

Attendance Sheets

District	Last Name	Present	Absent	Present/Late
District 14 - Town of Wappinger	Amparo	✓		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	✓		
District 3 - Town of LaGrange	Borchert		✓	✓
District 18 - City of Beacon and Town of Fishkill	Farley	✓		
District 6 - Town of Poughkeepsie	Flesland	✓		
District 21 - Town of East Fishkill	Horton	✓		
District 22 - Towns of Beekman and Union Vale	Hutchings	✓		
District 15 - Town of Wappinger	Incoronato	✓		
District 10 - City of Poughkeepsie	Jeter-Jackson	✓		
District 9 - City of Poughkeepsie	Johnson	✓		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey	✓		
District 16 - Town of Fishkill and City of Beacon	MacAvery	✓		
District 17 - Town and Village of Fishkill	Miccio	✓		
District 1 - Town of Poughkeepsie	Nesbitt	✓		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	✓		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓		
District 8 - City and Town of Poughkeepsie	Rolison	✓		
District 5 - Town of Poughkeepsie	Roman	✓		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	✓		
District 4 - Town of Hyde Park	Serino	✓		
District 20 - Town of Red Hook	Strawinski	✓		
District 24 - Towns of Dover and Union Vale	Surman	✓		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	✓		
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓		
District 12 - Town of East Fishkill	Weiss	✓		
Present:	<u>25</u>	Total:	<u>24</u>	<u>1</u>
Absent:	<u>0</u>		<u>1</u>	<u>1</u>
Vacant:	<u>0</u>			

Date: 3/10/14

Regular Meeting
of the
Dutchess County Legislature

Monday, March 10, 2014

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

Roll Call by the Clerk of the Legislature

PRESENT: 24 Amparo, Bolner, Farley, Flesland, Horton, Hutchings,
Incoronato, Jeter-Jackson, Johnson, Kelsey, MacAvery,
Miccio, Nesbitt, Perkins, Pulver, Rolison, Roman, Sagliano,
Serino, Strawinski, Surman, Thomes, Tyner, Weiss

ABSENT: 0

PRESENT, LATE: 1 Borchert

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Father Robert
Repenning of Holy Trinity Roman Catholic Church in Poughkeepsie,
followed by a moment of silent meditation.

Commendations and Proclamations

Commendation: Dr. Jane McElduff, DDS

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.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke in support of Resolution No. 2014071, Opposing Use of the Dutchess County Seal by the State of New York without the Consent of Dutchess County

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 February 2014 minutes.

The February 2014 minutes were adopted.

COMMUNICATIONS RECEIVED FOR THE MARCH 2014 BOARD MEETING

Received emails opposing the energy tax from the following:

Don Carr, LaGrange

Keith Greeney, Rhinebeck

Received from Commissioner of Planning and Development, letter to Poughkeepsie City Administrator, reiterating the circumstances under which the County would expand its bus service if the City discontinued its bus operations.

Received from Bill Conn, letter from the Commanding Officer of the USS Roosevelt, regarding the Memorial Day 2014 message.

Received from Dutchess County Executive, memo and Executive Order #2 of 2014 stating that the Dutchess County Seal shall only be used by authorized County Government departments for such purposes as authorized by the Dutchess County Executive and/or Legislature and all additional unauthorized use is prohibited.

Received from Sheriff Anderson and County Clerk Kendall, letter requesting that the Legislature adopt a resolution forbidding the unauthorized use of the Dutchess County Seal on any correspondence or material related to the NY SAFE Act.

Received from Budget Director, Contingency Account Status reports as of February 6 and March 6, 2014.

Received from Union Vale Supervisor, resolution opposing the construction or expansion of above ground transmission towers and resolution opposing the inclusion of Dutchess County in the arbitrary capacity zone.

Received the following from St. Lawrence County Legislature:

Resolution No. 78-2014, Requesting the New York State Legislature Reject the Proposal by Governor Cuomo to Provide Prison Inmates a College Education at Taxpayer Expense

Resolution No. 72-2014, Resolution in Support of Statewide Indigent Defense Legal System and Settlement of Hurrell-Harring Et Al. v. State of New York

RESOLUTION NO. 2014039

RE: AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF POUGHKEEPSIE FOR MAINTENANCE OF THE TOWN OF POUGHKEEPSIE PORTION OF THE WILLIAM R. STEINHAUS DUTCHESS RAIL TRAIL

Legislators ROLISON, FLESLAND, NESBITT, ROMAN, SAGLIANO, HORTON, AND PERKINS offer the following and move its adoption:

WHEREAS, by Resolution No. 209229 this Legislature approved an Intermunicipal Agreement with the Town of Poughkeepsie (Town) for maintenance of the Town of Poughkeepsie portion of the Dutchess Rail Trail, and

WHEREAS, by Resolution Nos. 2010223 and 2012014 this Legislature approved renewals of said Intermunicipal Agreement through December 31, 2011 and December 31, 2013, respectively, and

WHEREAS, the County and Town desire to continue their agreement and enter into a new Intermunicipal Agreement for the term January 1, 2014 through December 31, 2015, and

WHEREAS, pursuant to Article 5-G of the General Municipal Law, the County and the Town are authorized to enter into such agreement, and

WHEREAS, the Town has already approved the maintenance agreement, a copy of which is attached hereto, and

WHEREAS, the proposed agreement will benefit both the Town and the County, now, therefore, be it

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

CA-28-14

CAB/ca/G-1391-I

2/10/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

APPROVED
M. Molinaro
MARCUS J. MOLINARO
COUNTY EXECUTIVE
3/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ _____

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:

Prepared by: Steven Olsen , Director of Parks

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2014, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the "COUNTY") and the TOWN OF POUGHKEEPSIE, a municipal corporation with its offices at 1 Overocker Road, Poughkeepsie, NY 12601 (hereinafter referred to as the "TOWN")

WITNESSETH:

WHEREAS, the County has completed construction of the William R. Steinhaus Dutchess Rail Trail ("WRSDRT") which traverses through the Towns of Poughkeepsie, LaGrange, Wappinger and East Fishkill, and,

WHEREAS, it was envisioned that the maintenance responsibilities for the WRSDRT would be shared by the Towns and the County

WHEREAS, the Town wishes to assist the County in providing proper maintenance for that portion of the WRSDRT that traverses through the Town of Poughkeepsie so as to encourage its use,

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. SCOPE OF SERVICES. The Town shall assist the County in the maintenance of the WRSDRT by providing the services as set forth on Exhibit "A," "Scope of Services," attached hereto and made a part hereof.
2. TERM OF AGREEMENT. The term of this Agreement is January 1, 2014-December 31, 2015. Representatives of the County and Town will meet on or about November 1, 2015 to review each party's maintenance responsibilities.
3. COUNTY TO INDEMNIFY THE TOWN. The County shall defend, protect, and indemnify the Town for damages done to property, injury, or death to persons resulting from the negligence of the County's employees in connection with the County's ownership of the WRSDRT and the work done by County employees in connection this agreement.
4. TOWN TO INDEMNIFY COUNTY. The Town shall defend, protect, and indemnify the County for damages done to property, injury or death to persons resulting from the negligence of the Town's employees in connection with the Town's maintenance responsibilities in connection with the WRSDRT as described in this agreement.
5. INSURANCE REQUIREMENTS. At all times during the term of this agreement, the parties agree to maintain the following insurance and shall provide proof thereof to each other in the form of a Certificate of Insurance and additional insured endorsement page(s):

(a) Statutory Worker's Compensation and Disability coverage in compliance with the Compensation Law of the State of New York.

(b) Commercial General Liability Insurance coverage including blanket contractual coverage for the scope of work connected to this Agreement with limits of not less than five million dollars (\$5,000,000.00) per occurrence. The insurance shall be written on an occurrence coverage form and include bodily injury and property damage liability. The parties agree to list each other as additional insured, provide each other with waivers of subrogation and notice of cancellation from their respective policies.

6. DISPUTES. The parties agree that should disagreements arise in connection with this agreement that the parties will jointly choose an arbitrator to hear and resolve the disagreement. In the event the parties are unable to agree on an arbitrator within two (2) weeks from demand of the other party, either party to this Agreement may make application to any resident Justice of the Supreme Court, sitting in Dutchess County, to appoint an arbitrator. The parties will equally divide the cost of the arbitrator.

7 ENTIRE AGREEMENT. The terms of this Agreement, including its attachments and exhibits, represent the final intent of the parties. Any modification, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded this basic Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

APPROVED AS TO FORM:

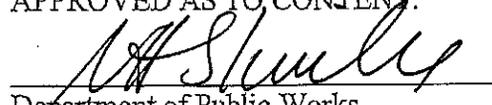
ACCEPTED : COUNTY OF DUTCHESS

County Attorney's Office

BY: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO CONTENT:

TOWN OF POUGHKEEPSIE


Department of Public Works

BY: _____
Print Name Todd N. Tancil
Title Supervisor

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

On this day of , 2014, before me, the undersigned, personally appeared Marcus J. Molinaro, County Executive, 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 (s)he executed the same in his/her capacity, and that by his/her 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 this 27th day of January, 2014, before me, the undersigned, personally appeared Todd N. Tancredi 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 (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Karen M. Smith Schubert
Notary Public

Karen M. Smith Schubert
Notary Public - The State of New York
No. 01SM4905154
Qualified in Dutchess County
My Commission Expires Sept. 28, 20 17

SCOPE OF SERVICE

1. **Repairs.** The County shall be responsible for all repairs, replacements, and improvements associated with the William R. Steinhaus Dutchess Rail Trail (WRSDRT).
2. **Inspection and Monitoring.** The County will conduct regular inspections of the WRSDRT to identify obstacles, hazards, or items needing repair or maintenance. The Town will also inspect the respective Town sections of the WRSDRT for same on at least a monthly basis and will report to the County any obstacles, hazards, or items needing repair and maintenance as soon as practical.
3. **Vegetation Removal.** The County shall be responsible for a regular schedule of vegetation maintenance, including cutting, clearing, and removal, to limit encroachment on the WRSDRT. This work shall be performed a minimum of twice a year in June and August. The Town shall perform light trimming and removal of small tree limbs, branches and encroaching brush at the trail heads and parking lots associated with the DCRT four (4) times per year between April and November.
4. **Mowing.** The County shall mow the shoulders of the WRSDRT a minimum of four (4) times per year. The Town shall mow the areas around the trail heads and parking lots associated with the DCRT a minimum of four (4) times per year between April and November.
5. **Litter Removal.** The County will place one (1) litter receptacle in the parking area associated with the WRSDRT only. The Town shall remove garbage, litter and other small debris at the trail head and in the associated parking lot on a weekly basis. The County shall install signs which indicate that the WRSDRT is a carry-in/carry-out linear park.
6. **Graffiti.** The Town shall notify the County of the existence of any graffiti on the WRSDRT as soon as it is noticed. The Town is not responsible for removal of graffiti on the WRSDRT.
7. **Surface Maintenance During Winter Months.** The WRSDRT shall be kept in its natural condition during winter months, with neither the WRSDRT nor the access walkways being plowed or sanded by the County. The Town agrees to plow and sand the designated WRSDRT parking areas as soon as practical after a weather event, based on the Town's road plowing and sanding scheduling. The Town shall sweep the parking areas on an annual basis during the spring of each year. The County shall post signs in each parking area or at each trail head indicating that the WRSDRT, associated parking areas and walkways may be used by the public at their own risk.
8. **Sign Repair.** The County shall inspect the condition and placement of required signs in its periodic inspections of the WRSDRT. It shall be the County's responsibility to maintain, repair and/or replace any signs. The Town shall notify the County of any necessary sign repairs that are seen on their monthly inspections (or reported at any time) as soon as practical.

9. **Drainage/Stormwater Management Facilities.** The County shall inspect and maintain all of the drainage culverts and storm water management facilities on the WRSDRT on an annual basis and shall undertake any necessary repairs or replacements. The Town shall notify the County of any potential drainage or storm water issues that are seen on their monthly inspections (or reported at any time) as soon as practical.

10. **Emergencies.** Both the County and the Town shall have the right to close any section of the DCRT for emergency or safety purposes. The Town official who makes the decision to close the any portion of the WRSDRT shall be responsible for immediately contacting the appropriate fire, police and/or rescue authorities, post a "WRSDRT closed" sign, and contact the County Parks Duty Officer (914-456-6403). The following information should be provided when reporting a closure: the nature and location of the incident, the end points of the closed portion of the WRSDRT, the time and expected duration of the closures, and what, if any, assistance is required from the County. The County will also notify the Town should closure of the WRSDRT be required. Town shall designate those Town officials authorized to close the WRSDRT and take the above action.

11. **Police Presence (Towns of Poughkeepsie and East Fishkill only).** The Town's responsibility to maintain a police presence on the WRSDRT and associated parking areas shall consist of: emergency responses, patrols by automobile or bicycle, and as mandated by the Towns of Poughkeepsie and East Fishkill Police Chiefs. These patrols shall be coordinated by the Towns with the County Sheriff's Office. The County's Sheriff's Office shall also provide patrols of the WRSDRT. The Town Police Chiefs or their designee and County Sheriff staff shall meet to discuss issues as they arise.

12. **Police Presence (LaGrange and Wappinger).** The Towns shall not be responsible for providing any police patrol at/on the WRSDRT. The County shall be responsible, to the extent practical, for providing a police presence on the WRSDRT and for addressing unauthorized access or use of the WRSDRT.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)	<i>absent</i>	
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		
Present: <u>11</u>	Resolution: <input checked="" type="checkbox"/>	Total : <u>11</u>	<u>0</u>
Absent: <u>1</u>	Motion: <input type="checkbox"/>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014039 AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF POUGHKEEPSIE FOR MAINTENANCE OF THE TOWN OF POUGHKEEPSIE PORTION OF THE WILLIAM R. STEINHAUS DUTCHESS RAIL TRAIL

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i> (a)	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 25 **Resolution:** ✓ **Total:** 25 0
Absent: 0 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014039 AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF POUGHKEEPSIE FOR MAINTENANCE OF THE TOWN OF POUGHKEEPSIE PORTION OF THE WILLIAM R. STEINHAUS DUTCHESS RAIL TRAIL

Date: March 10, 2014

RESOLUTION NO. 2014040

RE: AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF EAST FISHKILL FOR MAINTENANCE OF THE TOWN OF EAST FISHKILL PORTION OF THE WILLIAM R. STEINHAUS DUTCHESS RAIL TRAIL

Legislators BOLNER, HORTON, and WEISS offer the following and move its adoption:

WHEREAS, by Resolution No. 208332 this Legislature approved an Intermunicipal Agreement with the Town of East Fishkill (Town) for maintenance of the Town of East Fishkill portion of the Dutchess Rail Trail, and

WHEREAS, said Intermunicipal Agreement automatically renewed for a term of one year through November 30, 2010 and then a three year term through November 30, 2013, and

WHEREAS, the County and Town desire to continue their agreement and enter into a new Intermunicipal Agreement for the term January 1, 2014 through December 31, 2015, and

WHEREAS, pursuant to Article 5-G of the General Municipal Law, the County and the Town are authorized to enter into such agreement, and

WHEREAS, the Town has already approved the maintenance agreement, a copy of which is attached hereto, and

WHEREAS, the proposed agreement will benefit both the Town and the County, now, therefore, be it

RESOLVED, that this Legislature hereby approves the proposed Intermunicipal Agreement and authorizes the County Executive to execute such Agreement with the Town of East Fishkill in substantially the same form attached hereto.

CA-43-14
CAB/ca/G-1391-L
2/13/14
Fiscal Impact: See attached statement

STATE OF NEW YORK
COUNTY OF DUTCHESS

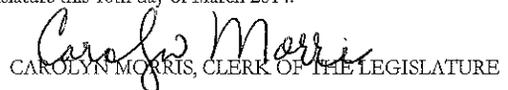
ss:

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 0
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Steve Olsen, Director of Parks

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT, made this 4th day of February, 2014, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the "COUNTY") and the TOWN OF EAST FISHKILL, a municipal corporation with its offices at Town Hall, 330 Route 376, Hopewell Junction, NY 12533 (hereinafter referred to as the "TOWN")

WITNESSETH:

WHEREAS, the County has completed construction of the William R. Steinhaus Dutchess Rail Trail ("WRSDRT") which traverses through the Towns of Poughkeepsie, LaGrange, Wappinger and East Fishkill, and,

WHEREAS, it was envisioned that the maintenance responsibilities for the WRSDRT would be shared by the Towns and the County

WHEREAS, the Town wishes to assist the County in providing proper maintenance for that portion of the Trail that traverses through the Town of East Fishkill so as to encourage its use,

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. SCOPE OF SERVICES. The Town shall assist the County in the maintenance of the WRSDRT by providing the services as set forth on Exhibit "A," "Scope of Services," attached hereto and made a part hereof.
2. TERM OF AGREEMENT. The term of this Agreement is January 1, 2014-December 31, 2015. Representatives of the County and Town will meet on or about November 1, 2015 to review each party's maintenance responsibilities.
3. COUNTY TO INDEMNIFY THE TOWN. The County shall defend, protect, and indemnify the Town for damages done to property, injury, or death to persons resulting from the negligence of the County's employees in connection with the County's ownership of the Trail and the work done by County employees in connection this Agreement.
4. TOWN TO INDEMNIFY COUNTY. The Town shall defend, protect, and indemnify the County for damages done to property, injury or death to persons resulting from the negligence of the Town's employees in connection with the Town's maintenance responsibilities in connection with the WRSDRT as described in this Agreement.
5. INSURANCE REQUIREMENTS. At all times during the term of this agreement, the parties agree to maintain the following insurance and shall provide proof thereof to each other in the form of a Certificate of Insurance and additional insured endorsement page(s):

(a) Statutory Worker's Compensation and Disability coverage in compliance with the Compensation Law of the State of New York.

(b) Commercial General Liability Insurance coverage including blanket contractual coverage for the scope of work connected to this Agreement with limits of not less than five million dollars (\$5,000,000.00) per occurrence. The insurance shall be written on an occurrence coverage form and include bodily injury and property damage liability. The parties agree to list each other as additional insured, provide waivers of subrogation and notice of cancellation page from their respective policies.

6. DISPUTES. The parties agree that should disagreements arise in connection with this agreement that the parties will jointly choose an arbitrator to hear and resolve the disagreement. In the event the parties are unable to agree on an arbitrator within two (2) weeks from demand of the other party, either party to this Agreement may make application to any resident Justice of the Supreme Court, sitting in Dutchess County, to appoint an arbitrator. The parties will equally divide the cost of the arbitrator.

7. ENTIRE AGREEMENT. The terms of this Agreement, including its attachments and exhibits, represent the final intent of the parties. Any modification, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded this basic Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

APPROVED AS TO FORM:

ACCEPTED : COUNTY OF DUTCHESS

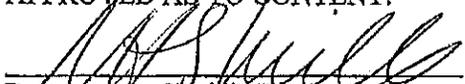
County Attorney's Office

BY: _____

Marcus J. Molinaro
County Executive

APPROVED AS TO GONTENT:

TOWN OF EAST FISHKILL


Department of Public Works

BY: _____

Print Name John L. Flickerman Sr.

Title Town Supervisor

SCOPE OF SERVICE

1. **Repairs.** The County shall be responsible for all repairs, replacements, and improvements associated with the William R. Steinhaus Dutchess Rail Trail (WRSDRT).
2. **Inspection and Monitoring.** The County will conduct regular inspections of the WRSDRT to identify obstacles, hazards, or items needing repair or maintenance. The Town will also inspect the respective Town sections of the WRSDRT for same on at least a monthly basis and will report to the County any obstacles, hazards, or items needing repair and maintenance as soon as practical.
3. **Vegetation Removal.** The County shall be responsible for a regular schedule of vegetation maintenance, including cutting, clearing, and removal, to limit encroachment on the WRSDRT. This work shall be performed a minimum of twice a year in June and August. The Town shall perform light trimming and removal of small tree limbs, branches and encroaching brush at the trail heads and parking lots associated with the DCRT four (4) times per year between April and November.
4. **Mowing.** The County shall mow the shoulders of the WRSDRT a minimum of four (4) times per year. The Town shall mow the areas around the trail heads and parking lots associated with the DCRT a minimum of four (4) times per year between April and November.
5. **Litter Removal.** The County will place one (1) litter receptacle in the parking area associated with the WRSDRT only. The Town shall remove garbage, litter and other small debris at the trail head and in the associated parking lot on a weekly basis. The County shall install signs which indicate that the WRSDRT is a carry-in/carry-out linear park.
6. **Graffiti.** The Town shall notify the County of the existence of any graffiti on the WRSDRT as soon as it is noticed. The Town is not responsible for removal of graffiti on the WRSDRT.
7. **Surface Maintenance During Winter Months.** The WRSDRT shall be kept in its natural condition during winter months, with neither the WRSDRT nor the access walkways being plowed or sanded by the County. The Town agrees to plow and sand the designated WRSDRT parking areas as soon as practical after a weather event, based on the Town's road plowing and sanding scheduling. The Town shall sweep the parking areas on an annual basis during the spring of each year. The County shall post signs in each parking area or at each trail head indicating that the WRSDRT, associated parking areas and walkways may be used by the public at their own risk.
8. **Sign Repair.** The County shall inspect the condition and placement of required signs in its periodic inspections of the WRSDRT. It shall be the County's responsibility to maintain, repair and/or replace any signs. The Town shall notify the County of any necessary sign repairs that are seen on their monthly inspections (or reported at any time) as soon as practical.

9. **Drainage/Stormwater Management Facilities.** The County shall inspect and maintain all of the drainage culverts and storm water management facilities on the WRSDRT on an annual basis and shall undertake any necessary repairs or replacements. The Town shall notify the County of any potential drainage or storm water issues that are seen on their monthly inspections (or reported at any time) as soon as practical.

10. **Emergencies.** Both the County and the Town shall have the right to close any section of the DCRT for emergency or safety purposes. The Town official who makes the decision to close the any portion of the WRSDRT shall be responsible for immediately contacting the appropriate fire, police and/or rescue authorities, post a "WRSDRT closed" sign, and contact the County Parks Duty Officer (914-456-6403). The following information should be provided when reporting a closure: the nature and location of the incident, the end points of the closed portion of the WRSDRT, the time and expected duration of the closures, and what, if any, assistance is required from the County. The County will also notify the Town should closure of the WRSDRT be required. Town shall designate those Town officials authorized to close the WRSDRT and take the above action.

11. **Police Presence (Towns of Poughkeepsie and East Fishkill only).** The Town's responsibility to maintain a police presence on the WRSDRT and associated parking areas shall consist of: emergency responses, patrols by automobile or bicycle, and as mandated by the Towns of Poughkeepsie and East Fishkill Police Chiefs. These patrols shall be coordinated by the Towns with the County Sheriff's Office. The County's Sheriff's Office shall also provide patrols of the WRSDRT. The Town Police Chiefs or their designee and County Sheriff staff shall meet to discuss issues as they arise.

12. **Police Presence (LaGrange and Wappinger).** The Towns shall not be responsible for providing any police patrol at/on the WRSDRT. The County shall be responsible, to the extent practical, for providing a police presence on the WRSDRT and for addressing unauthorized access or use of the WRSDRT.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)	<i>absent</i>	
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: <u>11</u>	Resolution: <input checked="" type="checkbox"/>	Total: <u>11</u>	<u>0</u>
Absent: <u>1</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014040 AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF EAST FISHKILL FOR MAINTENANCE OF THE TOWN OF EAST FISHKILL PORTION OF THE WILLIAM R. STEINHAUS DUTCHESS RAIL TRAIL

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>Absent</i> @	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 25 **Resolution:** **Total :** 25 0
Absent: 0 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014040 AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF EAST FISHKILL FOR MAINTENANCE OF THE TOWN OF EAST FISHKILL PORTION OF THE WILLIAM R. STEINHAUS DUTCHESS RAIL TRAIL

Date: March 10, 2014

RESOLUTION NO. 2014041

RE: AUTHORIZE ACCEPTANCE OF LINE-OF-SIGHT EASEMENT ON SPRING LAKE ROAD (CR56), TOWN OF RED HOOK FROM KATHERINE STEWART AND CARLOS GONZALEZ

Legislators HUTCHINGS and STRAWINSKI offer the following and move its adoption:

WHEREAS, the Department of Public Works has advised that a Line of Sight Easement is necessary in order to maintain sight lines at property owned by Katherine Stewart and Carlos Gonzalez on Spring Lake Road in the Town of Red Hook, and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

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

WHEREAS, the property is described as 0.060 +/- acres of land, and

WHEREAS, a proposed Agreement to acquire a Line of Sight Easement between the County and the property owners is annexed hereto, and

WHEREAS, the Commissioner of Public Works has advised that Katherine Stewart and Carlos Gonzalez have agreed to the conditions of the Line of Sight Easement, now, therefore, be it

RESOLVED, that this Legislature hereby adopts and confirms the determination of the Dutchess County Department of Public Works that the project, including the acceptance of the permanent easement described in the Agreement, in the Town of Red Hook, will not have a significant effect on the environment, and be it further

RESOLVED, that this Legislature approves the acceptance of the grant of a Line of Sight Easement from Katherine Stewart and Carlos Gonzalez for the maintenance of sight lines at their property on Spring Lake Road in the Town of Red Hook and the County Executive is hereby authorized to execute the same in substantially the form attached hereto.

CA-39-14 CAB/ca/R-0927
2/13/14 Fiscal Impact: See attached statement

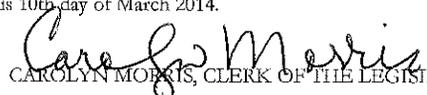
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ _____

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:

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

LINE OF SIGHT EASEMENT

THIS DECLARATION OF SIGHT DISTANCE CLEARING AND MAINTENANCE EASEMENT, made this ____ day of _____, 2013, between Katherine Stewart and Carlos Gonzalez, residing at 162 Spring Lake Road, Red Hook, New York 12571, together as Grantor, and COUNTY OF DUTCHESS, a municipal corporation with offices at the COUNTY OF DUTCHESS OFFICES, 22 Market Street, Poughkeepsie, New York 12601, as Grantee,

WITNESSETH:

WHEREAS, the Grantor, is the owner of that property located in the Town of Red Hook, County of Dutchess and State of New York, by deed from High Lawn Development Corp. dated July 27, 2000, recorded in the Dutchess County Clerk's office on August 4, 2000 as document no. 02-2000-6858 (the "Parcel"); and

WHEREAS, the Parcel abuts a public road maintained by Grantee and Grantee has granted approval for a driveway access point on Spring Lake Road (a/k/a Dutchess County Route 56), conditioned on Grantor providing this Line of Sight Easement.

NOW, THEREFORE, the Grantor, in consideration of Ten (\$10.00) Dollars and other valuable consideration paid by the Grantee, does hereby:

1. Grant and release unto the Grantee, its successors and assigns forever, a LINE OF SIGHT EASEMENT over a portion of the Parcel as further described on Schedule "A", attached hereto and made part hereof.
2. Said easement includes the right, but without the obligation, to clear brush and other vegetation, to enhance visibility and sight distance for users of the public roadways, including the right of access for maintenance and the right to clear and remove brush and vegetation, regrade as necessary, reseed, re-vegetate, or employ any other methods as may be required by the Grantee to enhance visibility and sight-distance relating to the roads and public improvements in the area. Grantor, his successors and assigns, affirmatively agree to mow and routinely maintain the easement area so as to provide the sight distance and visibility requirements set forth herein.
3. The sight easement as shown hereon establish the perpetual right of the holder of fee title of the highway or his authorized representatives to clear re-grade and maintain the area within these easement at such elevation that there is a clear line of sight anywhere across the area between an observer's eye at an elevation of 3.5 feet above the street surface at the nearest edge of the street and an object one foot above the nearest edge of pavement on the intersecting street.
4. The Grantor, on behalf of his heirs, successors and assigns, hereby warrants and covenants that he will not interfere with the Grantee's clearing efforts within the easement area, either by planting or of placement of natural or manmade materials, or any other means. This prohibition does not

prevent a lot owner from planting or mowing grass or other vegetation that will not impede sight lines. Any placement of shrubs or trees that might grow to a size which might impede sight shall require written permission of Grantee. Grantee shall have the right to remove vegetation or materials that interfere with the sight distance as determined appropriate by Grantee.

- 5. Subject to the foregoing, the Grantor, for themselves, their heirs successors and assigns, reserve the right to fully use and enjoy the premises herein described subject to the terms of this easement herein granted to the Grantee.
- 6. This easement shall inure to the benefit of the Grantee, its successors and assigns forever and is intended to run with the land.

This Declaration is being executed, delivered, recorded and cross-referenced to the deed as aforesaid in the Office of the County Clerk, Division of Land Records, County of Dutchess, State of New York.

This Declaration may not be amended or discontinued except by a duly recorded instrument bearing the authorization of the County of Dutchess.

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the date first set forth above.

Katherine Stewart
Katherine Stewart, Grantor

Carlos Gonzalez
Carlos Gonzalez, Grantor

COUNTY OF DUTCHESS
Noel Knill
By: NOEL KNILL Grantee

STATE OF NEW YORK)
)SS
COUNTY OF DUTCHESS)

On this 6th day of November, 2013, before me, the undersigned, a notary public in and for said state, personally appeared Katherine Stewart and Carlos Gonzalez, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the persons upon behalf of which they acted, executed the instrument.

Ann M. Marvin
Notary Public

ANN M. MARVIN
Notary Public, State of New York
Reg No. 01MA8141607
Qualified In Dutchess County
Commission Expires February 27, 20 14

DECKER SURVEYING

292 FRALEIGH LANE
RED HOOK NY 12571
846 758-4442

SIGHT LINE EASEMENT LANDS OF STEWART/GONZALEZ TAX ID# 6373-00-636561

All that certain piece or parcel of land situate in the Town of Red Hook, County of Dutchess and State of New York, is more particularly described as follows:

Beginning at a point on the northerly bounds of Spring Lake Road (County Route 56), said point being the southwest corner of lands, now or formerly, Anagnos (Doc #02 2009 1927) and the most southerly point of herein described parcel; thence running westerly along the northerly bounds of Spring Lake Road the following three (3) courses:

- 1) North $40^{\circ}53'06''$ West 32.26 feet,
- 2) North $25^{\circ}40'17''$ West 154.64 feet and
- 3) North $08^{\circ}42'51''$ West 63.00 feet

to a point; thence leaving Spring Lake Road and running easterly through the lands of Stewart & Gonzalez (Doc #02 2000 6858 - Lot 2, Filed Map #9269), South $23^{\circ}22'09''$ East 246.22 feet to the point or place of beginning.

Containing 0.060 acres of land.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)	<i>absent</i>	
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Millan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total : 11 0
 Yes No
 Abstentions: 0

2014041 AUTHORIZE ACCEPTANCE OF LINE-OF-SIGHT EASEMENT ON SPRING LAKE ROAD (CR56), TOWN OF RED HOOK FROM KATHERINE STEWART AND CARLOS GONZALEZ

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24

Absent: 1

Vacant: 0

Resolution:

Motion:

Total: 24 0

Yes No

Abstentions: 0

2014041 AUTHORIZE ACCEPTANCE OF LINE-OF-SIGHT EASEMENT ON SPRING LAKE ROAD (CR56), TOWN OF RED HOOK FROM KATHERINE STEWART AND CARLOS GONZALEZ

Date: March 10, 2014

RESOLUTION NO. 2014042

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM 4 G LLC

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, a short environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire in fee a portion of property and a permanent easement of a portion of property presently owned by 4 G LLC, and

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6261-04-959044-0000, described as 109.63± square meters (1180.09± square feet) more or less as shown on Map No. 17, Parcel No. 27, copy is annexed hereto, and

WHEREAS, the acquisition of a permanent easement is a portion of parcel number 133400-6261-04-959044-0000, described as 39.00± square meters (419.76± square feet) more or less as shown on Map No. 17, Parcel No. 28, copy is annexed hereto, and

WHEREAS, the Agreements to Purchase Real Property (Fee Acquisition) and (Permanent Easement) for the necessary real property are attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of \$4,115.00 plus up to \$450 for related expenses, and that the subject property, Permanent Easement, be purchased for the sum of \$995.00, and that the terms and conditions of the Agreements be carried forth, now, therefore, be it

RESOLVED, that the County Executive is authorized to execute the Agreements to Purchase Real Property (Fee Acquisition and Permanent Easement) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of deeds to the

aforementioned land, which shall include the terms and conditions of the Agreements to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of \$4,115.00 for Fee Acquisition and \$995.00 for Permanent Easement, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreements to Purchase Real Property (Fee Acquisition and Permanent Easement) be carried out by the Dutchess County Department of Public Works.

CA-38-14

CAB/ca/R-0907-EE

2/13/14

Fiscal Impact: See attached statement


APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ 5,560

Total Current Year Revenue \$ 5,282
and Source

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

Identify Line Items(s):
H0290 5110 3008(3009)

Related Expenses: Amount \$ 450

Nature/Reason:

Anticipated expenses related to Mortgage Releases, Filing Fees, Property Taxes and other closing costs.

Anticipated Savings to County: \$ 5,282

Net County Cost (this year): \$ 278

Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement pertains to the accompanying resolution request form for the authorization to acquire additional right of way for a consideration of \$5,110.00, identified on Map 17, Parcels 27 and 28, for the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

2929

AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)
PIN: 8755.41 Map: 17 Parcel: 27

This Agreement by and between 4G LLC, a New York limited liability company, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey all right, title and interest to a 109,63± Square Meter (1180.09± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated April 6, 2002, and recorded on October 15, 2002 as Document #02200210130 in the Office of the County Clerk for Dutchess County, New York with the address 104 Noxon Road (Re. Tax map No. 133400-6261-04-959044-0000), and being the same lands designated as Map 17, Parcel 27 on exhibit "A" attached hereto.
2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: Removal of 736.51 sq ft of lawn and 443.58 sq. ft. of driveway material.
3. **PURCHASE PRICE.** The total purchase price is FOUR THOUSAND ONE HUNDRED FIFTEEN Dollars (\$4,115.00). This price includes the acquisition of the above real property in fee as described in paragraph 1 and the improvements described in paragraph 2, if any.
4. **PAYMENT.** All by check at closing.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about 4/11/14.
6. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. **Closing Documents.** Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
 - B. **Abstract, Bankruptcy and Tax Searches, and Acquisition Map.** Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
 - C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.
7. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.
8. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing; current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

9. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
10. **ENTIRE AGREEMENT.** This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.
11. **NOTICES.** All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
12. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Including, but not limited to the following: The shoulder of Noxon Road will be widened and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface, and placement of temporary erosion and sediment control measures for the duration of this project.

IN WITNESS WHEREOF, on this 21st day of January, 2014, the parties have entered into this Agreement.

Seller: 4G, LLC.
 Representative: Joseph Giannatasio

By: [Signature]

By: _____

Joseph Giannatasio
 Printed Name

 Printed Name

Member
 Title

 Title

Witness: [Signature]
Gerard J. Cornfeld

Witness: _____

County of Dutchess

Witness: _____

Buyer: _____
 Marcus J. Molinaro
 County Executive

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

[Signature]
 Carol A. Bogle
 Chief Asst. County Attorney

[Signature]
 Robert H. Balkind, P.E.
 Deputy Commissioner



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 17
 PARCEL NO. 27,28,29,30
 SHEET 1 OF 4

REHABILITATION OF NOXON ROAD
 NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Originals of this map (sheets 1 through 4)
 are on file at the offices of the Dutchess
 County Department of Public Works

4G LLC
 (REPUTED OWNER)
 L.22002 P.10130

ORIO
 NORTH

Town of Lothrop
 County of Dutchess
 State of New York

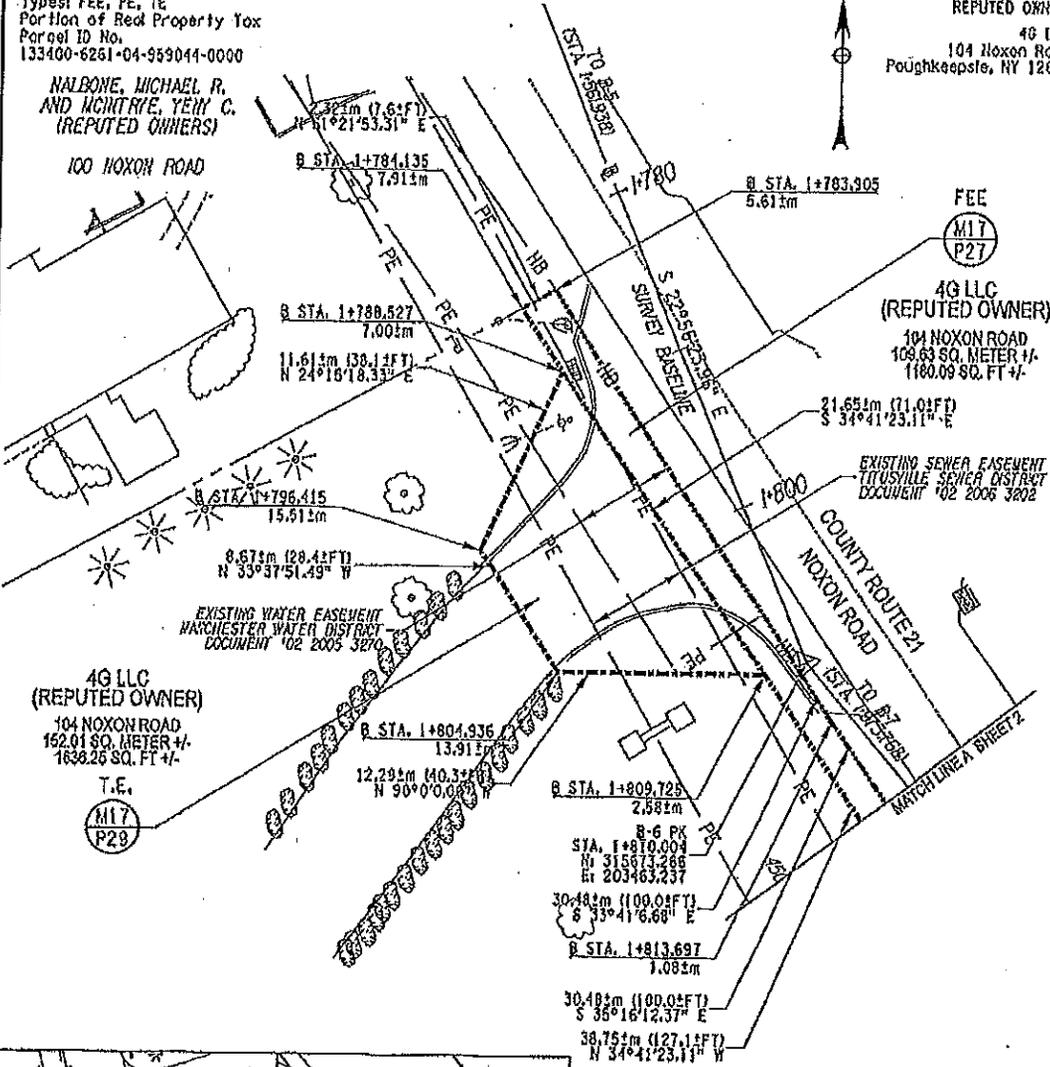
ACQUISITION DESCRIPTION:
 Types: FEE, PE, TE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6261-04-959044-0000

REPUTED OWNER:

4G LLC
 104 Noxon Road
 Poughkeepsie, NY 12603

NALBONE, MICHAEL R.
 AND MCINTYRE, YENI C.
 (REPUTED OWNERS)

100 NOXON ROAD

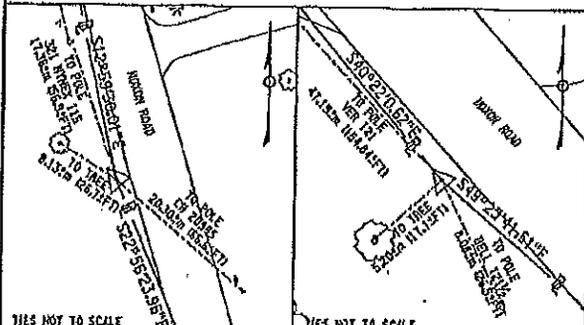


4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 152.01 SQ. METER +/-
 1638.26 SQ. FT +/-

T.E.
 M17
 P29

FEE
 M17
 P27

4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 109.63 SQ. METER +/-
 1180.09 SQ. FT +/-



STA. 1+561.938 R-05 PK NAIL N: 318901.713m E: 203366.890m	STA. 1+973.768 R-07 SPK N: 315548.492m E: 203569.304m
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SUP NUMBER 17 3/15/13
 REVISED DATE 7/3/12 11/9/12
 DATE PREPARED 11/16/11



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 17
 PARCEL NO. 27,28,29,30
 SHEET 2 OF 4

REHABILITATION OF NOXON ROAD
 BY ROUTE 85 TO TITUSVILLE ROAD

PH 8755.41

4G LLC
 (REPUTED OWNER)
 L.22002 P.10130

GRID
 NORTH

Originals of this map (sheets 1 through 4)
 are on file at the offices of the Dutchess
 County Department of Public Works

ACQUISITION DESCRIPTION:
 Types: FEE, PE, TE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6261-04-959044-0000

Town of LeGrange
 County of Dutchess
 State of New York

REPUTED OWNER:
 4G LLC
 104 Noxon Road
 Poughkeepsie, NY 12603

4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 109.63 SQ. METER +/-
 1180.09 SQ. FT +/-

4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 10.40 SQ. METER +/-
 111.80 SQ. FT +/-

30.48±m (100.0±FT)
 S 35°16'12.37" E

38.75±m (127.2±FT)
 N 34°41'23.11" W

22.35±m (73.3±FT)
 N 37°15'57.09" W

3.07±m (10.1±FT)
 N 52°50'0.26" E

3.00±m (9.8±FT)
 N 36°12'25.52" W

3.21±m (10.5±FT)
 S 65°27'23.02" W

2.86±m (9.3±FT)
 N 24°32'36.98" W

2.86±m (9.3±FT)
 N 24°32'36.98" W

1.08±m (3.5±FT)
 S 61°18'37.12" W

17.33±m (56.9±FT)
 N 65°27'23.02" E

17.73±m (58.2±FT)
 S 61°18'37.12" W

17.33±m (56.9±FT)
 N 65°27'23.02" E

17.73±m (58.2±FT)
 S 61°18'37.12" W

17.33±m (56.9±FT)
 N 65°27'23.02" E

17.73±m (58.2±FT)
 S 61°18'37.12" W

17.33±m (56.9±FT)
 N 65°27'23.02" E

17.73±m (58.2±FT)
 S 61°18'37.12" W

17.33±m (56.9±FT)
 N 65°27'23.02" E

17.73±m (58.2±FT)
 S 61°18'37.12" W

17.33±m (56.9±FT)
 N 65°27'23.02" E

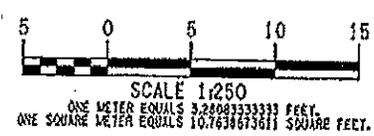
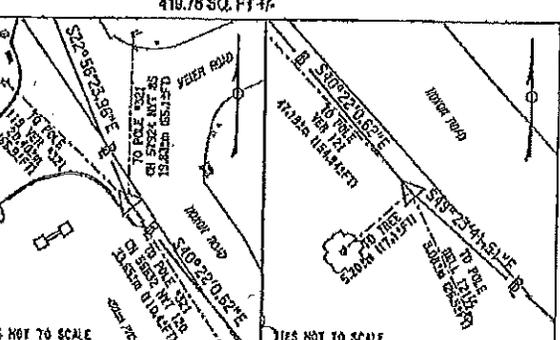
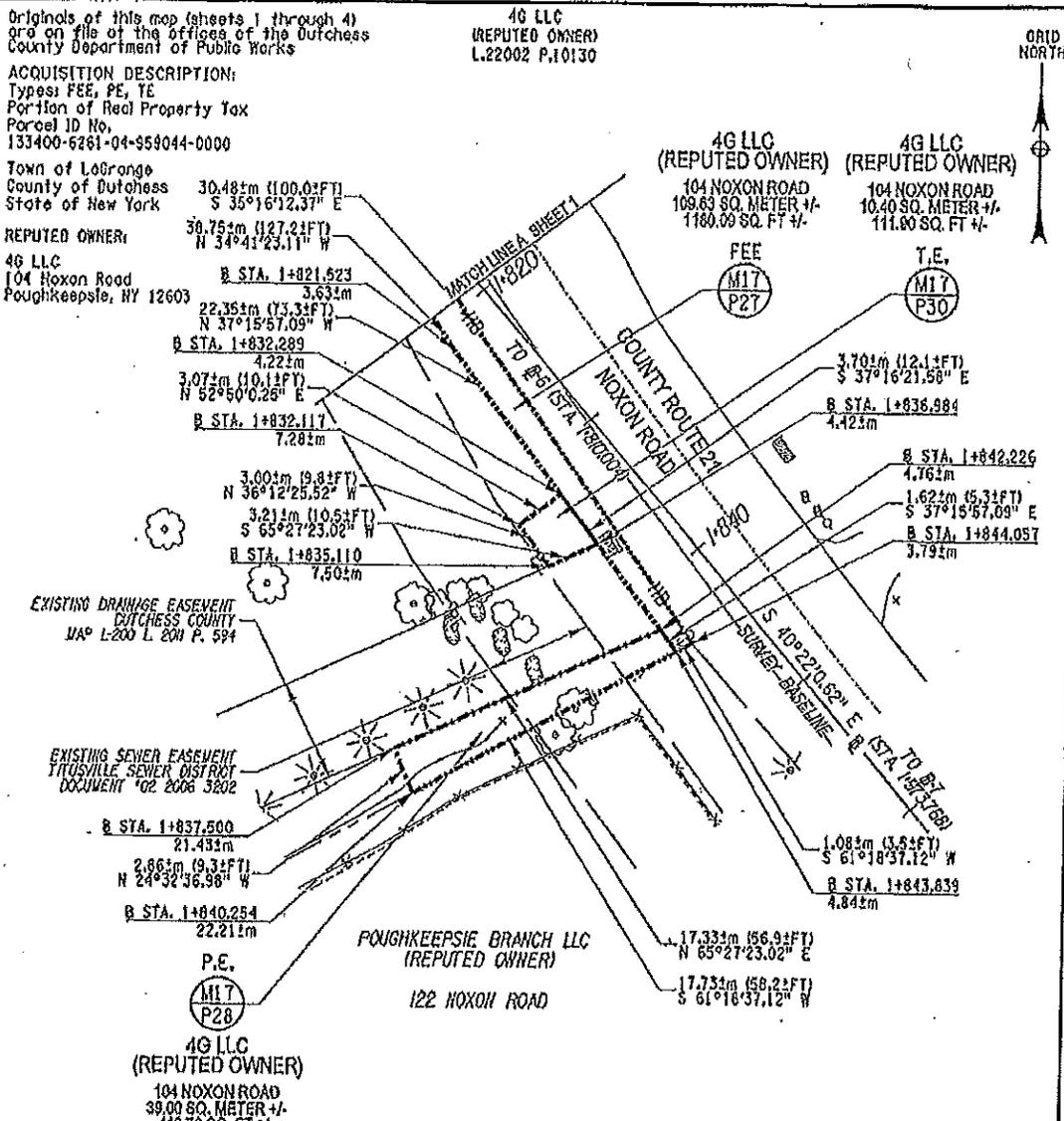
17.73±m (58.2±FT)
 S 61°18'37.12" W

17.33±m (56.9±FT)
 N 65°27'23.02" E

17.73±m (58.2±FT)
 S 61°18'37.12" W

17.33±m (56.9±FT)
 N 65°27'23.02" E

17.73±m (58.2±FT)
 S 61°18'37.12" W



TIES NOT TO SCALE B STA. 1+810.004 B-06 PK Nt 315673.266m Et 203463.237m	TIES NOT TO SCALE B STA. 1+973.768 B-07 SPK Nt 315548.492m Et 203569.304m
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MAP NUMBER 17 3/15/13
 REVISED DATE 7/3/12 11/9/12
 DATE PREPARED 11/16/11



REHABILITATION OF NOXON ROAD
BY ROUTE 55 TO HILLSVILLE ROAD

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

PI# 8755.41

MAP NO. 17
PARCEL NO. 27,28,29,30
SHEET 3 OF 4

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition, permanent easement and temporary easement, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 27, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: THE SHOULDER OF NOXON ROAD WILL BE WIDENED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT BEING AT THE DIVISION LINE OF LANDS OF MICHAEL R. NALBONE AND YEHY C. MCINTYRE (REPUTED OWNERS) TO THE NORTH AND OF LANDS OF 4G LLC (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 5.612m MEASURED AT RIGHT ANGLES FROM STATION 1+783.905± OF THE HEREAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 33°41'6.68" EAST A DISTANCE OF 30.482m(100.0±FT) TO A POINT, SAID POINT BEING DISTANT 1.082m MEASURED AT RIGHT ANGLES FROM STATION 1+813.697± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 35°16'12.37" EAST A DISTANCE OF 30.482m(100.0±FT) TO A POINT, SAID POINT BEING AT THE DIVISION LINE OF LANDS OF POUGHKEEPSIE BRANCH LLC (REPUTED OWNER) TO THE SOUTH AND OF LANDS OF 4G LLC (REPUTED OWNER) TO THE NORTH, SAID POINT ALSO BEING DISTANT 3.792m MEASURED AT RIGHT ANGLES FROM STATION 1+844.057± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 61°18'37.12" WEST A DISTANCE OF 1.082m(3.5±FT) TO A POINT, SAID POINT BEING DISTANT 4.842m MEASURED AT RIGHT ANGLES FROM STATION 1+843.839± OF SAID BASELINE; THENCE THROUGH THE LANDS OF 4G LLC (REPUTED OWNER) NORTH 37°15'57.09" WEST A DISTANCE OF 22.382m(73.3±FT) TO A POINT, SAID POINT BEING DISTANT 5.631m MEASURED AT RIGHT ANGLES FROM STATION 1+821.523± OF SAID BASELINE; THENCE CONTINUING THROUGH THE LANDS OF 4G LLC (REPUTED OWNER) NORTH 34°41'23.11" WEST A DISTANCE OF 38.752m(127.1±FT) TO A POINT, SAID POINT BEING AT THE DIVISION LINE OF LANDS OF MICHAEL R. NALBONE AND YEHY C. MCINTYRE (REPUTED OWNERS) TO THE NORTH AND OF LANDS OF 4G LLC (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 7.912m MEASURED AT RIGHT ANGLES FROM STATION 1+784.135± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE NORTH 61°21'53.31" EAST A DISTANCE OF 2.322m(7.6±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 109.632 SQUARE METERS (1180.0± SQUARE FEET) MORE OR LESS.

PARCEL 28, A PERMANENT EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE PLACEMENT OF A DRAINAGE OUTLET AND CONTINUED MAINTENANCE IN CONNECTION WITH THE OUTLET INCLUDING FUTURE GRADING, CLEANING, REHABILITATION, INSPECTION, LANDSCAPING, STONE OUTLET PROTECTION, EQUIPMENT AND MACHINERY ACCESS AND THE PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT, ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF POUGHKEEPSIE BRANCH LLC (REPUTED OWNER) TO THE SOUTH AND OF LANDS OF 4G LLC (REPUTED OWNER) TO THE NORTH, SAID POINT BEING DISTANT 4.842m MEASURED AT RIGHT ANGLES FROM STATION 1+843.839± OF THE HEREAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE SOUTH 61°18'37.12" WEST A DISTANCE OF 17.732m(58.2±FT) TO A POINT, SAID POINT BEING DISTANT 22.212m MEASURED AT RIGHT ANGLES FROM STATION 1+840.254± OF SAID BASELINE; THENCE THROUGH LANDS OF 4G LLC (REPUTED OWNER) NORTH 24°32'36.98" WEST A DISTANCE OF 2.862m(9.3±FT) TO A POINT, SAID POINT BEING DISTANT 21.432m MEASURED AT RIGHT ANGLES FROM STATION 1+837.500± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 65°27'23.02" EAST A DISTANCE OF 17.332m(56.9±FT) TO A POINT, SAID POINT BEING DISTANT 4.761m MEASURED AT RIGHT ANGLES FROM STATION 1+842.226± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 37°15'57.09" EAST A DISTANCE OF 1.622m(5.3±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 39.001 SQUARE METERS (419.76± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 28, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

PARCEL 29, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, REPLACEMENT OF CONCRETE CURB, AS WELL AS GRADING THE SIDE SLOPES OF THE DRIVEWAY TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT, ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LANDS OF 4G LLC (REPUTED OWNER), SAID POINT BEING DISTANT 7.002m MEASURED AT RIGHT ANGLES FROM STATION 1+788.827± OF THE HEREAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH SAID LANDS SOUTH 34°41'23.11" EAST A DISTANCE OF 21.652m(71.0±FT) TO A POINT, SAID POINT BEING DISTANT 2.582m MEASURED AT RIGHT ANGLES FROM STATION 1+809.725± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 90°00'00.00" WEST A DISTANCE OF 12.292m(40.3±FT) TO A POINT, SAID POINT BEING DISTANT 13.915m MEASURED AT RIGHT ANGLES FROM STATION 1+804.936± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 33°37'51.49" WEST A DISTANCE OF 8.672m(28.4±FT) TO A POINT, SAID POINT BEING DISTANT 15.512m MEASURED AT RIGHT ANGLES FROM STATION 1+796.415± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 24°16'18.33" EAST A DISTANCE OF 11.612m(38.1±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 152.013 SQUARE METERS (1636.25± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 29, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

MAP NUMBER 17 3/15/13
REVISED DATE 7/3/12 11/9/12
DATE PREPARED 11/16/11

DESIGNED BY DB CHECKED BY EG/JA FIELD CHECK BY MLL



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 17
 PARCEL NO. 27,28,29,30
 SHEET 4 OF 4

REHABILITATION OF NOXON ROAD
 BY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

PARCEL 30, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REMOVAL OF AN EXISTING DRAINAGE STRUCTURE, AS WELL AS GRADING THE SIDE SLOPE TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT, ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LANDS OF 40 LLC (REPUTED OWNER), SAID POINT BEING DISTANT 4.42m MEASURED AT RIGHT ANGLES FROM STATION 1+836.9842 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), THENCE THROUGH SAID LANDS SOUTH 69°27'23.02" WEST A DISTANCE OF 3.212m(10.51FT) TO A POINT, SAID POINT BEING DISTANT 7.502m MEASURED AT RIGHT ANGLES FROM STATION 1+835.1102 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 36°12'25.52" WEST A DISTANCE OF 3.002m(9.83FT) TO A POINT, SAID POINT BEING DISTANT 7.282m MEASURED AT RIGHT ANGLES FROM STATION 1+832.1172 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 52°50'0.25" EAST A DISTANCE OF 3.072m(10.11FT) TO A POINT, SAID POINT BEING DISTANT 4.222m MEASURED AT RIGHT ANGLES FROM STATION 1+832.2092 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 37°15'57.09" EAST A DISTANCE OF 3.702m(12.11FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 10,402 SQUARE METERS (111,902 SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 30, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 1+561.938 THENCE SOUTH 22°56'23.96" EAST TO STATION 1+810.004 THENCE SOUTH 40°22'0.62" EAST TO STATION 1+973.768; ALL BEARINGS REFERRED TO GRID NORTH NEW YORK STATE PLANE EAST ZONE.

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

Date April 9 2013

Robert H. Bokino

Robert H. Bokino, P.E.
 Acting Commissioner of Public Works

Recommended by:

Date April 8 2013

Gregory V. Bentley

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

MAP NUMBER 17 3/15/13
 REVISED DATE 7/3/12 11/9/12
 DATE PREPARED 11/16/11

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 3/27 2013



Edward T. Cannon
 EDWARD T. CANNON, Land Surveyor
 P.L.S. License No. 49907

WSP- SELLS
 555 PLEASANTVILLE ROAD
 BRIARCLIFF MANOR, NY 10510

**AGREEMENT TO PURCHASE REAL PROPERTY
(PERMANENT EASEMENT)**

Project: REHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)
PIN: 8755.41 Map: 17 Parcel: 28

This Agreement by and between 4G LLC, a New York limited liability company, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

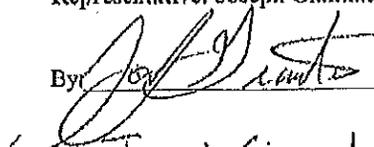
1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey a permanent easement to a 39.00± Square Meter (419.76± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated April 6, 2002, and recorded on October 15, 2002 as Document #02200210130 in the Office of the County Clerk for Dutchess County, New York with the address 104 Noxon Road (Re. Tax map No. 133400-6261-04-959044-0000), and being the same lands designated as Map 17, Parcel 28 on exhibit "A" attached here to.
2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: None
3. **PURCHASE PRICE.** The total purchase price is NINE HUNDRED NINETY-FIVE Dollars (\$995.00). This price includes the acquisition of the above real property in permanent easement as described in paragraph 1 and the improvements described in paragraph 2, if any.
4. **PAYMENT.** All by check at closing.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about 4/11/14.
6. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. **Closing Documents.** Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
 - B. **Abstract, Bankruptcy and Tax Searches, and Acquisition Map.** Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
 - C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.
7. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the permanent easement on the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.
8. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing; current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

9. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
10. **ENTIRE AGREEMENT.** This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.
11. **NOTICES.** All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
12. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this permanent easement as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: This permanent easement is being taken for the purpose of work area in connection with the placement of a drainage outlet and continued maintenance in connection with the outlet including future grading, cleaning, rehabilitation, inspection, landscaping, stone outlet protection equipment and machinery access and the placement of temporary erosion and sediment control measures for the duration of this project.

IN WITNESS WHEREOF, on this 28th day of January, 2014, the parties have entered into this Agreement.

Seller: 4G, LLC.
 Representative: Joseph Giannatasio

By: 
Joseph Giannatasio
 Printed Name
Member
 Title

By: _____

 Printed Name

 Title

Witness: 
Gerald J. Comatas
 County of Dutchess

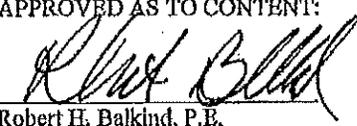
Witness: _____

Witness: _____

Buyer: _____
 Marcus J. Molinaro
 County Executive

APPROVED AS TO FORM:

 Carol A. Bogle
 Chief Asst. County Attorney

APPROVED AS TO CONTENT:

 Robert H. Balkind, P.E.
 Deputy Commissioner

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 17
 PARCEL NO. 27,28,29,30
 SHEET 1 OF 4



REHABILITATION OF NOXON ROAD
 NY ROUTE 95 TO TITUSVILLE ROAD

PI# 8755.41

Originals of this map (sheets 1 through 4)
 are on file at the offices of the Dutchess
 County Department of Public Works

4G LLC
 (REPUTED OWNER)
 L.22002 P.10130

GRID
 NORTH

Town of LoDrongo
 County of Dutchess
 State of New York

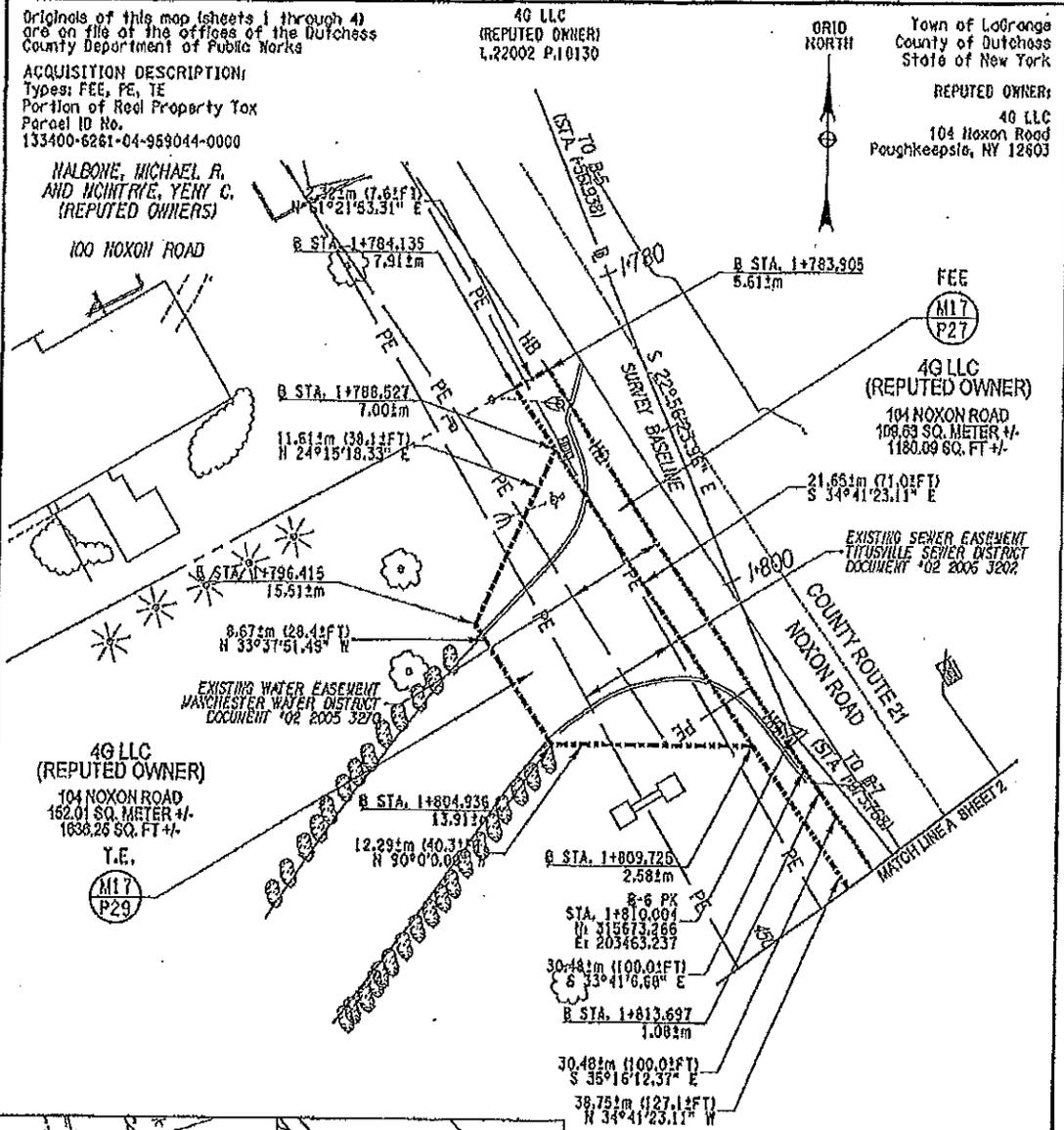
ACQUISITION DESCRIPTION:
 Types: FEE, PE, TE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6261-04-959044-0000

REPUTED OWNER:

4G LLC
 104 Noxon Road
 Poughkeepsie, NY 12603

**NALBONE, MICHAEL R.
 AND MCINTYRE, YENY C.**
 (REPUTED OWNERS)

100 NOXON ROAD



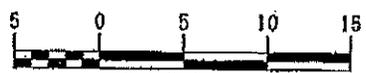
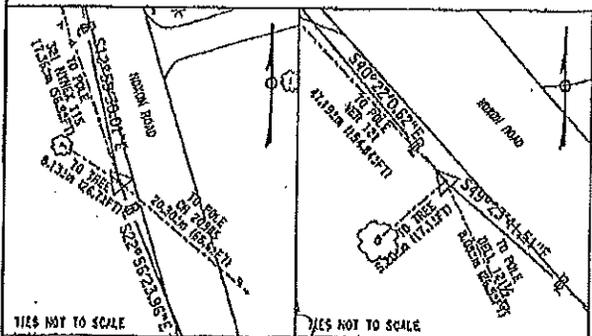
4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 162.01 SQ. METER +/-
 1838.26 SQ. FT +/-

Y.E.
 (M17
 P29)

4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 108.63 SQ. METER +/-
 1180.09 SQ. FT +/-

EXISTING SEWER EASEMENT
 TITUSVILLE SEWER DISTRICT
 DOCUMENT #02 2005 3202

EXISTING WATER EASEMENT
 MANCHESTER WATER DISTRICT
 DOCUMENT #02 2005 3270



SCALE 1:250
 ONE METER EQUALS 3.280833333 FEET.
 ONE SQUARE METER EQUALS 10.76390673611 SQUARE FEET.

TIES NOT TO SCALE	TIES NOT TO SCALE
B STA. 1+561.938 8-05 PK NAIL	B STA. 1+973.768 8-07 SPK
Ni 316901.713m Ei 203366.550m	Ni 315548.492m Ei 203569.304m

MAP NUMBER 17 3/18/13
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'EXHIBIT A'
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MAP NO. 17
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 SHEET 2 OF 4

REHABILITATION OF NOXON ROAD
 NY ROUTE 65 TO TITUSVILLE ROAD

PIN 8755.41

Originals of this map (sheets 1 through 4)
 are on file at the office of the Dutchess
 County Department of Public Works

4G LLC
 (REPUTED OWNER)
 L.22002 P.10130

GRID
 NORTH

ACQUISITION DESCRIPTION:
 Types: FEE, PE, TE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6261-04-959044-0000

Town of LaGrange
 County of Dutchess
 State of New York

REPUTED OWNER:
 4G LLC
 104 Noxon Road
 Poughkeepsie, NY 12603

30.48m (100.01FT)
 S 35°16'12.37" E
 39.79m (127.21FT)
 N 34°41'23.11" W
 B STA. 1+821.623
 3.63m
 22.35m (73.31FT)
 N 37°15'47.09" W
 B STA. 1+832.289
 4.22m
 3.07m (10.13FT)
 N 52°50'0.25" E
 B STA. 1+832.117
 7.28m
 3.00m (9.81FT)
 N 36°12'25.52" W
 3.21m (10.51FT)
 S 65°27'23.02" W
 B STA. 1+835.110
 7.50m

4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 109.63 SQ. METER +/-
 1180.09 SQ. FT +/-

FEE
 M17
 P27

4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 10.40 SQ. METER +/-
 111.00 SQ. FT +/-

T.E.
 M17
 P30

EXISTING DRAINAGE EASEMENT
 DUTCHESS COUNTY
 MAP L-200 L. 201 P. 694

EXISTING SEWER EASEMENT
 TITUSVILLE SEWER DISTRICT
 DOCUMENT '02 2006 3202

B STA. 1+837.500
 21.43m
 2.06m (6.73FT)
 N 24°32'36.98" W
 B STA. 1+840.264
 22.21m

P.E.
 M17
 P28

4G LLC
 (REPUTED OWNER)
 104 NOXON ROAD
 39.00 SQ. METER +/-
 419.76 SQ. FT +/-

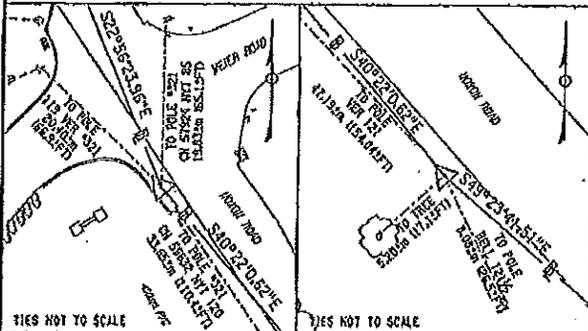
POUGHKEEPSIE BRANCH LLC
 (REPUTED OWNER)
 122 NOXON ROAD

17.33m (56.91FT)
 N 65°27'23.02" E
 17.73m (58.21FT)
 S 61°18'37.12" W

3.70m (12.11FT)
 S 37°16'21.58" E
 B STA. 1+836.984
 4.42m

B STA. 1+842.226
 4.76m
 1.62m (5.31FT)
 S 37°15'47.09" E
 B STA. 1+844.057
 3.79m

1.08m (3.51FT)
 S 61°18'37.12" W
 B STA. 1+843.839
 4.84m



SCALE 1:250
 ONE METER EQUALS 3.280833333 FEET.
 ONE SQUARE METER EQUALS 10.763910417 SQUARE FEET.

MAP NUMBER 17 3/15/13
 REVISED DATE 7/3/12 11/9/12
 DATE PREPARED 11/16/11

TIES NOT TO SCALE B STA. 1+810.004 R-06 PK N: 315673.266m E: 203463.237m	TIES NOT TO SCALE B STA. 1+973.768 R-07 SPK N: 315548.492m E: 203569.304m
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'EXHIBIT A'
 COUNTY OF DUTCHESS
 DEPARTMENT OF PUBLIC WORKS

MAP NO. 17
 PARCEL NO. 27,28,29,30
 SHEET 3 OF 4

REHABILITATION OF NOXON ROAD
 BY ROUTE 25 TO TITUSVILLE ROAD

PH 8755.41

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition, permanent easement and temporary easement, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 27, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: THE SHOULDER OF NOXON ROAD WILL BE WIDENED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT) DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT BEING AT THE DIVISION LINE OF LANDS OF MICHAEL R. HALBONE AND YENY C. MCINTYRE (REPUTED OWNERS) TO THE NORTH AND OF LANDS OF 40 LLC (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 5.61m MEASURED AT RIGHT ANGLES FROM STATION 1+783.905± OF THE HEREAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 33°41'6.68" EAST A DISTANCE OF 30.48±m(100.0±FT) TO A POINT, SAID POINT BEING DISTANT 1.08±m MEASURED AT RIGHT ANGLES FROM STATION 1+813.697± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 36°16'12.37" EAST A DISTANCE OF 30.48±m(100.0±FT) TO A POINT, SAID POINT BEING AT THE DIVISION LINE OF LANDS OF POUGHKEEPSIE BRANCH LLC (REPUTED OWNER) TO THE SOUTH AND OF LANDS OF 40 LLC (REPUTED OWNER) TO THE NORTH, SAID POINT ALSO BEING DISTANT 3.79±m MEASURED AT RIGHT ANGLES FROM STATION 1+844.057± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 61°18'37.12" WEST A DISTANCE OF 1.08±m(3.5±FT) TO A POINT, SAID POINT BEING DISTANT 4.84±m MEASURED AT RIGHT ANGLES FROM STATION 1+843.839± OF SAID BASELINE; THENCE THROUGH THE LANDS OF 40 LLC (REPUTED OWNER) NORTH 37°15'57.09" WEST A DISTANCE OF 22.36±m(73.3±FT) TO A POINT, SAID POINT BEING DISTANT 3.63±m MEASURED AT RIGHT ANGLES FROM STATION 1+821.523± OF SAID BASELINE; THENCE CONTINUING THROUGH THE LANDS OF 40 LLC (REPUTED OWNER) NORTH 34°41'23.11" WEST A DISTANCE OF 38.75±m(127.1±FT) TO A POINT, SAID POINT BEING AT THE DIVISION LINE OF LANDS OF MICHAEL R. HALBONE AND YENY C. MCINTYRE (REPUTED OWNERS) TO THE NORTH AND OF LANDS OF 40 LLC (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 7.91±m MEASURED AT RIGHT ANGLES FROM STATION 1+784.135± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE NORTH 61°21'53.31" EAST A DISTANCE OF 2.32±m(7.6±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 109.63± SQUARE METERS (1180.09± SQUARE FEET) MORE OR LESS.

PARCEL 28, A PERMANENT EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE PLACEMENT OF A DRAINAGE OUTLET AND CONTINUED MAINTENANCE IN CONNECTION WITH THE OUTLET INCLUDING FUTURE GRADING, CLEANING, REHABILITATION, INSPECTION, LANDSCAPING, STONE OUTLET PROTECTION, EQUIPMENT AND MACHINERY ACCESS AND THE PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT) ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF POUGHKEEPSIE BRANCH LLC (REPUTED OWNER) TO THE SOUTH AND OF LANDS OF 40 LLC (REPUTED OWNER) TO THE NORTH, SAID POINT BEING DISTANT 4.84±m MEASURED AT RIGHT ANGLES FROM STATION 1+843.839± OF THE HEREAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE SOUTH 61°18'37.12" WEST A DISTANCE OF 17.73±m(58.2±FT) TO A POINT, SAID POINT BEING DISTANT 22.21±m MEASURED AT RIGHT ANGLES FROM STATION 1+840.254± OF SAID BASELINE; THENCE THROUGH LANDS OF 40 LLC (REPUTED OWNER) NORTH 24°32'36.98" WEST A DISTANCE OF 2.86±m(9.3±FT) TO A POINT, SAID POINT BEING DISTANT 21.43±m MEASURED AT RIGHT ANGLES FROM STATION 1+837.500± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 63°27'23.02" EAST A DISTANCE OF 17.33±m(56.9±FT) TO A POINT, SAID POINT BEING DISTANT 4.76±m MEASURED AT RIGHT ANGLES FROM STATION 1+842.226± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 37°15'57.09" EAST A DISTANCE OF 1.62±m(5.3±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 39.00± SQUARE METERS (419.76± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 28, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

PARCEL 29, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, REPLACEMENT OF CONCRETE CURB, AS WELL AS GRADING THE SIDE SLOPES OF THE DRIVEWAY TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT) ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LANDS OF 40 LLC (REPUTED OWNER), SAID POINT BEING DISTANT 7.00±m MEASURED AT RIGHT ANGLES FROM STATION 1+788.527± OF THE HEREAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH SAID LANDS SOUTH 34°41'23.11" EAST A DISTANCE OF 21.65±m(71.0±FT) TO A POINT, SAID POINT BEING DISTANT 2.58±m MEASURED AT RIGHT ANGLES FROM STATION 1+809.725± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 90°00'00.00" WEST A DISTANCE OF 12.29±m(40.3±FT) TO A POINT, SAID POINT BEING DISTANT 13.91±m MEASURED AT RIGHT ANGLES FROM STATION 1+804.936± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 33°37'51.49" WEST A DISTANCE OF 8.67±m(28.4±FT) TO A POINT, SAID POINT BEING DISTANT 19.51±m MEASURED AT RIGHT ANGLES FROM STATION 1+796.415± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 24°18'18.33" EAST A DISTANCE OF 11.61±m(38.1±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 152.01± SQUARE METERS (1636.25± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 29, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

MAP NUMBER 17 3/15/13
 REVISED DATE 7/3/12 11/9/12
 DATE PREPARED 11/16/11



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 17
 PARCEL NO. 27,28,29,30
 SHEET 4 OF 4

REHABILITATION OF NOXON ROAD
 IN ROUTE 55 TO THOUSVILLE ROAD

PIN 8755.41

PARCEL 30, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REMOVAL OF AN EXISTING DRAINAGE STRUCTURE, AS WELL AS GRADING THE SIDE SLOPE TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT, ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LANDS OF 40 LLC (REPUTED OWNER), SAID POINT BEING DISTANT 4.421m MEASURED AT RIGHT ANGLES FROM STATION 1+836.984 OF THE HERINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH SAID LANDS SOUTH 65°27'23.02" WEST A DISTANCE OF 3.213m(10.51FT) TO A POINT, SAID POINT BEING DISTANT 7.501m MEASURED AT RIGHT ANGLES FROM STATION 1+835.110 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 36°12'25.52" WEST A DISTANCE OF 3.003m(9.81FT) TO A POINT, SAID POINT BEING DISTANT 7.281m MEASURED AT RIGHT ANGLES FROM STATION 1+832.117 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 52°50'0.28" EAST A DISTANCE OF 3.071m(10.11FT) TO A POINT, SAID POINT BEING DISTANT 4.223m MEASURED AT RIGHT ANGLES FROM STATION 1+832.289 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 37°15'57.09" EAST A DISTANCE OF 3.704m(12.15FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 10.401 SQUARE METERS (111.901 SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 30, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 1+561.938 THENCE SOUTH 22°56'23.96" EAST TO STATION 1+810.004 THENCE SOUTH 40°22'0.62" EAST TO STATION 1+973.768; ALL BEARINGS REFERRED TO GRID NORTH NEW YORK STATE PLANE EAST ZONE.

MAP NUMBER 17 3/15/13
 REVISED DATE 7/3/12 11/9/12
 DATE PREPARED 11/16/11

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

Date April 9 2013

Robert H. Bokind

Robert H. Bokind, P.E.
 Acting Commissioner of Public Works

Recommended by:

Date April 8 2013

Gregory V. Bentley

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

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 3/27 2013



Edward T. Gannon
 EDWARD T. GANNON Land Surveyor
 P.L.S. License No. 49907

WSP- SELLS
 555 PLEASANTVILLE ROAD
 BRIARCLIFF MANOR, NY 10510

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)	<i>absent</i>	
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: <u>11</u>	
Absent: <u>1</u>	Motion: <u>—</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014042 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM 4 G LLC

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present:	<u>24</u>	Resolution:	<input checked="" type="checkbox"/>	Total:	<u>24</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<input type="checkbox"/>	Yes		No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014042 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM 4 G LLC

Date: March 10, 2014

RESOLUTION NO. 2014043

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM RICHARD A. REYES AND LINDA S. REYES

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, a full environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire in fee a portion of property presently owned by Richard A. Reyes and Linda S. Reyes, and

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6261-04-940083-0000, described as 34.46± square meters (370.89± square feet) more or less as shown on Map No. 13, Parcel No. 21, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of \$1,900.00 plus up to \$450 for related expenses and that the terms and conditions of the Agreements be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property (Fee Acquisition) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of \$1,900.00 for

Fee Acquisition in accordance with the agreement to purchase, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Fee Acquisition) be carried out by the Dutchess County Department of Public Works.

CA-20-14

CAB/ca/R-0907-EEE

2/5/14

Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ 2,350

Total Current Year Revenue \$ 2,233
and Source

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount \$ 450

Nature/Reason:

Anticipated expenses related to Mortgage Releases, Filing Fees, Property Taxes and other closing costs.

Anticipated Savings to County: \$ 2,233

Net County Cost (this year): \$ 117
Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement pertains to the accompanying resolution request form for the authorization to acquire additional right of way for a consideration of \$1,900.00, identified on Map 13, Parcel 21, for the project identified as PIN 8755.41 Rehabilitation of CR 21 (Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

2929

**AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)**

Project: REHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)
PIN: 8755:41 Map: 13 Parcel: 21

This Agreement by and between RICHARD A. REYES and LINDA S. REYES, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey all right, title and interest to a 34,46± Square Meter (370.89± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated August 25, 2000, recorded on September 8, 2000 as Document #0220008025 in the Office of the County Clerk for Dutchess County, New York with the address 90 Noxon Road (Re. Tax map No. 133400-6261-04-940083-0000) and being the same lands designated as Map 13, Parcel 21 on exhibit "A" attached hereto.
2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: Removal of 348.06 sq. ft of lawn and 141.854 sq. ft of driveway material. Existing large bushes will be extensively trimmed.
3. **PURCHASE PRICE.** The total purchase price is ONE THOUSAND NINE HUNDRED Dollars (\$1,900.00). This price includes the acquisition of the above real property in fee as described in paragraph 1 and the improvements described in paragraph 2, if any.
4. **PAYMENT.** All by check at closing.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about March 21, 2014.
6. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. Closing Documents. Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
 - B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
 - C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.
7. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.
8. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing; current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

9. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
10. **ENTIRE AGREEMENT.** This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.
11. **NOTICES.** All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
12. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: including, but not limited to the following: The shoulder of Noxon Road will be widened and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface.

IN WITNESS WHEREOF, on this 24th day of January, 2014, the parties have entered into this Agreement.

Seller: Richard A. Reyes and Linda S. Reyes
 Representative: XXX

By:

Richard A. Reyes
 Printed Name

OWNER
 Title

Witness: [Signature]

County of Dutchess

Witness: _____

By:

LINDA REYES
 Printed Name

OWNER
 Title

Witness: [Signature]

Buyer: _____

Marcus J. Molinaro
 County Executive

APPROVED AS TO FORM;

 Carol A. Bogle
 Chief Asst. County Attorney

APPROVED AS TO CONTENT

[Signature]
 Robert H. Balkind, P.E.
 Deputy Commissioner



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 13
 PARCEL NO. 21.22.
 SHEET 1 OF 2

REHABILITATION OF NOXON ROAD
 NY ROUTE 55 TO TITUSVILLE ROAD

PI# 8765.41

Originals of this map (sheets 1 and 2) are on file at the offices of the Dutchess County Department of Public Works
 RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS)
 L.22000 P.8025

ACQUISITION DESCRIPTION:
 Types: FEE, TE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6261-04-940083-0000

Town of LaGrange
 County of Dutchess
 State of New York

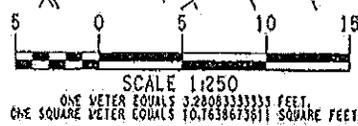
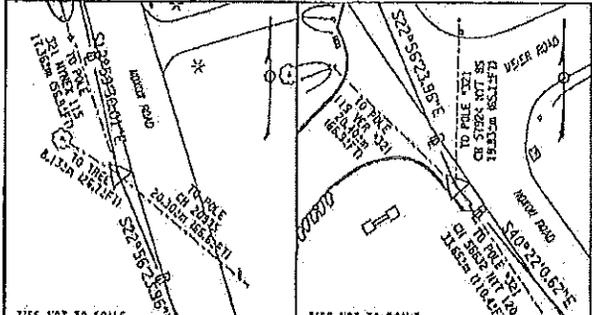
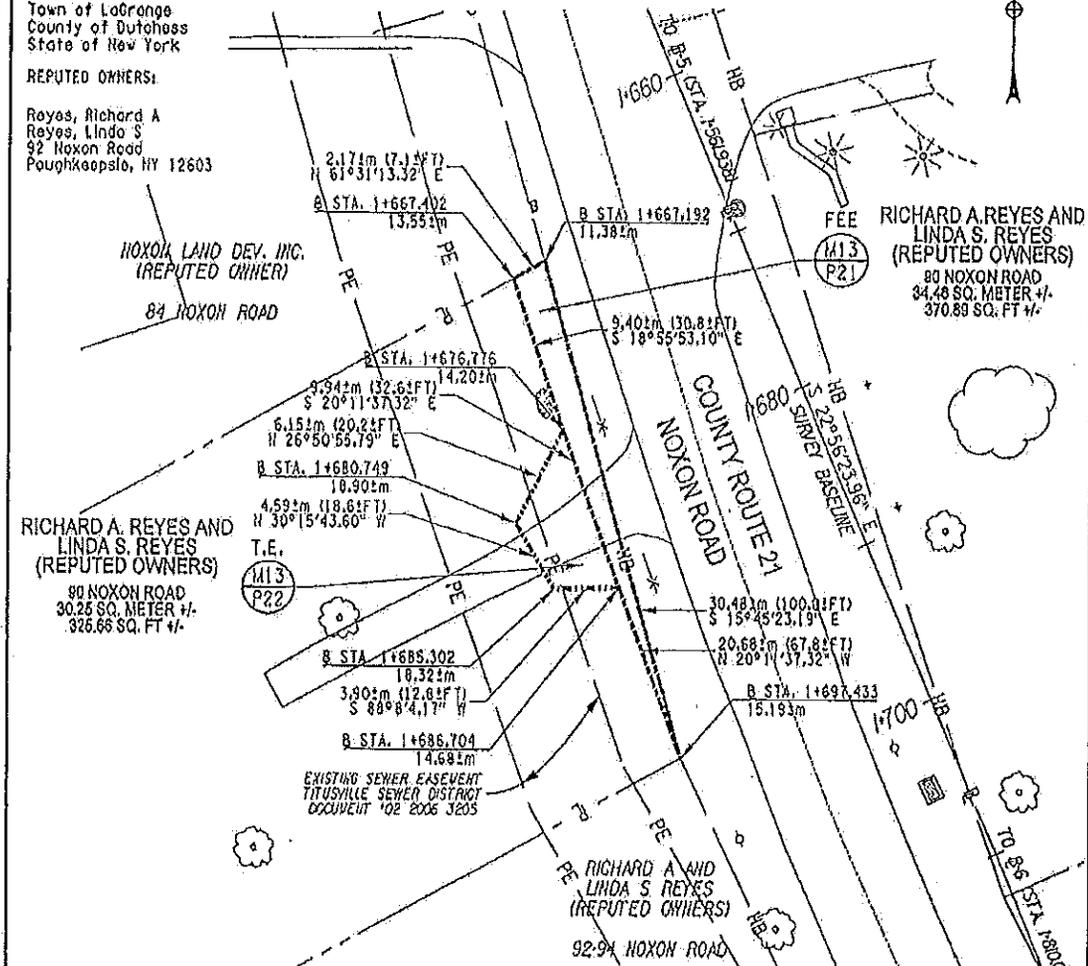
REPUTED OWNERS:

Reyes, Richard A
 Reyes, Linda S
 92 Noxon Road
 Poughkeepsie, NY 12603

NOXON LAND DEV. INC.
 (REPUTED OWNER)
 84 NOXON ROAD

RICHARD A. REYES AND
 LINDA S. REYES
 (REPUTED OWNERS)
 80 NOXON ROAD
 30.25 SQ. METER +/-
 326.66 SQ. FT +/-

RICHARD A. REYES AND
 LINDA S. REYES
 (REPUTED OWNERS)
 80 NOXON ROAD
 34.48 SQ. METER +/-
 370.89 SQ. FT +/-



TIES NOT TO SCALE. B STA. 1+561.938 B-05 PR HAIL N: 315901.713m E: 203366.550m	TIES NOT TO SCALE B STA. 1+810.004 B-06 PA N: 315673.266m E: 203463.237m
--	--

MAP NUMBER 13 10/11/12
 REVISED DATE 9/6/11 8/20/12
 DATE PREPARED 5/3/11



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 13
 PARCEL NO. 21, 22
 SHEET 2 OF 2

REHABILITATION OF HOXON ROAD
 IN ROUTE 35 TO TITUSVILLE ROAD

PIN 8755,41

Map of property which the Commissioner of Public Works deems necessary to be acquired by appropriation in the name of the People of the County of Dutchess in fee acquisition and temporary easement, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 21, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (HOXON ROAD) FOR THE HOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: THE SHOULDER OF HOXON ROAD WILL BE WIDENED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (HOXON ROAD) WHERE THE SAME IS INTERSECTED BY THE DIVISION LINE OF LANDS OF RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS) TO THE SOUTH AND LANDS OF HOXON LAND DEVELOPMENT, INC. (REPUTED OWNER) TO THE NORTH, SAID POINT BEING DISTANT 11.391m MEASURED AT RIGHT ANGLES FROM STATION 1+667.192 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (HOXON ROAD); THENCE ALONG SAID WESTERLY BOUNDARY SOUTH 16°45'23.19" EAST A DISTANCE OF 30.482m (100.02FT) TO A POINT WHERE SAID WESTERLY BOUNDARY IS INTERSECTED BY THE DIVISION LINE OF LANDS OF RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS) TO THE SOUTH AND RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS) TO THE NORTH, SAID POINT BEING DISTANT 15.192m MEASURED AT RIGHT ANGLES FROM STATION 1+697.433 OF SAID BASELINE; THENCE THROUGH LANDS OF RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS) NORTH 20°11'37.32" WEST A DISTANCE OF 20.682m (67.84FT) TO A POINT, SAID POINT BEING DISTANT 14.201m MEASURED AT RIGHT ANGLES FROM STATION 1+676.776 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS OF RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS) NORTH 18°55'53.10" WEST A DISTANCE OF 9.401m (30.81FT) TO A POINT ON THE DIVISION LINE OF LANDS OF RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS) TO THE SOUTH AND LANDS OF HOXON LAND DEVELOPMENT, INC. (REPUTED OWNER) TO THE NORTH, SAID POINT BEING DISTANT 13.651m MEASURED AT RIGHT ANGLES FROM STATION 1+687.402 OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE NORTH 61°31'13.32" EAST A DISTANCE OF 2.171m (7.11FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 34.461 SQUARE METERS (370.891 SQUARE FEET) MORE OR LESS.

PARCEL 22, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, AS WELL AS GRADING THE SIDE SLOPES OF THE DRIVEWAY TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (HOXON ROAD) FOR THE HOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NEAR THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (HOXON ROAD), SAID POINT BEING DISTANT 14.201m MEASURED AT RIGHT ANGLES FROM STATION 1+676.776 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (HOXON ROAD); THENCE THROUGH THE LANDS OF RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS) SOUTH 20°11'37.32" EAST A DISTANCE OF 9.941m (32.61FT) TO A POINT, SAID POINT BEING DISTANT 14.681m MEASURED AT RIGHT ANGLES FROM STATION 1+686.704 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS OF RICHARD A. REYES AND LINDA S. REYES (REPUTED OWNERS) SOUTH 88°8'4.17" WEST A DISTANCE OF 3.902m (12.81FT) TO A POINT, SAID POINT BEING DISTANT 18.321m MEASURED AT RIGHT ANGLES FROM STATION 1+685.302 OF SAID BASELINE; THENCE NORTH 30°15'43.60" WEST A DISTANCE OF 4.591m (15.05FT) TO A POINT, SAID POINT BEING DISTANT 18.902m MEASURED AT RIGHT ANGLES FROM STATION 1+680.749 OF SAID BASELINE; THENCE NORTH 26°50'55.79" EAST A DISTANCE OF 6.151m (20.21FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 30.251 SQUARE METERS (325.661 SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 22, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (HOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
 BEGINNING AT STATION 1+561.938 THENCE SOUTH 22°56'23.96" EAST TO STATION 1+810.004; ALL BEARINGS REFERRED TO GRID NORTH NEW YORK STATE PLANE EAST ZONE.

MAP NUMBER 13 10/11/12
 REVISED DATE 9/10/11 8/20/12
 DATE PREPARED 5/3/11

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

Date Oct. 25 2012

Robert H. Bokling, P.E.
 Acting Commissioner of Public Works

Recommended by:

Date October 25 2012

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

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.



Date October 18 2012

EDWARD T. GANNON, Land Surveyor
 License No. 49907

SELLS
 250 PLEASANTVILLE ROAD
 BRIARCLIFF MANOR, NY 10510

626 Dutchess Turnpike
Poughkeepsie, NY 12603
Phone: (845) 486-2925
Fax: (845) 486-2940

Dutchess County
DPW ENGINEERING

Memo

To: Robert H. Balkind, P.E., Deputy Commissioner of Public Works

From: Matthew W. Davis, Assistant Civil Engineer I 

Date: January 30, 2014

**Re: RESOLUTION REQUEST
FEE ACQUISITION, MAP 13, PARCEL 21
PIN 8755.41 REHABILITATION OF CR 21 (NOXON RD), NYS 55 TO
TITUSVILLE ROAD, TOWN OF LAGRANGE**

Accompanying this memo is a Resolution Request and Fiscal Impact Statement with supporting documentation to request authorization to acquire in fee a 34.46+/- square meter (370.89+/- square foot) parcel from Richard A. Reyes and Linda S. Reyes, for a consideration of \$1,900.00. This Acquisition is located on a portion of property on County Route 21, (Noxon Road), in the Town of LaGrange identified as parcel identification number 133400-6261-04-940083-0000. The purchase of this parcel is required to facilitate the rehabilitation of County Route 21 under the subject Federal Aid Project. The amount of this resolution request is for \$2,350.00, which includes related expenses as shown on the accompanying Fiscal Impact Statement.

The subject project has been reviewed under SEQRA and is classified as an Unlisted Action. A Negative Declaration was approved and adopted by the Legislature on December 8, 2008, under Resolution No. 208403.

Attached for your review, is the documentation required for the Resolution Request submittal. Please contact me if you have any questions or require any additional information.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)	<i>absent</i>	
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 11 0
 Yes No
 Abstentions: 0

2014043 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM RICHARD A. REYES AND LINDA S. REYES

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 **Resolution:** **Total:** 24 0
Absent: 1 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014043 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM RICHARD A. REYES AND LINDA S. REYES

Date: March 10, 2014

RESOLUTION NO. 2014044

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM MARIGO FRANGETIS

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, a full environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

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

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6360-01-238667-0000, described as 59.99± square meters (645.77± square feet) more or less as shown on Map No. 44, Parcel No. 88, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of \$265.00 plus up to \$450 for related expenses and that the terms and conditions of the Agreements be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property (Fee Acquisition) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of \$265.00 for

Fee Acquisition in accordance with the agreement to purchase, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Fee Acquisition) be carried out by the Dutchess County Department of Public Works.

CA-21-14

CAB/ca/R-0907-LL

2/7/14

Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/10/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ 715

Total Current Year Revenue \$ 679
and Source

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount \$ 450

Nature/Reason:

Anticipated expenses related to Mortgage Releases, Filing Fees, Property Taxes and other closing costs.

Anticipated Savings to County: \$679

Net County Cost (this year): \$36
Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement pertains to the accompanying resolution request form for the authorization to acquire additional right of way for a consideration of \$265.00, identified on Map 44 Parcel 88, for the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis 2929

AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)
PIN: 8755.41 Map: 44 Parcel: 88

This Agreement by and between MARIGO FRANGETIS, surviving spouse (BLEFATHERIOS FRANGETIS died a resident of Dutchess County on December 18, 2011, Dutchess County Surrogates Court File #2012-18), hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey all right, title and interest to a 59,99± Square Meter (645.77± Square Foot) parcel located on the East Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated April 11, 1989, and recorded on May 15, 1989 in Liber 1835 at Page 67 in the Office of the County Clerk for Dutchess County, New York with the address of Noxon Road (Re, Tax map No. 133400-6360-01-238667-0000), and being the same lands designated as Map 44, Parcel 88 on exhibit "A" attached hereto.
2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following Improvements, if any, now in or on the property are included in this Agreement: None
3. **PURCHASE PRICE.** The total purchase price is TWO HUNDRED SIXTY FIVE Dollars (\$265.00). This price includes the acquisition of the above real property in fee as described in paragraph 1 and the improvements described in paragraph 2, if any.
4. **PAYMENT.** All by check at closing.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about March 17, 2014.
6. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. Closing Documents, Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
 - B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
 - C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.
7. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.
8. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

9. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
10. ENTIRE AGREEMENT. This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.
11. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
12. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Including, but not limited to the following: The shoulder of Noxon Road will be widened, a drainage swale and portion of a closed drainage system will be installed, clearing and grubbing activities, and the adjacent side slope will be graded to meet existing ground and seeded to re-establish a grass surface and/or placement of slope stabilization measures.

IN WITNESS WHEREOF, on this 5th day of January, 2014, the parties have entered into this Agreement.

Seller: Marigo Frangetis
Representative: XXX

By: Mariqo Frangetis

By: _____

Mariqo Frangetis
Printed Name

Printed Name

Title

Title

Witness: [Signature]

Witness: _____

County of Dutchess

Witness: _____

Buyer: _____

Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Carol A. Bogle
Chief Asst. County Attorney

[Signature]

Gregory V. Bentley, P.E.
Director of Engineering
ROBERT BALKIND, P.E.
DEPUTY COMM. OF PUBLIC WORKS



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 44
 PARCEL NO. 88
 SHEET 1 OF 2

REHABILITATION OF NOXON ROAD
 NY ROUTE 55 TO THOUSVILLE ROAD

PIN 8755.41

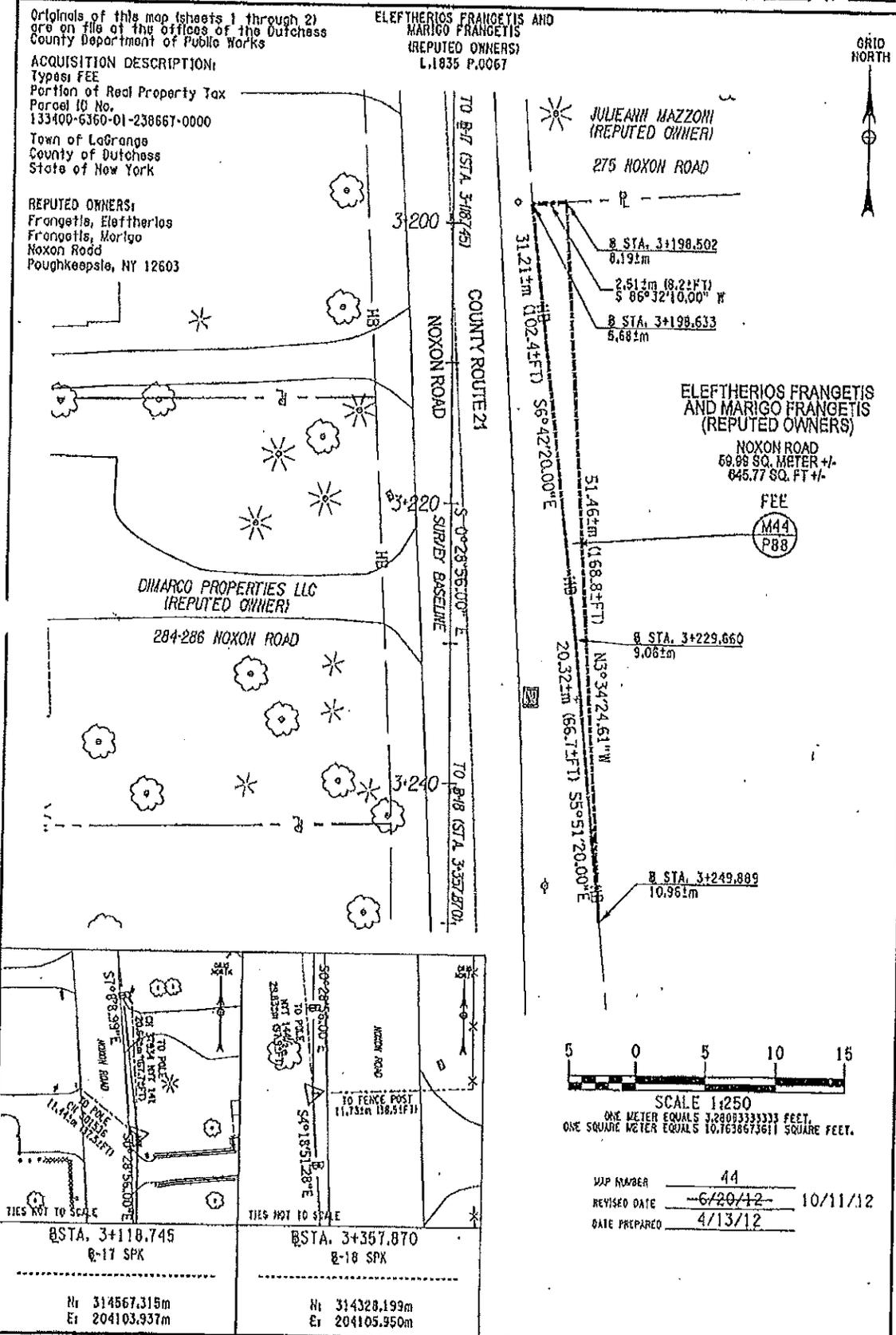
Originals of this map (sheets 1 through 2)
 are on file at the offices of the Dutchess
 County Department of Public Works

ELEFTERIOS FRANGETIS AND
 MARIGO FRANGETIS
 (REPUTED OWNERS)
 L.1835 P.0067

GRID
 NORTH

ACQUISITION DESCRIPTION:
 Type: FEE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6360-01-238667-0000
 Town of Lagrange
 County of Dutchess
 State of New York

REPUTED OWNERS:
 Frangetis, Eleftherios
 Frangetis, Marigo
 Noxon Road
 Poughkeepsie, NY 12603



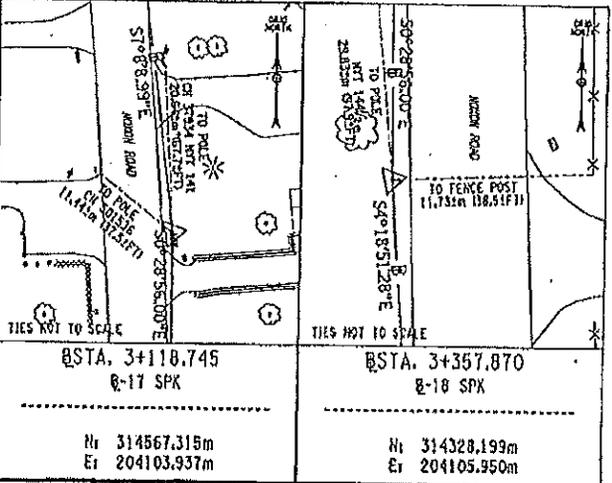
ELEFTERIOS FRANGETIS
 AND MARIGO FRANGETIS
 (REPUTED OWNERS)

NOXON ROAD
 69.98 SQ. METER +/-
 645.77 SQ. FT +/-

FEE
 M44
 P88



MAP NUMBER 44
 REVISED DATE 6/20/12 10/11/12
 DATE PREPARED 4/13/12



B STA. 3+118.745
 B-17 SPK

B STA. 3+357.870
 B-18 SPK

Ni 314567.315m
 Et 204103.937m

Ni 314328.199m
 Et 204105.950m



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF HOXON ROAD
 BY ROUTE 55 TO TILDENVILLE ROAD

PIN 8755.41

MAP NO. 44
 PARCEL NO. 88
 SHEET 2 OF 2

Map of property which the Commissioner of Public Works deems necessary to be acquired by appropriation in the name of the People of the County of Dutchess in fee acquisition for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 44, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (HOXON ROAD) FOR THE HOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: THE SHOULDER OF HOXON ROAD WILL BE WIDENED, A DRAINAGE SWALE AND PORTION OF A CLOSED DRAINAGE SYSTEM WILL BE INSTALLED, CLEARING AND GRUBBING ACTIVITIES, AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE AND/OR PLACEMENT OF SLOPE STABILIZATION MEASURES; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF COUNTY ROUTE 21 (HOXON ROAD), SAID POINT BEING AT THE INTERSECTION OF THE DIVISION LINE OF THE LANDS OF JULIEANN MAZZONI (REPUTED OWNER) TO THE NORTH AND LANDS OF ELEFTHERIOS FRANGETIS AND MARIKO FRANGETIS (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 5.68±m MEASURED AT RIGHT ANGLES FROM STATION 3+198.633± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (HOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 6°42'20.00" EAST A DISTANCE OF 31.21±m (102.42FT) TO A POINT, SAID POINT ALSO BEING DISTANT 9.06±m MEASURED AT RIGHT ANGLES FROM STATION 3+229.660± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 5°51'20.00" EAST A DISTANCE OF 20.32±m (66.71FT) TO A POINT, SAID POINT BEING DISTANT 10.86±m MEASURED AT RIGHT ANGLES FROM STATION 3+249.889± OF SAID BASELINE; THENCE THROUGH THE LANDS OF ELEFTHERIOS FRANGETIS AND MARIKO FRANGETIS (REPUTED OWNERS) NORTH 3°34'24.61" WEST A DISTANCE OF 51.46±m (168.81FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF JULIEANN MAZZONI (REPUTED OWNER) TO THE NORTH AND LANDS OF ELEFTHERIOS FRANGETIS AND MARIKO FRANGETIS (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 8.19±m MEASURED AT RIGHT ANGLES FROM STATION 3+198.502± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE SOUTH 86°32'10.00" WEST A DISTANCE OF 2.51±m (8.21FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 59.99± SQUARE METERS (645.77± SQUARE FEET) MORE OR LESS.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (HOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
 BEGINNING AT STATION 3+118.746; THENCE SOUTH 0°20'56.00" EAST TO STATION 3+357.870.

MAP NUMBER 44
 REVISED DATE 6/20/12 10/11/12
 DATE PREPARED 4/13/12

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

Date Dec 16 2012
[Signature]

Robert H. Boklund, P.E.
 Acting Commissioner of Public Works

Recommended by:
 Date December 13 2012
[Signature]

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

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.



to 12/4 2012

EDWARD T. GANNON
 Licensed Land Surveyor
 License No. 49907

RSP - SELLS
 655 PLEASANTVILLE ROAD
 BRIARCLIFF MANOR, NY 10510

626 Dutchess Turnpike
Poughkeepsie, NY 12603
Phone: (845) 486-2925
Fax: (845) 486-2940

Dutchess County
DPW ENGINEERING

Memo

To: Robert H. Balkind, P.E., Deputy Commissioner of Public Works

From: Matthew W. Davis, Assistant Civil Engineer I *MWD*

Date: January 23, 2014

**Re: RESOLUTION REQUEST
FEE ACQUISITION, MAP 44, PARCEL 88
PIN 8755.41 REHABILITATION OF CR 21 (NOXON RD), NYS 55 TO
TITUSVILLE ROAD, TOWN OF LAGRANGE**

Accompanying this memo is a Resolution Request and Fiscal Impact Statement with supporting documentation to request authorization to acquire in fee a 59.99+/- square meter (645.77+/- square foot) parcel from Marigo Frangetis, for a consideration of \$265.00. This Acquisition is located on a portion of property on County Route 21, (Noxon Road), in the Town of LaGrange identified as parcel identification number 133400-6360-01-238667-0000. The purchase of this parcel is required to facilitate the rehabilitation of County Route 21 under the subject Federal Aid Project. The amount of this resolution request is for \$715.00, which includes related expenses as shown on the accompanying Fiscal Impact Statement.

The subject project has been reviewed under SEQR and is classified as an Unlisted Action. A Negative Declaration was approved and adopted by the Legislature on December 8, 2008, under Resolution No. 208403.

Attached for your review, is the documentation required for the Resolution Request submittal. Please contact me if you have any questions or require any additional information.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)	<i>absent</i>	
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: <u>11</u>	Resolution: <input checked="" type="checkbox"/>	Total : <u>11</u>	<u>0</u>
Absent: <u>1</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014044 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM MARIGO FRANGETIS

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: Total: 24 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014044 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM MARIGO FRANGETIS

Date: March 10, 2014

RESOLUTION NO. 2014045

RE: AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM PETER MARROCCO AND ANGELA MARROCCO

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, an environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

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

WHEREAS, the acquisition of a permanent easement is a portion of parcel number 133400-6360-01-172623-0000, described as 45.06± square meters (485.02± square feet) more or less as shown on Map No. 46, Parcel No. 92, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Permanent Easement) for the necessary real property is attached hereto, and

WHEREAS, the Acting Commissioner of Public Works has recommended that the subject property, Permanent Easement, be purchased for the sum of \$880.00 plus up to \$450.00 for related expenses, and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property (Permanent Easement) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to

the County of Dutchess, that payment be made to the property owner in the sum of \$880.00, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Permanent Easement) be carried out by the Dutchess County Department of Public Works.

CA-22-14

CAB/ca/R-0907-Q

2/7/14

Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ 1,330

Total Current Year Revenue \$ 1,264
and Source

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

Identify Line Items(s):
H0290 5110 3008

Related Expenses: Amount \$ 450

Nature/Reason:
Anticipated expenses related to Mortgage Releases, Filling Fees, Property Taxes and other closing costs.

Anticipated Savings to County: \$ 1,264

Net County Cost (this year): \$ 66
Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement pertains to accompanying resolution request form for the authorization to acquire additional right of way for a consideration of \$880.00, identified on Map 46 Parcel 92 for the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis 2925

**AGREEMENT TO PURCHASE REAL PROPERTY
(PERMANENT EASEMENT)**

Project: RBHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)
PIN: 8755.41 Map: 46 Parcel: 92

This Agreement by and between PETER MARROCCO and ANGELA MARROCCO, husband and wife, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey a permanent easement to a 45,06± Square Meter (483.02± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated July 1, 2005, and recorded on July 28, 2005 in Liber 22005 at Page 6646 (as Document #0220056646) in the Office of the County Clerk for Dutchess County, New York with the address 290 Noxon Road (Re. Tax map No. 133400-6360-01-172623-0000), and being the same lands designated as Map 46, Parcel 92 on exhibit "A" attached hereto.

2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: None
3. **PURCHASE PRICE.** The total purchase price is EIGHT HUNDRED EIGHTY Dollars (\$880.00). This price includes the acquisition of the above real property in permanent easement as described in paragraph 1 and the improvements described in paragraph 2, if any.
4. **PAYMENT.** All by check at closing.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about ~~September 16, 2013~~
6. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. **Closing Documents.** Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
 - B. **Abstract, Bankruptcy and Tax Searches, and Acquisition Map.** Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
 - C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.
7. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the permanent easement on the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.
8. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

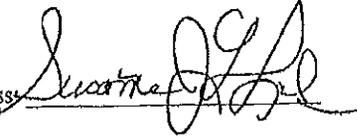
9. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
10. **ENTIRE AGREEMENT.** This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.
11. **NOTICES.** All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
12. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this permanent easement as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Work area for the installation of a cross culvert/drainage outlet and surrounding grading, and continued maintenance in connection with the drainage outlet including future grading, rehabilitation, inspection, equipment and machinery access and the placement of erosion and sediment control measures.

IN WITNESS WHEREOF, on this 1st day of August, 2013, the parties have entered into this Agreement.

Seller: Peter Marrocco and Angela Marrocco
Representatives:

By: 
PETER S. MARROCCO
Printed Name

owner
Title

Witness: 

By: Angela Marrocco
Angela MARROCCO
Printed Name

owner
Title

Witness: 

County of Dutchess

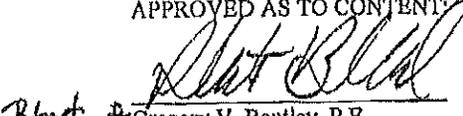
Witness: _____

Buyer: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

Carol A. Bogle
Sr. Asst. County Attorney

APPROVED AS TO CONTENT:


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



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 46
 PARCEL NO. 92.93
 SHEET 1 OF 2

REHABILITATION OF NOXON ROAD
 NY ROUTE 55 TO TITUSVILLE ROAD
 PIN 8755.41

Originals of this map (sheets 1 through 2) are on file at the offices of the Dutchess County Department of Public Works
 PETER MARROCCO AND ANGELA MARROCCO
 (REPUTED OWNERS)
 L.22005 P.6646

GRID NORTH

ACQUISITION DESCRIPTION:
 Types: PE, TE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6360-01-172623-0000

Town of LaGrange
 County of Dutchess
 State of New York

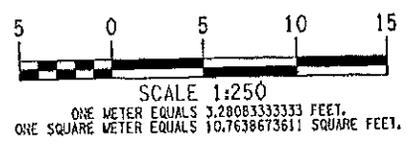
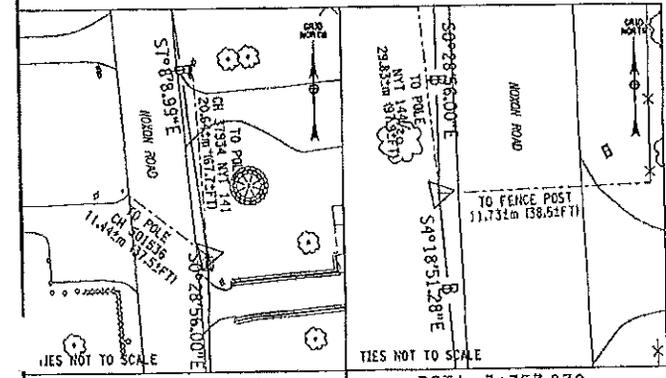
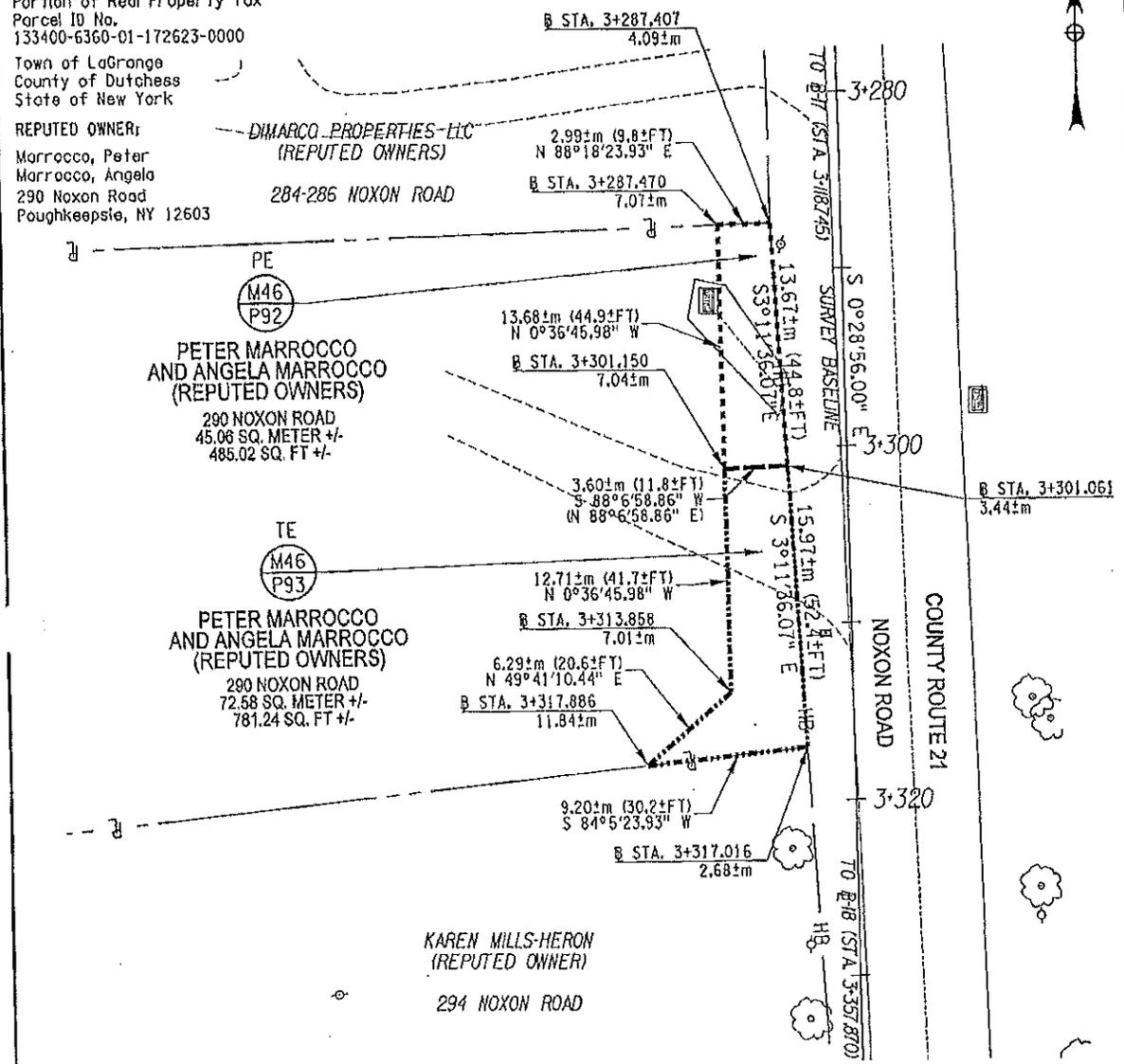
REPUTED OWNER:
 Marrocco, Peter
 Marrocco, Angela
 290 Noxon Road
 Poughkeepsie, NY 12603

DIMARCO PROPERTIES LLC
 (REPUTED OWNERS)
 284-286 NOXON ROAD

PETER MARROCCO AND ANGELA MARROCCO
 (REPUTED OWNERS)
 290 NOXON ROAD
 45.06 SQ. METER +/-
 485.02 SQ. FT +/-

PETER MARROCCO AND ANGELA MARROCCO
 (REPUTED OWNERS)
 290 NOXON ROAD
 72.58 SQ. METER +/-
 781.24 SQ. FT +/-

KAREN MILLS-HERON
 (REPUTED OWNER)
 294 NOXON ROAD



MAP NUMBER 46
 REVISED DATE 5/1/12 3/15/13
 DATE PREPARED 2/28/12

@STA. 3+118.745 B-17 SPK N: 314567.315m E: 204103.937m	@STA. 3+357.870 B-18 SPK N: 314328.199m E: 204105.950m
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REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

PIN 8755.41

MAP NO. 46
PARCEL NO. 92, 93
SHEET 2 OF 2

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in permanent and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL NO. 92 A PERMANENT EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA FOR THE INSTALLATION OF A CROSS CULVERT/DRAINAGE OUTLET AND SURROUNDING GRADING, AND CONTINUED MAINTENANCE IN CONNECTION WITH THE DRAINAGE OUTLET INCLUDING FUTURE GRADING, CLEANING, REHABILITATION, INSPECTION, EQUIPMENT AND MACHINERY ACCESS AND THE PLACEMENT OF EROSION AND SEDIMENT CONTROL MEASURES ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE INTERSECTION OF SAID BOUNDARY AND THE DIVISION LINE OF LANDS OF DIMARCO PROPERTIES LLC (REPUTED OWNER) TO THE NORTH AND LANDS OF PETER MARROCCO AND ANGELA MARROCCO (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 4.09±m MEASURED AT RIGHT ANGLES FROM STATION 3+287.407± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 3°11'36.07" EAST A DISTANCE OF 13.67±m (44.8±FT) TO A POINT, SAID POINT BEING DISTANT 3.44±m MEASURED AT RIGHT ANGLES FROM STATION 3+301.061± OF SAID BASELINE; THENCE THROUGH THE LANDS OF PETER MARROCCO AND ANGELA MARROCCO (REPUTED OWNERS) SOUTH 88°6'58.86" WEST A DISTANCE OF 3.60±m (11.8±FT) TO A POINT, SAID POINT BEING DISTANT 7.04±m MEASURED AT RIGHT ANGLES FROM STATION 3+301.150± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 0°36'45.98" WEST A DISTANCE OF 13.68±m (44.9±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF DIMARCO PROPERTIES LLC (REPUTED OWNER) TO THE NORTH AND LANDS OF PETER MARROCCO AND ANGELA MARROCCO (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 7.07±m MEASURED AT RIGHT ANGLES FROM STATION 3+287.470± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE NORTH 88°18'23.93" EAST A DISTANCE OF 2.99±m (9.8±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 45.06± SQUARE METERS (485.02± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 92 AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

PARCEL NO. 93 A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, AS WELL AS GRADING THE SIDE SLOPES OF THE DRIVEWAY TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE INTERSECTION OF SAID BOUNDARY AND THE DIVISION LINE OF LANDS OF PETER MARROCCO AND ANGELA MARROCCO (REPUTED OWNERS) TO THE NORTH AND LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 2.68±m MEASURED AT RIGHT ANGLES FROM STATION 3+317.016± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE SOUTH 84°5'23.93" WEST A DISTANCE OF 9.20±m (30.2±FT) TO A POINT, SAID POINT BEING DISTANT 11.84±m MEASURED AT RIGHT ANGLES FROM STATION 3+317.886± OF SAID BASELINE; THENCE THROUGH LANDS OF PETER MARROCCO AND ANGELA MARROCCO (REPUTED OWNERS) NORTH 49°41'10.44" EAST A DISTANCE OF 6.29±m (20.6±FT) TO A POINT, SAID POINT BEING DISTANT 7.01±m MEASURED AT RIGHT ANGLES FROM STATION 3+313.858± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 0°36'45.98" WEST A DISTANCE OF 12.71±m (41.7±FT) TO A POINT, SAID POINT BEING DISTANT 7.04±m MEASURED AT RIGHT ANGLES FROM STATION 3+301.150± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 88°6'58.86" EAST A DISTANCE OF 3.60±m (11.8±FT) TO A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING DISTANT 3.44±m MEASURED AT RIGHT ANGLES FROM STATION 3+301.061±m OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 3°11'36.07" EAST A DISTANCE OF 15.97±m (52.4±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 72.58± SQUARE METERS (781.24± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 93 AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 3+118.745; THENCE SOUTH 0°20'56.00" EAST TO STATION 3+357.870.

MAP NUMBER 46
REVISED DATE 5/1/12 3/15/13
DATE PREPARED 2/28/12

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

Date April 9 2013

Robert H. Balkind, P.E.,
Acting Commissioner of Public Works

Recommended by:

Date April 8 2013

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

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 3/27 2013



EDWARD T. GANNON Land Surveyor
P.L.S. License No. 49907

WSP- SELLS
555 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510

626 Dutchess Turnpike
Poughkeepsie, NY 12603
Phone: (845) 486-2925
Fax: (845) 486-2940

Dutchess County
DPW ENGINEERING

2014 JAN 28 AM 9:31

RECEIVED
DPW ENGINEERING
JAN 28 2014

Memo

To: Robert H. Balkind, P.E., Deputy Commissioner of Public Works
From: Matthew W. Davis, Assistant Civil Engineer I *MWD*
Date: January 27, 2014
Re: RESOLUTION REQUEST
PERMANENT EASEMENT, MAP 46, PARCEL 92
PIN 8755.41 REHABILITATION OF CR 21 (NOXON RD), NYS 55 TO
TITUSVILLE ROAD, TOWN OF LAGRANGE

Accompanying this memo is a Resolution Request and Fiscal Impact Statement with supporting documentation to request authorization to acquire a permanent easement for a 45.06+/- sq. meter (485.02+/- sq. ft.) parcel for a consideration of \$880.00 from Peter Marrocco and Angela Marrocco. This acquisition is located on a portion of property on County Route 21, (Noxon Road), in the Town of LaGrange identified as parcel identification number 133400-6360-01-172623-0000. The purchase of this parcel is required to facilitate the rehabilitation of County Route 21 under the subject Federal Aid Project. The amount of this resolution request is for a consideration of \$1,330.00 which includes the related expenses as shown on the accompanying Fiscal Impact Statement.

The subject project has been reviewed under SEQR and is classified as an Unlisted Action. A Negative Declaration was approved and adopted by the Legislature on December 8, 2008, under Resolution No. 208403.

Please review the attached documentation and if satisfactory, please sign and submit for further processing. Contact me if you have any questions or require any additional information.

Is

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)	<i>absent</i>	
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

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

2014045 AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM PETER MARROCCO AND ANGELA MARROCCO

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present:	<u>24</u>	Resolution:	<input checked="" type="checkbox"/>	Total:	<u>24</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014045 AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM PETER MARROCCO AND ANGELA MARROCCO

Date: March 10, 2014

RESOLUTION NO. 2014046

RE: AUTHORIZING CONDEMNATION PROCEEDING FOR ACQUISITION IN FEE AND FOR A TEMPORARY EASEMENT OF REAL PROPERTY OWNED BY WAYNE ERIC LINDELL AND LORI LOMBARDI FOR THE REHABILITATION OF CR 21 (NOXON ROAD) AND CR 49 (TITUSVILLE ROAD), TOWN OF LAGRANGE

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN#8758.69) includes the acquisition of portions of certain properties, and

WHEREAS, a short environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, it has been determined that a portion of property owned by Wayne Eric Lindell and Lori Lombardi is necessary to advance the rehabilitation of County Route 21 under a Federal Aid Project, and

WHEREAS, the property owners have been non-responsive to repeated contact attempts toward the needed right of way purchase and, therefore, condemnation is necessary to advance the project, and

WHEREAS, the property to acquire in fee is described as 136.82 ± square meter (1,472.72± square foot) parcel and temporary easement as 42.45± square meter (456.93± square foot) parcel located at the intersection of CR 21 (Noxon Road) and CR 49 (Titusville Road) in the Town of La Grange as shown on Dutchess County Acquisition Map No. 56, Parcel No. 117 (fee acquisition) and Map No. 56, Parcel No. 118 (temporary easement), portions of Tax Grid No. 133400-6360-01-203519-0000, and

WHEREAS, negotiations for this property have reached an impasse and authorization is requested to begin Eminent Domain Proceedings to acquire fee interest and temporary easement in a portion of property owned by Wayne Eric Lindell and Lori Lombardi for a consideration of \$5,037.00 for the fee acquisition and \$393.00 for temporary easement, and

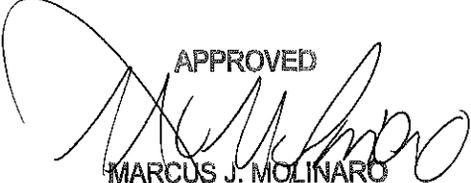
WHEREAS, it is now necessary for this Legislature to authorize the commencement of proceedings pursuant to the Eminent Domain Procedure Law for the acquisition of said property as follows:

<u>Name</u>	<u>Map No.</u>	<u>Parcel Nos.</u>	<u>Square Meter</u>	<u>Proffered Amount</u>
Wayne Eric Lindell and Lori Lombari	56	117	136.82 ±	\$5,037.00
	56	118	42.45±	\$393.00

now, therefore, be it

RESOLVED, that the Commissioner of Public Works on behalf of Dutchess County be and he hereby is authorized and empowered to commence proceedings pursuant to the Eminent Domain Procedure Law for the fee acquisition and temporary easement of the above property in furtherance of the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, Dutchess County, New York.

CA-40-14
 CAB/ca/R-0907-UU
 2/13/14
 Fiscal Impact: See attached statement

APPROVED

 MARCUS J. MOLINARO
 COUNTY EXECUTIVE
 Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ 6,430

Total Current Year Revenue \$ 6,109
and Source

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

Identify Line Items(s):
H0290 5110 3007(3009)

Related Expenses: Amount \$ 1,000

Nature/Reason:
Anticipated Administrative Costs and Fees.

Anticipated Savings to County: \$6,109

Net County Cost (this year): \$321
Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement pertains to the accompanying resolution request form seeking authorization to acquire additional right of way under the Eminent Domain Procedure Law, identified on Map 56, Parcels 117 and 118, for the project identified as PIN 8758.69 Rehabilitation of CR 21(Noxon Road) and CR 49 (Titusville Road) Intersection, Town of Lagrange, for the purchase price of \$5,430.00.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

EX. 2929

Background
2014046

DUTCHESS COUNTY DEPARTMENT OF LAW
JAMES M. FEDORCHAK, COUNTY ATTORNEY
County Office Building
22 Market Street
Poughkeepsie, New York 12601
Tel. (845) 486-2110 • Fax (845) 486-2002

MEMORANDUM:

TO: Dutchess County Legislators

FROM: Carol A. Bogle, Chief Assistant County Attorney 

DATE: March 7, 2014

SUBJECT: Resolution # 2014046 Authorizing Condemnation Proceeding for Acquisition in Fee and Temporary Easement of Real Property Owned by Wayne Lindell and Lori Lombardi for the Rehabilitation of CR 21 (Noxon Road) and CR 49 Titusville Road), Town of LaGrange
Our File No. R-0907-UU

Initially, I note that a brief explanation of condemnation authority may be in order. The 5th Amendment to the United States Constitution provides that private property shall not be taken for public use without just compensation.

As can be appreciated from resolution #2014046, the need for the subject property is to improve a section of Noxon Road (CR 21). Such an improvement is a public use. The County arrives at an opinion for just compensation through the retention of real estate experts. The property owner can contest our appraisal if there is a disagreement as to the amount of the purchase price. Thus, the County seeks acquisition of the subject property for a public use and has offered just compensation as determined by our expert appraisers.

In an effort to allay any concerns that you may have about the County's due diligence with the property owners, I have prepared a summary of the interactions that the consultant for the County's Engineering Division and I had with Wayne Lindell and Lori Lombardi in connection with acquiring a small portion of their property in fee and a temporary easement for the Noxon Rd. rehabilitation project.

1. April 12, 2012-introduction letter from the consultant.
2. May 1, 2012-meeting between consultant and property owners. Written information was provided by consultant. The scope of the project was discussed as well as the extent of the acquisition and the acquisition process.
3. September 20, 2012-letter from the consultant advising property owners of the appraiser's inspection dates in case they wanted to be present during the inspection.

**ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)**

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8758.69 Map: 56 Parcel: 117

This Advance Payment Agreement by and between WAYNE ERIC LINDELL and LORI LOMBARDI, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey all right, title and interest to a 136.82± Square Meter (1472.72± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated March 26, 2007, and recorded on May 9, 2007 in Liber 22007 at Page 3282 (as Document #0220073282) in the Office of the County Clerk for Dutchess County, New York with the address 328 Noxon Road (Re. Tax map No. 133400-6360-01-203519-0000), and being the same lands designated as Map 56, Parcel 117 on exhibit "A" attached here to.
2. **IMPROVEMENTS INCLUDED IN THE ACQUISITION.** The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: 1,375.15 sq. ft. of lawn, 149.08 sq. ft. of driveway material, and (1) medium size bush to be removed.
3. **PURCHASE PRICE.** Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is Five Thousand Thirty Seven dollars (\$5,037.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.
4. **PAYMENT.** Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.
5. **CLAIM.** Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.
6. **FILING.** It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. **TITLE DOCUMENTS.** Buyer will pay for and furnish to the Seller an acquisition map.
8. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.
9. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. **ENTIRE AGREEMENT.** This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.
12. **NOTICES.** All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.
13. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this fee acquisition as a result of the Rehabilitation of the Noxon Road/Titusville Road Intersection Project, PIN 8758.69: Including, but not limited to the following: Noxon Road and its shoulder will be widened and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface.
14. **ADDENDA.** The following Addenda are incorporated into this Advance Payment Agreement:
 Temporary Easement Cost to Cure Other _____

IN WITNESS WHEREOF, on this _____ day of _____, 2013, the parties have entered into this Advance Payment Agreement.

Seller: _____

Wayne Eric Lindell

Seller: _____

Lori Lombardi

STATE OF NEW YORK)

) SS:

COUNTY OF DUTCHESS)

On this _____ day of _____, 2013, 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(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

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

On this _____ day of _____, 2013, 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(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

County of Dutchess

Witness: _____

Buyer: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

Carol A. Bogle
Sr. Asst. County Attorney

APPROVED AS TO CONTENT:

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



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 56
 PARCEL NO. 117, 118
 SHEET 1 OF 2

REHABILITATION OF NOXON ROAD (CR 211)
 AND TITUSVILLE ROAD (CR 491) INTERSECTION

PIN 8758.69

Originals of this map (sheets 1 through 2)
 are on file at the offices of the Dutchess
 County Department of Public Works

WAYNE ERIC LINDELL
 AND LORI LOMBARDI
 (REPUTED OWNERS)
 L.22007 P.3282

GRID
 NORTH

ACQUISITION DESCRIPTION:

Types: FEE, TE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6360-01-203519-0000
 Town of LaGrange
 County of Dutchess
 State of New York

REPUTED OWNER:

Lindell, Wayne Eric
 Lombardi, Lori
 328 Noxon Road
 Poughkeepsie, NY 12603

STANLEY M ZABAWSKI
 JOHN M ZABAWSKI
 AND JULIA ZABAWSKI
 (REPUTED OWNERS)

322 NOXON ROAD

WAYNE ERIC LINDELL
 AND LORI LOMBARDI
 (REPUTED OWNERS)

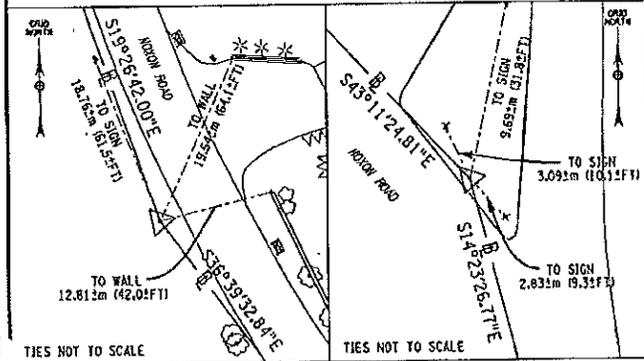
328 NOXON ROAD
 42.45 SQ. METER +/-
 468.83 SQ. FT +/-

WAYNE ERIC LINDELL
 AND LORI LOMBARDI
 (REPUTED OWNERS)

328 NOXON ROAD
 136.82 SQ. METER +/-
 1472.72 SQ. FT +/-

PETER FASCE
 (REPUTED OWNER)

330 NOXON ROAD



SCALE 1:250
 ONE METER EQUALS 3.280833333 FEET.
 ONE SQUARE METER EQUALS 10.7639673611 SQUARE FEET.

MAP NUMBER 56 3/18/13
 REVISED DATE 4/2/12 11/12/12
 DATE PREPARED 4/2/12

@STA. 3+536.804 B-20 SPK N: 314153.599m E: 204137.605m	@STA. 3+744.283 (10+160.117) B-22(T3) PK N: 313997.597m E: 204273.954m
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'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD (CR 21)
 AND TITUSVILLE ROAD (CR 49) INTERSECTION

PIN 8758.69

MAP NO. 56
 PARCEL NO. 117, 118
 SHEET 2 OF 2

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 117, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON/TITUSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: NOXON ROAD AND ITS SHOULDER WILL BE WIDENED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE DIVISION LINE OF LANDS OF STANLEY M ZABAWSKI, JOHN M ZAWABSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE NORTH AND LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 1.62±m MEASURED AT RIGHT ANGLES FROM STATION 3+594.205± OF THE HERINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 37°55'32.94" EAST A DISTANCE OF 30.33±m (99.5±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDI (REPUTED OWNERS) TO THE NORTH AND LANDS OF PETER FASCE (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 3.59±m MEASURED AT RIGHT ANGLES FROM STATION 3+624.549± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 50°39'39.44" WEST A DISTANCE OF 4.85±m (15.9±FT) TO A POINT, SAID POINT BEING DISTANT 8.43±m MEASURED AT RIGHT ANGLES FROM STATION 3+624.223± OF SAID BASELINE; THENCE THROUGH LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDI (REPUTED OWNERS) NORTH 36°39'1.10" WEST A DISTANCE OF 30.35±m (99.6±FT) TO A POINT, SAID POINT BEING AT THE DIVISION LINE OF LANDS OF STANLEY M ZABAWSKI, JOHN M ZAWABSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE NORTH AND LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 5.79±m MEASURED AT RIGHT ANGLES FROM STATION 3+594.400± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE NORTH 50°39'39.44" EAST A DISTANCE OF 4.17±m (13.7±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 136.82± SQUARE METERS (1472.72± SQUARE FEET) MORE OR LESS.

PARCEL 118, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, AS WELL AS CLEARING/GRUBBING AND GRADING THE SIDE SLOPES OF THE DRIVEWAY TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON/TITUSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF STANLEY M ZABAWSKI, JOHN M ZAWABSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE NORTH AND LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDI (REPUTED OWNERS) TO THE SOUTH, SAID POINT BEING DISTANT 5.79±m MEASURED AT RIGHT ANGLES FROM STATION 3+594.400± OF THE HERINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDI (REPUTED OWNERS) SOUTH 36°39'1.10" EAST A DISTANCE OF 5.55±m (18.2±FT) TO A POINT, SAID POINT BEING DISTANT 5.79±m MEASURED AT RIGHT ANGLES FROM STATION 3+599.949± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 58°20'17.21" WEST A DISTANCE OF 3.43±m (27.6±FT) TO A POINT, SAID POINT BEING DISTANT 14.19±m MEASURED AT RIGHT ANGLES FROM STATION 3+599.214± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 40°4'40.93" WEST A DISTANCE OF 4.42±m (14.5±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF STANLEY M ZABAWSKI, JOHN M ZAWABSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE NORTH AND LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 14.45±m MEASURED AT RIGHT ANGLES FROM STATION 3+594.806± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE NORTH 50°39'39.44" EAST A DISTANCE OF 8.67±m (28.4±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 42.45± SQUARE METERS (456.93± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 118, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
 BEGINNING AT STATION 3+536.804; THENCE SOUTH 36°39'32.84" EAST TO STATION 3+601.521; THENCE SOUTH 43°11'24.81" EAST TO STATION 3+744.283.

MAP NUMBER 56 3/18/13
 REVISED DATE 4/2/12-11/12/12
 DATE PREPARED 4/2/12

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

Date April 9 2013

Robert H. Balkind, P.E.
 Acting Commissioner of Public Works

Recommended by:
 Date April 8 2013

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



"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 3/27 2013

EDWARD T. GANNON Land Surveyor
 P.L.S. License No. 49907

WSP- SELLS
 555 PLEASANTVILLE ROAD
 BRIARCLIFF MANOR, NY 10510

**ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(TEMPORARY EASEMENT)**

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8758.69 Map: 56 Parcel: 118

This Advance Payment Agreement by and between WAYNE ERIC LINDELL and LORI LOMBARDI, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey a temporary easement to a 42.45± Square Meter (456.93± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated March 26, 2007, and recorded on May 9, 2007 in Liber 22007 at Page 3282 (as Document #0220073282) in the Office of the County Clerk for Dutchess County, New York with the address 328 Noxon Road (Re. Tax map No. 133400-6360-01-203519-0000), and being the same lands designated as Map 56, Parcel 118 on exhibit "A" attached here to.
2. **IMPROVEMENTS INCLUDED IN THE ACQUISITION.** The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: None
3. **PURCHASE PRICE.** Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is Three Hundred Ninety Three dollars (\$393.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.
4. **PAYMENT.** Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.
5. **CLAIM.** Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.
6. **FILING.** It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. **TITLE DOCUMENTS.** Buyer will pay for and furnish to the Seller an acquisition map.
8. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in temporary easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.
9. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. **ENTIRE AGREEMENT.** This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.
12. **NOTICES.** All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.
13. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this temporary easement as a result of the Rehabilitation of the Noxon Road/Titusville Road Intersection Project, PIN 8758.69: Work area in connection with the rehabilitation of a driveway to meet the proposed roadway edge, as well as clearing/grubbing and grading the side slopes of the driveway to meet the existing ground, seeding to re-establish a grass surface, and placement of temporary erosion and sediment control measures for the duration of this project.
14. **ADDENDA.** The following Addenda are incorporated into this Advance Payment Agreement:
 Temporary Easement Cost to Cure Other _____

IN WITNESS WHEREOF, on this _____ day of _____, 2013, the parties have entered into this Advance Payment Agreement.

Seller: _____ Seller: _____
 Wayne Eric Lindell Lori Lombardi

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

On this _____ day of _____, 2013, 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(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

 Notary Public

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

On this _____ day of _____, 2013, 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(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

County of Dutchess

Witness: _____

Buyer: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Carol A. Bogle
Sr. Asst. County Attorney

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



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 56
 PARCEL NO. 117, 118
 SHEET 1 OF 2

REHABILITATION OF NOXON ROAD (CR 21)
 AND TITUSVILLE ROAD (CR 49) INTERSECTION

PIN 8758.69

Originals of this map (sheets 1 through 2)
 are on file at the offices of the Dutchess
 County Department of Public Works

WAYNE ERIC LINDELL
 AND LORI LOMBARDI
 (REPUTED OWNERS)
 L.22007 P.3282

GRID
 NORTH

ACQUISITION DESCRIPTION:
 Type: FEE, TE
 Portion of Real Property Tax
 Parcel ID No.
 133400-6360-01-203519-0000
 Town of LaGrange
 County of Dutchess
 State of New York

REPUTED OWNER:
 Linde, Wayne Eric
 Lombardi, Lori
 328 Noxon Road
 Poughkeepsie, NY 12603

**STANLEY M ZABAWSKI
 JOHN M ZABAWSKI
 AND JULIA ZABAWSKI
 (REPUTED OWNERS)**

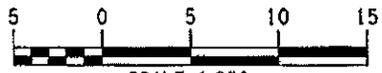
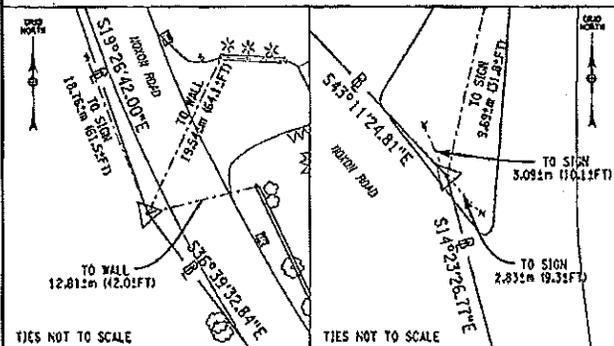
322 NOXON ROAD

**WAYNE ERIC LINDELL
 AND LORI LOMBARDI
 (REPUTED OWNERS)**
 328 NOXON ROAD
 42.45 SQ. METER +/-
 458.93 SQ. FT +/-

**WAYNE ERIC LINDELL
 AND LORI LOMBARDI
 (REPUTED OWNERS)**
 328 NOXON ROAD
 136.82 SQ. METER +/-
 1472.72 SQ. FT +/-

FEE
 M56
 P117

**PETER FASCE
 (REPUTED OWNER)**
 330 NOXON ROAD



SCALE 1:250
 ONE METER EQUALS 3.2808333333 FEET.
 ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

B STA. 3+536.804 B-20 SPK N: 314153.599m E: 204137.605m	B STA. 3+744.283 (10+160.117) B-22(T3) PK N: 313997.597m E: 204273.954m
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MAP NUMBER 56 3/18/13
 REVISED DATE 4/2/12 11/12/12
 DATE PREPARED 4/2/12

PREPARED BY: DB CHECKED BY: EG/JA FINAL CHECK BY: MAU



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD (CR 21)
 AND TITUSVILLE ROAD (CR 49) INTERSECTION

PIN 8758.69

MAP NO. 56
 PARCEL NO. 117, 118
 SHEET 2 OF 2

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

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MAP NUMBER 56 3/18/13
 REVISED DATE 4/2/12-11/12/12
 DATE PREPARED 4/2/12

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

Date April 9 2013

Robert H. Balkind, P.E.
 Acting Commissioner of Public Works

Recommended by:

Date APRIL 8 2013

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



"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 3/27 2013

EDWARD T. CANNON Land Surveyor
 P.L.S. License No. 49907

WSP- SELLS
 555 PLEASANTVILLE ROAD
 BRIARCLIFF MANOR, NY 10510

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)	<i>absent</i>	
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 11 Resolution: ✓ Total : 11 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014046 AUTHORIZING CONDEMNATION PROCEEDING FOR ACQUISITION IN FEE AND FOR A TEMPORARY EASEMENT OF REAL PROPERTY OWNED BY WAYNE ERIC LINDELL AND LORI LOMBARDI FOR THE REHABILITATION OF CR 21 (NOXON ROAD) AND CR 49 (TITUSVILLE ROAD), TOWN OF LAGRANGE

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i> @	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner	.	✓
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 25 **Resolution:** ✓ **Total:** 24 1
Absent: 0 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014046 AUTHORIZING CONDEMNATION PROCEEDING FOR ACQUISITION IN FEE AND FOR A TEMORARY EASEMENT OF REAL PROPERTY OWNED BY WAYNE ERIC LINDELL AND LORI LOMBARDI FOR THE REHABILITATION OF CR 21 (NOXON ROAD) AND CR 49 (TITUSVILLE ROAD), TOWN OF LAGRANGE

Date: March 10, 2014

DISCUSSION ONLY 3/10/14
PUBLIC WORKS & CAPITAL PROJECTS
AMENDED 4/3/14

RESOLUTION NO. 2014047

BOND RESOLUTION DATED APRIL 7, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$989,800 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF MOTOR VEHICLES AND MOTORIZED EQUIPMENT FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY.

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

Section 1. To pay the cost of the purchase of motor vehicles and motorized equipment for various departments, with alternative fuel modalities where appropriate and available, including in each case incidental equipment and expenses in connection therewith, there are hereby authorized to be issued \$989,800 serial bonds of the County of Dutchess, New York pursuant to the provisions of the Local Finance Law, apportioned as follows:

- a) the purchase of motor vehicles for law enforcement purposes to replace those in service at least 1 year, at a maximum estimated cost of \$674,680, being a class or objects or purposes, having a period of probable usefulness of three years, pursuant to subdivision 77(1st) of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued \$674,680 serial bonds of the \$989,800 serial bonds of the County of Dutchess, New York, herein authorized; and
- b) for the purchase of other passenger vehicles for various departments, with other functional utilities, at a maximum estimated cost of \$315,120, being a class of objects or purposes, having a period of probable usefulness of five years, pursuant to subdivision 29 of

paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued \$315,120 serial bonds of the \$989,800 serial bonds of the County of Dutchess, New York, herein authorized.

Section 2. It is hereby determined that the aggregate maximum estimated cost of the aforesaid objects or purposes described in Section 1 hereof is \$989,800, and that the plan for the financing thereof by the issuance of the \$989,800 serial bonds herein authorized to be issued pursuant to the provisions of the Local Finance Law therefore apportioned to each such object or purpose in accordance with the maximum estimated cost of each specified in Section 1 hereof.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 4. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of

Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges

shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in *The Poughkeepsie Journal* and the *Southern Dutchess News*, the official newspapers of said County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

* * * * *

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on April 7, 2014, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 24 ayes and 0 noes, with 1 member being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on April 14 _____, 2014, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News
Poughkeepsie Journal

April 4, 2014
April 4, 2014

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

Designated Location(s)
of posted notice

Date of Posting

County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York, 12601

April 4, 2014

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 8 day of April, 2014.



Carey Morris

Clerk, County Legislature

APPROVED
Marcus J. Molinaro
MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/14/2014

LEGAL NOTICE OF ESTOPPEL

The following entitled bond resolution, a summary of which is published herewith, has been adopted on April 7, 2014, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is each available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Poughkeepsie, New York,
April 8, 2014.



Clerk, County Legislature

BOND RESOLUTION DATED APRIL 7, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$989,800 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF MOTOR VEHICLES AND MOTORIZED EQUIPMENT FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY.

- | | |
|--------------------------------------|---|
| Objects or purposes: | (a) Purchase of law enforcement vehicles; class, 3-year period of probable usefulness
(b) Purchase of other passenger vehicles with other functional utilities, 5-year period of probable usefulness |
| Maximum estimated costs: | (a) \$674,680; (b) \$315,120 |
| Amount of bonds to be issued: | An aggregate \$989,800 allocated by maximum estimated cost of each |
| SEQRA status: | Type II Action |

2014 COUNTY VEHICLES

\$989,800 at Average of 1.1%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$989,800	\$287,917	\$11,474	\$299,391
2	\$701,883	\$287,917	\$8,279	\$296,197
3	\$413,965	\$287,917	\$5,085	\$293,002
4	\$126,048	\$63,024	\$1,891	\$64,915
5	\$63,024	\$63,025	\$945	\$63,970
TOTAL		<u>\$989,800</u>	<u>\$27,674</u>	<u>\$1,017,475</u>
AVG. PER YEAR		\$65,987	\$1,845	\$67,832

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$989,800
ANTICIPATED INTEREST RATE	Average of 1.1%
TERM	15 YEARS. TOTAL ANTICIPATED FEES: \$9,800
ANTICIPATED ANNUAL COST (PRIN + INT):	\$67,832
TOTAL PAYBACK (ANNUAL COST x TERMS):	\$1,017,475

PREPARED BY PAMELA BARRACK

H0461 - 2014 Auto Service Center Vehicle Bond

APPROPRIATIONS

Increase

H0461.3140.2300.03	Probation Motor Vehicles 3 Year	\$70,000
H0461.3140.2300.05	Probation Motor Vehicles 5 Year	\$40,000
H0461.6772.2300.05	OFA Motor Vehicles 5 Year	\$100,000
H0461.4010.2300.05	Health Motor Vehicles 5 Year	\$28,000
H0461.6010.2300.05	DCFS Motor Vehicles 5 Year	\$54,000
H0461.1170.2300.05	Public Defender Motor Vehicles 5 Year	\$22,000
H0461.5110.2300.05	DPW Highway Motor Vehicles 5 Year	\$68,000
H0461.3110.2300.03	Sheriff Motor Vehicles 3 Year	\$598,000
H0461.1640.3900	Bond Issuing Costs	\$9,800
		<u>\$989,800</u>

REVENUES

Increase

H0461.1640.57100	Serial Bonds	\$989,800
		<u>\$989,800</u>

Dutchess County
 Department of Public Works
 2014 Vehicle Request

Requesting Department	Vehicle to be Replaced	Year	Make	Model	Vehicle Type	Mileage	Condition	Replacement Vehicle Type	Estimated Cost	Remarks
1	Probation	2010	Ford	Crown Victoria	full-size sedan with police package	145,487	High mileage and high maintenance costs.	full-size sedan w/ police package	\$35,000.00	Replace with similar vehicle. 11% grant funding from NYS DSS
2	Probation	2010	Ford	Crown Victoria	full-size sedan with police package	146,269	High mileage and high maintenance costs.	full-size sedan with police package	\$35,000.00	Replace with similar vehicle. 11% grant funding from NYS DSS
3	Probation	2008	Dodge	Durango	4x4 SUV	128,122	High mileage and high maintenance costs.	4x4 SUV	\$40,000.00	Replace with similar vehicle. 11% grant funding from NYS DSS
4	Office of Aging	2009	Chevy	Express Van	15 pass. Van	95,047	High mileage and high maintenance costs.	15 pass. van	\$50,000.00	Replace with similar vehicle. 33% Fed/ 33% NYS/33% local funding.
5	Office of Aging	2009	Chevy	Express Van	15 pass. Van	97,540	High mileage and high maintenance costs.	15 pass. van	\$50,000.00	Replace with similar vehicle. 33% Fed/ 33% NYS/33% local funding.
6	Health Dept.	2003	Chevy	Venture	mini-van	145,118	High mileage and high maintenance costs.	mini-van with tow package	\$28,000.00	Replace with similar vehicle. New vehicle set up to tow Immunization trailer. No offset funding.
7	DCFS	2010	Ford	Escape	SUV	122,732	High mileage and high maintenance costs.	SUV	\$32,000.00	Replace with similar vehicle. 62% NYS funding.
8	DCFS	2007	Chevy	Malibu	mid-size sedan	108,520	High mileage and high maintenance costs.	mid-size sedan	\$72,000.00	Replace with similar vehicle. 100% Fed funding.
9	Public Defender	1989	GMC	2500 P/U	3/4 ton Pick-up truck	71,496	P-5 is no longer needed and has high maintenance and repair costs.	mid-size sedan	\$22,000.00	Vehicle to be removed from DPW Highway fleet. New vehicle added to Public Defender's Office. No offset funding.
10	DPW - Highway	1990	Chevy	1500 P/U	4x4 pick-up truck	72,778	rusted frame, high maintenance costs, rusted chassis, cab mounts broken	full size van	\$28,000.00	New vehicle to have lift gate, strobe light pkg, H.D. suspension. 4x4 not required. No offset funding.
11	DPW - Highway	1996	Chevy	Suburban	4x4 SUV	97,703	high maintenance costs, moderate chassis corrosion	4x4 SUV	\$40,000.00	Replace with similar vehicle. New vehicle to have strobe light pkg. No offset funding.

Total Estimate = \$382,000.00

Public Works and Capital Projects Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		<i>absent</i>
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 11 Resolution: Total : 11 0
 Absent: 1 Motion: ✓ Yes No
 Vacant: 0 Abstentions: 0

AF/D Bolner

*Moved the attached
proposed amended res.*

*4-13-14
2014047*

Public Works and Capital Projects Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	absent (C)	
District 6 - Town of Poughkeepsie	Flesland*		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*		4
District 16 - Town of Fishkill and City of Beacon	MacAvery*	1	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		5
District 5 - Town of Poughkeepsie	Roman		6
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	2	
District 15 - Town of Wappinger	Incoronato (VC)	3	
District 18 - City of Beacon and Town of Fishkill	Farley	4	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		7
District 22 - Towns of Beekman and Union Vale	Hutchings (C)	5	.

Present: 12
 Absent: 0
 Vacant: 0

Resolution:
 Motion:

Total: 5 7
 Yes No
 Abstentions: 0

JI / A MAC *defeated*
 reduce by \$56,000
 by removing
 2007 Ford Taurus
 2010 Chevy Impala

4.3.14
 2014047

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		✓
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		✓
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Town of Fishkill and City of Beacon	MacAvery*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	✓	
District 5 - Town of Poughkeepsie	Roman	✓	
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	✓	
District 15 - Town of Wappinger	Incoronato (VC)	✓	
District 18 - City of Beacon and Town of Fishkill	Farley	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 22 - Towns of Beekman and Union Vale	Hutchings (C)	✓	

Present: 12
 Absent: 0
 Vacant: 0

Resolution:
 Motion: ✓

Total : 10 2
 Yes No
 Abstentions: 0

J I / A M A C
Call the Question

4-13-14
2014047

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		✓
District 15 - Town of Wappinger	Incoronato (VC)		✓
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present:	<u>12</u>	Resolution:	<u>✓</u>	Total :	<u>10</u>	<u>2</u>
Absent:	<u>0</u>	Motion:	<u>—</u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014047 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,322,090 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF MOTOR VEHICLES AND MOTORIZED EQUIPMENT FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY (PROPOSED REVISIONS ATTACHED)

Date: April 3, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson	absent	
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

J / D Bolner

Ford Taurus 28,000 } \$56,000
 Chevy Taurus 28,000 }

4.7.14
 2014047

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		1
District 6 - Town of Poughkeepsie	Flesland		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		3
District 10 - City of Poughkeepsie	Jeter-Jackson	1	
District 16 - Town of Fishkill and City of Beacon	MacAvery	2	
District 1 - Town of Poughkeepsie	Nesbitt		4
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		5
District 3 - Town of LaGrange	Borchert		6
District 4 - Town of Hyde Park	Serino		7
District 5 - Town of Poughkeepsie	Roman		8
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	3	
District 9 - City of Poughkeepsie	Johnson	absent	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 12 - Town of East Fishkill	Weiss		9
District 14 - Town of Wappinger	Amparo	5	
District 15 - Town of Wappinger	Incoronato		10
District 17 - Town and Village of Fishkill	Miccio		11
District 18 - City of Beacon and Town of Fishkill	Farley	6	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		12
District 20 - Town of Red Hook	Strawinski	7	1
District 21 - Town of East Fishkill	Horton		13
District 22 - Towns of Beekman and Union Vale	Hutchings		14
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		15
District 24 - Towns of Dover and Union Vale	Surman		16
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		17

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 7 17
 Yes No
 Abstentions: 0

RP/MS

Chevy Utility

defeated

2014047
 4.7.14

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		✓
District 9 - City of Poughkeepsie	Johnson	<i>absent</i>	
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: ✓ Total: 23 1
 Absent: 1 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2014047 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,046,360 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF MOTOR VEHICLES AND MOTORIZED EQUIPMENT FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY

Date: April 7, 2014

Resolution No. 2014047 was offered for discussion only at the Public Works and Capital Projects Committee Meeting on March 6, 2014, and considered at the April 7, 2014, Board Meeting. Discussion at that time proceeded as follows:

Legislator Incoronato made a motion, duly seconded by Legislator Bolner, to delete the following two vehicles from the bond:

2007 Ford Taurus, mid-size sedan \$28,000
2010 Chevy Impala, mid-size sedan \$28,000

Roll call on the foregoing amendment resulted as follows:

AYES: 24

NAYS: 0

ABSENT: 1 Johnson

The foregoing amendment was adopted.

Legislator Perkins made a motion, duly seconded by Legislator Strawinski, to delete the 2009 Chevy Tahoe Utility vehicle.

Roll call on the foregoing amendment resulted as follows:

AYES: 7 Jeter-Jackson, MacAvery, Perkins, Tyner, Amparo, Farley,
Strawinski

NAYS: 17

ABSENT: 1 Johnson

Motion defeated.

Roll call on the resolution resulted as follows:

AYES: 23

NAYS: 1 Perkins

ABSENT: 1 Johnson

Resolution adopted.

DISCUSSION ONLY 3/10/14
PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014048

BOND RESOLUTION DATED APRIL 7, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,623,556 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF BRIDGE, HIGHWAY SAFETY AND DRAINAGE IMPROVEMENTS IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

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

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

Section 1. The cost of the reconstruction and replacement of bridges and culverts, together with the costs of a highway safety and drainage improvement program in and for the County of Dutchess, New York, including incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$8,630,679.

Section 2. It is hereby determined that the plan for the financing thereof is as follows:

- (a) by the issuance of the \$5,623,556 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law; and
- (b) by the expenditure of \$3,007,123 monies to be received from the State of New York as Consolidated Highway Improvement Program (CHIP) aid monies, which monies are hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 20 years, pursuant to subdivision 92 of paragraph a of Section 11.00 of the Local Finance Law, based upon subdivisions 4, 10 and 72(2nd) thereof.

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

Section 5. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated

powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or

are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

Newspaper and/or other news media

Date given

Southern Dutchess News
Poughkeepsie Journal

April 4, 2014
April 4, 2014

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

Designated Location(s)
of posted notice

Date of Posting

County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York, 12601

April 4, 2014

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 8 day of April, 2014.



Carofo Morris
Clerk, County Legislature

APPROVED
Marcus J. Molinaro
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

LEGAL NOTICE OF ESTOPPEL

The following entitled bond resolution, a summary of which is published herewith, has been adopted on April 7, 2014, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is each available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Poughkeepsie, New York,

April 8, 2014.


Clerk, County Legislature

RESOLUTION NO. 2014048

BOND RESOLUTION DATED APRIL 7, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,623,556 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF BRIDGE, HIGHWAY SAFETY AND DRAINAGE IMPROVEMENTS IN AND FOR SAID COUNTY.

Class of objects or purposes:	Bridge, road, highway safety and drainage improvements
Period of probable usefulness:	20 years
Maximum estimated cost:	\$8,630,679
Maximum amount of bonds to be issued:	\$5,623,556 bonds
Other monies:	\$3,007,123 CHIPS monies from State
SEQRA status:	Type II Action without a significant environmental effect

2014 Highway Safety and Bridge Improvement

\$5,623,556 20 years at 4.15%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$5,623,556	\$281,178	\$233,378	\$514,555
2	5,342,378	281,178	221,709	502,886
3	5,061,200	281,178	210,040	491,218
4	4,780,023	281,178	198,371	479,549
5	4,498,845	281,178	186,702	467,880
6	4,217,667	281,178	175,033	456,211
7	3,936,489	281,178	163,364	444,542
8	3,655,311	281,178	151,695	432,873
9	3,374,134	281,178	140,027	421,204
10	3,092,956	281,178	128,358	409,535
11	2,811,778	281,178	116,689	397,867
12	2,530,600	281,178	105,020	386,198
13	2,249,422	281,178	93,351	374,529
14	1,968,245	281,178	81,682	362,860
15	1,687,067	281,178	70,013	351,191
16	1,405,889	281,178	58,344	339,522
17	1,124,711	281,178	46,676	327,853
18	843,533	281,178	35,007	316,184
19	562,356	281,178	23,338	304,516
20	281,178	<u>281,175</u>	<u>11,669</u>	<u>292,844</u>
TOTAL		<u>\$5,623,556</u>	<u>\$2,450,465</u>	<u>\$8,074,018</u>
AVG. PER YEAR		\$281,178	\$122,523	\$403,701

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$5,623,556
ANTICIPATED INTEREST RATE	4.15%
YEARS. TOTAL ANTICIPATED	
TERM 20 FEES:	\$55,679
ANTICIPATED ANNUAL COST (PRIN + INT):	\$403,701
TOTAL PAYBACK (ANNUAL COST x TERMS):	\$8,074,018

PREPARED BY PAMELA BARRACK

H0460 - 2014 Highway & Bridge Improvements

APPROPRIATIONS

Increase

H0460.5110.3250	Roads-Reconsturction	\$1,000,000
H0460.5110.3250.212	Roads-Reconsturction CHIPS	\$2,000,000
H0460.5120.3450	Bridges-Reconstruction	\$4,567,877
H0460.5120.3450.212	Bridges-Reconstruction CHIPS	\$1,007,123
H0460.5110.3900	Bond Issuing Costs	\$55,679
		<u>\$8,630,679</u>

REVENUES

Increase

H0460.5110.57100	Serial Bonds	\$5,623,556
	Consolidated Highway Aid County Roads	
H0460.5110.35010.07	2007 and forward	\$2,000,000
	Consolidated Highway Aid County Roads	
H0460.5120.35010.07	2007 and forward	\$1,007,123
		<u>\$8,630,679</u>

2014 Highway Safety and Bridge Improvement

\$5,623,556 20 years at 4.15%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$5,623,556	\$281,178	\$233,378	\$514,555
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TOTAL		<u>\$5,623,556</u>	<u>\$2,450,465</u>	<u>\$8,074,018</u>
AVG. PER YEAR		\$281,178	\$122,523	\$403,701

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$5,623,556
ANTICIPATED INTEREST RATE	4.15%
TERMS. TOTAL ANTICIPATED	
TERM 20 FEES:	\$55,679
ANTICIPATED ANNUAL COST (PRIN + INT):	\$403,701
TOTAL PAYBACK (ANNUAL COST x TERMS):	\$8,074,018

PREPARED BY PAMELA BARRACK

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

2014 FEB 26 PM 3:49

DUTCHESS COUNTY
EXECUTIVE
RECEIVED

MEMORANDUM

To: William O'Neil, Deputy County Executive

From: Robert H. Balkind, Deputy Commissioner of Public Works

Date: February 26, 2014

Re: Capital Project Resolution Request

The 2014 Highway and Bridge Capital Bond request is being submitted via this memo. The request includes \$8.575M of project funding, which will be partially offset by the County's anticipated 2014 Consolidated Highway Improvement Program (CHIPS) apportionment (\$3.007M). The net cost to Dutchess County is \$5,567,877. Funding has been requested for DPW's annual pavement management program, culvert & bridge projects, and miscellaneous highway and safety projects. A detailed breakdown of the specific projects and their estimated costs are attached for your reference.

Thank you.

RESOLUTION REQUEST FORM

Date of Legislative Meeting: 3/10/2014

Department:
Dept. of Public Works

Contact (Name & Phone No.):
Robert H. Balkind, P.E. X2925

Purpose of Resolution: (check appropriate boxes:)

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

Brief Description of Request:

Request for annual 2014 Bridge and Highway Improvement Program. Request includes funding for pavement management, culvert & bridge projects, miscellaneous highway and safety repairs.

Fiscal Impact (current year) of resolution: \$ 5,567,877
(Attach completed Fiscal Impact Statement)

Budget Amendment(s) & Capital Projects:

<u>Line No.</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
see attached		\$0	\$0
Appropriations:		\$0	\$0
Revenues:		\$0	\$0
		\$0	\$0

02/26/14
(Date)


(Department Head Signature)

2014 Highway and Bridge Improvement Program

The Department of Public Works Highway Management Division (Engineering and Highway Construction & Maintenance) conducts a Capital Highway and Bridge Improvement Program each year. These funds are utilized to maintain, repair and improve our County transportation system, which includes 312 bridges and large drainage structures and 396 miles of roads. The highway system also includes associated storm water drainage and traffic control devices (signs, traffic signals, pavement markings, etc.).

Planned programs for 2014 include: *Pavement Management Program, Bridge and Culvert Improvement Program, and Highway Safety and Drainage Improvement Program.* The total cost for projects included in this request is estimated at \$8,575,000.

The County expects to receive approximately \$3,007,123 in *Consolidated Highway Improvement Programs Funds (CHIPS)* from New York State that will offset 2014 capital project costs.

Based on estimated project costs and anticipated offsets from CHIPS funding, the net 2014 request is \$5,567,877.

Summary Breakdown of Request:

Estimated Program Amount		Program Description
\$2,500,000		Pavement Management Program.
\$5,575,000		Bridge and Culvert Improvement Program.
\$500,000		Highway, Safety and Drainage Improvement Program.
\$8,575,000		Estimated Total 2014 Projects Cost
-\$3,007,123		Anticipated 2014 CHIPS Funds (NYS)
\$5,567,877		2014 Net Request

Pavement Management Program

The 2014 Pavement Management program involves resurfacing or reconstruction of County highways using both contractors and County forces. Special surface treatments, developed to extend pavement life, may be performed by vendors and contractors with the necessary equipment and expertise. Work necessary to prepare the highways for resurfacing or reconstruction, such as culvert pipe replacement, ditch and drainage system repairs and localized surface repairs are included within the scope of this program. In addition, replacement of pavement markings is included within the scope of work on all highways improved under this program. All such work is eligible for CHIPS funding. The estimate for current year funding of this project is \$2,500,000. Approximately \$2,000,000 in CHIPS funding will be used to offset this program.

Bridge & Culvert Improvement Program

Bridge C-31 Superstructure Replacement, Hibernia Road over East Branch Wappinger Creek, Town of Clinton. Design and studies were funded in the 2013 capital request. A consultant has been retained and design work, including all studies will be done in October 2014. Construction bids will be accepted in November or December 2014. Construction work will begin in April 2015 and be completed in November 2015. This project includes construction and construction management funds. Estimated cost \$900,000.

Bridge PO-17X Rehabilitation, CR 43 (DeGarmo Road) over Wappinger Creek, Towns of Poughkeepsie/LaGrange. The 2012 capital request included \$225,000 for preliminary engineering studies and design work by consultant services. Development of final design alternatives, reports, and construction bid documents was funded in the 2013 capital request. The 2013 capital request also included construction and construction management funds of approximately \$2.5M. The design is 80% complete and current estimates indicate that the construction and construction management total is \$3.2M. The increase in cost is attributed to the project scope expanding to include rehabilitation of the adjacent bridge (Bridge L-43) on DeGarmo Road. Bids for construction will be accepted in October 2014 and construction will be complete by November 2015. This project includes additional funding for construction and construction management. Estimated cost \$700,000.

Bridge M-11 Superstructure Replacement. Fishwoods Road over Kobe Creek, Town of Milan. The design of this project was funded in the 2013 capital request. Design work is 95% complete. Construction bids will be accepted in April 2014 and construction work will begin in June 2014. The work is expected to be complete by November 2014. This project includes funding for construction and construction management. Estimated cost \$650,000.

Bridge M-7 Replacement. CR 51 (Academy Hill Road) over the Roeliff Jansen Kill, Town of Milan. The design of this project was funded in the 2013 capital request. Design work is 30% complete. Construction bids will be accepted in October 2014 and construction work will begin in May 2015. The work is expected to be complete by November 2015. This project includes funding for construction and construction management. Estimated cost \$850,000.

Bridge PV-15 Replacement and realignment of CR 72 (North Avenue) near Sherow Road, Town of Pleasant Valley. The design of this project was funded using prior year capital funds. Design work is 30% complete. Construction bids will be accepted in October 2014 and construction work will begin in May 2015. The work is expected to be

complete by November 2015. This project includes funding for construction and construction management. Estimated cost \$1,400,000.

Bridge RH-18 Replacement, CR 79 (Linden Avenue) over Sawkill Creek, Town of Red Hook. This bridge is currently posted for 3 tons due to significant structural deficiencies. This project includes funding for studies, design work and development of construction bid documents. Estimated cost \$150,000.

Bridge C-23 Repair, CR 12 (Schultzville Road) over Tributary of the Wappinger Creek, Town of Clinton. Bridge is currently flagged for structural deficiencies. Repair will be designed by in-house staff and performed by contracted services. Construction scheduled for July 2014. Estimated cost \$200,000.

Culvert H-27 Repair, CR 40A (St. Andrews Road) over Maritje Kill, Town of Hyde Park. This culvert is structurally deficient and is causing significant road settlement which requires constant attention by highway maintenance forces. Repair will be designed by in-house staff and performed by contracted services. Construction scheduled for July 2014. Estimated cost \$300,000.

Culvert PA-3 Replacement, CR 68 (North Quaker Hill Road) over unnamed stream, Town of Pawling. This culvert is structurally deficient and hydraulically compromised. Design work is being completed with in-house staff. Construction bids will be accepted in April 2014 and construction will be completed between May and November 2014. This project includes funding for construction and construction management services. Estimated cost \$425,000.

Highway Safety, and Drainage Improvement Program

Culvert H-18 Replacement CR 41 (Crum Elbow Road) over Maritje Kill, Town of Hyde Park. This project includes replacement of the failed culvert and associated road improvements to reduce flooding. Design was funded in the 2013 capital request. This project includes funding for construction and construction management. The project is being broken into two construction phases. Phase 1 will be built in August 2014. Phase 2 will be built between May 2015 and November 2015. This project includes funding for construction of Phase 1. Estimated cost \$250,000.

It is the Department's intent to construct repairs to culvert pipes, roads, embankments and safety features (guiderail, retaining walls, intersections, traffic signals, etc.) as necessary. Severe weather, unforeseen damage and unanticipated repair needs require the Department to maintain the ability to expend funds on capital projects to keep the transportation system safe and operational. Estimated cost: \$250,000.

Note: Estimates for individual projects are approximate based on current information. Some projects may actually come in lower or higher than estimated; however, the cost for all projects combined will be within the total \$8.575 million.



2014 Road and Bridge Improvement Program

- | | |
|--|----------------|
| ▶ Pavement Management Program | ▶ \$2,500,000 |
| ▶ Bridge/Culvert Improvement Program | ▶ \$5,575,000 |
| ▶ Misc. Highway, Safety and Drainage Improvement Program | ▶ \$500,000 |
| ▶ Estimated Total 2014 Project Costs | ▶ \$8,575,000 |
| ▶ Anticipated CHIPS Funds (NYS) | ▶ -\$3,007,123 |

2014 Net Total Program Request

\$5,567,877

2013 Bridge Rehabilitation Project

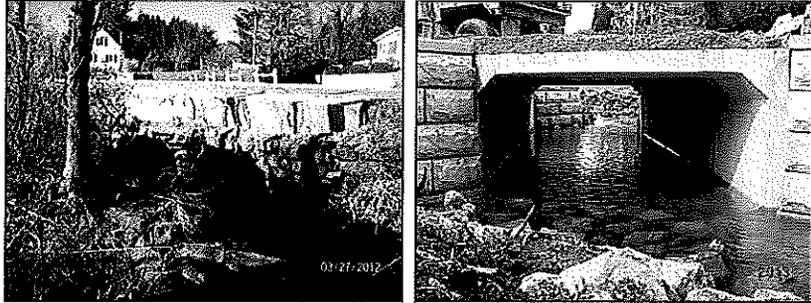
Bridge A-22; Deep Hollow Road over Wassaic Creek
Town of Amenia



Deck resurfacing and steel superstructure repairs.

2013 Culvert Replacement

Culvert A-35, Sinpatch Road (CR 105) over Unnamed Stream, Town of Amenia



Replacement of twin pipes with new concrete box culvert and guide rail.

2013 Culvert Replacement

Culvert H-14, North Quaker Lane (CR 16) over Victory Lake Stream, Town of Hyde Park



Replaced concrete culvert with new concrete culvert, new headwalls and new guide railing.

2013 Culvert Replacement

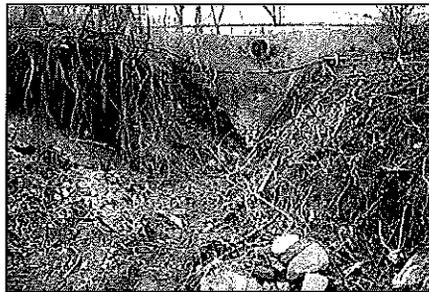
Culvert N-32; Smithfield Rd (CR 5)
Town of Amenia



Replaced severely deteriorated concrete culvert with new concrete box culvert, headwalls, and guiderail.

2013 Drainage Repair

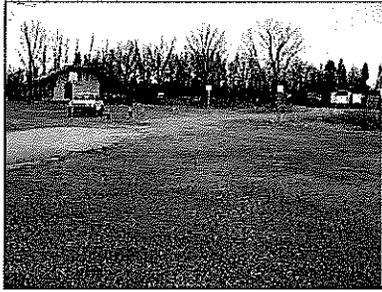
Noxon Road (CR 21), Town of LaGrange



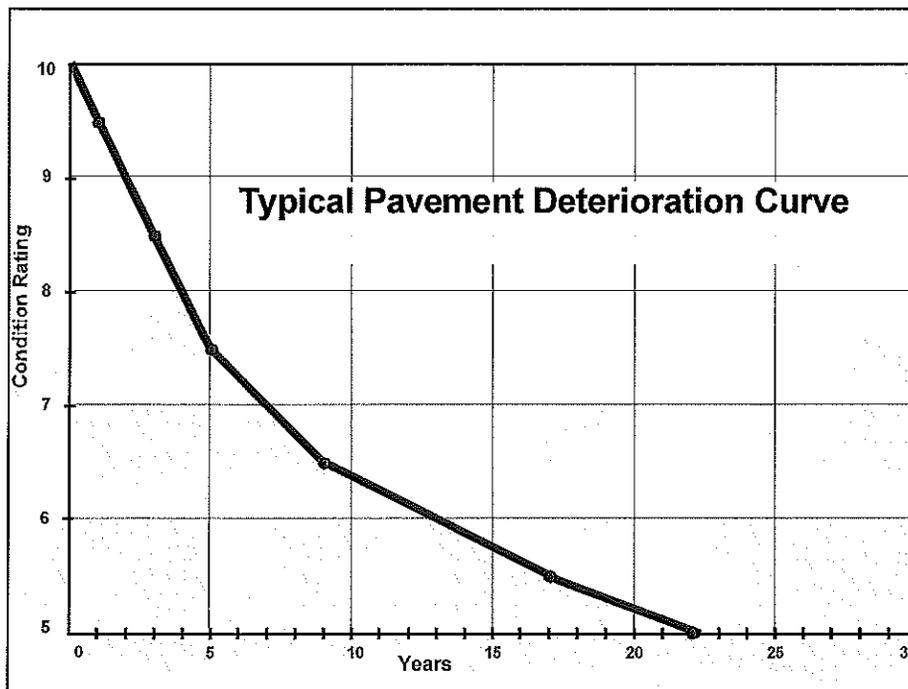
Repaired undermined highway embankment with rip-rap.

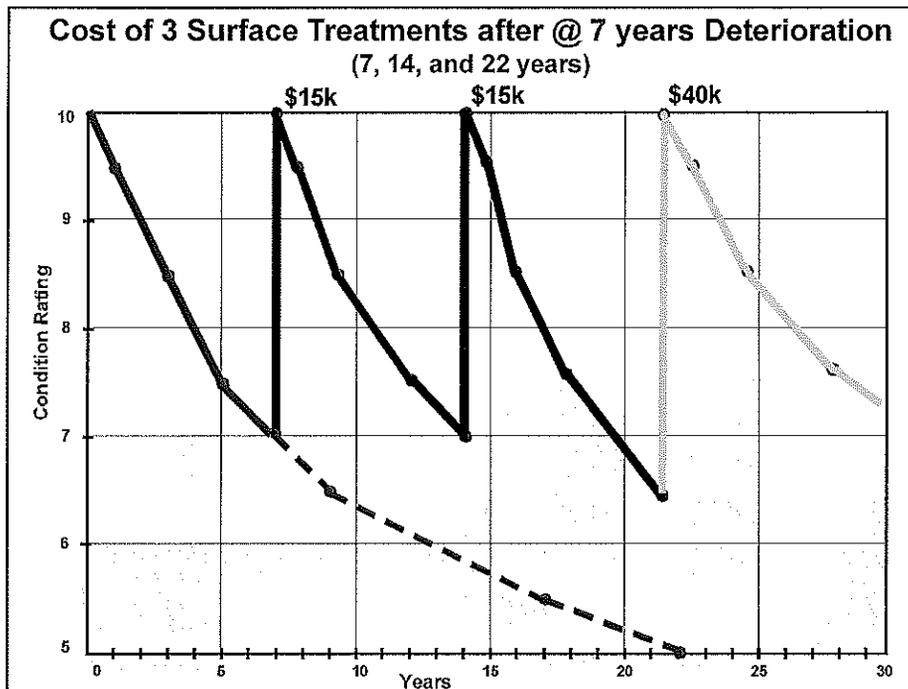
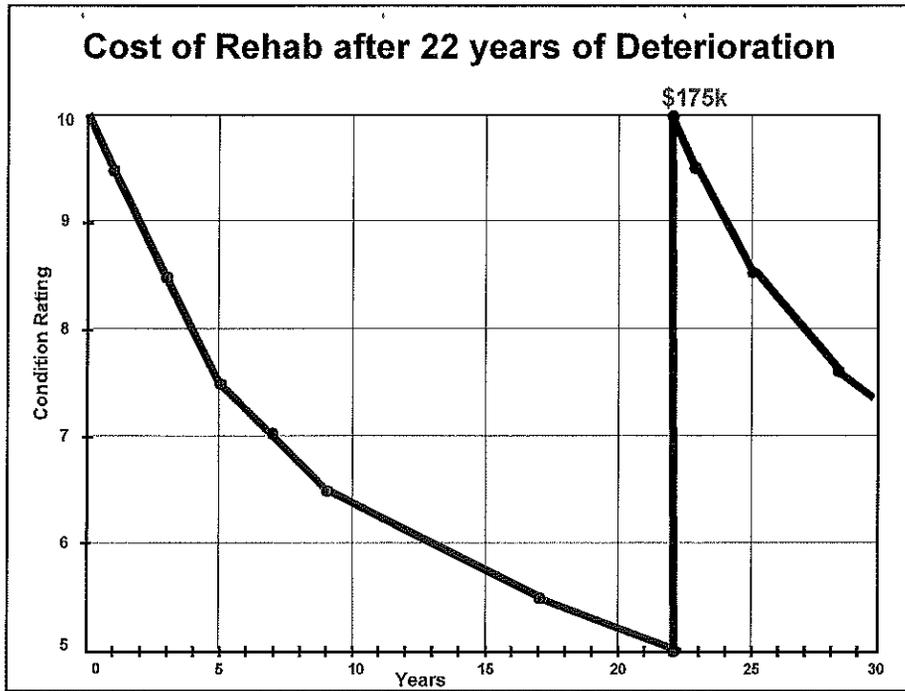
2013 Parking Lot Improvements

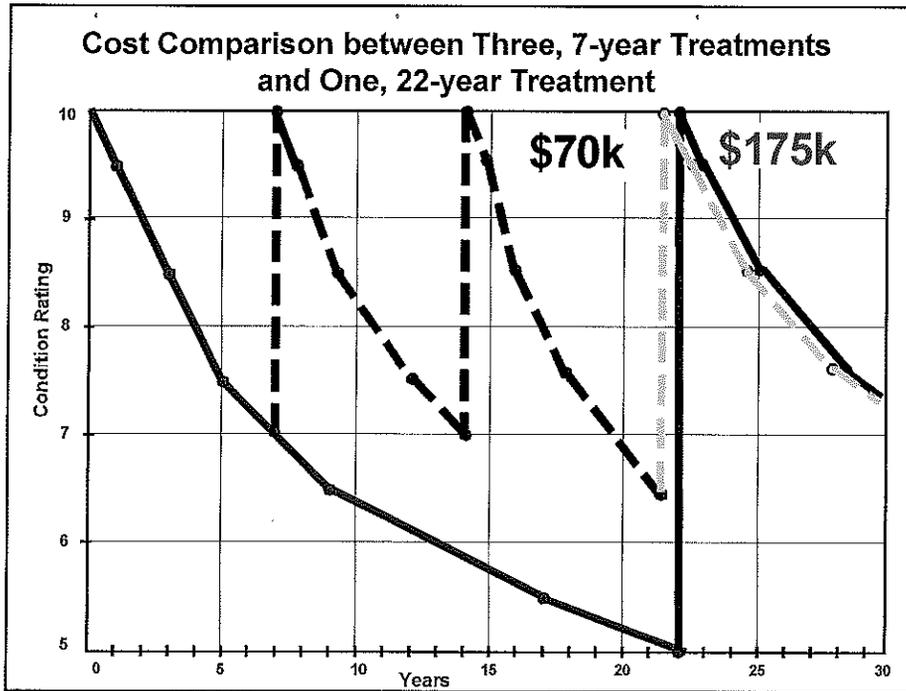
WRS DRT Parking Lot Improvements at Hopewell Junction Trailhead



Improved parking lot and landscaping.



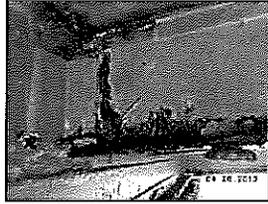
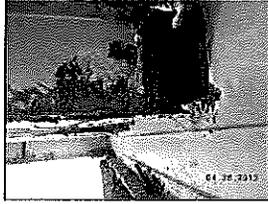




2014 Pavement Management Program

- Total Estimated Cost = \$2.5 Million
- Approximately 15 Centerline Miles of County Highway to receive treatment
- Treatments may include:
 1. Hot Mix Application (HMA) resurfacing
 2. Cold In-Place Recycling
 3. Full-Depth Reclamation (FDR)
 4. Heating/Scarifying/Overlay
 5. Fiber Mat w/ surface treatment
 6. Specialty Surface Treatments
(Nova-Chip, Slurry-Seal, Chip-Seal, Ultra-thin)

Proposed 2014 Bridge Projects

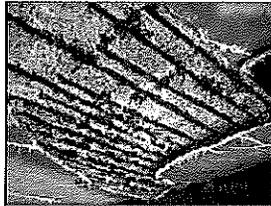


Superstructure Replacement
Bridge C-31, Hibernia Road over East
Branch Wappinger Creek,
Town of Clinton

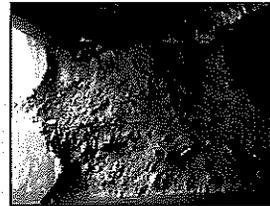


Superstructure Replacement
Bridge M-11, Fishwoods Road
over Kobe Creek,
Town of Milan

Proposed 2014 Bridge Projects

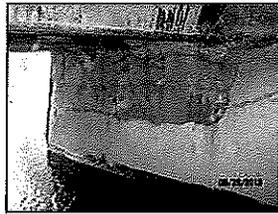


Bridge Replacement
Bridge M-7, Academy Hill Road (CR 51)
over Roeliff Jansen Kill
Town of Milan

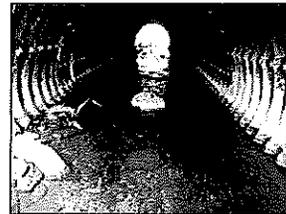
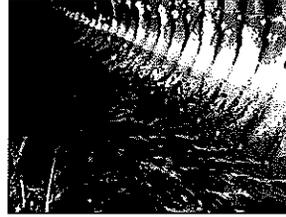


Bridge Replacement & Curve Realignment
Bridge PV-15, North Avenue (CR 72) over
Swallow Stream
Town of Pleasant Valley

Proposed 2014 Bridge Projects



Bridge Replacement
Bridge RH-18, Linden Avenue (CR 79)
over Sawkill Creek
Town of Red Hook



Bridge Repair
Bridge C-23, Schultzville Road (CR 12)
over Trib. of Wappingers Creek,
Town of Clinton

2014 Highway Safety Project



Culvert replacement and safety improvements, Crum Elbow Road (CR 41) between
Cardinal Road and Horn's Park Road, Town of Hyde Park



2014 Road and Bridge Improvement Program

▶ Pavement Management Program	▶ \$2,500,000
▶ Bridge/Culvert Improvement Program	▶ \$5,575,000
▶ Misc. Highway, Safety and Drainage Improvement Program	▶ <u>\$500,000</u>
▶ Estimated Total 2014 Project Costs	▶ \$8,575,000
▶ Anticipated CHIPS Funds (NYS)	▶ -\$3,007,123

2014 Net Total Program Request

\$5,567,877

Bridge Rating Scale

- ▶ 1 - Totally deteriorated, or in failed condition.
- ▶ 2 - Used to shade between ratings of 1 and 3.
- ▶ 3 - Serious deterioration, or not functioning as originally designed.
- ▶ 4 - Used to shade between ratings of 3 and 5.
- ▶ 5 - Minor deterioration, but functioning as originally designed.
- ▶ 6 - Used to shade between ratings of 5 and 7.
- ▶ 7 - New condition. No deterioration.
- ▶ 8 - Not applicable.
- ▶ 9 - Condition and/or existence unknown.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: 12 ✓
 Motion:

Total: 12 0
 Yes No
 Abstentions: 0

2014048 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,623,556 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF BRIDGE, HIGHWAY SAFETY AND DRAINAGE IMPROVEMENTS IN AND FOR SAID COUNTY

Date: April 3, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson	<i>absent</i>	
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		✓
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 23 1
 Yes No
 Abstentions: 0

2014048 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,623,556 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF BRIDGE, HIGHWAY SAFETY AND DRAINAGE IMPROVEMENTS IN AND FOR SAID COUNTY

Date: April 7, 2014

Resolution No. 2014048 was offered for discussion only at the Public Works and Capital Projects Committee Meeting on March 6, 2014, and considered at the April 7, 2014, Board Meeting. Discussion at that time proceeded as follows:

Legislator Roman made a motion to have DPW discuss the merits of the two bridge projects next month and leave the bond as originally proposed.

Roll call on the foregoing resolution resulted as follows:

AYES: 23

NAYS: 1 Weiss

ABSENT: 1 Johnson

Resolution adopted.

RESOLUTION NO. 2014049

RE: A RESOLUTION CONSENTING TO THE ISSUANCE BY THE
DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
OF ITS SERVICE AGREEMENT REVENUE NOTES AND BONDS

Legislators MICCIO, HUTCHINGS, ROLISON, SERINO, SAGLIANO, and
PERKINS offer the following and move its adoption:

WHEREAS, the County of Dutchess, New York (the "County"), for and on behalf
of the Dutchess County Water District, and the Dutchess County Water and Wastewater Authority
(the "Authority"), have entered into a Service agreement, dated as of June 1, 1998, which has from
time to time been amended and restated, relating to an integrated water supply, purification and
distribution system (the "Service Agreement"); and

WHEREAS, the Authority proposes to issue not to exceed \$2,500,000 bonds (the
"Bonds") to finance improvements to the Staatsburg Water System Distribution system, (Zone of
Assessment C) located in the Towns of Hyde Park and Rhinebeck, including but not limited to
replacement of approximately 4,600 linear feet of water main, and including reserves and costs of
issuance and may issue not to exceed \$2,500,000 of notes in anticipation of such Bonds (the
"Notes"); and

WHEREAS, Section 5.2(a) of the Service Agreement requires the consent of the
County to the issuance of such Notes and Bonds, now, therefore, be it

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

Section 1. The County of Dutchess, New York hereby consents to the
issuance by the Dutchess County Water and Wastewater Authority of its Notes and/or Bonds

provided that the aggregate principal amount of the Notes and the Bonds does not exceed \$2,500,000. The County of Dutchess further consents to the inclusion in the Service Fee provided by Section 5.2 of the Service Agreement of debt service on the Notes and Bonds.

Section 2. This resolution takes effect immediately.

CA-42-14
BB/JMF/ca/G-1217-I
2/14/14
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

CERTIFICATION FORM

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

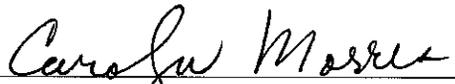
I, the undersigned Clerk of the County Legislature of the County of Dutchess, New York (the "County"), DO HEREBY CERTIFY:

1. That a meeting of the County was duly called, held and conducted on the 10th day of March 2014.
2. That such meeting was a **regular** meeting.
3. That attached hereto is a proceeding of the County which was duly adopted at such meeting by the Board of the County.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the County had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Southern Dutchess News	March 7, 2014
Poughkeepsie Journal	March 7, 2014
<u>Designated Location of posted notice</u>	<u>Date of Posting</u>
County Office Building 22 Market Street, 6 th Floor Poughkeepsie, New York, 12601	March 7, 2014

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 11th day of March 2014.



Clerk, County Legislature

(CORPORATE SEAL)

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:

Prepared by: Bridget Barclay

Bridget Barclay, Executive Director
Dutchess County Water & Wastewater Authority
27 High Street
Poughkeepsie, NY 12601
845-486-3601 845-486-3610 FAX
bebarclay@co.dutchess.ny.us

2014 FEB 7 PM 4:37
DUTCHESS COUNTY
EXECUTIVE
RECEIVED

Memo

TO: William F. X. O'Neil, Deputy County Executive
Christian Cullen, Senior Assistant County Attorney
Cathy Avallone, Confidential Secretary to County Attorney
Valerie J. Sommerville, Budget Director
Jessica White, Budget Analyst
Tiffany Massey, Budget Assistant
Colleen Pillus, Communications Director

DATE: February 7, 2014
RE: Resolution Request

Please find attached a Resolution Request Form and Fiscal Impact Statement. The purpose of the requested Resolution is to obtain County consent to the issuance of Staatsburg Water System (County Water District Zone of Assessment C) Notes and Bonds in an aggregate amount not to exceed \$2,500,000.

The purpose of the Notes and Bonds is to fund improvements to the Staatsburg Water System Distribution system, located in the Towns of Hyde Park and Rhinebeck, including but not limited to the replacement of approximately 4,600 linear feet of water main.

Debt service on the Bonds will become a component of the County Service Fee payable by the County to the Authority pursuant to the Service Agreement by and between the County on behalf of the County Water District and the Dutchess County Water Authority, Dated June 1, 1998, Amended and Eleventh Restatement as of May 1, 2012.

RESOLUTION REQUEST FORM

Date of Legislative Meeting: March 10th

Department: DCWWA	Contact (Name & Phone No.): Bridget Barclay X 3623
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Purpose of Resolution: *(check appropriate boxes:)*

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

Consent to Issuance of Authority Bonds

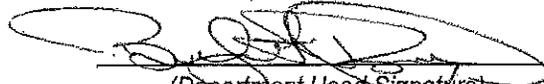
Brief Description of Request:

The purpose of the Resolution is to obtain County consent to the issuance of Staatsburg Water System (County Water District Zone of Assessment C) Notes and Bonds in an aggregate amount not to exceed \$2,500,000. The purpose of the Notes and Bonds is to fund improvements to the Staatsburg Water System Distribution System, located in the Towns of Hyde Park and Rhinebeck, including but not limited to the replacement of approximately 4,600 linear feet of water main.

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

Budget Amendment(s) & Capital Projects:

	<u>Line No.</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
Appropriations:			\$0	\$0
			\$0	\$0
Revenues:			\$0	\$0
			\$0	\$0

<p>02/07/14 _____ <i>(Date)</i></p>	 _____ <i>(Department Head Signature)</i>
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Environment Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 14 - Town of Wappinger	Amparo	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: <u>11</u>	<u>0</u>
Absent: <u>1</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014049 A RESOLUTION CONSENTING TO THE ISSUANCE BY THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY OF ITS SERVICE AGREEMENT REVENUE NOTES AND BONDS

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 25 Resolution: ✓ Total: 25 0
 Absent: 0 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2014049 A RESOLUTION CONSENTING TO THE ISSUANCE BY THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY OF ITS SERVICE AGREEMENT REVENUE NOTES AND BONDS

Date: March 10, 2014

RESOLUTION NO. 2014050

RE: AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO HUMAN RESOURCES/RISK MANAGEMENT (S.1720.21 and S.1710.21)

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

WHEREAS, the Village of Millbrook has joined the County's Self-Insured Workers' Compensation Plan effective as of March 1, 2014, and

WHEREAS, it is necessary to amend the 2014 adopted County budget to provide for the receipt of revenue from the Village of Millbrook which revenue will be used to pay its insurance premiums, workers compensation claims, and associated administrative expenses, now therefore be it,

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2014 Adopted County Budget as follows:

APPROPRIATIONS

Increase

S.1720.21.4636 WC Benefits & Awards \$10,833

REVENUES

Increase

S.1710.21.22220.33 Participant Assessment/V/Millbrook \$10,833

CA-41-14

ca/G-0749

2/14/14

Fiscal Impact: See attached statement

APPROVED
MAROUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

TN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ 10,833

Total Current Year Revenue \$ 10,833
and Source

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

Identify Line Items(s):

S.1720.21.4636 WC Benefits and Awards
S.1710.21.22220.33 Participants Assessment V/Millbrook

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

The Village of Millbrook will join the County's Self-Insured Workers' Compensation Plan effective March 1, 2014. This resolution requests authorization to amend the 2014 budget to reflect the \$10,833 in revenue from the Village of Millbrook paid to the County for their participation in the Plan from March 1, 2014 to December 31, 2014, as well as the corresponding expense the County will incur for the administration and payment of their workers' compensation claims.

Prepared by: Steven Rector, Commissioner of Human Resources

RESOLUTION 2014

ELECTION BY VILLAGE OF MILLBROOK TO BE A PARTICIPANT IN THE DUTCHESS COUNTY SELF-INSURED WORKERS' COMPENSATION PLAN

At a meeting of the Board of Trustees of the Village of Millbrook, held at the Village Hall, 35 Merritt Avenue, on the 14th day of January, 2014 at 6pm, Mayor Laura M. Hurley called the meeting to order and introduced the following resolution, to wit,

WHEREAS, Dutchess County Legislature adopted County Local Law No. 6 of 2013 which established the Dutchess County Self-Insured Workers' Compensation Plan (hereinafter referred to as the "Plan"); and provided for the rules and regulations for the administration thereof pursuant to Article 5 of the New York Workers' Compensation Law (hereinafter referred to as "Workers' Compensation Law"); and

WHEREAS, Section 62 of the Workers Compensation Law provides the authority for any public corporation to elect to become a participant in the Plan by resolution of its governing body; and

WHEREAS, the Village Board of Trustees has determined that it would be in the best interest of the Village of Millbrook to become a participant in the Plan; and

WHEREAS, the Village Board has determined that electing to become a participant in the Plan is a Type II Action under the New York State Environmental Quality Review Act ("SEQRA") and therefore does not require any environmental review; and

NOW THEREFORE, BE IT RESOLVED, that the Village Board hereby elects to become a participant in the Plan with such participation becoming effective February 1, 2014; and

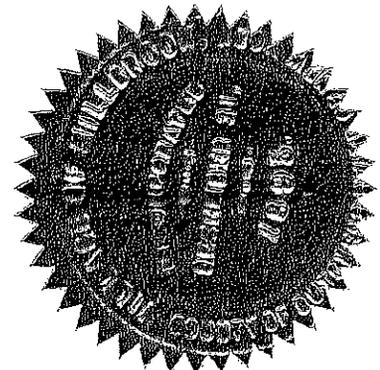
BE IT FUTHER RESOLVED, that the Village Board of Trustees hereby authorizes the payment of the Village of Millbrook's share of fees and expenses of being a participant in the Plan; and

BE IT FUTHER RESOLVED, that the Clerk/Treasurer Linda T. Wiltse is hereby directed to file a certified copy of this resolution with the Director of Risk Management of the County of Dutchess.

The foregoing resolution was voted upon as follows:

<u>Names</u>	<u>Vote</u>	
Mayor Laura M. Hurley	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Trustee Joseph Spagnola Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Trustee Thomas Whalen	Yea <input type="checkbox"/>	Nay <input type="checkbox"/>
Trustee Edward Cox Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Trustee Michael Herzog	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

Resigned



Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present:	<u>11</u>	Resolution:	<u>✓</u>	Total :	<u>11</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<u> </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014050 AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO HUMAN RESOURCES/RISK MANAGEMENT

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014050 AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO HUMAN RESOURCES/RISK MANAGEMENT

Date: March 10, 2014

RESOLUTION NO. 2014051

RE: ESTABLISHING STANDARD WORK DAY FOR MANAGEMENT
AND CONFIDENTIAL EMPLOYEES

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

BE IT RESOLVED, that the County of Dutchess hereby establishes the
following as standard work days for those employees with the following managerial
and/or confidential titles and will report the following days worked to the New York
State and Local Employees' Retirement System, based on the time keeping system or the
record of activities maintained and submitted by these employees to the clerk of this
body: See attached schedule.

CA-27-14

KPB/ca/P-0359

2/10/14

Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/14/2014

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 10th day of
March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

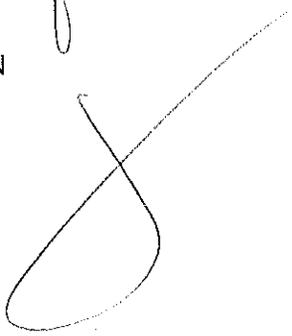

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Title		Hours in Workday
DIR	AIRPORT DIRECTOR	7
APPLICATIONS MGR	APPLICATIONS MANAGER	7
AST CMSR	ASSISTANT COMMISSIONER	7
AST CMSR PLAN DEV	ASSISTANT COMMISSIONER PLANNING DEVELOPMENT	7
BLDGS ADMR	BUILDINGS ADMINISTRATOR	7
BUDGET AST	BUDGET ASSISTANT	7
CHIEF DIV ADMV OPS	CHIEF, DIVISION OF ADMINISTRATIVE OPERATIONS	7
CLINICAL DIV CHIEF	CLINICAL DIVISION CHIEF	7
CNTY TRANSIT ADMR	COUNTY TRANSIT ADMINISTRATOR	7
CONF ADMV AST	CONFIDENTIAL ADMINISTRATIVE ASSISTANT	7
COR CAPT	CORRECTION CAPTAIN	8
COR LT COLONEL	CORRECTION LIEUTENANT COLONEL	8
COR MAJOR	CORRECTION MAJOR	8
DIR ADMV SVCS	DIRECTOR OF ADMINISTRATIVE SERVICES	7
DIR AGING SVCS	DIRECTOR OF AGING SERVICES	7
DIR BUDGET FIN	DIRECTOR OF BUDGET AND FINANCE	7
DIR CONSULTN ED	DIRECTOR OF CONSULTATION AND EDUCATION	7
DIR ENV HLTH SVCS	DIRECTOR OF ENVIRONMENTAL HEALTH SERVICES	7
DIR HWY CONST MAINT	DIRECTOR OF HIGHWAY CONSTRUCTION AND MAINTENANCE	7
DIR PROB CMNTY CORS	DIRECTOR OF PROBATION AND COMMUNITY CORRECTIONS	7
DIR PUB HLTH NURSING	DIRECTOR OF PUBLIC HEALTH NURSING	7
DIR RESRCH EVAL	DIRECTOR OF RESEARCH AND EVALUATION	7
DIR RISK MGMT	DIRECTOR OF RISK MANAGEMENT	7
DIR SVCS	DIRECTOR OF SERVICES	7
DPTY COMSR CENTRL INFO SYSS	DEPUTY COMMISSIONER OF CENTRAL AND INFORMATION SYSTEMS	7
DPTY COMSR PUB WORKS	DEPUTY COMMISSIONER OF PUBLIC WORKS	7
DPTY COMSR SOLID WASTE MGMT	DEPUTY COMMISSIONER OF SOLID WASTE MANAGEMENT	7
DPTY DIR PROB CMNTY CORS	DEPUTY DIRECTOR OF PROBATION AND COMMUNITY CORRECTIONS	7
DPTY SHRF CAPT	DEPUTY SHERIFF CAPTAIN	7
GIS CNTY COORD	GIS COUNTY COORDINATOR	7
HUMAN RSRCS ASSOC	HUMAN RESOURCES ASSOCIATE	7
HUMAN RSRCS AST	HUMAN RESOURCES ASSISTANT	7
INFRASTRUCTURE MGR	INFRASTRUCTURE MANAGER	7
LEGAL SECY	LEGAL SECRETARY	7
PARKS DIR	PARKS DIRECTOR	7
PAYROLL SUPV	PAYROLL SUPERVISOR	7
PROJECT LEADER	PROJECT LEADER	7
PROJECT LEADER/WEBMASTER	PROJECT LEADER/WEBMASTER	7
RESRCH ANLST	RESEARCH ANALYST	7
SECOND DPTY COMSR FIN	SECOND DEPUTY COMMISSIONER OF FINANCE	7
SECY	SECRETARY	7
SPRT SVCS AST	SUPPORT SERVICES ASSISTANT	7
SPRT SVCS MGR	SUPPORT SERVICES MANAGER	7
SR HUMAN RSRCS ASSOC	SENIOR HUMAN RESOURCES ASSOCIATE	7
SR HUMAN RSRCS AST	SENIOR HUMAN RESOURCES ASSISTANT	7

STAFF DEV AST	STAFF DEVELOPMENT ASSISTANT	7
STAFF DEV DIR	STAFF DEVELOPMENT DIRECTOR	7
SUPV TAX SVCS	SUPERVISOR OF TAX SERVICES	7
SUPVG PSYCHIATRIST MED DIR	SUPERVISING PSYCHIATRIST - MEDICAL DIRECTOR	7

Employee Name	Mgmt/Conf	# Hours	Title
Keating, Barbara L	Confidential	7	PAYROLL SUPV
Morley, Carmela	Management	7	SECOND DPTY COMSR FIN
Massey, Tiffanie	Confidential	7	BUDGET AST
Burns, Margaret	Management	7	SUPV TAX SVCS
Boyer, Debra L	Confidential	7	LEGAL SECY
Corcoran, Sherri L	Confidential	7	LEGAL SECY
Helmeyer, Kim	Confidential	7	LEGAL SECY
Hughes, Kathleen	Confidential	7	LEGAL SECY EA
Brady, Melanee J	Confidential	7	HUMAN RSRCS AST
Cerchia, Alyson A	Confidential	7	HUMAN RSRCS AST
Christiana, Gina K	Management	7	HUMAN RSRCS ASSOC
Flanagan-Fredrick, Barbara J	Confidential	7	HUMAN RSRCS AST
Grecco, Karran M	Confidential	7	HUMAN RSRCS AST
Junge, Cathy A	Confidential	7	SR HUMAN RSRCS AST
Menuau, Karl L	Management	7	HUMAN RSRCS ASSOC
Rexhouse, Anthony C	Management	7	SR HUMAN RSRCS ASSOC
Traver, Helen M	Confidential	7	HUMAN RSRCS AST
Valentine, Theresa	Confidential	7	SR HUMAN RSRCS AST
White, Rebecca	Management	7	DIR RISK MGMT
Wiands, Richard	Management	7	SR HUMAN RSRCS ASSOC
Zahorsky, Helen K	Confidential	7	HUMAN RSRCS AST
Beahan, Joseph	Management	7	BLDGS ADMR
Byrne, Richard S	Management	7	PROJECT LEADER/WEBMASTER
Craig, Joel G	Management	7	PROJECT LEADER
Hait, Grant	Management	7	DPTY COMSR CENTRL INFO SYSS
McMahon, Frank M	Management	7	INFRASTRUCTURE MGR
McVicker, William H Jr.	Management	7	PROJECT LEADER
Morrison, Jacob P	Management	7	PROJECT LEADER
Oscarlece, Stephen C	Management	7	APPLICATIONS MGR
Thibault, Philippe A	Management	7	GIS CNTY COORD
Yellin, William	Management	7	PROJECT LEADER
White, Rebecca M	Management	7	DIR RISK MGMT
Lennon, Gerard F	Management	7	DPTY SHRF CAPT
Watterson, John A	Management	7	DPTY SHRF CAPT
Hawley, Dawn M	Confidential	7	CONF ADMV AST
Lane, Catherine	Management	7	DPTY DIR PROB CMNTY CORS
Still, Mary Ellen	Management	7	DIR PROB CMNTY CORS
Krom, George V Jr.	Management	8	COR LT COLONEL
Reynolds-Lee, Therese M	Management	8	COR CAPT
Walters, Michael J	Management	8	COR MAJOR
Brewer, Antonia	Management	7	DIR PUB HLTH NURSING
Ramsay, Debra	Management	7	DIR BUDGET FIN
Clark, Tonya	Management	7	DIR ENV HLTH SVCS
Alter, Beth N	Management	7	DIR CONSULTN ED
Baker, Teah L	Confidential	7	SPRT SVCS AST
Brisley, Gerald A II	Management	7	CHIEF DIV ADMV OPS

from FI



Farinacci, Kelle	Management	7	SPRT SVCS MGR
Hirst, Margaret	Management	7	CLINICAL DIV CHIEF
McLaughlin-Koutsoukos, Pat L	Confidential	7	SPRT SVCS AST
Miller, Richard G	Management	7	SUPVG PSYCHIATRIST MED DIR
Nuccilli, Janet	Confidential	7	SECY
Palmer, Brian L	Management	7	DIR RESRCH EVAL
Rose, Cristy-Joy	Confidential	7	SPRT SVCS AST
Aldrich, Mary F	Management	7	DIR BUDGET FIN
Balkind, Robert	Management	7	DPTY COMSR PUB WORKS
Bushey, Debra L	Confidential	7	SECY
Cooper, Gary K	Management	7	DIR HWY CONST MAINT
Mouris, John A	Management	7	AIR DIR
Mahoney, Colleen A	Management	7	DIR SVCS
McGuire, Susan L	Confidential	7	STAFF DEV AST
Sanchez, William	Management	7	RESRCH ANLST
Simon, Peter	Management	7	DIR ADMV SVCS
Starzyk, Theodore J	Management	7	STAFF DEV DIR
Dolan, Mary Kaye	Management	7	DIR AGING SVCS
Lehrer, Carole A	Confidential	7	SECY
Olsen, Steven J	Management	7	PARKS DIR
Carille, Lindsay M	Management	7	DPTY COMSR SOLID WASTE MGMT
Ruiz, Cynthia J	Management	7	CNTY TRANSIT ADMR
Wrafter, Eoin J	Management	7	AST CMSR PLAN DEV

RESOLUTION NO.

RE: ESTABLISHING STANDARD WORK DAY FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES

LEGISLATOR

offers the following and moves its adoption:

*with these employees
the following managerial and/or
confidential titles*

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

CA-27-14

KPB/ca/P-0359

2/10/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

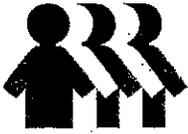
ss:

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 _____ day of _____, 20____ and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this _____ day of _____, 20____

CAROLYN MORRIS, CLERK OF THE LEGISLATURE



Office of the New York State Comptroller
 New York State and Local Retirement System
 Employees' Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

Standard Work Day Resolution for Employees*

RS 2418

(Rev. 7/11)

BE IT RESOLVED, that the _____, Location code _____, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)

On this _____ day of _____, 20__

 (Signature of clerk) Date enacted: _____

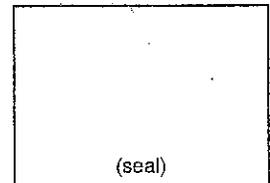
I, _____, clerk of the governing board of the _____
 (Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20__ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto
 Set my hand and the seal of the

 (Name of Employer)



(seal)

*To be used for all employees. Please list Elected and Appointed Officials on the form (RS2417-A) Standard Workday and Reporting Resolution for Elected and Appointed Officials.

See Instructions for Completing Form on Back

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion:

Total: 11 0
 Yes No
 Abstentions: 0

2014051 ESTABLISHING STANDARD WORK DAY FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelscy		

Present: 24

Absent: 1

Vacant: 0

Resolution:

Motion:

Total: 24 0

Yes No

Abstentions: 0

2014051 ESTABLISHING STANDARD WORK DAY FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES

Date: March 10, 2014

RESOLUTION NO. 2014052

RE: AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND AND AMENDING THE 2014 ADOPTED COUNTY BUDGET (A.1920.12)

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

WHEREAS, the County of Dutchess maintains an insurance reserve fund pursuant to Section 6-n of the General Municipal Law in connection with the defense of tort cases, and

WHEREAS, the County Attorney has requested that the sum of \$40,000 be made available to be used to settle the case of Anthony Spacone against the County of Dutchess, and

WHEREAS, it is in the best interests of the County to settle the above case, now, therefore, be it

RESOLVED, that the sum of \$40,000 from the insurance reserve fund created pursuant to Section 6-n of the General Municipal Law in the case of Anthony Spacone against the County of Dutchess is released for the settlement of said case, and be it further

RESOLVED, that the Commissioner of Finance is authorized and directed to amend the 2014 Adopted Count Budget as follows:

APPROPRIATIONS

Increase

A.1910.12.4463.320	Judgments & Claims - Contracted Services 6N Lawsuits not covered by Ins	\$40,000
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REVENUES

Increase

A.9998.95110.07	Approp. Fund Balance – Appropriated Reserve Insurance Reserve	\$40,000
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CA-26-14
KPB:ca/L-5050
2/19/14

Fiscal Impact: Any settlement to the extent of all or part of the insurance retention will be paid from the 6-n Reserve Fund

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

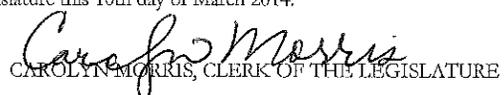
Date 3/17/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.



CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jefer-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: 11
 Absent: 1
 Vacant: 0

Resolution: 11
 Motion:

Total : 11 0
 Yes No
 Abstentions: 0

2014052 AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND AND AMENDING THE 2014 ADOPTED COUNTY BUDGET

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014052 AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND AND AMENDING THE 2014 ADOPTED COUNTY BUDGET

Date: March 10, 2014

RESOLUTION NO. 2014053

RE: AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND AND AMENDING THE 2014 ADOPTED COUNTY BUDGET (A.1920.12)

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

WHEREAS, the County of Dutchess maintains an insurance reserve fund pursuant to Section 6-n of the General Municipal Law in connection with the defense of tort cases, and

WHEREAS, the County Attorney has requested that the sum of \$50,000 be made available to be used to settle the case of *Brigitte Fortune against the County of Dutchess*, and

WHEREAS, it is in the best interests of the County to settle the above case, now, therefore, be it

RESOLVED, that the sum of \$50,000 from the insurance reserve fund created pursuant to Section 6-n of the General Municipal Law in the case of *Brigitte Fortune against the County of Dutchess* is released for the settlement of said case, and be it further

RESOLVED, that the Commissioner of Finance is authorized and directed to amend the 2014 Adopted Count Budget as follows:

APPROPRIATIONS

Increase

A.1910.12.4463.320	Judgments & Claims - Contracted Services	
	6N Lawsuits not covered by Ins	\$50,000

REVENUES

Increase

A.9998.95110.07	Approp. Fund Balance – Appropriated Reserve	
	Insurance Reserve	\$50,000

CA-25-14
KPB:ca/L-5018
2/19/14

Fiscal Impact: Any settlement to the extent of all or part of the insurance retention will be paid from the 6-n Reserve Fund

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.



CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: <u>11</u>	
Absent: <u>1</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2014053 AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND
AND AMENDING THE 2014 ADOPTED COUNTY BUDGET**

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014053 AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND AND AMENDING THE 2014 ADOPTED COUNTY BUDGET

Date: March 10, 2014

RESOLUTION NO. 2014054

RE: ERRONEOUS TAXES, TOWN OF PAWLING
ASSESSED TO: UNITED STATES OF AMERICA
GRID NUMBER: 134089-7058-00-163229-0000

Legislators BORCHERT, THOMES, and SURMAN offer the following and move its adoption:

WHEREAS, the Tax Collector of the Town of Pawling has returned unpaid to this office County, Town, Special District and re-levied School Taxes based on the 2011 tax roll against grid number 134089-7058-00-163229-0000, and

WHEREAS, it has been determined by the Real Property Tax Service Agency that the assessment is erroneous due to the property having been acquired by the United States of America on June 21, 2011, subsequent to taxable status date and prior to the levy of taxes and should be exempt.

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

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

A342	Allow. For Uncollect. Taxes	\$146.75
A430	Town of Pawling	44.53
A430	Pawling Library	4.34
A430	Pawling Fire	9.55
A440	Pawling School District	<u>309.98</u>
	TOTAL:	<u>\$515.15</u>

and be it further,

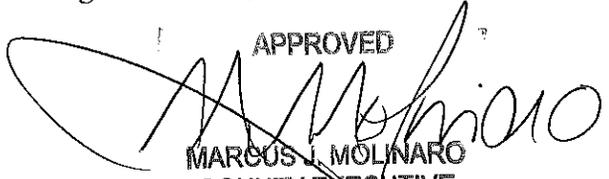
RESOLVED, that the County Clerk is hereby authorized, empowered, and directed to make the necessary changes in his office to correct the filing of said liens.

CA-29-14
CM/djw
2/11/14

Fiscal Impact: None

STATE OF NEW YORK
COUNTY OF DUTCHESS

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 3/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.



CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: <u>11</u>	
Absent: <u>0</u>	Motion: <u> </u>	Yes	<u>0</u>
Vacant: <u> </u>		Abstentions: <u>0</u>	No

2014054 ERRONEOUS TAXES, TOWN OF PAWLING

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24

Absent: 1

Vacant: 0

Resolution:

Motion:

Total: 24 0

Yes No

Abstentions: 0

2014054 ERRONEOUS TAXES, TOWN OF PAWLING

Date: March 10, 2014

RESOLUTION NO. 2014055

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL
AND TO ORDER THE LOCAL TAX COLLECTOR TO
ISSUE A CORRECTED TAX BILL

APPLICANT: Winston M. Checkley and Hope E. Checkley
157 Stowe Dr.
Poughquag NY 12570

ACCOUNT NO.: 132200-6859-04-632490-0000

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

WHEREAS, there is a re-levied water and sewer bill amount on the tax roll for the Town of Beekman for 2013 under the name of Winston M. Checkley and Hope E. Checkley, Account No. 132200-6859-04-632490-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a correction of real property taxes on the basis of an alleged clerical error, and

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the Town of Beekman has made a clerical error in said re-levy amount, and

WHEREAS, attached hereto is the written report of said Director together with his recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received February 19, 2014, relating to Account No. 132200-6859-04-632490-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<u>Municipality</u>	<u>Assessed Value</u>	<u>Exempt Amt.</u>	<u>Taxable Value</u>	<u>Corrected Tax</u>
County	326,900		326,900	1,193.06
Town of Beekman	326,900		326,900	525.41
Beekman Library	326,900		326,900	90.88
Beekman Fire	326,900		326,900	249.26
Dover Ridge Water	1 unit		1 unit	368.50

		TOTAL:	\$2,427.11
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and be it further

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

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

A430 Unpaid Sewer Town of Beekman	332.96
A430 Unpaid Water Town of Beekman	<u>212.54</u>
Total	\$545.50

CA-44-14
 MB/ca G-194
 2/20/14
 Fiscal Impact: None

APPROVED

 MARCUS J. MOLINARO
 COUNTY EXECUTIVE
 Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency

COE Investigating Report

Le. Description (grid #) 132200-6859-04-632490-0000

Owner's Name Winston M. and Hope E. Checkley

Mailing Address 157 Stowe Dr. Poughquag NY 12570

Property Location 157 Stowe Dr.

School District Arlington Central School Dist. Special District _____

Total Assessed Value now on roll 326,900 Corrected to Same

Taxable Assessed Value now on roll 326,900 Corrected to Same

Exempt codes and amounts if applicable _____

Amount Levied \$2,972.61

Should be \$2,427.11

Tax Bill Paid? ___ yes no

Verified with assessor? yes ___ no

Error Claimed is defined in Real Property Tax Law, Section 550:

- Subdivision 2, Paragraph H (clerical error)
- division 3, Paragraph ___ (error in essential fact)
- subdivision 7, Paragraph ___ (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll ___

Exemption amount incorrectly calculated ___

Assessed value on roll does not match assessor's final work product ___

Structure did not exist on taxable status date or was present on another parcel ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: Incorrect water/sewer re-levy

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application for a corrected 2011/12 Cnty/Town tax bill be approved.

A430 Sewer Re-levy \$332.96 / A430 Water Re-levy \$212.54

Investigator Margaret Burns

Director Eric Johnson



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

2014 FEB 19 PM 12:01
RP-554 (9/04)
REAL PROPERTY TAX SERVICES

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 2013

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Winston & Hope Cheekley
1a. Name of Owner

Day (916) 724-3818 Evening (416) 256-3994
2. Telephone Number

157 Stone DR
Poughkeepsie, N.Y. 12570
1b. Mailing Address

3. Parcel Location (if different than 1b.)

Parcel ID 132200-6859-04-632490-0000, Property Class 210-
4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 02632490

6. Amount of taxes currently billed \$ 972.61 1 Family Res.

7. I hereby request a correction of tax levied by Arlington CSB
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): We were billed for unpaid water of \$11.54 & unpaid Sewer of \$332.96 which were already pd.

2/19/14
Date

[Signature]
Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 2/19/14 Period of warrant for collection of taxes: 12/16/13

Last day for collection of taxes without interest: 2/28/14

Recommendation: Approve application* Deny Application

2/20/2014
Date

[Signature]
Signature of County Director

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____:
(Insert Number or Date)

APPLICATION APPROVED

Amount of taxes currently billed: \$ _____

Notice of approval mailed to applicant on (enter date): _____
Order transmitted to collecting officer on (enter date): _____

Corrected tax: \$ _____

APPLICATION DENIED Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution



TOWN OF BEEKMAN
4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: 724-5300 • FAX: 724-3245

February 19, 2014

To Whom It May Concern:

This letter is an attestation that, in 2013, the Town of Beekman inadvertently relieved the following amounts for unpaid bills to the property owners at 157 Stowe Dr., Poughquag, N.Y. 12570, account no. 02632490:

Unpaid Sewer - \$332.96

Unpaid Water - \$212.54

Please approve the corresponding Application for Corrected Tax Roll for the year 2014, warrant dated 12/16/13.

Feel free to contact me with any questions or concerns.

Andrew J. Forman, Comptroller
Town of Beekman
(845) 724-5300 ext. 231
aforman@townofbeekman.com

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: <u>11</u>	<u>0</u>
Absent: <u>1</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014055 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTORS TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF BEEKMAN

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: Total: 24 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014055 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTORS TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF BEEKMAN

Date: March 10, 2014

RESOLUTION NO. 2014056

RE: APPROVAL OF APPLICATION TO CANCEL A TAX BILL
AND TO AUTHORIZE A CHARGE-BACK BY THE
COMMISSIONER OF FINANCE
APPLICANT: East Fishkill Historical Society
P.O. Box 245
Hopewell Jct. NY 12533
ACCOUNT NO. 132800-6358-02-917921-0000

Legislators BORCHERT, BOLNER, HORTON, and WEISS offer the following and move its adoption:

WHEREAS, there is an assessment on the 2013 assessment roll for the Town of East Fishkill under the name of East Fishkill Historical Society, Account No. 132800-6358-02-917921-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a cancellation of real property taxes on the basis of an alleged unlawful entry, and

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property Tax Service has investigated this claim and it has been determined and certified by said Director that the tax bill, as issued, is incorrect due the unlawful entry, and

WHEREAS, there is attached hereto the written report of the Director, together with his recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the claimed unlawful entry does exist, now, therefore, be it

RESOLVED, that the application received January 23, 2014 relating to Account No. 132800-6358-02-917921-0000 for a cancellation of said tax bills be, and it hereby is approved and be it further

RESOLVED, that the Clerk of the Dutchess County Legislature be and is hereby authorized and directed to send a copy of this resolution to the applicant, the tax collector, and to the Finance Commissioner directing said Finance Commissioner to cancel said tax bill, and be it further

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

RESOLVED, that the Commissioner of Finance be and is hereby authorized, empowered, and directed to charge back the erroneous taxes after settlement with the collector at the end of the warrant as follows:

A430 East Fishkill Fire (EF006)	\$278.38
A430 East Fishkill Public Lib (EFPL1)	<u>71.66</u>
Total	\$350.04

CA-17-14
MB/ca G-194
2/3/14

APPROVED

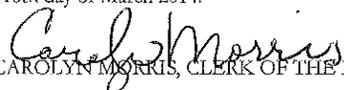
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency

COE Investigating Report

Lot Description (grid #) 132800-6358-02-917921-0000

Owner's Name East Fishkill Historical Society

Mailing Address PO Box 245 Hopewell Jct. NY 12533

Property Location 68 Kensington Dr.

School District Wappingers Central School Dist. Special District _____

Total Assessed Value now on roll 332,900 Corrected to Same

Taxable Assessed Value now on roll 332,900 Corrected to 0

Exempt codes and amounts if applicable
Wholly exempt 332,900

Amount Levied \$350.04 Should be \$0

Tax Bill Paid? ___ yes no Verified with assessor? yes ___ no

Error Claimed is defined in Real Property Tax Law, Section 550:

- Subdivision 2, Paragraph ___ (clerical error)
- Subdivision 3, Paragraph ___ (error in essential fact)
- Subdivision 7, Paragraph A (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll ___

Exemption amount incorrectly calculated ___

Assessed value on roll does not match assessor's final work product ___

Structure did not exist on taxable status date or was present on another parcel ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application for a corrected 2013/14 Cnty/Town tax bill be approved.

Investigator Margaret Burns Director Eric Johnson



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 13/14

JAN 21 2014

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Historical Society _____

1a. Name of Owner

P.O. Box 245

Day (845) 227-5374 Evening ()

2. Telephone Number

Hopewell Jct NY 12533

1b. Mailing Address

3. Parcel Location (if different than 1b.)

6356-02-917921

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. _____

6. Amount of taxes currently billed: \$350.04

7. I hereby request a correction of tax levied by

Dutchess/ Wappingers School District

(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary):

Wrong exemption code input

1/21/2014

Date

X Mahesh Mills

Signature of Applicant

2014 JAN 23 PM 1:48
REAL PROPERTY TAX SERVICES

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 1/23/14

Period of warrant for collection of taxes: 12/16/13

Last day for collection of taxes without interest: 2/28/14

Recommendation:

Approve application*

Deny Application

1/28/2014
Date

Eric Cefalu
Signature of County Director

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____: (Insert Number or Date)

 APPLICATION APPROVED

Amount of taxes currently billed: \$ 350.04

Notice of approval mailed to applicant on (enter date): _____

Corrected tax: \$ 00.00

Order transmitted to collecting officer on (enter date): _____

 APPLICATION DENIED

Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution

Assessor Affidavit for Correction of Error

This affidavit or a letter signed by the assessor must be submitted for every requested Correction of Error.

I, Kathleen Martin, assessor for the Town/City of East Fishkill

Dutchess County, do hereby affirm that the assessment or taxable assessment on

Grid # 6356-02-917921

owned by East Fishkill Historical Society

as shown on the 2014 (yr) Assessment/Tax roll of

Town/City of East Fishkill

School district of Wappingers

is **incorrect** and may be corrected per RPTL 550.

An explanation of the error and how it occurred is as follows: (Please be specific)

2014 JAN 17 AM 11:52
REAL PROPERTY
TAX SERVICES

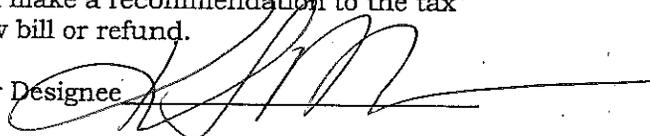
Changed code by mistake. Should be 13500

Assessment was: 332,900 Should be: 332,900

Exemption was: 26250 Historical Should be: 13500 Town within limits

Other: _____

I request that the County Director investigate and make a recommendation to the tax levying body to correct such error and issue a new bill or refund.

Date 1/15/14 Signature of Assessor or Designee 

Whenever possible, proof of error MUST accompany this affidavit as applicable:

e.g.

- Exemption application indicating approval/denial
- Copy of property record card, work book or other final work product
- Copy of paid tax bill
- Verified statement of BAR (for grievance changes not appearing on final roll)
- Any other documentation requested by the Director to complete the investigation

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: 11 Resolution: ✓ Total : 11 0
 Absent: 1 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2014056 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTORS TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF EAST FISHKILL

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagfiano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: Total: 24 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014056 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTORS TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF EAST FISHKILL

Date: March 10, 2014

RESOLUTION NO. 2014057

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL
 AND TO ORDER THE LOCAL TAX COLLECTOR TO
 ISSUE A CORRECTED TAX BILL
 APPLICANT: Daniel P. Flanigan III
 19 Spring St.
 Pawling NY 12564
 ACCOUNT NO.: 134001-7057-17-142002-0000

Legislators BORCHERT, THOMES, and SURMAN offer the following and move its adoption:

WHEREAS, there is an assessment on the assessment roll for the Town of Pawling for 2013 under the name of Daniel P. Flanigan III, Account No. 134001-7057-17-142002-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a correction of real property taxes on the basis of an alleged clerical error, and

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the local Tax Assessor for the Town of Pawling has made a clerical error in said assessment, and

WHEREAS, attached hereto is the written report of said Director together with his recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received February 7, 2014, relating to Account No. 134001-7057-17-142002-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<u>Municipality</u>	<u>Assessed Value</u>	<u>Exempt Amt.</u>	<u>Taxable Value</u>	<u>Corrected Tax</u>
County	83,300	61,140	22,160	209.25
Town of Pawling	83,300	61,140	22,160	118.59
Pawling Library	83,300	61,140	22,160	18.90
Pawling Fire	83,300		83,300	141.87
Ret. 2013 School Tax				3,823.50
Ret. Village Tax				438.80

			TOTAL:	4,750.91

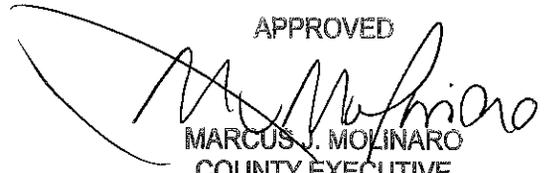
and be it further

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

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

A342 Allowance for Uncollectible Taxes	\$ 172.95
A430 Town of Pawling	86.71
A430 Pawling Library	13.83
A668 Village of Pawling	<u>285.29</u>
Total	\$ 558.78

CA-34-14
 MB/ca G-194
 2/13/14
 Fiscal Impact: None

APPROVED

 MARCUS J. MOLINARO
 COUNTY EXECUTIVE
 Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Le. Description (grid #) 134001-7057-17-142002-0000

Owner's Name Daniel P. Flanigan III

Mailing Address 19 Spring St. Pawling NY 12564

Property Location 19 Spring St.

School District Pawling Central School Dist. Special District _____

Total Assessed Value now on roll 83,300 Corrected to Same

Taxable Assessed Value now on roll 42,985 Corrected to 24,831

Exempt codes and amounts if applicable

Alt Vet Combat 19,490 / Alt Vet Disabled 38,979

Amount Levied \$5,309.69 Should be \$4,750.91

Tax Bill Paid? ___ yes no Verified with assessor? yes ___ no

Error Claimed is defined in Real Property Tax Law, Section 550:

- Subdivision 2, Paragraph B (clerical error)
- Subdivision 3, Paragraph ___ (error in essential fact)
- Subdivision 7, Paragraph ___ (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll ___

Exemption amount incorrectly calculated

Assessed value on roll does not match assessor's final work product ___

Structure did not exist on taxable status date or was present on another parcel ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application for a corrected 2013/14 Cnty/Town tax bill be approved.

Investigator Margaret Burns Director



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 13/14

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Flanigan, Daniel P. III
1a. Name of Owner
19 Spring St
Pawling, NY 12564
1b. Mailing Address
Single Family Dwelling 134001-7057-17-142002-0000
3. Parcel Location (if different than 1b.)
2. Telephone Number
Day (845) 803-4457 Evening () SAME
2014 FEB 17 PM 12:15
REAL PROPERTY TAX SERVICES

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)
5. Account No.
6. Amount of taxes currently billed
7. I hereby request a correction of tax levied by Dutchess County / Town / Village Pawling
(county/city/school district; town in Westchester County; non-assessing unit village)
for the following reasons (use additional sheets if necessary): exemption miscalculated

2/7/2014
Date
Daniel P. Flanigan
Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 2/17/14
Period of warrant for collection of taxes: 12/16/13
Last day for collection of taxes without interest: 2/28/14
Recommendation: [X] Approve application* [] Deny Application
2/17/2014
Date
Eric Pfeiffer
Signature of County Director

* [] If box is checked, this copy is for assessor and board of assessment review of city/town/village of which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION (Insert Number or Date)

APPLICATION APPROVED
Amount of taxes currently billed: \$
Notice of approval mailed to applicant on (enter date):
Order transmitted to collecting officer on (enter date):
Corrected tax: \$
APPLICATION DENIED Reason:

Seal of Office
Date
Signature of Chief Executive Officer or Official Designated by Resolution

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

Corrected tax due:

\$ _____

Date

Interest and penalties (if applicable):

\$ _____

Total corrected tax due:

\$ _____

Tax roll corrected:

Date

Tax bill corrected:

Date

Application and Order annexed to tax roll:

Date

Payment of corrected tax received:

Date

Date

Signature of Collecting Officer

Assessor Affidavit for Correction of Error

This affidavit or a letter signed by the assessor must be submitted for every requested Correction of Error.

I, Christopher Boryk, assessor for the Town and Village of Pawling,

Dutchess County, do hereby affirm that the assessment or taxable assessment on

Grid # 7057-17-142002-0000

owned by Daniel P. Flanigan, III

as shown on the 2013 (yr) Assessment roll of the

Town and Village of Pawling

School district of Pawling

is **incorrect** and may be corrected per RPTL 550.

An explanation of the error and how it occurred is as follows: (Please be specific)

The Disability Rating for Alternative Veteran's Exemption was incorrectly entered as 50% in the assessment software, and should have been entered as 100%. This resulted in an lower exemption than was appropriate.

Assessment was: 83,300 Should be: 83,300

Exemption was: 20,825 Should be: 38,979 for County, Town, and Village taxes.

Other: _____

I request that the County Director investigate and make a recommendation to the tax levying body to correct such error and issue a new bill or refund.

Date 2/10/14 Signature of Assessor or Designee Christopher Boryk

Whenever possible, proof of error MUST accompany this affidavit as applicable:

e.g.

- Exemption application indicating approval/denial
- Copy of property record card, work book or other final work product
- Copy of paid tax bill
- Verified statement of BAR (for grievance changes not appearing on final roll)
- Any other documentation requested by the Director to complete the investigation

2014 FEB 11 PM 2:49
REAL PROPERTY
TAX SERVICES



APPLICATION FOR ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION

(General information and instructions for completing this form are contained in Form RP-458-a-Ins)

1. Name and telephone no. of owner(s)

DANIEL P. FLANKAM III (845) 855-3586

2. Mailing address of owner(s)

19 SPRING ST
PAWLING, N.Y. 12564

Day No. (845) 855-3586

Evening No. (845) 855-3586

3. Location of property (see instructions)

19 SPRING ST
Street address

Village (if any)

PAWLING, N.Y. 12564
City/Town

Property identification (see tax bill or assessment roll)

Tax map number or section/block/lot 7057-17-142002

4. Is the owner a veteran who served in the active military, naval or air service of the United States? Yes No
If No, indicate the relationship of the owner to veteran who rendered such service: _____
If Yes, is the veteran also the unmarried surviving spouse of a veteran? Yes No

5. Indicate branch of veterans service and dates of active service: U.S. ARMY 1968-1970
(Attach written evidence)

6. Was the veteran discharged or released from the active service under honorable conditions? Yes No
(Attach written evidence)

7. Did the veteran serve in a combat zone or combat theater? Yes No
If Yes, where did the veteran serve and when was such service performed? 9th INFANTRY - MERONG DECTA
(Attach written evidence)

8. Has the veteran received, or did the veteran receive prior to his/her death, a compensation rating from the United States Veteran's Administration or from the United States Department of Defense as a result of a service connected disability? Yes No

If Yes, what is (was) the veteran's compensation rating? 100% 90

(Attach written evidence showing the date such rate was established)

check if rating is permanent?

If No, did the veteran die in service of a service connected disability or in the line of duty while serving during wartime? Yes No (Attach written evidence)

9. Is the property the primary residence of the veteran, unmarried surviving spouse of the veteran or Gold Star parent? Yes No

If No, is the veteran, unmarried surviving spouse of the veteran or Gold Star parent the owner of the property and absent from the property due to medical reasons or institutionalization? Yes No
Explain: _____

10. Is the property used exclusively for residential purposes? Yes No
If No, describe the non-residential use of this property and state what portion is so used. _____



MAR 16 2006

DEPARTMENT OF VETERANS AFFAIRS
New York Regional Office
245 West Houston Street
New York NY 10014

TO WHOM IT MAY CONCERN:

In Reply Refer To: 306/201/JG
C 27 231 605
FLANIGAN, D P

Dear Sir/Madam:

Our records show that MR. DANIEL P. FLANIGAN receives service connected disability compensation of \$2393.00 monthly, effective DECEMBER 1, 2005.

Our records further show that MR. DANIEL P. FLANIGAN is rated 100 percent disabled as a result of his service connected conditions or injuries.

You may call us toll free at 1-800-827-1000 from within New York State or you may call 1-212-807-7229 from anywhere.

Sincerely yours,

Joseph Collorafi

Joseph Collorafi
Chief, Veterans Benefits and Services Division

Email us at: <https://iris.va.gov>

NOTICE: This Internet E-mail site is not secure. Be advised that information you send and receive over the Internet could be intercepted and read by individuals other than the intended recipient. VA will do its best to protect your privacy, but because VA cannot guaranty privacy in this medium, it is suggested that personal information be kept to a minimum. Responses that require a release of personal information will be mailed via U.S. Postal Service to your last address of record. If you have concerns about using this e-mail service, you should call our toll free number (1-800-827-1000) to speak with a Veteran Services Representative concerning your question or claim.

MR. DANIEL P. FLANIGAN III
19 SPRING ST.
PAWLING, NY 12564



Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present:	<u>11</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>11</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014057 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTORS TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF PAWLING

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014057 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTORS TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF PAWLING

Date: March 10, 2014

RESOLUTION NO. 2014058

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL
 AND TO ORDER A CORRECTED TAX BILL
 APPLICANT: Daniel P. Flanigan III
 19 Spring St.
 Pawling NY 12564
 ACCOUNT NO.: 134001-7057-17-142002-0000

Legislators BORCHERT, THOMES, and SURMAN offer the following and move its adoption:

WHEREAS, there is an assessment on the assessment roll for the Town of Pawling for 2012 under the name of Daniel P. Flanigan III, Account No. 134001-7057-17-142002-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a correction of real property taxes on the basis of an alleged clerical error, and

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the local Tax Assessor for the Town of Pawling has made a clerical error in said assessment, and

WHEREAS, attached hereto is the written report of said Director together with his recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received February 7, 2014, relating to Account No. 134001-7057-17-142002-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Commissioner of Finance, directing said Commissioner of Finance to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<u>Municipality</u>	<u>Assessed Value</u>	<u>Exempt Amt.</u>	<u>Taxable Value</u>	<u>Corrected Tax</u>
County	83,300	59,875	23,425	244.07
Town of Pawling	83,300	59,875	23,425	136.65
Pawling Library	83,300	59,875	23,425	21.43
Pawling Fire	83,300		83,300	140.20
Ret. 2012 School Tax				3,898.14
Ret. Village Tax				485.41

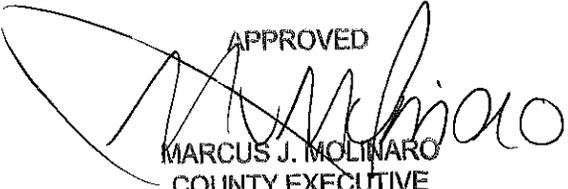
			TOTAL:	\$4,925.90
				+ Interest and Penalties

and be it further

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

A342 Allowance for Uncollectible Taxes	\$ 150.41
A430 Town of Pawling	74.58
A430 Pawling Library	11.69
A668 Village of Pawling	<u>245.68</u>
Total	\$482.36 + Interest and Penalties

CA-33-14
 MB/ca G-194
 2/13/14
 Fiscal Impact: None

APPROVED

 MARCUS J. MOLINARO
 COUNTY EXECUTIVE
 Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have herunto set my hand and seal of said Legislature this 10th day of March 2014.


 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Le. Description (grid #) 134001-7057-17-142002-0000

Owner's Name Daniel P. Flanigan III

Mailing Address 19 Spring St. Pawling NY 12564

Property Location 19 Spring St.

School District Pawling Central School Dist. Special District _____

Total Assessed Value now on roll 83,300 Corrected to Same

Taxable Assessed Value now on roll 44,250 Corrected to 28,625

Exempt codes and amounts if applicable

Alt Vet Combat 18,225 / Alt Vet Disabled 36,450

Amount Levied \$5,408.26

Should be \$4,925.90

Tax Bill Paid? ___ yes no

Verified with assessor? yes ___ no

Error Claimed is defined in Real Property Tax Law, Section 550:

- Subdivision 2, Paragraph B (clerical error)
___ division 3, Paragraph ___ (error in essential fact)
___ Subdivision 7, Paragraph ___ (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll ___

Exemption amount incorrectly calculated

Assessed value on roll does not match assessor's final work product ___

Structure did not exist on taxable status date or was present on another parcel ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application for a corrected 2012/13 Cnty/Town tax bill be approved.

Investigator

Margaret Burns

Director

Eric C. [Signature]



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 2012/13

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Fianigan, Daniel P. III
1a. Name of Owner

Day (845) 803-4457 Evening () SAME
2. Telephone Number

19 Spring St

Pawling, NY 12564

3. Parcel Location (if different than 1b.)

1b. Mailing Address

Single Family Dwelling 134001-7057-17-142002-0000

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. _____ 6. Amount of taxes currently billed _____

7. I hereby request a correction of tax levied by Dutchess/Pawling
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): exemption miscalculated.

2/7/2014
Date

Daniel P. Fianigan
Signature of Applicant

2014 FEB -7 PM 12:15
REAL PROPERTY TAX SERVICES

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 2/7/14 Period of warrant for collection of taxes: 12/17/12
Last day for collection of taxes without interest: 2/28/13

Recommendation: Approve application* Deny Application

2/11/2014
Date

Eric [Signature]
Signature of County Director

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION _____ (Insert Number or Date)

APPLICATION APPROVED Amount of taxes currently billed: \$ _____

Notice of approval mailed to applicant on (enter date): _____ Corrected tax: \$ _____
Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED Reason: _____

Seal of Office

Date

Signature of Chief Executive Officer or Official Designated by Resolution

Assessor Affidavit for Correction of Error

This affidavit or a letter signed by the assessor must be submitted for every requested Correction of Error.

I, Christopher Boryk, assessor for the Town and Village of Pawling ,

Dutchess County, do hereby affirm that the assessment or taxable assessment on

Grid # 7057-17-142002-0000

owned by Daniel P. Flanigan, III

as shown on the 2012 (yr) Assessment roll of the

Town and Village of Pawling

School district of Pawling

is **incorrect** and may be corrected per RPTL 550.

An explanation of the error and how it occurred is as follows: (Please be specific)

2014 FEB 11 PM 2:49
REAL PROPERTY
TAX SERVICES

The Disability Rating for Alternative Veteran's Exemption was incorrectly entered as 50% in the assessment software, and should have been entered as 100%. This resulted in an lower exemption than was appropriate.

Assessment was: 83,300 Should be: 83,300

Exemption was: 20,825 Should be: 36,450 for County, Town, and Village taxes.

Other: _____

I request that the County Director investigate and make a recommendation to the tax levying body to correct such error and issue a new bill or refund.

Date 2/10/14 Signature of Assessor or Designee Christopher Boryk

Whenever possible, proof of error MUST accompany this affidavit as applicable:

e.g.

- Exemption application indicating approval/denial
- Copy of property record card, work book or other final work product
- Copy of paid tax bill
- Verified statement of BAR (for grievance changes not appearing on final roll)
- Any other documentation requested by the Director to complete the investigation



NYS BOARD OF REAL PROPERTY SERVICES

RP-458-a (1/03)

APPLICATION FOR ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION

(General information and instructions for completing this form are contained in Form RP-458-a-Ins)

1. Name and telephone no. of owner(s)

DANIEL P. FLANKAM III (845) 855-3586

2. Mailing address of owner(s)

19 SPRING ST
PAWLING, N.Y. 12564

Day No. (845) 855-3586

Evening No. (845) 855-3586

3. Location of property (see instructions)

19 SPRING ST
Street address

Village (if any)

PAWLING, N.Y. 12564
City/Town

Property identification (see tax bill or assessment roll)

Tax map number or section/block/lot 7057-17-142002

4. Is the owner a veteran who served in the active military, naval or air service of the United States? Yes No

If No, indicate the relationship of the owner to veteran who rendered such service: _____

If Yes, is the veteran also the unmarried surviving spouse of a veteran? Yes No

5. Indicate branch of veterans service and dates of active service: U.S. ARMY 1968-1970

(Attach written evidence)

6. Was the veteran discharged or released from the active service under honorable conditions? Yes No

(Attach written evidence)

7. Did the veteran serve in a combat zone or combat theater? Yes No

If Yes, where did the veteran serve and when was such service performed? 9th INFANTRY - MERONG DACTA

(Attach written evidence)

8. Has the veteran received, or did the veteran receive prior to his/her death, a compensation rating from the United States Veteran's Administration or from the United States Department of Defense as a result of a service connected disability? Yes No

If Yes, what is (was) the veteran's compensation rating? 100% 90

(Attach written evidence showing the date such rate was established)

check if rating is permanent?

If No, did the veteran die in service of a service connected disability or in the line of duty while serving during wartime? Yes No (Attach written evidence)

9. Is the property the primary residence of the veteran, unmarried surviving spouse of the veteran or Gold Star parent? Yes No

If No, is the veteran, unmarried surviving spouse of the veteran or Gold Star parent the owner of the property and absent from the property due to medical reasons or institutionalization? Yes No

Explain: _____

10. Is the property used exclusively for residential purposes? Yes No

If No, describe the non-residential use of this property and state what portion is so used. _____



MAR 16 2006

DEPARTMENT OF VETERANS AFFAIRS
New York Regional Office
245 West Houston Street
New York NY 10014

TO WHOM IT MAY CONCERN:

In Reply Refer To: 306/201/JG
C 27 231 605
FLANIGAN, D P

Dear Sir/Madam:

Our records show that MR. DANIEL P. FLANIGAN receives service connected disability compensation of \$2393.00 monthly, effective DECEMBER 1, 2005.

Our records further show that MR. DANIEL P. FLANIGAN is rated 100 percent disabled as a result of his service connected conditions or injuries.

You may call us toll free at 1-800-827-1000 from within New York State or you may call 1-212-807-7229 from anywhere.

Sincerely yours,

Joseph Collorafi

Joseph Collorafi

Chief, Veterans Benefits and Services Division

Email us at: <https://iris.va.gov>

NOTICE: This Internet E-mail site is not secure. Be advised that information you send and receive over the Internet could be intercepted and read by individuals other than the intended recipient. VA will do its best to protect your privacy, but because VA cannot guaranty privacy in this medium, it is suggested that personal information be kept to a minimum. Responses that require a release of personal information will be mailed via U.S. Postal Service to your last address of record. If you have concerns about using this e-mail service, you should call our toll free number (1-800-827-1000) to speak with a Veteran Services Representative concerning your question or claim.

MR. DANIEL P. FLANIGAN III
19 SPRING ST.
PAWLING, NY 12564



Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present:	<u>11</u>	Resolution:	<u>✓</u>	Total :	<u>11</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<u>—</u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014058 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTORS TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF PAWLING

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: ✓ Total: 24 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014058 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTORS TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF PAWLING

Date: March 10, 2014

RESOLUTION NO. 2014059

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF MILAN
ASSESSED UNDER THE NAME OF UNKNOWN
GRID: 133600-6371-00-875330-0000

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

WHEREAS, unpaid tax on property in the Town of Milan assessed to Unknown for the levy year 1974 and described as Grid No. 133600-6371-00-875330-0000 amounting to \$28.58 was sold at tax sale filed in the Dutchess County Clerk's Office on January 7, 1976 for the tax lien year of 1975, and

WHEREAS, Dutchess County instituted an in rem foreclosure action, to enforce the collection of delinquent tax liens for the levy year 1974 and the above property was not redeemed within the time prescribed by law, resulting in a judgement of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded on March 15, 1979 in the Office of the Dutchess County Clerk, Liber 1504 page 75, and

WHEREAS, the sum of \$1,000.00 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 Cory Jones, 133 Brooklyn Heights Road, Rhinebeck, NY 12572 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-32-14
PB:CM:deb/ca
2/13/14
Fiscal Impact: None

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present:	<u>11</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>11</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014059 QUITCLAIM DEED, PROPERTY IN THE TOWN OF MILAN

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: Total: 24 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014059 QUITCLAIM DEED, PROPERTY IN THE TOWN OF MILAN

Date: March 10, 2014

RESOLUTION NO. 2014060

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF PAWLING
ASSESSED UNDER THE NAME OF GERSCHEL ALBERTA
GRID: 134089-7259-00-178100-0000

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

WHEREAS, unpaid tax on property in the Town of Pawling assessed to Gerschel Alberta for the levy year 2008 and described as Grid No. 134089-7259-00-178100-0000 amounting to \$61.43 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 2, 2009 for the tax lien year of 2009, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index No. 2009/8011 to enforce the collection of delinquent tax liens for the levy year 2008 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 in the Office of the Dutchess County Clerk, August 17, 2011, Document # 02 2011 3699, and

WHEREAS, the sum of \$325.00 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 David Vigliano, 405 Park Avenue, Suite 1700, New York, NY 10022 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-31-14
PB:CM:deb/ca
2/13/2014
Fiscal Impact: None

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

APPROVED


MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 3/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: <u>11</u>	
Absent: <u>1</u>	Motion: <u> </u>	Yes	<u>0</u>
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014060 QUITCLAIM DEED, PROPERTY IN THE TOWN OF PAWLING

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rollison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 **Resolution:** **Total:** 24 0
Absent: 1 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014060 QUITCLAIM DEED, PROPERTY IN THE TOWN OF PAWLING

Date: March 10, 2014

RESOLUTION NO. 2014061

RE: CORRECTION TO RESOLUTION NO. 2011253, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE APPLICANT: Leland Ryder and Putnam County Bank PO Box 10, Carmel, NY 10512 ACCOUNT NO.: 132800-00-677174-0000

Legislators BORCHERT, BOLNER, HORTON, WEISS, and FARLEY offer the following and move its adoption:

WHEREAS, by Resolution No. 2011253 the Dutchess County Legislature authorized, empowered and directed the Commissioner of Finance to issue a refund of taxes to the applicant for the 2009 fiscal year in the amount of \$3,678.37 based on a claimed clerical error in the calculation of a Forrest Exemption, and

WHEREAS, the Commissioner of Finance issued a tax refund to the applicant in the amount of \$3,678.37, and

WHEREAS, the applicant appealed claiming the refund was miscalculated and the Court directed that the Forest Exemption be recalculated, and

WHEREAS, the Forest Exemption has been recalculated per the Court's Order and it has been determined that an additional refund of taxes of \$1,368.44 is due the applicant, and

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

RESOLVED, that Resolution No. 2011253 is hereby amended to correct the sum of taxes to be paid by the Dutchess County Commissioner of Finance to be an additional \$1,368.44, and be it further

RESOLVED, that the Dutchess County Commissioner of Finance is authorized empowered and directed to issue a further tax refund to the applicant in the amount of \$1,368.44 and to charge-back the erroneous taxes on next year's levy as follows:

A342 Allowance for Uncollected Taxes
A430 Town of East Fishkill

CA-37-14 AE/ca/G-0194
2/13/14 Fiscal Impact: None

\$761.53
APPROVED
606.91
Total \$1368.44
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: <u>11</u>	
Absent: <u>1</u>	Motion: <u> </u>	Yes	<u>0</u>
Vacant: <u>0</u>		Abstentions: <u>0</u>	No

2014061 CORRECTION TO RESOLUTION NO. 2011253, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014061 CORRECTION TO RESOLUTION NO. 2011253, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE

Date: March 10, 2014

RESOLUTION NO. 2014062

RE: CORRECTION TO RESOLUTION NO. 2011254, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE APPLICANT: Leland Ryder and Putnam County Bank PO Box 10, Carmel, NY 10512 ACCOUNT NO.: 132800-00-677174-0000

Legislators BORCHERT, BOLNER, HORTON, and WEISS offer the following and move its adoption:

WHEREAS, by Resolution No. 2011254 the Dutchess County Legislature authorized, empowered and directed the Commissioner of Finance to issue a refund of taxes to the applicant for the 2010 fiscal year in the amount of \$4,059.49 based on a claimed clerical error in the calculation of a Forrest Exemption, and

WHEREAS, the Commissioner of Finance issued a tax refund to the applicant in the amount of \$4,059.49, and

WHEREAS, the applicant appealed claiming the refund was miscalculated and the Court directed that the Forest Exemption be recalculated, and

WHEREAS, the Forest Exemption has been recalculated per the Court's Order and it has been determined that an additional refund of taxes of \$1,510.23 is due the applicant, and

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

RESOLVED, that Resolution No. 2011254 is hereby amended to correct the sum of taxes to be paid by the Dutchess County Commissioner of Finance to be an additional \$1,510.23, and be it further

RESOLVED, that the Dutchess County Commissioner of Finance is authorized empowered and directed to issue a further tax refund to the applicant in the amount of \$1,510.23 and to charge-back the erroneous taxes on next year's levy as follows:

A342 Allowance for Uncollected Taxes
A430 Town of East Fishkill

CA-35-14 AE/ca/G-0194
2/13/14 Fiscal Impact: None

APPROVED
661.00
Total \$1,510.23
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/18/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: _____	
Absent: <u>0</u>	Motion: _____	Yes	No
Vacant: _____		Abstentions: _____	

2014062 CORRECTION TO RESOLUTION NO. 2011254, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: Total: 24 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014062 CORRECTION TO RESOLUTION NO. 2011254, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE

Date: March 10, 2014

RESOLUTION NO. 2014063

RE: CORRECTION TO RESOLUTION NO. 2011255, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE APPLICANT: Leland Ryder and Putnam County Bank PO Box 10, Carmel, NY 10512 ACCOUNT NO.: 132800-00-677174-0000

Legislators BORCHERT, BOLNER, HORTON, and WEISS offer the following and move its adoption:

WHEREAS, by Resolution No. 2011255 the Dutchess County Legislature authorized, empowered and directed the Commissioner of Finance to issue a refund of taxes to the applicant for the 2011 fiscal year in the amount of \$4,438.93 based on a claimed clerical error in the calculation of a Forrest Exemption, and

WHEREAS, the Commissioner of Finance issued a tax refund to the applicant in the amount of \$4,438.93, and

WHEREAS, the applicant appealed claiming the refund was miscalculated and the Court directed that the Forest Exemption be recalculated, and

WHEREAS, the Forest Exemption has been recalculated per the Court's Order and it has been determined that an additional refund of taxes of \$1,651.39 is due the applicant, and

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

RESOLVED, that Resolution No. 2011255 is hereby amended to correct the sum of taxes to be paid by the Dutchess County Commissioner of Finance to be an additional \$1,651.39, and be it further

RESOLVED, that the Dutchess County Commissioner of Finance is authorized empowered and directed to issue a further tax refund to the applicant in the amount of \$1,651.39 and to charge-back the erroneous taxes on next year's levy as follows:

A342 Allowance for Uncollected Taxes \$918.29
A430 Town of East Fishkill 733.10

Total \$1,651.39
APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE

CA-36-14 AE/ca/G-0194
2/13/14 Fiscal Impact: None

Date 3/19/2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion:

Total :
 Yes No
 Abstentions:

2014063 CORRECTION TO RESOLUTION NO. 2011255, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014063 CORRECTION TO RESOLUTION NO. 2011255, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE

Date: March 10, 2014

RESOLUTION NO. 2014064

RE: APPOINTMENTS AND REAPPOINTMENTS TO THE VETERANS
AFFAIRS COMMITTEE

Legislators ROLISON, FLESLAND, INCORONATO, THOMES, KELSEY, ROMAN, SAGLIANO, SERINO, FARLEY, HORTON, PERKINS, JETER-JACKSON, and JOHNSON offer the following and move its adoption:

WHEREAS, by Resolutions No. 314 of 1995, the Dutchess County Legislature did create a Veterans Affairs Committee to advise the County Legislature with respect to those matters relating to veteran affairs to consist of eight member veterans from the private sector and four County Legislators to be appointed by and serve at the pleasure of the Chairman of the County Legislature subject to confirmation by the County Legislature; and

WHEREAS, by Resolutions No. 376 of 2007 the Dutchess County Legislature did reactivate the Veterans Affairs Committee, and amend Resolution No. 314 of 1995 to assign staggered terms of two years to appointments with expiration dates of November 30th; and

WHEREAS, vacancies exist on the Veterans Affairs Committee by reason of the expiration of the terms of Legislator Francena Amparo and Legislator Alison MacAvery; and

WHEREAS, Legislator Francena Amparo and Legislator Alison MacAvery have expressed an interest in being reappointed to said Committee; and

WHEREAS, the Chairman has reappointed Legislator Francena Amparo and Legislator Alison MacAvery to the Veterans Affairs Committee Subject to confirmation by the Dutchess County Legislature; and

WHEREAS, there exists vacancies on the Veterans Affairs Committee due to the expiration of the terms or resignation of Raymond C. Chase, Jr., Alex A. Pandaleon, III, Howard Krakower and John J. Thomas; and

WHEREAS, Keith O'Hanlon, Mary "Edie" Meeks, Ryan O'Sullivan and Fergal I. Foley have expressed interest in in being appointed to such vacancies; and

WHEREAS, the Chairman has appointed Keith O'Hanlon, Mary "Edie" Meeks, Ryan O'Sullivan and Fergal I. Foley to the Veterans Affairs Committee subject to confirmation by the Dutchess County Legislature, now therefore, be it

RESOLVED, that Keith O'Hanlon, Mary "Edie" Meeks, Ryan O'Sullivan and Fergal I. Foley are hereby appointed to the Veterans Affairs Committee for terms ending November 30, 2015; and be it further

RESOLVED, that Legislator Francena Amparo and Legislator Alison MacAvery are hereby reappointed to the Veterans Affairs Committee for terms ending November 30, 2015; and be it further

RESOLVED, that the reappointments and appointments of the following individuals to the Veterans Affairs Committee are hereby confirmed:

APPOINTMENTS

TERM EXPIRATION

Keith O'Hanlon
466 Pine Hill Road
Pleasant Valley, NY 12569

November 30, 2015

Mary "Edie" Meeks
10 Washington Avenue
Beacon, NY 12508

November 30, 2015

Ryan O'Sullivan
19 Maryland Avenue
Poughkeepsie, NY 12601

November 30, 2015

Fergal I. Foley
119 Dakota Drive
Hopewell Junction, NY 12533

November 30, 2015

REAPPOINTMENTS

TERM EXPIRATION

Legislator Francena Amparo
32 Scarborough Lane, Suite C
Wappingers Falls, NY 12590

November 30, 2015

Legislator Alison MacAvery
10 Driscoll Road
Fishkill, NY 12524

November 30, 2015

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

STATE OF NEW YORK

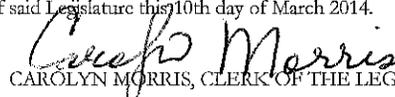
ss:

COUNTY OF DUTCHESS

Date 3/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

November 19, 2013

Keith J. O'Hanlon
466 Pine Hill Road
Pleasant Valley, N.Y. 12569
(845) 635-0228

Dear Dutchess County Legislators:

My name is Keith O'Hanlon. I am writing to express my interest in being appointed to the Dutchess County Legislature's Veterans Advisory Committee to fill an upcoming vacancy.

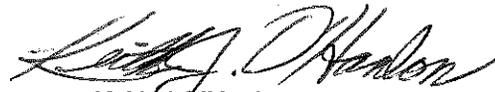
I am 52 years old. I served two enlistments in the Marine Corps from 1978-1985, when I was honorably discharged at the rank of sergeant. I have been a resident of Dutchess county from 1985 to present. I was a career diesel truck and bus mechanic until a severe back injury forced me into disability in 2006. To keep me busy and to give something back to the community, I engage in volunteer work as much as my limited mobility will allow. I am a member of the Pleasant Valley Republican Committee, and I teach the driver safety course as a volunteer for AARP. I am also a member of American Legion Post 1302 in the town of Poughkeepsie.

I am 10% service-connected disabled, so I know something about how the VA healthcare and benefits system works. I had knee surgery at the Bronx VA hospital in June of this year, and finished my physical therapy about two weeks ago. I understand the frustrations of the older veteran in dealing with the red tape that you have to cut through to obtain benefits. I also haven't forgotten how it felt to be a 24-year-old newly discharged Marine, trying to find a job and adjust to a totally different lifestyle.

I feel that my knowledge, experience, and insight, coupled with a strong desire to help my fellow veterans will make me an asset to the committee.

Thank you for your consideration.

Respectfully Submitted,


Keith J. O'Hanlon

DUTCHESS COUNTY

LEGISLATURE

20NOV13PM6:39

battle.dog@hvc.rr.com

Durland, Catherine

From: Edie Meeks [ediemeeeks@gmail.com]
ent: Tuesday, October 29, 2013 8:58 PM
To: Durland, Catherine
Subject: Re: County Veterans Affairs Committee

Just a P.S. from Edie Meeks:

If people wish to see me they can go to Youtube Mary Edie Meeks speech at the Wall for the 25th Anniversary of the Wall.

Thanks Edie

On Tue, Oct 29, 2013 at 6:21 PM, Edie Meeks <ediemeeeks@gmail.com> wrote:
Dear Catherine,
I don't have an "official" resume but what follows is a brief bio.

Born Minneapolis, Minn
St Mary's School of Nursing Rochester, Minn

1st Lt. Army Nurse Corp 1968-1970
3rd Field Hospital Siagon, Vietnam July 1968- Jan 1969
71st Evac Hospital Pleiku, Vietnam Jan 1969- July 1969
Madigan General Hospital, Tacoma, WA Aug 1969- Feb 1970

Present:

Employed : Northern Westchester Hospital Mt Kisco, NY Operating room nurse

Board of Directors - Vietnam Women's Memorial Foundation
Board of Directors - Purple Heart Hall of Honor Secretary
Member - Rolling Thunder NY Chapter 3
American Legion
VFW
Vietnam Veterans of America
Veterans for Peace
Philipstown Garden Club
Beacon Sloop Club

DUTCHESS COUNTY

LEGISLATURE

30 OCT '13 PM 12:51

Hope this helps. If you need more information please let me know. Edie Meeks

On Mon, Oct 28, 2013 at 4:39 PM, Durland, Catherine <cdurland@dutchessny.gov> wrote:

Dear Edie,

It was a pleasure speaking with you today. At your earliest convenience please send me a resume or brief bio for consideration to serve on our Veteran's Affairs committee. If you have any questions, please do not hesitate to contact me.

Catherine F. Durland

Assistant to the Chairman

Dutchess County Legislature

845.486.2103

Ryan O'Sullivan
19 Maryland Avenue
Poughkeepsie, NY 12601
760-525-1177
sully6_0313@yahoo.com

SUMMARY

Disciplined and focused United States Marine Corps Sergeant with strong interpersonal skills and proven project management capabilities. Successful track record of meeting and exceeding goals, great leadership skills with ability to learn quickly, handle multifaceted tasks, and achieve deadlines. Earned the respect of his peers and the confidence of his chain of command to ensure his duties are conducted with the highest degree of professionalism.

AREAS OF EXPERTISE

Leadership • Strategic Planning Training & Development • Supervision

PROFESSIONAL EXPERIENCE

South Orange County Veterans Center
Laguna Hills, California

September 2012 - March 2013

Administrative Assistant/ Work study

- Greeted existing and new veterans to facility
- Familiar with organization's database
- Assisted veterans and family members with questions about benefits and health care
- Assisted veterans with important paperwork and filing
- Assisted with homelessness and unemployment questions such as transitional services and job placement
- Supported veterans by providing an opportunity for a personal connection to build a network of support around veterans in Orange County
- Collaborated with counselors and therapists to provide a more cohesive environment for veterans

United States Marine Corps
Charlie Company 1st Light Armored Reconnaissance
Battalion, LAV Crewman

June 2006 - February 2010

Vehicle Commander/Instructor

- Directly supervised, trained, and evaluated enlisted personnel in highly dangerous tasks during combat operations in Iraq
- Conducted multiple training courses to assist in personal and professional growth of the individuals within the company
- LAV evaluator and instructed enlisted personnel within the company on the functions of the weapons system before qualifications
- Developed and implemented new programs for troops safety
- Responsible for accountability of highly sensitive gear
- Conveyed using written and verbal communication practices related to crisis intervention and conflict resolution
- Revised and improved procedures to identified and collaborated with the leaders of multiple units
- Honed and utilized crisis management skills during combat operations

**Camp Pendleton, California
Career Orientation and Training of Midshipmen (CORTRAMID)**

June 2009 - July 2009

Instructor

- Responsible for NROTC summer training programs and safety of future Navy and U.S. Marine Corps officers
- Represented the Corps values of honor, courage and commitment on a daily bases
- Mentored and guided NROTC midshipmen in their professional development of different aspect of the Marine Corps activities
- Provided the team with realistic perspective regarding training effectiveness and relevancy

**Golf Battery 2nd Battalion 11th Marine Regiment,
Cannon crewman**

January 2002 - June 2005

Section Chief/Squad Leader/Instructor

- Directly supervised, trained, and evaluated enlisted personnel in highly dangerous tasks, and combat operations in Iraq
- Manage and maintain all equipment and vehicles in order to ensure the readiness capabilities at all times
- Responsible for accountability of highly sensitive gear
- Coordinated assigning missions with team members and chain of command
- Platoon's lead navigator by conducting route recon with platoon and company commanders
- Assisted with the ordering of supplies

EDUCATION

Saddleback College

June 2010 - December 2012

Dutchess Community College

September 2005 - December 2005

Roy C. Ketcham - High School Diploma

September 1997 - June 2001

**Camp Pendleton, California
Career Orientation and Training of Midshipmen (CORTRAMID)**

June 2009 - July 2009

Instructor

- Responsible for NROTC summer training programs and safety of future Navy and U.S. Marine Corps officers
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EDUCATION

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June 2010 - December 2012

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September 2005 - December 2005

Roy C. Ketcham - High School Diploma

September 1997 - June 2001

FERGAL I. FOLEY

119 Dakota Drive • Hopewell Junction, NY 12533
Home (845) 592-0242 • Cell (845) 702-1671
xfoley@aol.com

EXECUTIVE MANAGEMENT / OPERATIONS MANAGEMENT

Executive management professional offering over 25 years of initiative, innovation, and effectiveness in high intensity environments including emergency operations and crisis response. Strategic planner with ability to apply technical and management skills across broad areas of responsibility. Budget conscious with background in multiple venues including logistics, training, operations and emergency response. Superior communication skills in diverse settings. Expert collaborator with ability to take command, build consensus, and inspire cooperation.

EXECUTIVE MANAGEMENT: Successfully transitioned from senior military position to senior executive at a corporate level. Organized successful recruiting and retention programs to maintain organizational readiness. Ensured that administration, training and logistics goals were met at all levels. Designed and executed policies to sustain excellent working environment. Developed a functional structure for small defense company so that it could establish itself for future growth and to go public.

BUSINESS DEVELOPMENT: Enhanced growth of Company by utilizing various government agencies and incentive programs. Built relationships with new and existing customers to further generate revenue.

GOVERNMENT AFFAIRS: WORKED WITH ELECTED OFFICIALS AT LOCAL, STATE AND FEDERAL LEVELS OF GOVERNMENT TO INFORM THEM OF INDUSTRY TRENDS AND RECOMMEND EFFECTIVE PROGRAMS.

BUDGETARY EXPERTISE: COLLABORATED WITH CFO TO CUT COSTS.

AMERICAN DEFENSE SYSTEMS,

HICKSVILLE, NY

JUNE 2007 – PRESENT

CHIEF OPERATING OFFICER, DIRECTOR

- Oversee day to day operations of a 40 million dollar global company. Projected revenues for 2010 will be significantly higher.
- Instrumental in taking private company and making it a public organization in record time through the SEC. Company went public on AMEX in June 2008.
- Evaluated proposed mergers and acquisitions to determine if they would be profitable to the company.
- Initiated policies regarding Equal Opportunity, Sexual Harassment, Employment rights, Code of Ethics and various compliance procedures.
- Represented Company at National and International events. Briefed 400 investment brokers at convention about ADSI.
- Initiated organizations first strategic development session to determine mission statement, values, business objectives and goals for 1,2, and 5 years.
- Provided leadership to transform small company into a viable global market contender while keeping companies identity.
- Determined staffing needs and hired senior personnel (VP level) to support company operations. Supervised 10 Vice Presidents and numerous sub-contractors.
- Built Domestic and International Business Development program.
- Developed relationships with several federal elected officials and their staffs to work legislative issues.
- Targeted major agencies such as the Department of Homeland Security, Department of Defense, and Design-Build organizations to enhance revenue opportunities

NEW YORK GUARD COMMANDER, (Volunteer) Peekskill, NY 10/2008 - Present

Appointed by Governor Paterson as Commander of the New York Guard and nominated for second star by New York State Senate

NEW YORK ARMY NATIONAL GUARD (Full-Time)

Facility Manager, CAMP SMITH TRAINING POST, Cortlandt Manor, NY 09/2005 to 06/2007

Oversee operations for an 1500-acre National Guard training base consisting of 30 buildings and multiple training areas. Manage diverse staff specializing in specialties of carpentry, electric repair, plumbing, water purification and distribution including senior managers of administrative, logistics, and training departments. Oversee health, welfare and safety of up to 200 personnel assigned to the post. Plan and coordinate readiness to handle as many as 2000 personnel during collective training events. Ensure facility readiness to meet challenges of domestic emergencies. Continue assignment as federal facility manager following military retirement.

- Negotiated fix for troubled lease agreement issues with law enforcement post tenants, recovering over \$150K for New York State.
- Developed security plan for post facilities to include continuity of operations plan.
- Managed budgets up to \$2 million marked for projects and facility improvement.

Commander, 107TH CORPS SUPPORT GROUP, Harlem, York, NY 10/1999 – 09/2005

Directed 1500 personnel and subordinate organizations as the only full-time National Guard Colonel assigned to metropolitan New York and southern tier. Oversaw four city-block sized facilities within the metropolitan area. Ensured operational readiness and advanced emergency preparedness for domestic crises such as large-scale power failures, natural disasters, and terrorist activities. Provided leadership to nearly 1000 military personnel in support of Operations Iraqi and Enduring Freedom.

- Selected as **Deputy Joint Task Force Commander** for 2004 Republican National Convention.
- Selected as **Deputy Task Force Commander** during 2003 NYC Blackout providing emergency services.
- Planned domestic emergency exercises to include state and county emergency management offices and fire and police personnel.
- Selected to attend **U. S. Army War College**, a nomination reserved for less than 1% of eligible personnel.
- Served as **Deputy Commander** for Joint Task Force following attacks on World Trade Center.
- Established support network for Operation Trade Center, receiving over 3000 soldiers and civilian personnel to provide support to the WTC Site within hours of the attack. Organized assets in preparation to enter Ground Zero.
- Organized and directed staff to handle several hundred missions completed over the course of the rescue operations.
- Recognized by Governor George Pataki for Conspicuous Service to State of New York during the WTC operations.
- Supported the Department of Veterans Affairs in coordinating the 21st National Veterans Wheelchair Games.

Executive/Operations Officer, REGIONAL TRAINING INSTITUTE (RTI), Camp Smith, NY 02/1996 – 09/1999

Oversee all training programs for the RTI, directing training and administration of National Guard troops. Collaborated with military authorities on training issues, forecasting and executing the budget supporting all training requirements. Developed and enforced training regulations and standard operating procedures. Performed human resource functions for full time staff.

- Ensured all functional training departments met rigorous Department of the Army accreditation standards.
- Created CPR program in partnership with American Red Cross and other states to offer support to local first responders.
- Extended the services of the RTI to the Wisconsin Army National Guard providing access to a Certified Training Center for recertification of their medics, combat lifesavers, and other emergency professionals.

Chief Operations Officer, COMMUNICATIONS UNIT, Yonkers, NY

02/1990 – 02/1996

Managed day to day administrative and training operations for a 500 person communications battalion. Managed training programs for the unit to include short and long range calendars. Monitored and executed travel, operations and training budgets. Successfully supervised subordinate organizations across New York State. Managed 35 full time personnel

- Successfully created and implemented several emergency management intra-agency training exercises.
- Designed communications force structure to respond to emergencies.
- Reorganized subordinate units to meet transformation initiatives.
- Selected to represent agency on the Governors Search and Rescue Task Force.

President, DUTCHESS COUNTY TRANSPORTATION CORPORATION, Somers, NY

04/1986 – 02/1990

Built a small transportation company that grew from one vehicle to a fleet of assorted transportation vehicles. Expanded business into New York City and spun off two other like businesses in the process.

Outside Sales Representative, HAMILTON AVNET, Danbury, CT

07/1982 – 04/1986

Began as Customer Service Rep and Inside Salesperson for electronic component distribution company. Within two years was promoted to Outside Sales Rep servicing existing accounts and developing new business accounts.

EDUCATION AND TRAINING

- **Master of Strategic Studies, United States Army War College**, Carlisle, PA, 2006
- **Master of Public Administration, Marist College**, Poughkeepsie, NY, 1994
- **Bachelor of Science, Business, Marist College**, Poughkeepsie, NY, 1982
- **Associates Degree, Business, State University of New York**, Canton, NY 1980
- **Professional Military Education:** Defense Strategy Course, Senior Transportation Officer Qualification Course, U. S. Army Logistics College, Network Management/ Information System Staff Officer Course, Command and General Staff Officer Course, Signal Information System Officer Advanced Course.

AWARDS AND COMMENDATIONS

Theodore Roosevelt Leadership Award (Military Association of New York) (Gov. Pataki was previous recipient) ; Legion of Merit (2); New York State Conspicuous Service Medal; New York State Liberty Defense Medal w/WTC device; Meritorious Service Medal(3); New York State Military Commendation Medal; Army Achievement Medal; Army Commendation Medal(2); Global War on Terrorism Medal; Reserve Component Achievement Medal; Good Conduct Medal; Bronze and Silver Order of Mercury (Signal Corps outstanding lifetime service awards)

AFFILIATIONS

National Guard Association of the United States; Armed Forces Communication-Electronics Association; 7th Regiment Veterans Association; American Society for Industrial Security (ASIS), Association of the United States Army (AUSA)

COMMUNITY SERVICE

- Hillcrest Homeless Shelter (Volunteer)
- Child Sponsorship Program (Holy Land Christian Ecumenical Foundation)
- International charitable organization that supports local and international charities (Former Director)
- Certified Foster Parent.
- United Nations *Non Governmental Organization* (NGO) (Deputy Chief of Delegation)
- Military Association of New York (Former Chairman).
- National Guard Association of the United States, Homeland Security Task Force

Family and Human Services Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 4 - Town of Hyde Park	Serino		
District 9 - City of Poughkeepsie	Johnson		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton (VC)		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey (C)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2014064 APPOINTMENTS AND REAPPOINTMENTS TO THE VETERANS AFFAIRS COMMITTEE

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total: 25 0
 Yes No
 Abstentions: 0

2014064 APPOINTMENTS AND REAPPOINTMENTS TO THE VETERANS AFFAIRS COMMITTEE

Date: March 10, 2014

RESOLUTION NO. 2014065

RE: AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE ADJUSTMENT ASSISTANCE ACT

Legislators KELSEY, FLESLAND, SERINO, FARLEY, STRAWINSKI, JETER-JACKSON, HORTON, JOHNSON, and PERKINS offer the following and move its adoption:

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

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County to increase FY 2012 TAA funding for the period of 10/01/11 through 9/30/14, now, therefore be it

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

APPROPRIATIONS

Increase

2012

CD6292.2012.4813 TAA Participant Funding \$6,530

REVENUES

Increase

2012

CD6292.2012.47910.22 TAA Participant Funding \$6,530

CA-30-14
LK/CRC/ca/G-1263
2/18/14
Fiscal Impact: See attached statement

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 6,530

Total Current Year Revenue \$ 6,530
and Source

NYS DOL

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: Laraine Kautz, Executive Director - DCWIB



New York State Department of Labor
Andrew M. Cuomo, *Governor*
Peter M. Rivera, *Commissioner*

December 31, 2013

Mr. Marcus J. Molinaro
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Molinaro:

This letter is to notify you that the New York State Department of Labor (NYSDOL) has approved the Local Workforce Investment Area's (LWIA's) requests for additional funds to support the provision of services under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Workforce Development System Technical Advisory #04-6 (May 18, 2004).

Attached is a revised Notice of Obligational Authority to reflect approval of the additional funds. Also attached is a listing of individuals associated with the additional funding, and identification of changes and no changes to prior approvals.

As a reminder, the funds awarded to the LWIA under the TAA program may be expended only for costs identified in approved plans and must be reported to NYSDOL by the LWIA on a monthly basis. In the event training does not occur or the final costs are less than requested, the funds remaining must be deobligated and are not available for the LWIA's use.

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

Sincerely,

Karen A. Coleman
Deputy Commissioner
for Workforce Development

Attachment(s)

cc: Ms. Heidi Seelbach-Budd
Ms. Susan Newhouse
Ms. Nancy Bell
Ms. Laraine Kautz
Mr. Alfonso Rubio-Aragon
Ms. Delores Caruso



NYS Department of Labor

Trade Adjustment Act Report

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

GRANTEE: LWIA: Dutchess

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

This NOA authorizes:

Program Year 2011 funding for the period (10/01/10 through 09/30/13).

Program Year 2012 funding for the period (10/01/11 through 09/30/14).

CFDA# 17.245

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
FY11			
Training	\$ 62,999.42	\$ 0.00	\$ 62,999.42
Job Search	\$ 106.70	\$ 0.00	\$ 106.70
Relocation	\$ 0.00	\$ 0.00	\$ 0.00
FY12			
Training	\$ 144,760.25	\$(2,770.01)	\$ 141,990.24

Approved By:

Karen A. Coleman

Deputy Commissioner for Workforce Development

Dated: 12/31/2013



NYS Department of Labor

Trade Adjustment Act Report

TAA PARTICIPANT FUNDING REQUEST ADDITIONAL APPROVALS AND CHANGES TO PREVIOUSLY APPROVED FUNDS

As of: 12/24/2013

LWIA # 60

FY11

New Funding Requests Approved:

No New Funding Request

Changes to Previously Approved Funding Requests:

No Changes to Previous Funding

Total For This Fiscal Year

FY12

New Funding Requests Approved:

No New Funding Request

Changes to Previously Approved Funding Requests:

Training

LAFALCE, LORI ANN

\$(2,770.01)

Total by Account:

\$(2,770.01)

Total For This Fiscal Year

\$(2,770.01)



New York State Department of Labor
Andrew M. Cuomo, Governor
Peter M. Rivera, Commissioner

January 17, 2014

Mr. Marcus J. Molinaro
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Molinaro:

This letter is to notify you that the New York State Department of Labor (NYSDOL) has approved the Local Workforce Investment Area's (LWIA's) requests for additional funds to support the provision of services under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Workforce Development System Technical Advisory #04-6 (May 18, 2004).

Attached is a revised Notice of Obligational Authority to reflect approval of the additional funds. Also attached is a listing of individuals associated with the additional funding, and identification of changes and no changes to prior approvals.

As a reminder, the funds awarded to the LWIA under the TAA program may be expended only for costs identified in approved plans and must be reported to NYSDOL by the LWIA on a monthly basis. In the event training does not occur or the final costs are less than requested, the funds remaining must be deobligated and are not available for the LWIA's use.

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

Sincerely,

Karen A. Coleman
Deputy Commissioner
for Workforce Development

Attachment(s)

cc: Ms. Heidi Seelbach-Budd
Ms. Susan Newhouse
Ms. Nancy Bell
Ms. Laraine Kautz
Mr. Alfonso Rubio-Aragon
Ms. Delores Caruso



NYS Department of Labor

Trade Adjustment Act Report

TAA PARTICIPANT FUNDING REQUEST ADDITIONAL APPROVALS AND CHANGES TO PREVIOUSLY APPROVED FUNDS

As of: 1/14/2014

LWIA # 60

FY11

New Funding Requests Approved:

No New Funding Request

Changes to Previously Approved Funding Requests:

No Changes to Previous Funding

Total For This Fiscal Year

FY12

New Funding Requests Approved:

Training

PERULLO, JR, ROBERT

\$ 5,966.67

DIKA, MUHAMED

\$ 3,333.00

Total by Account:

\$ 9,299.67

Changes to Previously Approved Funding Requests:

No Changes to Previous Funding

Total For This Fiscal Year

\$ 9,299.67

Family and Human Services Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 4 - Town of Hyde Park	Serino		
District 9 - City of Poughkeepsie	Johnson		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton (VC)		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey (C)		

Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>12</u>	<u>0</u>
Absent: <u>0</u>	Motion: <u>—</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014065 AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE
ADJUSTMENT ASSISTANCE ACT

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014065 AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE ADJUSTMENT ASSISTANCE ACT

Date: March 10, 2014

RESOLUTION NO. 2014066

RE: APPOINTMENT TO STOP DWI POLICY PLANNING BOARD

Legislators ROMAN, FLESLAND, THOMES, HORTON, BOLNER, BORCHERT, and FARLEY offer the following and move its adoption:

WHEREAS, by Resolution No. 503 of 1985 the Dutchess County Legislature did approve the plan for the Stop DWI Program; and

WHEREAS, said plan provided for a Policy Planning Board of up to fifteen (15) members, six (6) of which shall be appointed by the County Executive and six (6) of which shall be appointed by the County Legislature; and

WHEREAS, the County Legislature adopted Resolution No. 23 of 1986 amending said plan so as to provide for a policy planning board of up to sixteen (16) member, six (6) of which shall be appointed by the County Executive and seven (7) which shall be appointed by the County Legislature; and

WHEREAS, there exists a vacancies in County Legislature appointments on the Stop DWI Policy Planning Board; and

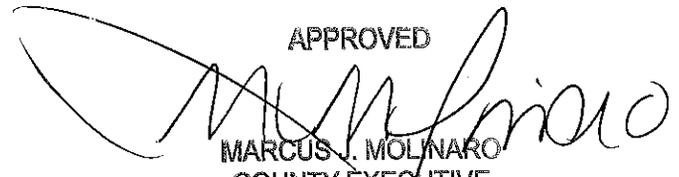
WHEREAS, Michael Hill and Sgt. Christine Lopez have expressed interest in being appointed to the Stop DWI Policy Planning Board; now, therefore, be it

RESOLVED, that Michael Hill and Sgt. Christine Lopez are hereby appointed to the Stop DWI Policy Planning Board:

Appointment

Mr. Michael Hill
109 Keith Drive
Poughkeepsie, NY 12603

Sgt. Christine Lopez
Troop K Headquarters
2541 Route 44
Salt Point, NY 12578

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

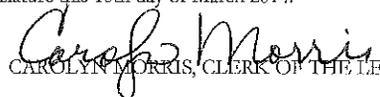
STATE OF NEW YORK

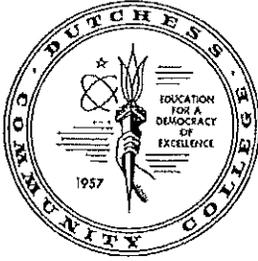
ss:

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE



**NEW YORK STATE DRINKING DRIVER PROGRAM
DUTCHESS COMMUNITY COLLEGE**

Program Director: Michael J. Hill, MS Ed.

Program Assistant: Grace Diaz

53 Pendell Road, Poughkeepsie, NY 12601-1595
Telephone: (845) 431 - 8903 / FAX: (845) 431 - 8988

September 30, 2013

William Johnson
STOP DWI Coordinator
Dutchess County

RE: STOP DWI Planning Board Membership

I would appreciate your consideration for becoming a member of the Dutchess County's STOP DWI Planning Board.

I have been involved in the delivery of the NYS Drinking Driver Program in Dutchess County since February 1982, mostly as the program's Director. More recently, I have been the County's monitor for Conditionally Discharged motorist who have been sentenced to have Ignition Interlock systems installed in their vehicles.

I have served on various state-wide traffic safety committees. I am presently serving on the Governor's Task Force on Impaired Driving, representing the Education and Treatment of the Committee.

I have a longstanding and positive relationship with the District Attorney's Office, our various Law Enforcement agencies and both the County's Magistrates & Court Clerks Associations.

In all, I have spent the greater majority of my professional career working in this field and would consider it an honor to becoming a member of the County's STOP DWI Planning Board.

If you have any questions, please feel free to contact me directly.

Sincerely,

Michael J. Hill

CHRISTINE L. LOPEZ

Troop K Headquarters
Traffic Section
2541 Route 44
Salt Point, NY 12578

HIGHLIGHTS OF QUALIFICATIONS

- Over fourteen (19) years experience as a New York State Trooper
- Troop Traffic Safety Officer June 2000 – March 2009
- Traffic Supervisor March 2009 -Present
- EVOC Instructor October 1998 – Present
- Alcotest Instructor April 1998 – Present
- National Safety Council Defensive Driving Instructor 2003 – Present
- Alcotest Recertification Officer April 1998 - Present

RELEVANT EXPERIENCE

- Over 14 years in Troop Traffic Section
- Handle all duties of the Traffic Supervisor
 - **DRIVING PROGRAM**
 - **BREATH TEST PROGRAM**
 - **MONTHLY TRAFFIC ASSIGNMENTS**
 - **STATISTICS**
 - **EQUIPMENT, FORMS AND SUPPLIES**
 - **DMV**

EDUCATION

- SUNY Cortland, Cortland, New York
 - BA – Secondary Education, Political Science – May 1991
- Instructor Development School –October 1998
- Driving Dynamics Advanced Driving School – October 2001
- National Safety Council Defensive Driving Instructor School – May 2002
- EVOC Instructor School – October 1998
- Alcotest Instructor School – April 1998
- Fitness Coordinator School – May 1998
- Field Training Officer School – October 1999

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss		
District 21 - Town of East Fishkill	Horton		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 12 **Resolution:** ✓ **Total:** 12 0
Absent: 0 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014066 APPOINTMENTS TO STOP DWI POLICY PLANNING BOARD

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i> @	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 25 **Resolution:** ✓ **Total:** 25 0
Absent: 0 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014066 APPOINTMENTS TO STOP DWI POLICY PLANNING BOARD

Date: March 10, 2014

RESOLUTION NO. 2014067

RE: AUTHORIZING GRANT AGREEMENT WITH FIREFIGHTERS SUPPORT FOUNDATION AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE (A.3410)

Legislators ROMAN, FLESLAND, SURMAN, BOLNER, BORCHERT, HORTON, HUTCHINGS, INCORONATO, KELSEY, MICCIO, NESBITT, PULVER, ROLISON, SAGLIANO, SERINO, THOMES, WEISS, FARLEY, PERKINS, JETER-JACKSON, and JOHNSON offer the following and move its adoption:

WHEREAS, the Firefighters Support Foundation has awarded the County a grant in the sum of \$10,107 to be used for the purchase of a Bullex Xtreme training package, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2014 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant award from the Firefighters Support Foundation in connection with the above project and further authorizes and empowers the County Executive to execute said grant agreement and any amendments on behalf of the County of Dutchess, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2014 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.3410.2500.05 Other Equip 5 yr \$10,107

REVENUES

Increase

A.3410.15890.23 Other Safety Firefighters \$10,107

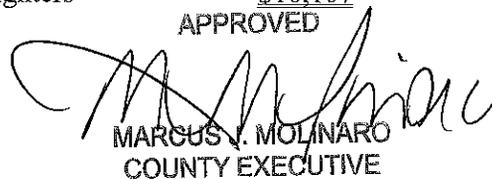
CA-24-14
CAB/ca/G-0148-A
2/10/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

COUNTY OF DUTCHESS

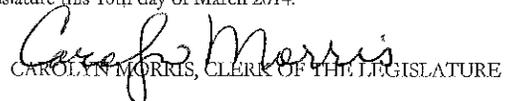
ss:

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 3/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 10,107

Total Current Year Revenue \$ 10,107
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): \$0
Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Laurie Colgan



Firefighters Support Foundation

www.ffsupport.org

40 School Street
Unit 10
Greenfield, MA 01301
Tel: 413 774 3512
Fax: 413-828-8181

Equipment Grant Agreement

Please sign, .pdf, and email to ralphmroz@comcast.net

Grantee: Dutchess County Dept. of Emergency Response

FSF Contact: Ralph Mroz 413.774.3512

Grant amount: \$10,107

To be applied towards: Bullex Simulator

On behalf of the grantee, we agree to:

- Use the funds granted to us by FSF for the purpose described above within 90 days of receipt of them.
- Provide FSF copies of the receipts or invoices for the purchase of these materials within 14 days of delivery of the materials
- Provide FSF with a digital photo of our service members with or using them within 14 days of delivery of the materials.
- Let FSF use the photo and a description of the grant on its website.
- Make a concerted effort to share the equipment on a regional basis
- Agree to respond to FSF's request for annual usage data
- Talk with FSF's representative about the issues encountered in rolling the system out

If any FSF-granted funds are left over after purchasing this equipment, we agree to deposit them in the general operating account of the agency.

Date _____

Authorized Agency Representative / Title

Printed Name

APPROVED AS TO CONTENT: 
Emergency Response

APPROVED AS TO FORM: _____
County Attorney



October 28, 2013

To Whom It May Concern:

Bullex is the sole source provider for the I.T.S. Xtreme™, which is used to provide cost-effective, realistic and repeatable live-fire extinguisher training. The I.T.S. Xtreme cannot be purchased through any other authorized vendor and there are no other similar products available.

The I.T.S. Xtreme is the only fire extinguisher training system capable of varying live-flames based on where a trainee is aiming and sweeping a fire extinguisher. The system works by sensing where a trainee aims the SmartExtinguisher® (included with the system). The system then varies propane-fed flames accordingly to simulate the response of a fire to a dry-chemical fire extinguisher.

The SmartExtinguisher, however, needs only to be filled and recharged with compressed air and water. The sensors in the I.T.S. Xtreme determine where a user is aiming and sweeping the SmartExtinguisher and the on-board control system determines how to vary the flames in response. If the user utilizes the correct technique, aiming and sweeping at the base of the fire, the flames will be extinguished. If the user does not utilize the proper technique, the fire may die down, but will not be fully extinguished. The I.T.S. Xtreme is also the only fire extinguisher training system that can offer a time-to-extinguish score for each trainee.

The technology that enables the I.T.S. Xtreme to sense the SmartExtinguisher and vary the flames in response is patented. The United States Patent Number is 7,175,439.

Sincerely,

Ryan O'Donnell
President

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss		
District 21 - Town of East Fishkill	Horton		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 12 0
 Yes No
 Abstentions: 0

2014067 AUTHORIZING GRANT AGREEMENT WITH FIREFIGHTERS SUPPORT FOUNDATION AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
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District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
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District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: Total: 24 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014067 AUTHORIZING GRANT AGREEMENT WITH FIREFIGHTERS SUPPORT FOUNDATION AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE

Date: March 10, 2014

RESOLUTION NO. 2014068

RE: AUTHORIZING GRANT AGREEMENT WITH NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE (A.3410)

Legislators ROMAN, FLESLAND, SURMAN, BOLNER, BORCHERT, HORTON, HUTCHINGS, INCORONATO, KELSEY, MICCIO, NESBITT, PULVER, ROLISON, SAGLIANO, SERINO, THOMES, WEISS, FARLEY, PERKINS, and JOHNSON offer the following and move its adoption:

WHEREAS, the National Association of County and City Health Officials (NACCHO) has awarded the County a grant in the sum of \$3,500 to build the capacity of local Medical Reserve Corps (MRC) units, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2014 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant award from the National Association of County and City Health Officials in connection with the above project and further authorizes and empowers the County Executive to execute said grant agreement and any amendments on behalf of the County of Dutchess, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2014 Adopted County Budget as follows:

APPROPRIATIONSIncrease

A.3410.4412	Grant Project Costs	<u>\$3,500</u>
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REVENUESIncrease

A.3410.43890.08	Other Safety MRC	<u>\$3,500</u>
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CA-23-14

CAB/ca/G-0148-A 2/7/14

Fiscal Impact: See attached statement

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 3/19/2014

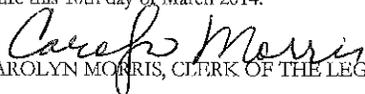
STATE OF NEW YORK

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.



CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 3,500

Total Current Year Revenue \$ 3,500
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): \$0
Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Laurie Colgan

National Association of County and City Health Officials

AGREEMENT

**National Association of County and City Health Officials 1100 17th Street, NW, 7th Floor, Washington, DC
20036-4636 (202)783-5550 FAX (202)783-1583**

CONTRACT #MRC 14 -0016

This Agreement is entered into, effective as of the date of the later signature indicated below (the "Effective Date"), by and between the National Association of County and City Health Officials ("NACCHO"), with its principal place of business at 1100 17th St., N.W., 7th Floor, Washington, DC 20036, and Dutchess County Department of Emergency Response ("Organization"), with its principal place of business at 392 Creek Road Poughkeepsie New York 12601

WHEREAS, NACCHO has received a grant from the Department of Health and Human Services (Grant # 5 MRCSG101005-04-00, CFDA # 93.008) (the "Grant") to build the capacity of local Medical Reserve Corps ("MRC") units;

WHEREAS, pursuant to the terms of the Grant, NACCHO has agreed, among other things, to provide support to MRC units and to encourage these units to provide certain information to the Office of the Surgeon General's Division of the Civilian Volunteer Medical Reserve Corps ("OSG/DCVMRC");

WHEREAS, Organization either houses or is itself an MRC unit that is registered in good standing with the OSG/DCVMRC;

WHEREAS, pursuant to the terms of the Grant, NACCHO desires to provide funding to Organization in exchange for Organization agreeing, among other things, to undertake the activities indicated in their capacity building application or oversee such activities and to provide certain information to the OSG/DCVMRC.

NOW, THEREFORE, NACCHO and Organization, intending to be legally bound, in consideration of the promises and mutual covenants and obligations contained herein, hereby agree as follows:

1. **ORGANIZATION'S OBLIGATIONS:** In consideration for the payment described in Section 3, below, Organization agrees, during the Term of this Agreement, to be an MRC Unit in Good Standing by meeting the following criteria below. If Organization houses an MRC Unit, Organization will ensure that the unit is an MRC Unit in Good Standing by meeting the following criteria below.

1. Have 501c(3) or comparable status or be housed in an organization capable of and willing to receive federal funds on its behalf;
2. Monitors and provide updates to the MRC Unit's profile on the MRC web site no less often than once every three months;
3. Provides the OSG/DCVMRC with regular updates of programs and plans;
4. Actively works towards National Incident Management System ("NIMS") compliance;
5. Agrees to participate in MRC Unit Technical Assistance assessments;

6. Utilizes capacity building award funds for approved purposes, and as indicated in their capacity building award application;
7. Maintains Registered status with the OSG/DCVMRC; and
8. Agrees to complete program/event/activity evaluations provided by NACCHO

2. TERM OF AGREEMENT: The term of the Agreement shall be begin on December 20th, 2013 and shall continue until July 31, 2014 (the "Term").

3. PAYMENT FOR SERVICES: In consideration for the agreements by Organization set forth in Section 1, above, NACCHO shall pay Organization Thirty-five hundred Dollars (\$ 3,500.00). Payment will be made before the expiration of the Term of the Agreement.

4. REVISIONS AND AMENDMENTS: Any revisions or amendments to this Agreement must be made in writing and signed by both parties.

5. ASSIGNMENT: Organization may not assign this Agreement nor delegate any duties herein without the expressed written approval of NACCHO.

6. INTERFERING CONDITIONS: Organization shall promptly and fully notify NACCHO of any condition that interferes with, or threatens to interfere with, the successful carrying out of Organization's duties and responsibilities under this Agreement, or the accomplishment of the purposes thereof. Such notice shall not relieve Organization of said duties and responsibilities under this Agreement.

7. RESOLUTION OF DISPUTES: The parties shall use their best, good faith efforts to cooperatively resolve disputes and problems that arise in connection with this Agreement. Both parties will make a good faith effort to continue without delay to carry out their respective responsibilities under the Agreement while attempting to resolve the dispute under this section. If a dispute arises between the parties that cannot be resolved by direct negotiation, the dispute shall be submitted to a dispute board for a nonbinding determination. Members of the dispute board shall be the Director or Chief Executive Officer of the Organization, the Executive Director of NACCHO, and the Senior Staff of NACCHO responsible for this Agreement. The costs of the dispute board shall be paid by the Organization and NACCHO in relation to the actual costs incurred by each of the parties. The dispute board shall timely review the facts, Agreement terms and applicable law and rules, and make its determination. If such efforts fail to resolve the differences, the disputes will be submitted to arbitration in the District of Columbia before a single arbitrator in accordance with the then-current rules of the American Arbitration Association. The arbitration award shall be final and binding upon the parties and judgment may be entered in any court of competent jurisdiction.

8. ENTIRE AGREEMENT: This Agreement contains all agreements, representations, and understandings of the parties and supersedes and replaces any and all previous understandings, commitments, or agreements, oral or written.

9. PARTIAL INVALIDITY: If any part, term, or provision of this Agreement shall be held void, illegal, unenforceable, or in conflict with any law, that part, term or provision shall be restated to effectuate the parties' intentions, and the validity of the remaining portions or provisions shall not be affected.

10. GOVERNING LAW: This Agreement shall be governed by and construed in accordance with the laws of the District of Columbia (without regard to its conflict of law rules).

11. COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS: Organization's use of funds under this Agreement is subject to the directives of and full compliance with 45 C.F.R. Part 74 (Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Non-Profit Organizations, and Commercial Organizations) and OMB Circular A-110 (Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations). It is the Organization's responsibility to understand and comply with all requirements set forth therein.

12. DEBARRED OR SUSPENDED ORGANIZATIONS: Pursuant to OMB Circular A-110, Organization certifies to the best of its knowledge that it is not presently and will execute no subcontract with parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension."

13. AUDITING: Organization agrees to permit independent auditors to have access to its books, records and financial statements for the purpose of monitoring compliance with this contract.

14. NOTICE: All notices under this Agreement shall be in writing and shall be sent via facsimile and first class mail, postage prepaid, to the addresses below. Either party may update its address by providing written notice to the other party pursuant to the terms of this provision.

TO NACCHO:

National Association of County and City Health Officials

Attn: Moira Tsanga

1100 17th Street, N.W., 7th Floor

Washington, DC 20036

Tel. (202) 507-4272

Fax (202) 783-1583

Email: mtsanga@naccho.org

TO ORGANIZATION:

Dutchess County Department of Emergency Response

Marcus Molinaro

County Executive

392 Creek Road

Poughkeepsie New York 12601

8454862000

National Association of County and City Health Officials

AGREEMENT

National Association of County and City Health Officials 1100 17th Street, NW, 7th Floor, Washington, DC
20036-4636 (202)783-5550 FAX (202)783-1583

15. AUTHORITY TO BIND PARTY: Each party hereby represents and warrants that the person signing this Agreement on its behalf as the authority to bind such party.

NACCHO:

Authorized Signature:

By: _____

Name: Dawn P. Richardson, JD, MA

Title: Senior Director of Grants and Contracts

Organization: National Association of County and City Health Officials

Address: 1100 17th Street, NW

7th Floor

Washington, DC 20036

Phone: 202-507-4264

Fax: 202-783-1583

BIN: 52-1426663

Date: _____

ORGANIZATION:

Authorized Signature:

By: _____

Name: Marcus Molinaro

Title: County Executive

Organization: Dutchess County Department of Emergency Response

Address: 392 Creek Road

Poughkeepsie, New York 12601

Phone: 8454862000

Fax: 8454862021

BIN: 146002566

Date: _____

National Association of County and City Health Officials

AGREEMENT

**National Association of County and City Health Officials 1100 17th Street, NW, 7th Floor, Washington, DC
20036-4636 (202)783-5550 FAX (202)783-1583**

CERTIFICATION OF NON-DEBARMENT OR SUSPENSION

By my signature I attest that Dutchess County Department of Emergency Response has not been debarred or suspended pursuant to OMB Circular A-110 and will not subcontract with parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689 "Debarment and Suspension."

Signature of Authorized Certifying Official	Title
Organization	Date Signed

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss		
District 21 - Town of East Fishkill	Horton		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 12 **Resolution:** ✓ **Total :** 12 0
Absent: 0 **Motion:** — **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014068 AUTHORIZING GRANT AGREEMENT WITH NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 **Resolution:** **Total:** 24 0
Absent: 1 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014068 AUTHORIZING GRANT AGREEMENT WITH NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE

Date: March 10, 2014

RESOLUTION NO. 2014069

RE: AUTHORIZING GRANT AGREEMENT WITH COMMUNITY FOUNDATIONS OF THE HUDSON VALLEY AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF'S OFFICE (A.3110.25)

Legislators ROMAN, FLESLAND, SERINO, FARLEY, JOHNSON, and PERKINS offer the following and move its adoption:

WHEREAS, the Sheriff has advised that the John T. Sloper Community Fund of the Community Foundations of the Hudson Valley has awarded the County a Fall 2013 Sloper Grant (#20130345) in the sum of \$2,499.80 for emergency equipment for the Sheriff's Marine Patrol, and

WHEREAS, the grant project covers the period through December 31, 2014, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2014 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant award from the John T. Sloper Community Fund of the Community Foundations of the Hudson Valley and further authorizes and empowers the County Executive to execute said grant agreement on behalf of the County of Dutchess, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2014 Adopted County Budget as follows:

APPROPRIATIONSIncrease

A.3110.25.4123	Safety Supplies	<u>\$2,500</u>
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REVENUESIncrease

A.3110.25.15890.06	Other Public Safety Local Grants	<u>\$2,500</u>
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CA-18-14

KPB/ca/G-0224

2/3/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date

3/18/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.



CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 2,500

Total Current Year Revenue \$ 2,500
and Source

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

Identify Line Items(s):

A.3110.25.4123 Safety Supplies
A.3110.25.15890.06 Other Public Safety Local Grant

Related Expenses: Amount \$ _____

Nature/Reason:

Grant purchase Marine equipment

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

The Community Foundation of the Hudson Valley has awarded the Sheriff's Office \$2499.80 in grant funds which is the Fall 2013 Sloper Grant. The check in the amount of \$2,499.80 has been issued and received by the Sheriff's Office; upon acceptance of the Grant Agreement will be submitted to Finance.

Resolution request is for acceptance of the grant award and signature of the County Executive. In addition to, amendment of the Sheriff's Budget in the amount of \$2,499.80 for the purchase of emergency equipment for the Sheriff's Marine Patrol.

Prepared by: Maureen Sariglianis

#10222
#10231

COMMUNITY FOUNDATIONS OF THE HUDSON VALLEY
Serving Dutchess, Putnam and Ulster Counties

80 Washington Street, Suite 201
Poughkeepsie, NY 12601
845-452-3077

GRANT AGREEMENT
JOHN T. SLOPER COMMUNITY FUND

The grant to you or your organization from the Community Foundation is for the purpose described in your application, subject to any special conditions described in Section V below. **TO ACKNOWLEDGE THIS AGREEMENT, TO ACCEPT THE GRANT, AND TO BE ELIGIBLE TO RECEIVE THE FUNDS, PLEASE SIGN THE GRANT AGREEMENT AND RETURN IT TO THE FOUNDATION.** A countersigned Grant Agreement will be returned with the payment of the grant.

DATE AUTHORIZED: November 21, 2013

GRANTEE: Dutchess County Sheriff's Office

AMOUNT: \$2,499.80

GRANT NUMBER: 20130345

GRANT PROJECT TITLE: FALL 2013 SLOPER GRANT. The purpose of this grant is consistent with the grant application submitted.

I. PUBLIC ANNOUNCEMENT:

Since the Community Foundation is a public foundation, we believe it is important that the public be told of our grants. We would be pleased to cooperate with you in any publicity effort about our gift that might further the general efforts of your program and explain the role of the Foundation to the community. All recognition of this grant must indicate that it was made by the John T. Sloper Community Fund of the Community Foundations of the Hudson Valley. Use of just the fund name is not appropriate.

II. GRANT PAYMENT:

A check in the amount of the grant will be issued upon receipt of a signed Grant Agreement. If you prefer for the Foundation to hold payment until requested you should indicate as such when you return the signed Grant Agreement.

III. EXPENDITURE OF FUNDS:

This grant is to be used only for the purpose described in your grant request and stated above, in accordance with the approved budget. The program is subject to modification only with the Foundation's prior written approval.

- The grantee shall return to the Community Foundation any unexpended funds
 1. at the conclusion of the project funded.
 2. if the Foundation determines that the grantee has not performed in accordance with this agreement and approved program/budget.

3. if the grantee loses its exemption from Federal Income Taxes under Section 501 (c)(3) of the Internal Revenue Code.

- No funds provided by the Foundation may be used for any political campaign, or to support attempts to influence legislation by any governmental body, other than through making available the results of nonpartisan analysis, study, and research.
- The grantee is responsible for the expenditure of funds and for maintaining adequate supporting records consistent with generally accepted accounting practices.
- The Foundation reserves the right to examine the progress of any grant funded. If, in the judgment of the Foundation, a grant has not adequately achieved its originally stated goals and objectives, the Community Foundation reserves the right to terminate the grant and cease making further payments, or require that the recipient return any portion or all of the previously paid grant at the point in time the Foundation deems it appropriate.

IV. INDEMNIFICATION

Grantee accepts responsibility for complying with this agreement's terms and conditions and will exercise full control over the grant and the expenditure of grant funds. The Grantee agrees to indemnify and hold the Community Foundation harmless from any claims that may ever be asserted against it arising from the Grantee's activities under this agreement.

V. REPORTS TO THE COMMUNITY FOUNDATION:

At the conclusion of the project funded, a financial report and project evaluation shall be provided to the Foundation. If the project has not been completed within one year of the date of the grant, an interim report is required. In some cases, quarterly or semi-annual reports will be requested, and this will be noted in Section V as a special condition of the grant. The Foundation appreciates receiving photos or other graphics in relation to the grant for use in its Annual Report, etc.

VI. SPECIAL CONDITIONS OF THE GRANT:

- All recognition of this grant must indicate that it was made by the John T. Sloper Community Fund of the Community Foundations of the Hudson Valley. Use of just the fund name is not appropriate.
- Project/Program must be completed and final report submitted by December 31, 2014 or this grant will expire.



 Signature of Organization Director

12/05/2013

 Date

Wendy A. Traversi / Paul Buff

 Print or type name and title

Jennifer Killian

 For the Community Foundation
 Jennifer Killian, Director of Programs

12/9/13

 Date

As to Content:

As to Content:

County Attorney

County Executive



Dutchess County Sheriff's Office

150 North Hamilton Street, Poughkeepsie, NY 12601

Adrian H. Anderson
Sheriff

Kirk A. Imperati
Undersheriff

George V. Krom Jr.
Corrections
Administrator

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



MEMORANDUM

TO: Marcus Molinaro, County Executive
FROM: Kirk Imperati, Under Sheriff 
DATE: January 28, 2014
RE: Resolution Request

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

The Community Foundation of the Hudson Valley has awarded the Sheriff's Office \$2499.80 in grant funds which is the Fall 2013 Sloper Grant. The check in the amount of \$2,499.80 has been issued and received by the Sheriff's Office and upon acceptance of the Grant Agreement will be submitted to Finance.

Resolution request is for acceptance of the grant award and signature of the County Executive. In addition to, amendment of the Sheriff's Budget in the amount of \$2,499.80 for the purchase of emergency equipment for the Sheriff's Marine Patrol.

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

Thank you.

KAI/mrs

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss		
District 21 - Town of East Fishkill	Horton		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 12 0
 Abstentions: 0 Yes No

2014069 AUTHORIZING GRANT AGREEMENT WITH COMMUNITY FOUNDATIONS OF THE HUDSON VALLEY AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF'S OFFICE

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24 Resolution: Total: 24 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2014069 AUTHORIZING GRANT AGREEMENT WITH COMMUNITY FOUNDATIONS OF THE HUDSON VALLEY AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF'S OFFICE

Date: March 10, 2014

RESOLUTION NO. 2014070

RE: AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF (A.3110.70)

Legislators ROMAN, FLESLAND, BOLNER, BORCHERT, HORTON, HUTCHINGS, INCORONATO, KELSEY, MICCIO, NESBITT, PULVER, ROLISON, SAGLIANO, SERINO, THOMES, WEISS, FARLEY, PERKINS, and JOHNSON offer the following and move its adoption:

WHEREAS, the Sheriff has advised that the New York State Division of Homeland Security and Emergency Services State Law Enforcement Prevention Program (SLETPP) FY12 Grant has a balance remaining, and

WHEREAS, the remaining funds will be used to purchase a Computer Evidence System and the calibration of Emergency Services Unit equipment previously purchased with grant funds, and

WHEREAS, the purchase could not be completed by the end of 2013 and the Sheriff wishes to complete spending of the FY12 SLETPP grant within the grant period which expires August 31, 2014, and

WHEREAS, it is necessary to amend the 2014 Adopted County Budget to provide for receipt and expenditure of the remaining grant funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2014 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.3110.70.4412 Grant Project Costs \$36,208

REVENUES

Increase

A.3110.70.43200.05 Crime Control-Hmld Sec \$36,208

CA-19-14

ca/G-0224

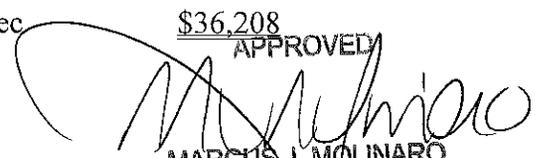
2/3/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

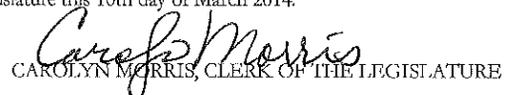
COUNTY OF DUTCHESS

ss:

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ 36,208

Total Current Year Revenue \$ 36,208
and Source

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

Identify Line Items(s):

A.3110.70.4412 Grant Project Costs
A.310.200.43200.05 Crime Control - Homeland Security

Related Expenses: Amount \$ _____

Nature/Reason:

Grant Spending

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Resolution requests to appropriate the Sheriff's 2014 Budget in the amount of \$36,208. Balance remaining from the DHSES SLETPP FY12 Grant. Purchase could not be completed by the end 2013. The Grant expires 8/31/2014, and will be completed with the purchase of a Computer Evidence System and the calibration of Emergency Services Unit equipment previously purchased with Grant funds.

Prepared by: Maureen Sariglianis



Dutchess County Sheriff's Office

150 North Hamilton Street, Poughkeepsie, NY 12601

Adrian H. Anderson
Sheriff

Kirk A. Imperati
Undersheriff

Main (845) 486-3800
Fax (845) 452-2987
TDD (845) 486-3688



MEMORANDUM

TO: Marcus Molinaro, County Executive
FROM: Kirk Imperati, Under Sheriff 
DATE: January 30, 2014
RE: Resolution Request

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

This Resolution requests to appropriate the Sheriff's 2014 Budget in the amount of \$36,208. Balance remaining from the DHSES SLETPP FY12 Grant. Purchase could not be completed by the end 2013. The Grant expires 8/31/2014, and will be completed with the purchase of a Computer Evidence System and the calibration of Emergency Services Unit equipment previously purchased with Grant funds.

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

Thank you.

KAI/mrs

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss		
District 21 - Town of East Fishkill	Horton		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 12 Resolution: ✓ Total: 12 0
 Absent: 0 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2014070 AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert	<i>absent</i>	
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 24

Absent: 1

Vacant: 0

Resolution:

Motion:

Total: 24 0

Yes No

Abstentions: 0

2014070 AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF

Date: March 10, 2014

RESOLUTION NO. 2014071

RE: OPPOSING USE OF THE DUTCHESS COUNTY SEAL BY THE STATE OF NEW YORK WITHOUT THE CONSENT OF DUTCHESS COUNTY

Legislators WEISS, ROLISON, FLESLAND, HUTCHINGS, MICCIO, ROMAN, SURMAN, HORTON, SERINO, FARLEY, and PERKINS offer the following and move its adoption:

WHEREAS, the New York Safe Act signed by Governor Andrew Cuomo on January 15, 2013 amended various provisions of New York State Law in relation to fire arms and ammunition; and

WHEREAS, agencies of the State of New York have expressed their intentions to issue pistol permit recertification notices utilizing the seals of the respective counties of residents of pistol permit holders; and

WHEREAS, the New York State County Law, Section 404, states that the official Seal of a County shall be used when authorized by law; and

WHEREAS, by local law, the Dutchess County Legislature enacted the Dutchess County Charter and the Dutchess County Administrative Code, such that both the Charter and Code have the force and effect of law; and

WHEREAS, Section 2.07 of the Dutchess County Administrative Code, entitled "Seal of the County Legislature," states that the "Seal of the County of Dutchess shall be the Seal of the County Legislature" and that the "Seal shall be used for all authorized and required purposes"; and

WHEREAS, Section 3.09 of the Dutchess County Administrative Code, entitled "Seal of the County Executive," states that the "Seal of the County of Dutchess shall be the Seal of the County Executive and shall be used for all authorized and required purposes"; and

WHEREAS, Adrian "Butch" Anderson, Dutchess County Sheriff and Bradford H. Kendall, Dutchess County Clerk have expressed concern that the recertification process using the County Seal will have consequences in the first instance by implying the County supports the recertification plan, secondly by implying the County has a role in the recertification plan and thirdly potentially generating multiple inquiries to the County Sheriff and the County Clerk pertaining to recertification process; and

WHEREAS, the New York State Sheriff's Association and New York State County Clerk's Association have expressed opposition to the unauthorized use of a County Seal by the New York State Police; and

WHEREAS, County Executive, Marcus J. Molinaro by Executive Order No. 2 of 2014 dated January 31, 2014 ordered that the Seal of the County of Dutchess shall only be used by authorized departments of County Government or such additional use as may be authorized by

resolution of the governing body of Dutchess County, and all additional unauthorized use is prohibited; now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby strongly objects to the unauthorized use of the Dutchess County Seal by the State of New York and other external entities; and be it further

RESOLVED, that the Legislature of the County of Dutchess does not authorize and hereby denies the State of New York permission to use the name, Seal of the County and County letterhead or address for purposes of correspondence with the notices to legal pistol permit holders regarding recertification or other purpose associated with implementation or exercise of the New York Safe Act; and be it further

RESOLVED, that the Clerk of the Dutchess County Legislature shall forward copies of this Resolution to Governor Andrew Cuomo, State Senators Greg Ball and Terry Gipson, New York State Assembly Members, Kevin Cahill, Kieran Michael Lalor, Frank Skartados and Didi Barret and New York State Police Superintendent, Joseph A. D'Amico.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/19/2014

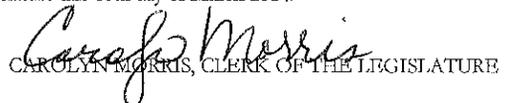
STATE OF NEW YORK

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 0
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ 0
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

The potential impact of the use of the County Seal by the NYS Police in the pistol recertification program cannot not be quantified monetarily. The potential impact to the County Clerk's Office and the Sheriff's Office stems from the potential confusion of constituents as to who is responsible for the program. Use of the Seal implies County responsibility and will lead to numerous constituent inquires about compliance as well as procedural questions we will not be able to answer. For staffs that aare already stretched thin, this is an unacceptable program especially for a program that was supposed to be at no cost to counties.

Prepared by: Bradford Kendall, County Clerk



COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

MEMORANDUM

TO: Rob Rolison, Chairman of the Legislature
Members of the Legislature
Carolyn Morris, Clerk of the Legislature

FROM: Marcus Molinaro, County Executive

RE: Resolutions No. 2014071

DATE: March 20, 2014

Resolution Number 2014071, adopted in a 21 to 4 vote reaffirms that only Dutchess County can and may make use of our official County Seal for Dutchess County purposes.

As the County Administrative Code empowers the Legislature and Executive respectively, to affix and prescribe use of the County seal – your action in a bipartisan vote, is an important step. Resolution 2014071 joins my Executive Order 2 of 2014. In so doing, the two branches of government entrusted with application of the Dutchess County seal send a unified message that only we can make us of our County seal.

I thank you and commend you for your action and hereby sign and approve Resolution 2014071. As a county, we respectfully request that State pay for their mandated programs and object to their suspected use of our county's seal to implement such programs.

Background
2014071

Adrian H. Anderson
Dutchess County Sheriff
150 North Hamilton Street
Poughkeepsie, NY 12601

Bradford H. Kendall
Dutchess County Clerk
22 Market Street
Poughkeepsie, NY 12601

Honorable Robert G. Rolison
Chair, Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

February 3, 2014

Dear Chairman Rolison:

It has come to our attention that the use of Dutchess County's Seal by the NY State Police as part of their plan to recertify pistol licenses needs to be addressed by the County Legislature.

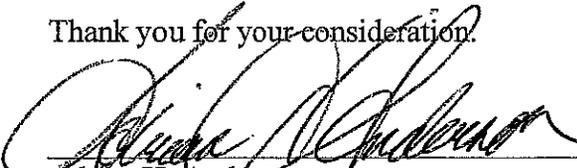
Under the provisions of the NY SAFE Act, the State Police have been charged with developing a plan to recertify all pistol license holders beginning January 1, 2018. As part of that plan the State Police will be contacting all pistol license holders by letter encouraging the licensee to recertify early.

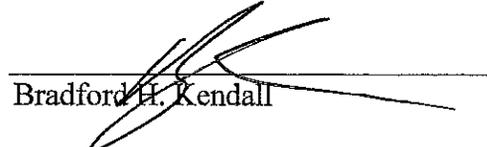
It has been proposed by the State Police that the correspondence contain both the seal of the State of New York and the seal of the County of residence. This will have real consequences; first implying that the County supports the recertification plan, secondly implying that the County has a role in the recertification plan and thirdly generating potentially hundreds if not thousands of inquiries to the County Sheriff and the County Clerk pertaining to recertification process.

The County Clerks' Association as well as the Sheriff's Association have expressed their opposition to the unauthorized use of the County Seal by the State Police but we have yet to receive a commitment from the Governor's Office that our individual seals will not be used.

We believe that it is imperative and we respectfully request that the Dutchess County Legislature consider and adopt a resolution forbidding the unauthorized use of the Dutchess County Seal on any correspondence or materials related to the NY SAFE Act.

Thank you for your consideration.


Adrian H. Anderson


Bradford H. Kendall



COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

EXECUTIVE ORDER NO. 2 OF 2014

I hereby issue the following Executive Order establishing a policy regarding the use of the County Seal of the County of Dutchess.

WHEREAS the New York State County Law, Section 404, states that the official seal of a county shall be used when authorized by law, and

WHEREAS, by local law, the Dutchess County Legislature enacted the Dutchess County Charter and the Dutchess County Administrative Code, such that both the Charter and Code have the force and effect of law, and

WHEREAS, Section 2.07 of the Dutchess County Administrative Code, entitled "Seal of the County Legislature," states that the "seal of the County of Dutchess shall be the seal of the County Legislature" and that the "seal shall be used for all authorized and required purposes", and

WHEREAS, Section 3.09 of the Dutchess County Administrative Code, entitled "Seal of the County Executive," states that the "seal of the County of Dutchess shall be the seal of the County Executive" and that the "seal shall be used for all authorized and required purposes", and

WHEREAS, Section 155(1) of the Alternative County Government Law provides that the County Executive shall: "(a) Be the administrative head of the county government" and "(b) Have supervision, direction and control over governmental functions of all administrative units of the county", now, therefore it is

ORDERED, that the Seal of Dutchess County shall only be used by authorized departments of County Government or such additional use as may be authorized by resolution of the governing body of Dutchess County, and all additional unauthorized use is hereby prohibited.

Made this 31st day of January 2014, at the Office of the County Executive, 22 Market Street Poughkeepsie, New York 12601

MARCUS J. MOLINARO
Dutchess County Executive

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss		
District 21 - Town of East Fishkill	Horton		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution:
 Motion:

Total: 12 0
 Yes No
 Abstentions: 0

RW Called the Question
 duly seconded by
 AF

2014071
 3.6.14

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	1	
District 6 - Town of Poughkeepsie	Flesland*	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	3	
District 10 - City of Poughkeepsie	Jeter-Jackson*	4	
District 16 - Town of Fishkill and City of Beacon	MacAvery*	5	
District 1 - Town of Poughkeepsie	Nesbitt	6	
District 5 - Town of Poughkeepsie	Roman (C)	7	
District 9 - City of Poughkeepsie	Johnson	8	
District 12 - Town of East Fishkill	Weiss	9	
District 21 - Town of East Fishkill	Horton	10	
District 18 - City of Beacon and Town of Fishkill	Farley	11	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)	12	
Present: _____	Resolution: <input checked="" type="checkbox"/>	Total : <u>12</u>	<u>0</u>
Absent: _____	Motion: _____	Abstentions: <u>0</u>	Yes
Vacant: _____			No

2014071 OPPOSING USE OF THE DUTCHESS COUNTY SEAL BY THE STATE OF NEW YORK WITHOUT THE CONSENT OF DUTCHESS COUNTY

Date: March 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rollison		1
District 6 - Town of Poughkeepsie	Flesland		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		3
District 10 - City of Poughkeepsie	Jeter-Jackson	1	
District 16 - Town of Fishkill and City of Beacon	MacAvery	2	
District 1 - Town of Poughkeepsie	Nesbitt		4
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		5
District 3 - Town of LaGrange	Borchert		6
District 4 - Town of Hyde Park	Serino		7
District 5 - Town of Poughkeepsie	Roman		8
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		21
District 9 - City of Poughkeepsie	Johnson		9
District 11 - Towns of Rhinebeck and Clinton	Tyner	3	
District 12 - Town of East Fishkill	Weiss		10
District 14 - Town of Wappinger	Amparo		11
District 15 - Town of Wappinger	Incoronato		12
District 17 - Town and Village of Fishkill	Miccio		13
District 18 - City of Beacon and Town of Fishkill	Farley		14
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		15
District 20 - Town of Red Hook	Strawinski	4	
District 21 - Town of East Fishkill	Horton		16
District 22 - Towns of Beekman and Union Vale	Hutchings		17
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		18
District 24 - Towns of Dover and Union Vale	Surman		19
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		20

Present: 25
 Absent: 0
 Vacant: 0

Resolution:
 Motion:

Total: 4 21
 Yes No
 Abstentions: 0

JT - Strike 1st Whereas

MS

2014071
 3.10.14

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 25
 Absent: 0
 Vacant: 0

Resolution:
 Motion:

Total: 25 0
 Yes No
 Abstentions: 0

AF

"Call the Question"

DB

2014071
 3.10.14

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	1	
District 6 - Town of Poughkeepsie	Flesland	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	3	
District 10 - City of Poughkeepsie	Jeter-Jackson		1
District 16 - Town of Fishkill and City of Beacon	MacAvery	4	
District 1 - Town of Poughkeepsie	Nesbitt	5	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	6	
District 3 - Town of LaGrange	Borchert	7	
District 4 - Town of Hyde Park	Serino	8	
District 5 - Town of Poughkeepsie	Roman	9	
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	10	
District 9 - City of Poughkeepsie	Johnson	11	
District 11 - Towns of Rhinebeck and Clinton	Tyner		2
District 12 - Town of East Fishkill	Weiss	12	
District 14 - Town of Wappinger	Amparo	13	
District 15 - Town of Wappinger	Incoronato	14	
District 17 - Town and Village of Fishkill	Miccio	15	
District 18 - City of Beacon and Town of Fishkill	Farley	16	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	17	
District 20 - Town of Red Hook	Strawinski		3
District 21 - Town of East Fishkill	Horton	18	
District 22 - Towns of Beekman and Union Vale	Hutchings	19	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	20	
District 24 - Towns of Dover and Union Vale	Surman	21	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey	22	

Present: 25 **Resolution:** **Total:** 22 3
Absent: 0 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014071 OPPOSING USE OF THE DUTCHESS COUNTY SEAL BY THE STATE OF NEW YORK WITHOUT THE CONSENT OF DUTCHESS COUNTY

Date: March 10, 2014

Discussion on Resolution No. 2014071 resulted as follows:

Legislator Tyner made a motion, duly seconded by Legislator Strawinski, to delete the following Whereas:

WHEREAS, the New York Safe Act signed by Governor Andrew Cuomo on January 15, 2013 amended various provisions of New York State Law in relation to fire arms and ammunition; and

Hutchings Moved the Question, duly seconded by Legislator Flesland, and unanimously carried.

Roll call vote on the foregoing amendment resulted as follows:

AYES: 4 Jeter-Jackson, MacAvery, Strawinski, Tyner

NAYS: 21

ABSENT: 0

The foregoing motion was defeated.

Legislator Flesland Moved the Question, duly seconded by Legislator Bolner, and unanimously carried.

Roll call vote on the foregoing resolution resulted as follows:

AYES: 22

NAYS: 3 Jeter-Jackson, Tyner, Strawinski,

ABSENT: 0

The foregoing resolution was adopted.



Commendation: Jane McElduff, D.D.S

Legislators MacAvery and Farley offer the following and move its adoption:

WHEREAS, Jane McElduff, one of the eleven children of the late Michael and Peggy McElduff, was born and raised in the City of Beacon, attended St. John the Evangelist grammar school and Our Lady of Lourdes High School, and

WHEREAS, in 1979 she graduated from Georgetown University School of Dentistry earning a Doctor of Dental Surgery degree, and

WHEREAS, following her departure from Georgetown, she joined the U.S. Public Health Service in Boston at the rank of Lieutenant where she provided dental care for those in need, and

WHEREAS, on October 4, 1981, Dr. McElduff opened her practice on Teller Avenue in the City of Beacon, and

WHEREAS, Dr. McElduff's distinguished career flourished, spanning over 30 years, and

WHEREAS, Dr. McElduff has been an active member of the Ninth District Dental Society, the American Association of Women Dentists, Mastermind Dental Study Club, the American Academy of Dental Practice Administrators, and

WHEREAS, Dr. McElduff has been voted one of the Hudson Valley's top Dentists for five consecutive years, and

WHEREAS, fondly known by her patients as "Dr. Jane", over the years she has consistently supported her community by sponsoring sports teams, the Dutchess County Executive Arts Awards, participating in Career Days at local schools, as well as collecting donations for Hurricane Sandy victims at Breezy Point, and

WHEREAS, since 2006, as a member of the Health Advisory Board, Dr. McElduff and her team have visited the Astor School in Beacon teaching parents about nutrition, dental care and providing free dental exams and supplies to all the children, and

WHEREAS, for the past 13 years Dr. McElduff has participated in Avon Walk for Breast Cancer on the team affectionately named "Peggy's Spirit" in honor of her Mother who died from Breast Cancer, and

WHEREAS, it is the sense of this Legislature to recognize dedicated efforts of individuals who devote themselves to the welfare of the community, now, therefore be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate Dr. Jane McElduff on the occasion of her retirement, and be it further

RESOLVED, that the Dutchess County Legislature, does hereby extend to Dr. McElduff, its best wishes in all of her future endeavors.

Resolution No. 2014072

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 10th day of March, 2014 and that the same is a true and correct transcript of said original resolution and of the whole thereof

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March, 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

L Aid ON DESKS 3/10/14
DISCUSSION ONLY 4/7/14
Government Services & Administration
PULLED 5/8/14

RESOLUTION NO. 2014073

RE: LOCAL LAW NO. OF 2014, A LOCAL LAW
AMENDING DUTCHESS COUNTY LOCAL LAW NO. 7 OF 2000
AS IT PERTAINS TO SECTIONS 2, 5, 6(a), 11(b), 12(a), AND 12(h)
OF THE DUTCHESS COUNTY CODE OF ETHICS

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

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No. _____ of 2014 which has been submitted this day for consideration by said Legislature.

CA-06-14
CRC/ca/G-0770-B
2/25/14
Fiscal Impact: None

NO FURTHER ACTION TAKEN IN 2014

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of May 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of May 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. ____ of 2014

RE: A LOCAL LAW AMENDING DUTCHESS COUNTY LOCAL LAW NO. 7 OF 2000 AS IT PERTAINS TO SECTIONS 2, 5, 6(a), 11(b), 12(a), AND 12(h) OF THE DUTCHESS COUNTY CODE OF ETHICS

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

SECTION 1. LEGISLATIVE INTENT.

Pursuant to NY General Municipal Law Section 806(1)(a) the County of Dutchess adopted a code of ethics setting forth for the guidance of its officers and employees the standards of conduct reasonably expected of them.

By adopting a local law, ordinance or resolution as authorized by NY General Municipal Law Section 811(1) the County of Dutchess elected, pursuant to NY General Municipal Law Section 812(3), to remove itself from the ambit of NY General Municipal Law Section 812(5), which mandates a NY State prescribed financial disclosure statement form.

The Dutchess County Code of Ethics was thus established by Local Law No. 7 of 2000 and amended by Local Laws No. 2 and No. 7 of 2001 and Local Law No. 5 of 2004.

The County Legislature has determined that it is necessary and advisable to further amend Local Law No. 7 of 2000 to: add a definition of “complaint”; mandate annual Code of Ethics training; provide a process for updating the list of titles and positions of local officers and employees required to file an annual financial disclosure statement; authorize the Dutchess County Board of Ethics to evaluate the contents of financial disclosure statement forms; authorize the acceptance of anonymous complaints alleging violations of the Code of Ethics; and expand the enforcement remedies of the Code of Ethics to authorize the Dutchess County Board of Ethics to issue “cease and desist” orders upon the Board’s determination that a violation of this Code has occurred.

SECTION 2. AMENDING SECTION 2, LOCAL LAW NO. 7 OF 2000.

Upon the adoption of this local law, Local Law No. 7 of 2000, Section 2 is hereby amended to read as follows:

Unless the context clearly provides otherwise, the terms set forth below shall have the following meanings:

- (a) “Appropriate Body” means the Dutchess County Board of Ethics, c/o Commissioner of Finance, 22 Market Street, Poughkeepsie, New York, 12601.
- (b) “Child or Children” means any unemancipated son, daughter, stepson, or stepdaughter.

- (c) "Complaint" means a written communication from any source whatsoever containing factual allegations of misconduct of a Dutchess County employee or officer which, if proven, could constitute a violation of the Dutchess County Code of Ethics. A complaint need not be addressed to the Dutchess County Board of Ethics so long as the substance of the allegations involves purported unethical conduct of a Dutchess County employee or officer.
- (d) "County" means the government of the County of Dutchess and Dutchess Community College.
- (e) "Interest" means a direct or indirect pecuniary or material benefit accruing to an officer or employee, or his or her relative whether as a result of a contract with the County or otherwise. For the purpose of this local law, a County officer or employee shall be deemed to have an interest in the contract of:
 - (i) A relative except as to a contract of employment with the County;
 - (ii) A firm, partnership or association of which such officer or employee is a member or employee;
 - (iii) A corporation of which such officer or employee is an officer, director or employee;
 - (iv) A corporation of which more than five percent of the outstanding stock is owned by any such officer, employee, or his or her relative.
- (f) "Legislation" means a matter which appears on the agenda of the County Legislature or on a committee thereof, on which any official action will be taken and shall include proposed or adopted acts, local laws, ordinances or resolutions.
- (g) "Officer" or "Employee" means an elected or appointed officer or employee of the County of Dutchess, whether paid or unpaid.
- (h) "Relative" means a child, step-child, parent, step-parent, brother, sister, step-brother, step-sister, or legal guardian of any of said persons of an officer or employee or of the spouse of the officer or employee.
- (i) "Spouse" means the husband or wife of an officer or employee unless living separate and apart pursuant to: (i) a judicial order, decree or judgment of separation, or (ii) a legally binding written agreement of separation in accordance with the Domestic Relations Law.
- (j) "Unemancipated Child" means a child who is under the age of eighteen, unmarried and living in the household of an officer or employee.

SECTION 3. AMENDING SECTION 5, LOCAL LAW NO. 7 OF 2000.

Upon the adoption of this local law, Local Law No. 7 of 2000, Section 5 is hereby amended to read as follows:

Within thirty (30) days of the effective date of this local law, the County Attorney shall cause a copy of this Code of Ethics to be distributed to every officer and employee required to file a Financial Disclosure Statement and shall further cause a copy of this local law to be posted in all County owned or leased buildings. Thereafter, each new officer and employee shall be furnished a copy of this local law within sixty (60) days of being elected, appointed, or hired by the County. Each officer and employee required to file a Financial Disclosure Statement shall complete Code of Ethics training provided by the County Attorney during such officer or

employee's initial employee orientation, and annually thereafter, or sign a sworn statement that such officer or employee has received and read the Dutchess County Code of Ethics. Such sworn statement shall be filed with the County Attorney's office by the deadline for filing Financial Disclosure Statements (i.e., May 15). Failure to distribute, post, receive or read a copy of this local law, attend annual training, or to submit a sworn statement regarding receipt and reading of the Code of Ethics shall have no effect on the duty of compliance or the enforcement of the provisions of this local law.

SECTION 4. AMENDING SECTION 6(a), LOCAL LAW NO. 7 OF 2000.

Upon the adoption of this local law, Local Law No. 7 of 2000, Section 6(a) is hereby amended to read as follows:

The Dutchess County Commissioner of Human Resources shall, prior to February 1st of each calendar year in which changes to affected positions become effective, submit to the Dutchess County Legislature for approval by resolution, a list specifying by name of office or by title or classification, those officers, employees, and local elected officials of the executive and legislative branches of county government, but not judges or justices of the Unified Court System, who shall be required to complete and file an annual financial disclosure statement.

Such list shall contain the heads of all county created agencies, departments, divisions, councils, boards, commissions or bureaus and their deputies and assistants, and the officers and employees of such agencies, departments, divisions, boards, bureaus, commissions or councils created by the county who hold policy making positions as determined by the appointing authority as appointing authority is defined by New York State Civil Service Law Section 2(9).

Such officers and employees shall be responsible to complete and file a financial disclosure statement in substantially the form set forth herein and in accordance with the requirements of this local law. On or before March 15th of each year, the County Attorney shall cause to be distributed to those persons holding the positions set forth on such list said financial disclosure statement.

SECTION 5. AMENDING SECTION 11(b), LOCAL LAW NO. 7 OF 2000.

Upon the adoption of this local law, Local Law No. 7 of 2000, Section 11(b) is hereby amended to read as follows:

The Board of Ethics shall be the repository for completed Financial Disclosure Statements and such other written instruments affidavits, and disclosures as required by law. The Dutchess County Commissioner of Finance shall inspect all Financial Disclosure Statements to ascertain whether a person required to file a statement has failed to do so and inform the Dutchess County Board of Ethics in writing of the results of such inspection. The Board of Ethics shall have the authority to request further information from any person required to file an Annual Statement of Financial Disclosure pursuant to this local law who has checked off a box in Item 2 of the Financial Disclosure Statement, and to take such further action as the Board deems warranted as allowed by this code.

SECTION 6. AMENDING SECTION 12(a), LOCAL LAW NO. 7 of 2000.

Upon the adoption of this local law, Local Law No. 7 of 2000, Section 12(a) is hereby amended to read as follows:

All complaints alleging a violation of the Dutchess County Code of Ethics must be in writing and include the signed name and address of the complainant. The Board of Ethics may also choose to investigate and consider an anonymous written complaint upon a unanimous vote in favor of so doing by the Board of Ethics.

SECTION 7. AMENDING SECTION 12(h), LOCAL LAW NO. 7 of 2000.

Upon the adoption of this local law, Local Law No. 7 of 2000, Section 12(h) is hereby amended to read as follows:

Upon the Board's determination that a violation of the Code of Ethics has occurred, and pursuant to Section 9 of this Code of Ethics, the Board of Ethics may assess a penalty as allowed by this code or issue a "cease and desist" order or both.

SECTION 8. EFFECTIVE DATE. This local law is not subject to any mandatory or permissive referendum and, therefore, shall take effect immediately upon filing in the Office of the Secretary of State.

The foregoing local law Resolution No. 2014073 was laid on desks at this meeting, offered for discussion only at the Government Services and Administration Committee on April 3, 2014, and pulled on May 8, 2014.

No further action was taken on this resolution in 2014.

LAID ON DESKS 3/10/14

RESOLUTION NO. 2014074

RE: LOCAL LAW NO. OF 2014, A LOCAL LAW PROTECTING TENANTS FROM
UNAUTHORIZED PESTICIDE OR INSECTICIDE SPRAYING

Legislators TYNER, FARLEY, and STRAWINSKI offer the following and move its
adoption:

RESOLVED, that the Dutchess County Legislature hereby adopts Local Law No. of
2014, which has been submitted this day for consideration by said Legislature.

NO FURTHER ACTION TAKEN IN 2014

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 7th day of April 2014, 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 7th day of April 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Local Law No. of 2014

RE: LOCAL LAW NO. OF 2014, A LOCAL LAW PROTECTING TENANTS FROM UNAUTHORIZED PESTICIDE OR INSECTICIDE SPRAYING

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

§ Section 1. Legislative Intent. This Board finds that individuals and their personal property are, or can be, unwittingly exposed to negatively impacted by pesticides and insecticides applied in their apartments. This Board further finds that pesticides and insecticides may pose health and safety risks to people, particularly children, pregnant women, the elderly, and people with infirmities. The intent of this local law is to provide information to county residents about certain pesticide and insecticide applications to which they may be exposed, so that they can take steps to minimize such exposure to themselves, their families, pets, and property. It is intended that this local law be read and applied consistently with that section and all other applicable provisions of the Environmental Conservation Law and regulations promulgated there under. This law shall be known as the Dutchess County Tenant Pesticide and Insecticide Notification Law.

§ Section 2. Definitions. "Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest.

§ Section 3. Notification Requirements for Application of Pesticides in Apartments. There shall be no application of any pesticide or insecticide in any apartment in Dutchess County unless the tenant of that apartment has given written permission for that application, the pest has been identified, the pesticide or insecticide to be applied has been identified, and sufficient rationale for that application has been provided to the tenant.

§ Section 4. Enforcement. The Dutchess County Department of Health shall enforce the provisions of this local law administratively, provided that all sanctions, which shall be assessed after providing a hearing or opportunity to be heard, shall be as specified in the Penalties provision herein of this law and shall be payable to and deposited with Dutchess County. In particular, the Department of Health shall be responsible for neighbor and applicator provisions and the Department of Consumer Affairs shall be responsible for retail establishment provisions.

§ Section 5. Penalties and Administrative Sanctions. (1) A person applying pesticides or insecticides who violates any provision of this local law shall be liable for a civil penalty not to exceed one thousand dollars for a first violation, and not to exceed two thousand dollars for a subsequent offense. (2) An owner or owner's agent of a multiple dwelling or apartment complex who violates any section of this law shall for a first such violation, in lieu of penalty, be issued a written warning and shall also be issued educational materials prepared by the Dutchess County

Health Commissioner. Such person shall, however, for a second violation, be liable for a civil penalty not to exceed one hundred dollars, and not to exceed two hundred fifty dollars for any subsequent violation.

§ Section 6. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to an person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ Section 7. Effective Date and Filing. This law shall take effect on the first day of January after it shall have been adopted and filed with the office of Secretary of State. Within twenty days after adoption of this law, the Clerk of the County Legislature shall forward one certified copy thereof to the Commissioner of the New York State Department of Environmental Conservation and one to the New York State Department of Environmental Conservation and one to the New York State Attorney General.

The foregoing local law Resolution No. 2014074 was laid on desks at this meeting.

No further action was taken on this resolution in 2014.

L Aid on desks 3/10/14
Pulled by sponsor 3/17/14

RESOLUTION NO. 2014075

RE: LOCAL LAW NO. OF 2014 " HYDRAULIC FRACTURING BRINE
PROHIBITION ACT"

Legislators TYNER, STRAWINSKI, AMPARO, FARLEY, MACAVERY, and
JETER-JACKSON offer the following and move its adoption:

RESOLVED, that the Dutchess County Legislature hereby adopts Local Law No.
of 2014, which has been submitted this day for consideration by said Legislature.

NO FURTHER ACTION TAKEN IN 2014

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Local Law No. of 2014

RE: LOCAL LAW NO. OF 2012 "HYDRAULIC FRACTURING BRINE PROHIBITION ACT"

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

1. Title. This Local Law shall be known by and may be cited as the "Hydraulic Fracturing Brine Prohibition Act".

2. Definitions. As used in this local law, the following terms shall have the following meanings:

"Application" shall mean the physical act of placing Brine on one or more County roads or one or more pieces of County property. Each physical act shall be deemed separate when the person committing the act stopping for any reason the placement of the Brine for any purpose, including but not limited to stopping a vehicle used in the placement of the Brine, stopping work for any reason, re-loading or replacing any material or equipment necessary to apply the brine.

"Brine" shall mean: (a) production brine; or (b) produced waters; or (c) flowback; or (d) flowback fluids; or (e), hydraulic fracturing fluid, any or all, which are generated as a result of drilling for, or seeking gas in wells including but not limited to High Volume Hydraulic Fracturing, as defined herein.

"Commissioner" shall mean: The Commissioner of the Department of Public Works except for the use of the word "commissioner" in Section 5 may mean any other commissioner designated by the County Executive or may mean the Commissioner of Public Works as determined by the County Executive.

"Flowback" shall mean liquids and solids produced during initial completion and clean-up of the well or clean-up of a well following a re-fracture or workover.

"Flowback fluids" shall mean liquids produced following drilling and initial completion and clean-up of the well or clean-up of a well following a re-fracture of workover.

"High Volume Hydraulic Fracturing" shall mean a natural gas well stimulation technique consisting of the injection into the earth of a water and chemical mix with the intent of increasing the ability to extract natural gas from very tight rock."

"Hydraulic fracturing fluid" shall mean fluid used to perform hydraulic fracturing and includes the primary carrier fluid and all applicable additives.

"Municipality" shall mean the County of Dutchess.

"Production brine or produced waters" shall mean liquids co-produced during oil and gas production.

"Property" shall mean real property, improved or otherwise, which the County of Dutchess owns or controls.

"Roads" shall mean public roads, streets, or bridges owned or controlled by the municipality.

3. Use of Brine prohibited. No Brine shall be applied to or placed upon property or roads of the municipality. In any bid for materials, services, or equipment which relate to property maintenance or road improvements or road construction, the municipality in a bid specification or bid document describing the nature of the services or equipment sought, and any agency or division of the municipality, shall expressly state in capitalized, bold font, "THE PLACEMENT OF BRINE ON ANY ROAD OR PROPERTY OF THE COUNTY OF DUTCHESS IS UNLAWFUL. ANY BIDDER SHALL FILE A SWORN STATEMENT WITH THEIR BID THAT NO BRINE AS DEFINED BY LOCAL LAW OF THE MUNICIPALITY WILL BE SOLD TO THE MUNICIPALITY AS PART OF THE BID, OR UTILIZED ON OR PLACED ON ANY PROPERTY OR ROAD OF THE COUNTY OF DUTCHESS. BIDDERS ARE DIRECTED TO THE LAWS OF THE COUNTY OF DUTCHESS FOR THE DEFINITION OF BRINE."

4. Statement to be included in Bid. The Statement provided for in section 3, which shall be a sworn statement under penalty of perjury, shall read substantially as follows:

"We, _____ hereby submit a bid for materials, equipment, or labor for the _____ of _____. The bid is for bid documents titled _____. We hereby certify under penalty of perjury that no Brine will be used by the undersigned bidder or any contractor, sub-contractor, agent, or vendor thereof in connection with the bid; nor will the undersigned Bidder or any sub-contractor, agent, or vendor thereof and/or therefor apply or supply any Brine to any property or road(s) of the County of Dutchess as a result of the submittal of this bid if selected." The Statement shall otherwise be sworn to under penalty of perjury in a form satisfactory to the County Attorney.

5. Duty of Employees to be Familiar with this local law. The County Executive or, at the County Executive's option, a department head or a commissioner of any Department appointed by the County Executive is authorized to develop policies to ensure county employees are familiar with this local law and take such steps as are directed by the County Executive or such department head or commissioner to ensure a diligent effort by the County that materials supplied to the County or used on County roads or property comply with this Law. This shall not excuse non-compliance by a contractor or vendor of the County.

6. Penalties for Violations. Breach of Contract. A violation of the provisions of this local law shall be deemed a breach of contract and shall authorize the Director of Central Services in cooperation with the County Attorney and any other officer or employee of the County deemed necessary by the County Attorney, commence a civil Breach of Contract action against the violator of the provisions of this local law. Damages sought shall be determined by the County Attorney but may include, but shall not be limited to the cost of any consequential damages of the breach of contract. In addition, a determination by the Director of Central Services that the contract was awarded through shall make a finding that the Contractor was not a responsible bidder and shall cause notice of such irresponsibility to be circulated in a form approved by the County Attorney to each other County in New York State. The County Attorney is further authorized to commence any necessary action to enjoin any violation of this local law he or she believes to be occurring.

Criminal Penalties. In addition to prosecution for Perjury as determined by the District Attorney, any person who violates this article shall be guilty of an unclassified misdemeanor and subject to a fine not to exceed \$25,000 per violation and/or up to fifteen days imprisonment. Each application of brine shall constitute a separate and distinct violation.

7. Separability. If any sentence, clause, paragraph, subdivision, sub-paragraph, part or provision of this article or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this article or the application thereof to other persons or circumstances and the Legislature hereby declares that it would have enacted this article or the remainder thereof had the invalidity of such provision or application thereof been apparent.

8. Effective Date. This act shall take effect 30 days after it shall have been filed with the Secretary of State.

The foregoing local law Resolution No. 2014075 was laid on desks at this meeting and pulled by sponsor on March 17, 2014.

No further action was taken on this resolution in 2014.

Dutchess County Legislature



Condolence: Alan Fisch

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

WHEREAS, the Dutchess County Legislature has learned with sadness and regret of the recent death of Alan Fisch, a lifelong Beacon area resident, on February 12, 2014, at the age of 57, and

WHEREAS, Alan Fisch was born in Philadelphia, Pennsylvania, and was immediately adopted by his parents, Samuel and Frances Fisch of Beacon, New York, and

WHEREAS, Alan graduated from Trinity Pawling School in Pawling, New York, and went on to Dutchess Community College where he graduated with an Associate's Degree in Business, and

WHEREAS, Alan was the owner of Hudson Valley Kayak Pools, and was a third generation Beacon business owner of the former Fisch's for Men, and started the former Beacon Sneaker, and

WHEREAS, Alan was a devoted member of many community organizations and volunteered his time as an EMT for the Beacon Volunteer Ambulance Corps, and served as a ski patroller for the Thunder Ridge Ski Area in Patterson, New York, and

WHEREAS, Alan is survived by his wife Randi, his son Jason, and his wife Erica, and several grandchildren, and

WHEREAS, Alan's passing will be mourned by his family and friends throughout Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Alan Fisch, and be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Alan Fisch.

Resolution No. 2014076

STATE OF NEW YORK

ss:

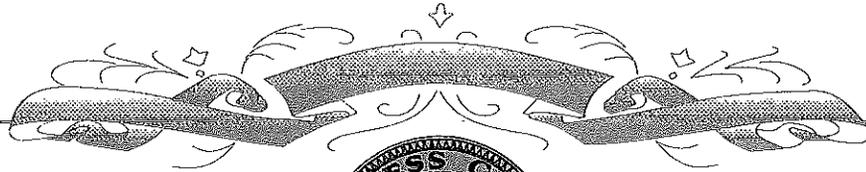
COUNTY OF DUTCHESS

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Condolence: David B. Cunningham

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

WHEREAS, the Dutchess County Legislature has learned with sadness and regret of the recent death of lifelong Pawling resident, David B. Cunningham, on January 3, 2014, in Carmel, New York, at the age of 95, and

WHEREAS, David was born August 29, 1918, in Pawling, New York, and

WHEREAS, David held many jobs during his life; as a child he pumped the organ for the Pawling Methodist Church, he drove the school bus and taxi for Sheridan's Taxi, he plowed roads for the Town of Pawling and he also worked for his father-in-law at the John W. Horn Funeral Home, which would later become the Horn & Thomes, Inc. Funeral Home, and for many years he was a rural letter carrier for the Pawling Post Office, retiring in 1975, and

WHEREAS, David was a 3rd generation fireman and a Life-Member of the Pawling Fire Department, serving his community and surrounding areas for 74 years, and

WHEREAS, David was a member of the Hasler-Kamp Post American Legion, Akin Hall Association and Christ Church, he was past Master of Pawling Grange #831, past President of the Pawling PTA and the Pawling Investment Club, and board member and docent of the Quaker Hill and Pawling Historical Society, and former Scout Master of Troop #34, and

WHEREAS, David married Helen Horn on November 17, 1945, at the Pawling Central Baptist Church, she predeceased him on May 2, 2008. David is survived by his son, Ashley Cunningham of Winthrop, New York, and his daughter Sharon Turner and her husband, Bill, of Pawling, his grandchildren and great grandchildren, and

WHEREAS, David's passing will be mourned by his family, friends, and colleagues throughout Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late David B. Cunningham, and be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late David B. Cunningham.

Resolution No. 2014077

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 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

On motion by Legislator Weiss, duly seconded by Legislator Kelsey and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non-agenda items.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke regarding water contamination, energy tax, and prison reform

No one else wishing to speak, on motion by Legislator Hutchings, duly seconded by Legislator Serino and carried, the Regular Order of Business was resumed.

There being no further business, the Chairman adjourned the meeting at 8:18 p.m. in memory of Alan Fisch and David B. Cunningham.