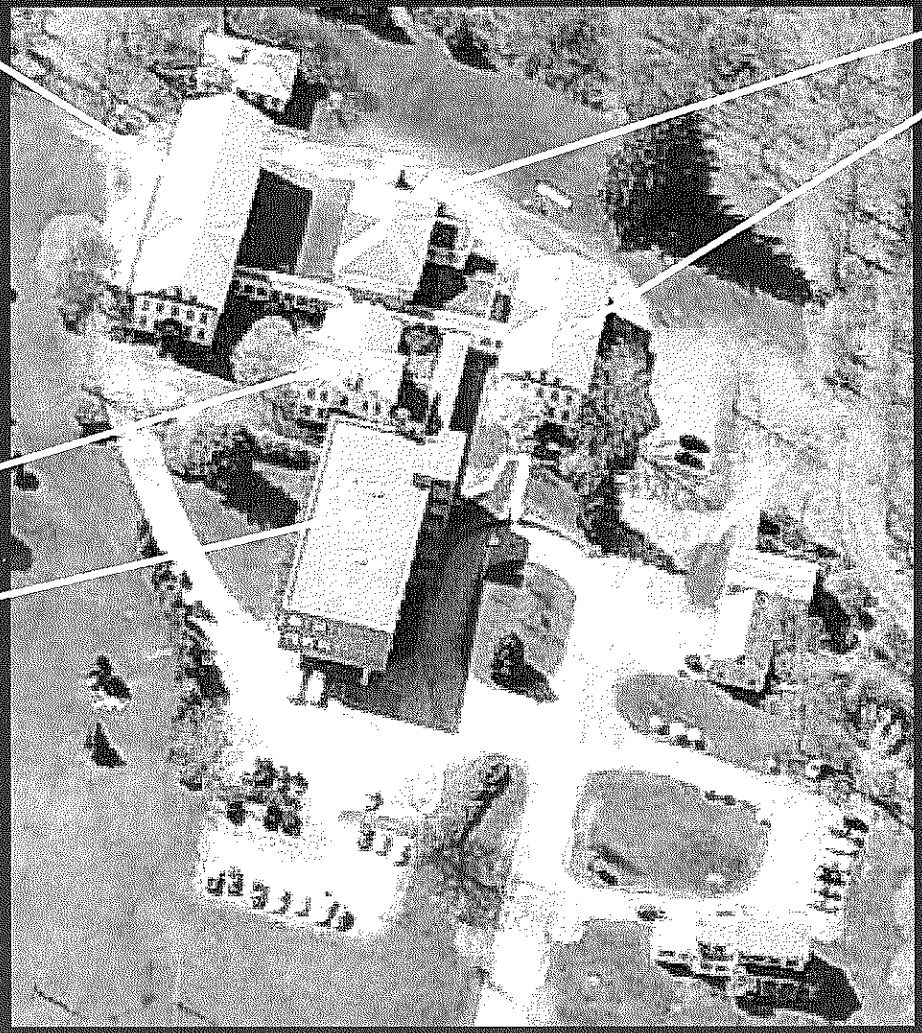
Applicant (If any)

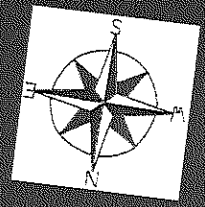
Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750 (Type One Actions only)

Eastern Dutchess Government Center

Roof Collapse of Vacant Former East Wing

EDGC Site Image





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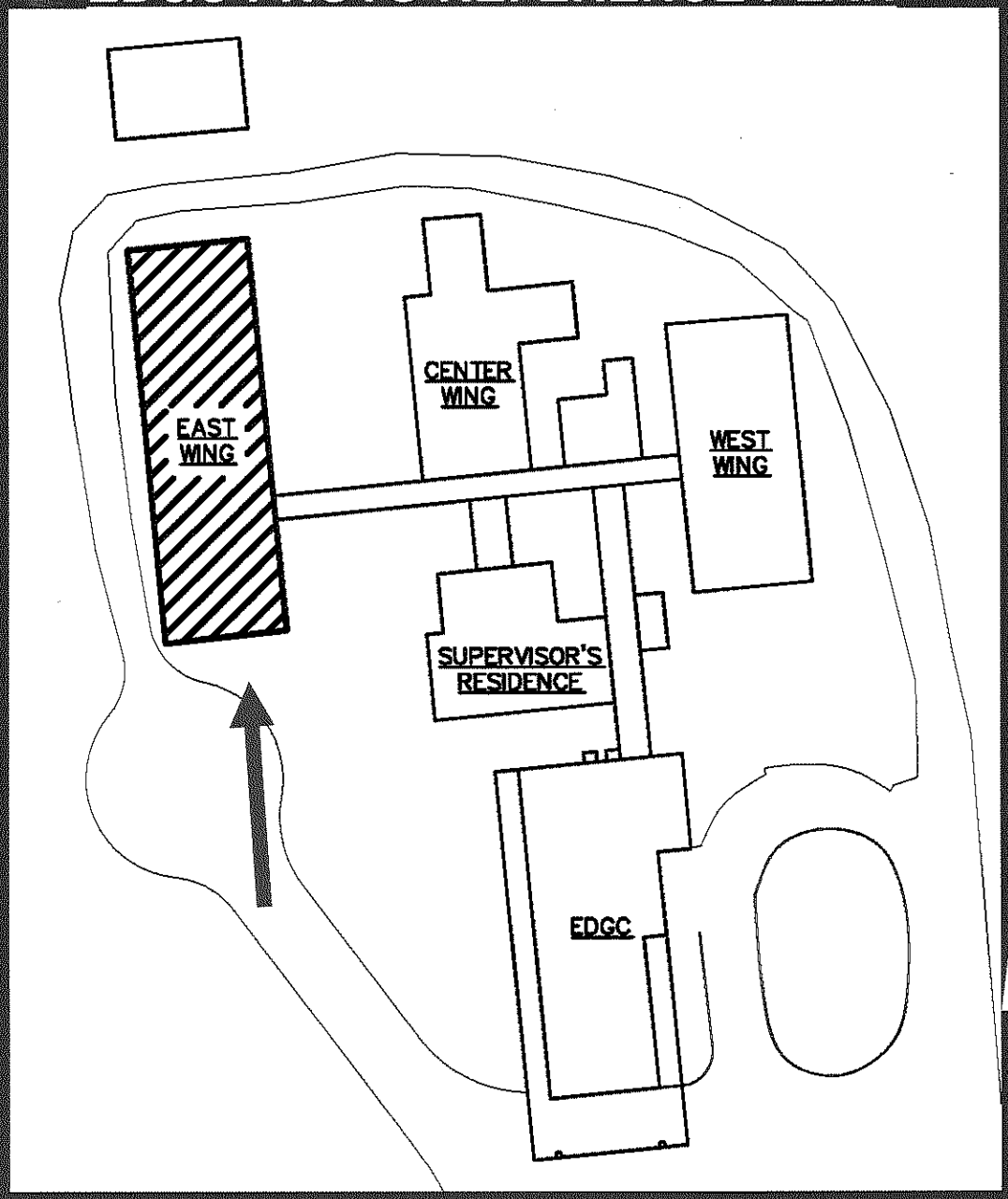

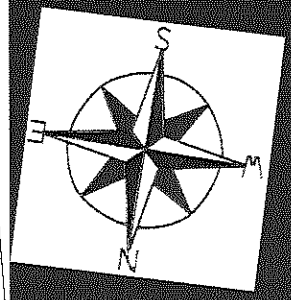

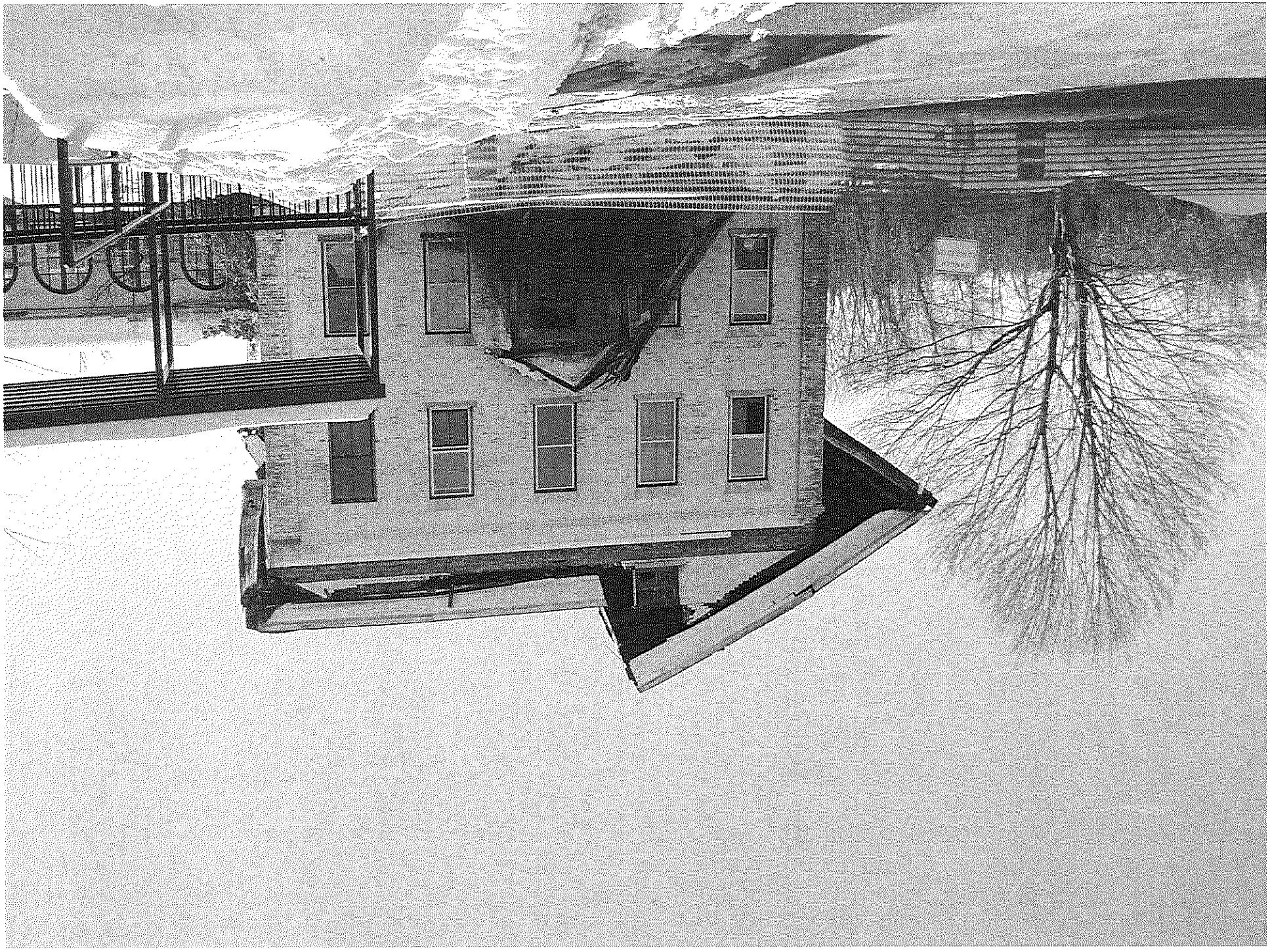

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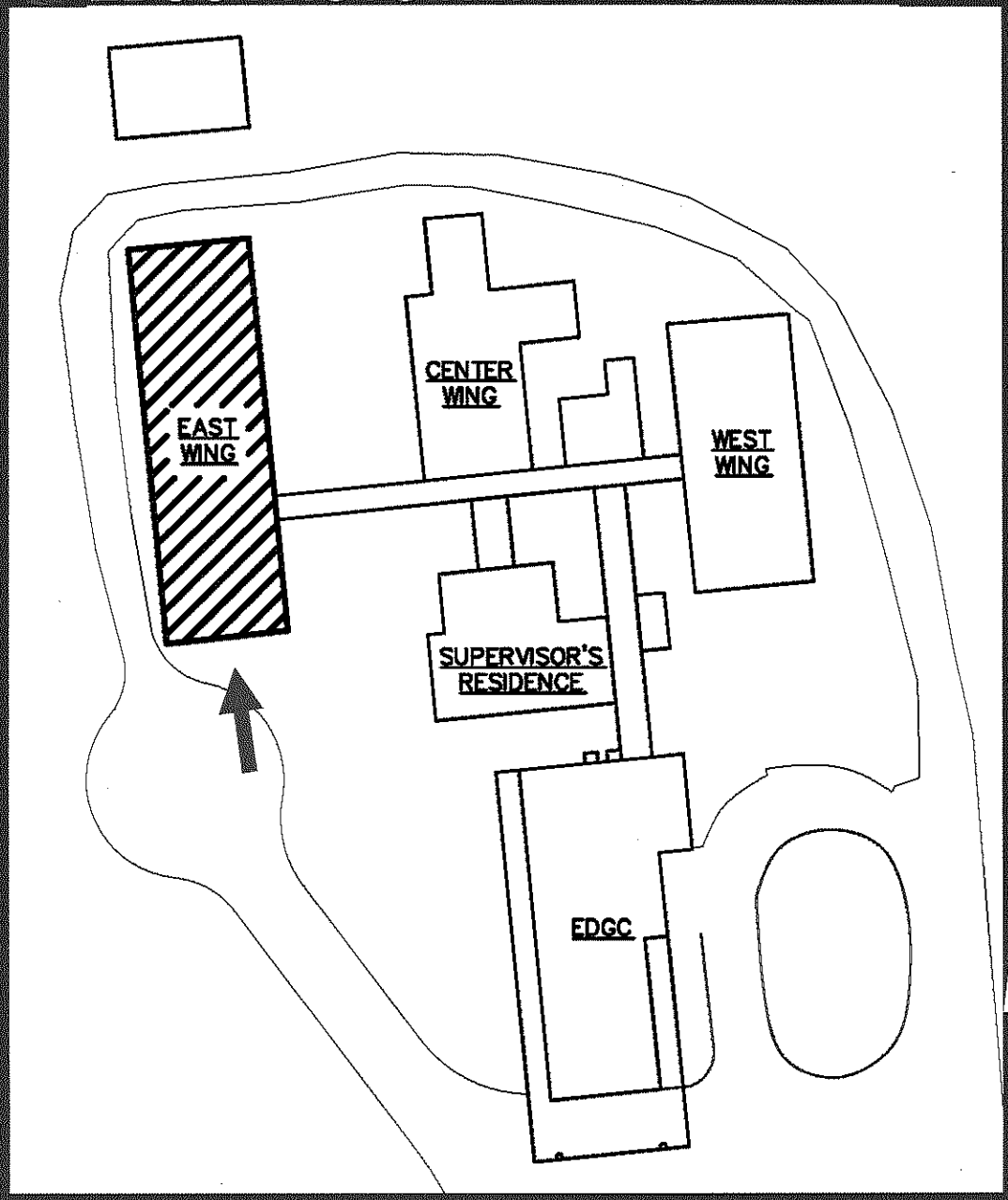

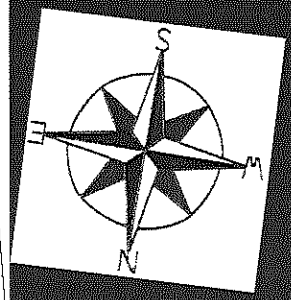

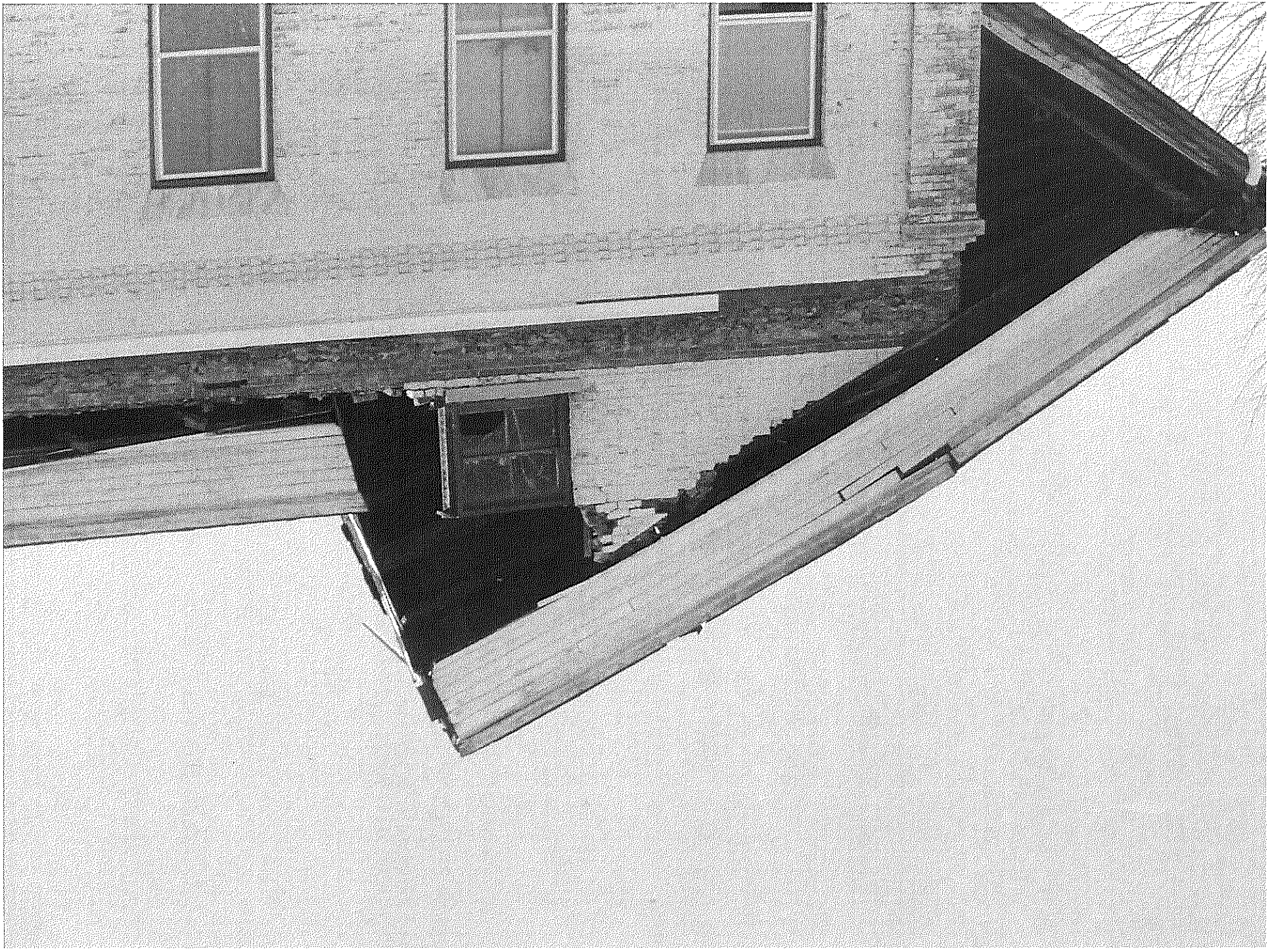

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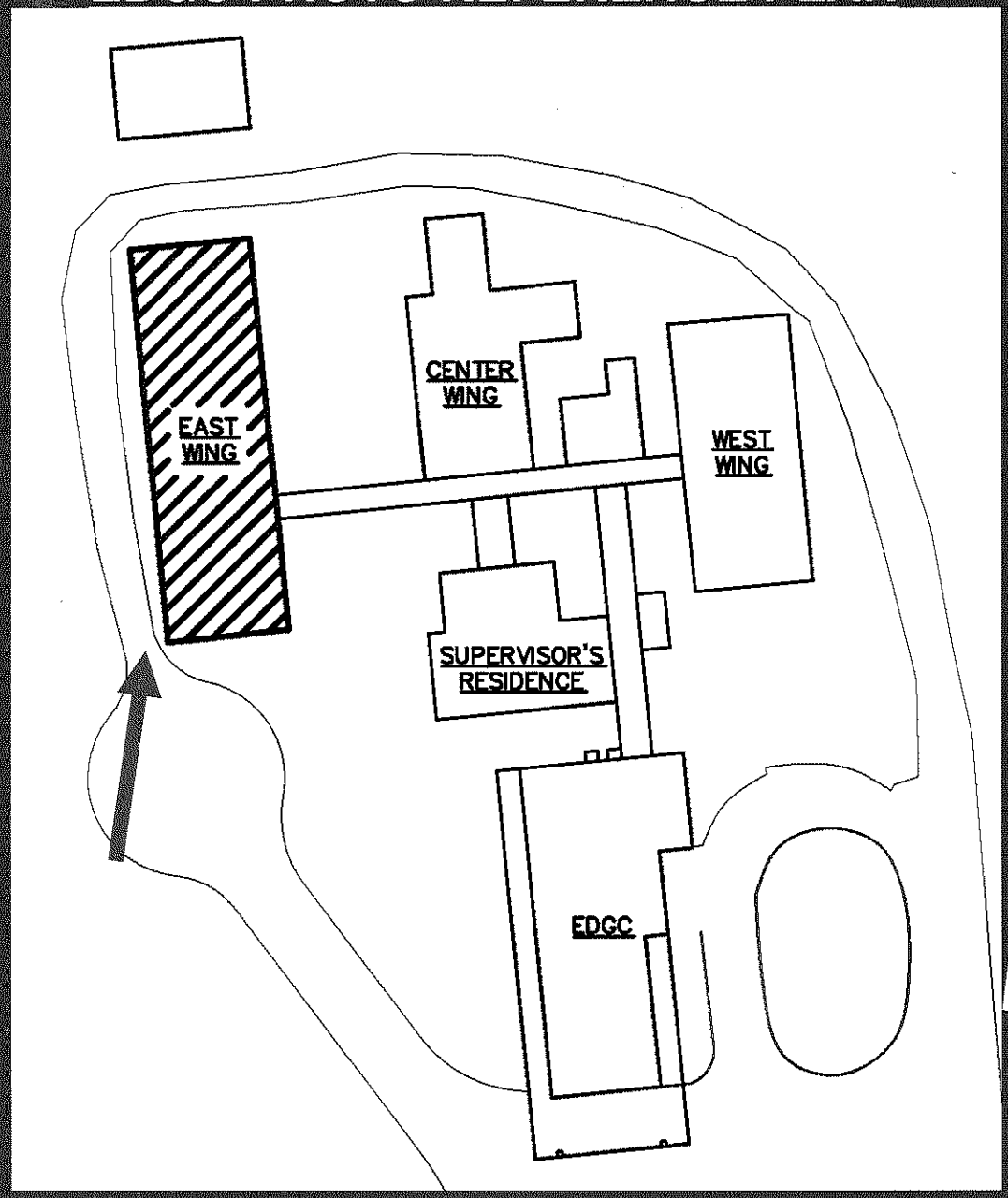

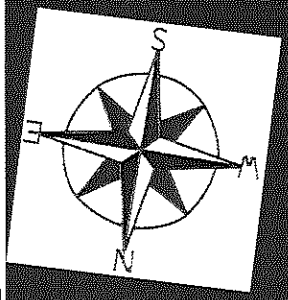

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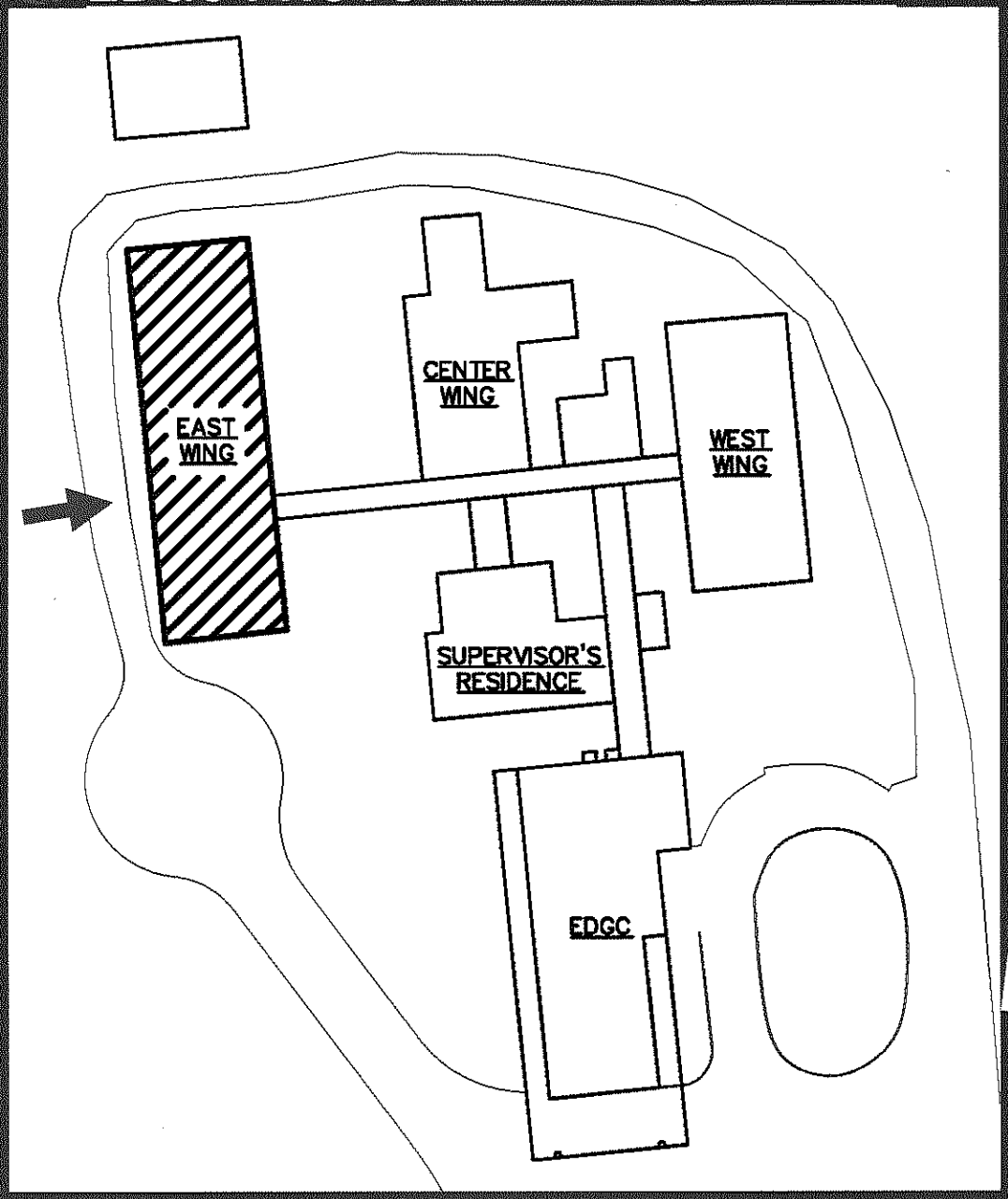

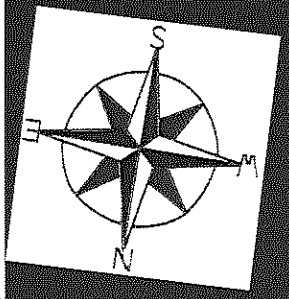

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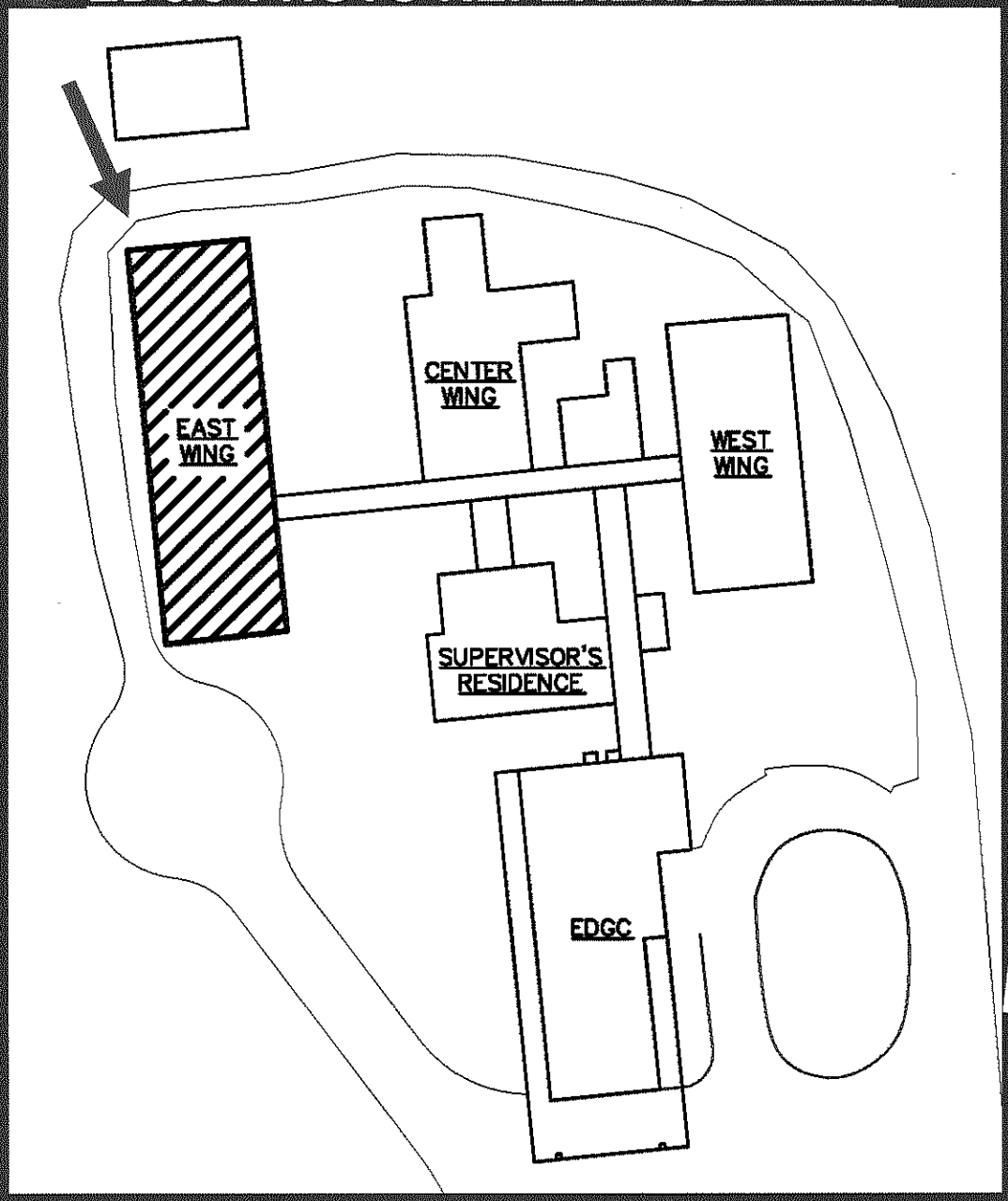

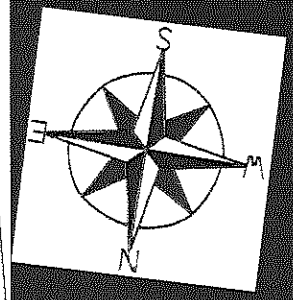

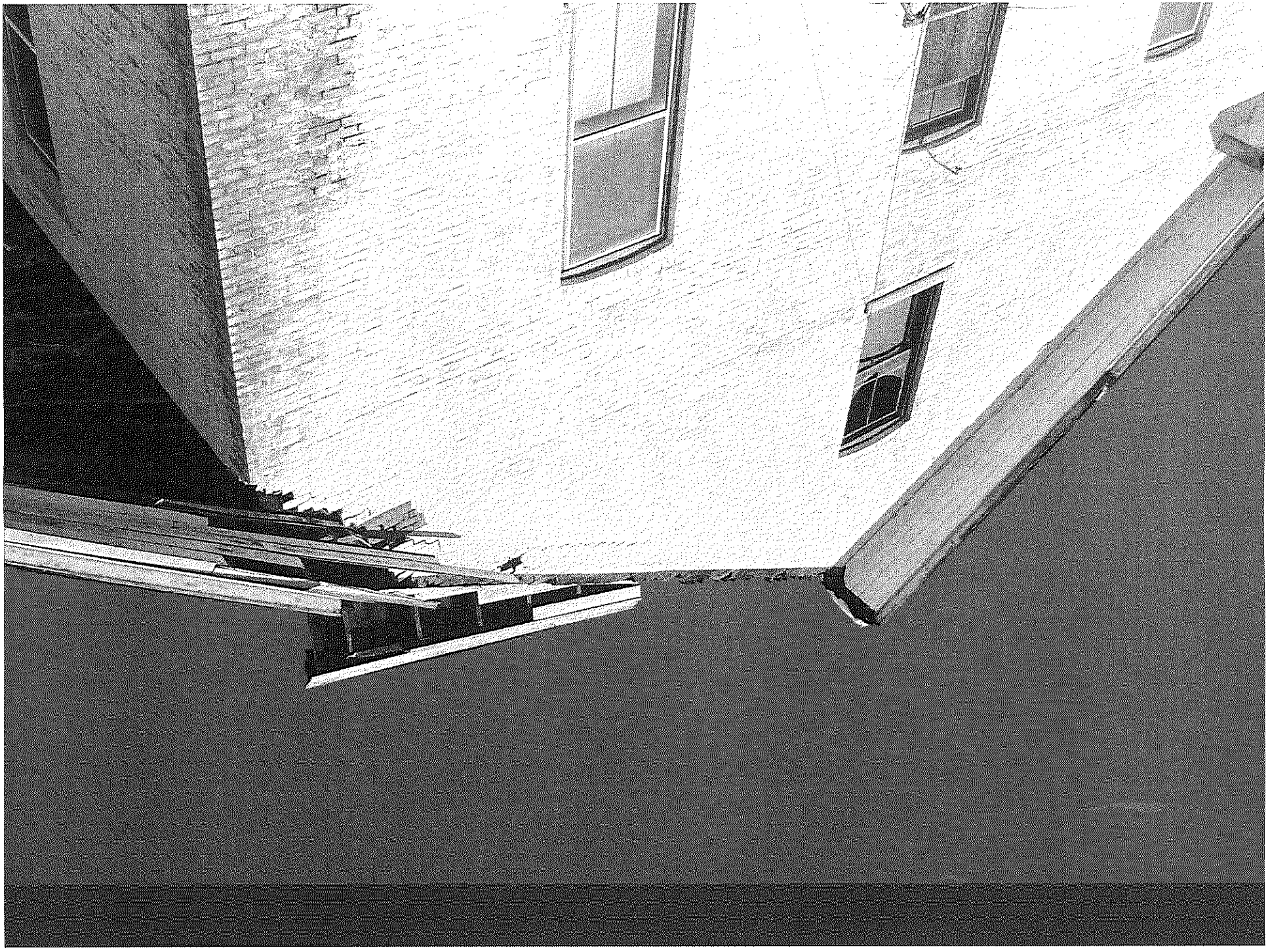

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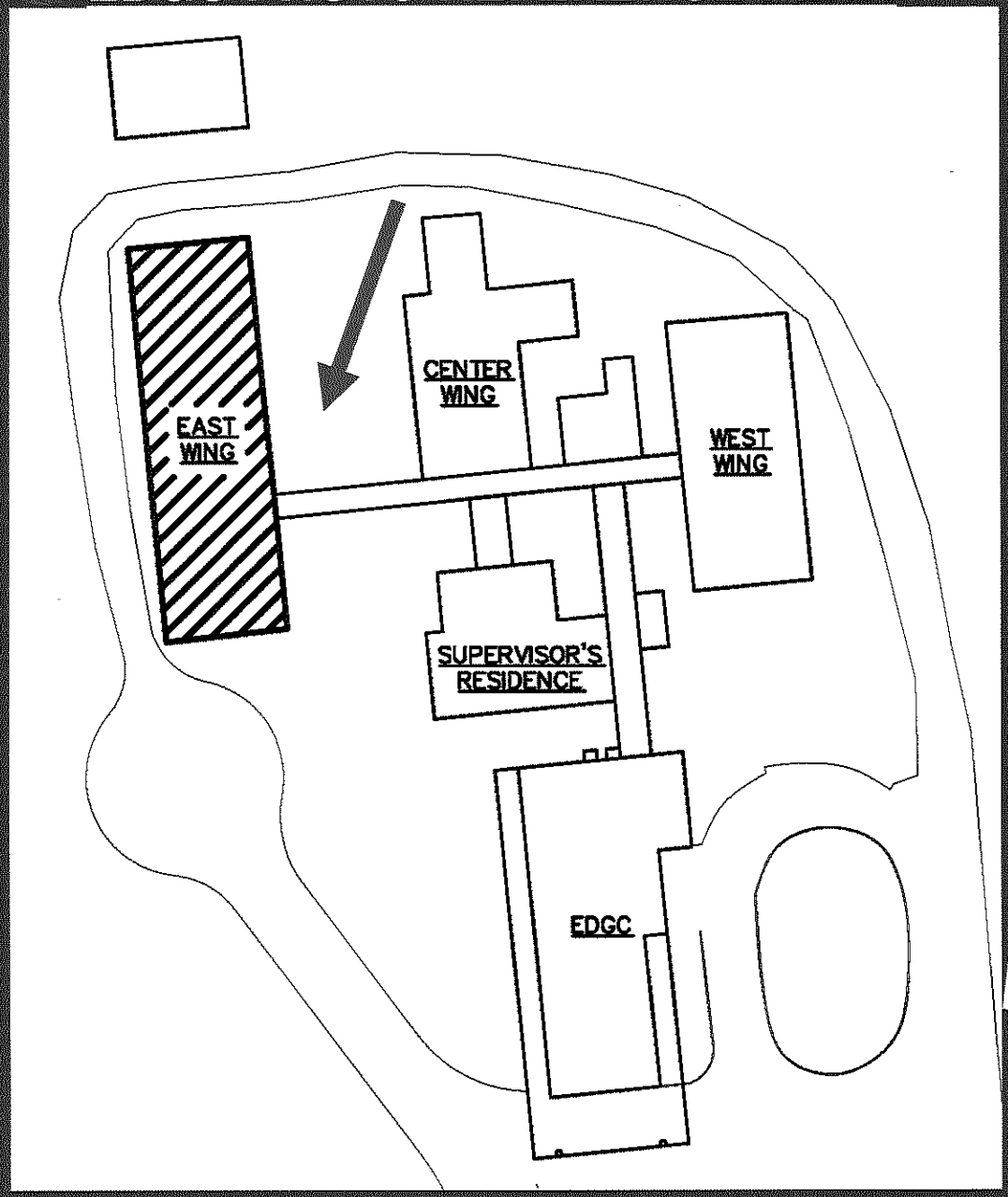

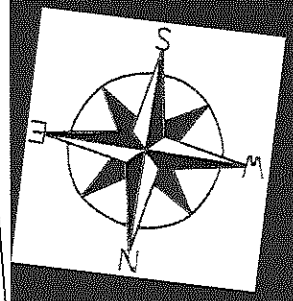

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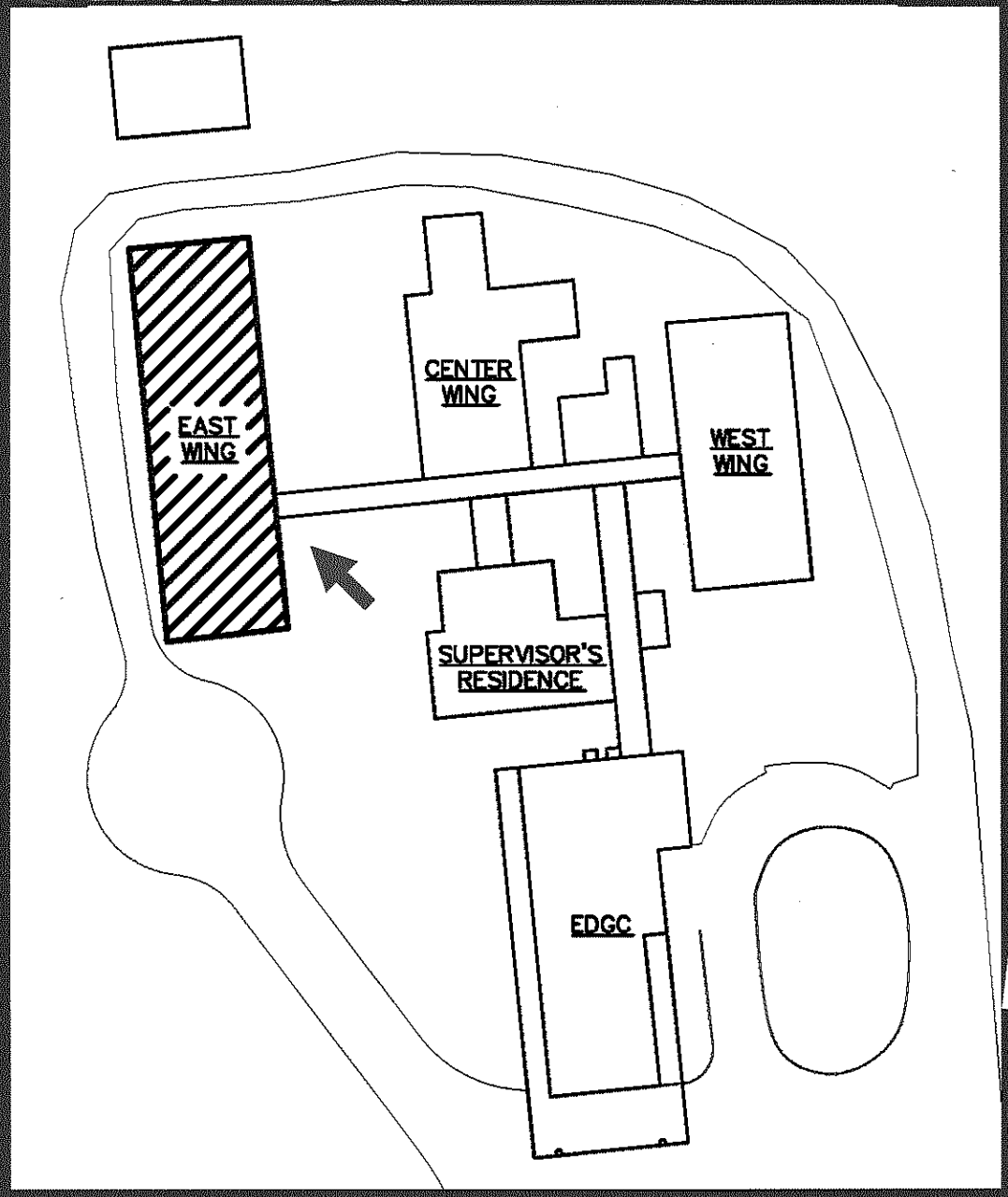

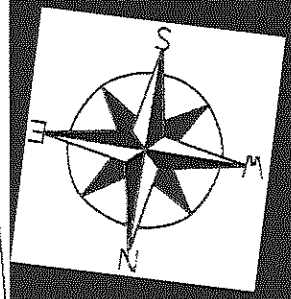

Roll call vote on the foregoing Resolution No. 2011045 resulted as follows:

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

NAYS: 2 MacAvery, Tyner.

ABSENT: 2 Horton, Sadowski.

Resolution adopted.

45

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*		✓
District 7 - Town of Hyde Park	Kuffner*		✓
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 3 - Town of LaGrange	Borchert	✓	
District 4 - Town of Hyde Park	Sadowski (VC)	✓	
District 5 - Town of Poughkeepsie	Roman	Ab	
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 22 - Town of Beekman	Hutchings (C)		

Present: 11 **Resolution:** x **Total :** 7 Yes 3 No

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

Call Question #
2011045

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*		✓
District 7 - Town of Hyde Park	Kuffner*	✓	
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 3 - Town of LaGrange	Borchert	✓	
District 4 - Town of Hyde Park	Sadowski (VC)	✓	
District 5 - Town of Poughkeepsie	Roman	Absent	
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 22 - Town of Beekman	Hutchings (C)	Absent	

Present: 10 **Resolution:** X **Total :** 8 (Yes) 2 (No)

Absent: 2 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2011045 Support of the Need to Demolish a Building on the Site on the Eastern Dutchess Government Center Due to an Emergency Situation Related to Severe Storm Damage

Date: 2/10/11

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper		
District 6 - Town of Poughkeepsie	Flesland		
District 14 - Town of Wappinger	Goldberg		
District 7 - Town of Hyde Park	Kuffner		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Sadowski, Jr.		
District 5 - Town of Poughkeepsie	Roman		
District 9 - City of Poughkeepsie	White		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		✓
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: ____ **Resolution:** ____ **Total :** _____ _____

Absent: ____ **Motion:** ____ **Yes** **No**

Vacant: ____ **Abstentions:** ____

2011045 Support of the Need to Demolish a Building on the Site on the Eastern Dutchess Government Center Due to an Emergency Situation Related to Severe Storm Damage

Date: 2/14/11

Commendation: Honorable Thomas J. Dolan

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

Whereas, Honorable Thomas J. Dolan, retired on July 31, 2010, as the Dutchess County Court Judge for the past eighteen (18) years, and

Whereas, Thomas J. Dolan attended Fordham College at Fordham University graduating in 1965 with a Bachelor of Science in Political Philosophy, and

Whereas, Thomas J. Dolan enlisted in the United States Army in 1965. He was commissioned U.S. Army, 2nd Lt. Artillery, thereafter Thomas was selected for appointment to the U.S. Army Excel Leave Program, at which time he studied and became an attorney, and thereafter, he attended St. John's University, School of Law graduating with his Juris Doctor degree in 1968, and

Whereas, Thomas J. Dolan successfully passed the Bar and was admitted into practice in 1968. He was also admitted to practice in the U.S. District Court, Southern and Eastern Districts, New York and the U.S. Court of Military Appeals and the U.S. Supreme Court, and

Whereas, thereafter, Thomas was commissioned U.S. Army Captain, Judge Advocate General Corps. In this capacity he served in four (4) states and the 4th Infantry Division in the Republic of Viet Nam as a prosecutor, defense counsel, command Judge Advocate and Chief Military Justice, and

Whereas, during Thomas' service to the United States Army, he was awarded two (2) Bronze Star Metals, two (2) Army Commendation Medals; Vietnamese Campaign and Service Medals, National Defense and Service Medals; National Defense and Service Medals; and the Vietnam Cross of Gallantry, and served as Military Judge, United States Army Reserve and presided as Military Judge at trials by Special Courts Martial during active reserve duty from 1973 to 1984, and

Whereas, during Thomas Dolan's active reserve duty he was appointed Assistant District Attorney for Dutchess County, where he served from 1973 - 1984. From 1984 to 1992, Thomas J. Dolan was acting Bureau Chief, of the Dutchess County District Attorney's office where he supervised nine (9) Assistant District Attorneys, and

Whereas, the Honorable Thomas J. Dolan successfully ran and was elected as Dutchess County Court Judge, served as Acting Family Court Judge for Dutchess County and was acting Surrogate Judge and Acting Supreme Court Judge from 1993 through 2010, now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate the Honorable Thomas J. Dolan, for his years of dedication to the justice system of the County of Dutchess and his service to our Country, and does hereby extend to Honorable Thomas J. Dolan, its best wishes in all of his future endeavors.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS 2011046

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of February, 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of February, 2011.

Patricia J. Hohmann

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2011046 entitled, "Commendation: Honorable Thomas J. Dolan" was unanimously adopted.

The foregoing Resolution No. 2011047, Local Law No. of 2011 was laid on the desk.

Roll call vote on Resolution No. 2011047 at that time resulted as follows:

The County Executive held a public hearing on the foregoing local law on
and signed it into law on . The effective date was.

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.

Virginia Buechele, Town of Poughkeepsie, addressed the Legislature on the Dutchess County Budget stating that Tourism had a budget of $550,000 and the Historian had a $1 budget. She added that nothing would be memorialized till such time that we provide for our history.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, New York spoke on Waste Water with a user fee at no county expense.

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 adjourned at 8:26 p.m. subject to the call of the Chair.