

# Attendance Sheets

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

Date: 3/12/12

Regular Meeting  
of the  
Dutchess County Legislature

Monday, March 12, 2012

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

Roll Call by the Clerk of the Legislature

PRESENT: 22     Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton,  
Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio,  
Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt,  
Tyner, Weiss, Wilkinson

ABSENT:    2     Kelsey, White

PRESENT, LATE: 0

VACANCY: 1

Quorum Present.

Pledge of Allegiance to the Flag, invocation by Monsignor Joseph Martin of St. Mary's Church in Fishkill, followed by a moment of silent meditation.

Mario Johnson, Nubian Directions, gave a brief presentation regarding funding for the Fall Kill Creek Development Restoration Youth Build Project 2012.

Commendations and Proclamations

Commendation: Eagle Scout – Frederick J. Pizzuto

Commendation: Eagle Scout - Thomas Vaeth

Commendation: Sarah Martinez

Commendation: Vivianna Rivera

Commendation: Gary Cooper

Condolence: Donald B. Dedrick

Condolence: D. James O'Neil, III

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.

No one 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 15 minutes.

The February 15, 2012 minutes were adopted.

**COMMUNICATIONS RECEIVED FOR THE MARCH 2012 BOARD MEETING**

Received from New York State Department of Environmental Conservation, Fact Sheets regarding:

Cleanup action that will address the contamination related to Amenia Town Landfill located at 4541 Route 22, Amenia,

No further action remedy proposed for Page Industrial Area located at Route 55, Poughkeepsie.

Received from William Conn, copy of letter regarding the occupancy status of the 6 Robert Drive, Hyde Park, residence.

Received from Water and Wastewater Authority, Notice of Intention to Act as Lead Agency – SEQR 2012 Hyde Park Water Distribution System Improvements.

Received from Budget Director, Contingency Account Status as of March 7, 2012.

ALL KILL CREEK DEVELOPMENT RESTORATION

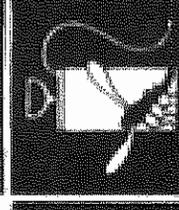
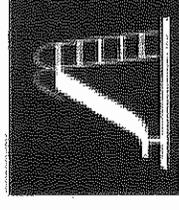
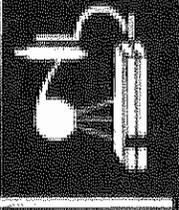
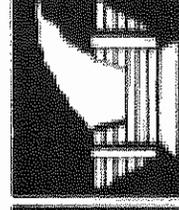
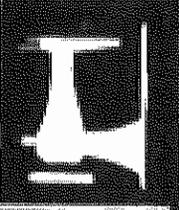
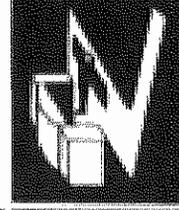
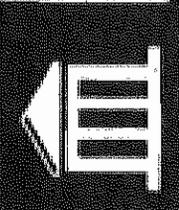
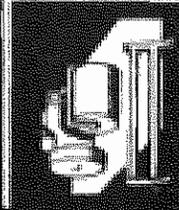
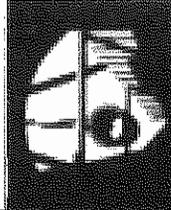
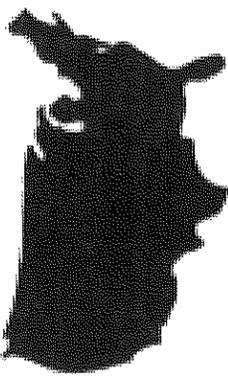
(FDR)  
YOUTHBUILD PROJECT 2012





Created by executive order of President Franklin Delano Roosevelt, the Work Projects Administration (WPA) was funded by Congress with passage of the Emergency Relief Appropriation Act of 1935. The WPA was the largest and most ambitious New Deal agency, employing millions of unskilled workers to carry out public works projects, including the construction of public buildings and roads, and operated large arts, drama, media, and literacy projects. Almost every community in the United States had a park, bridge or school constructed by the agency.

# TYPES OF WPA PROJECTS

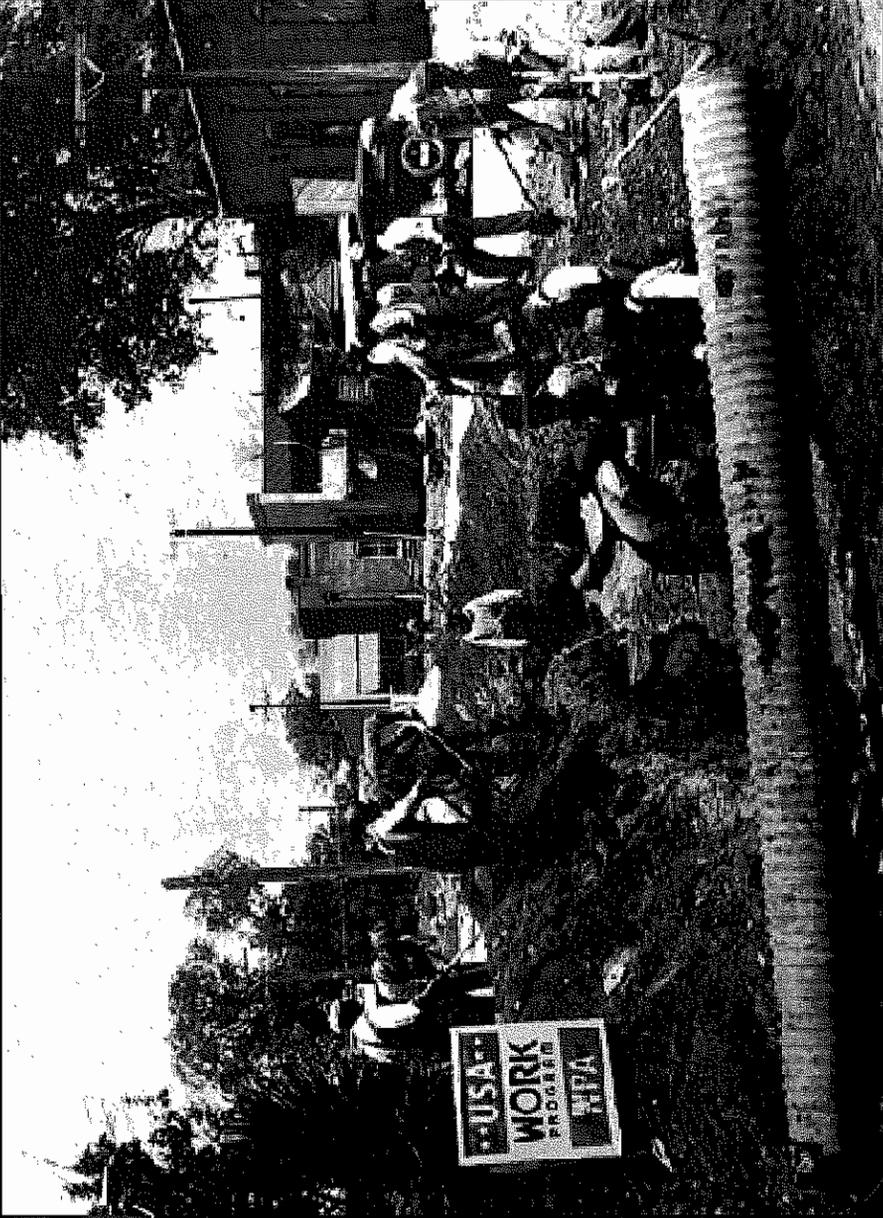


# Etc

## Roads, Bridges, & Highways

- Repair of Public Buildings
- Recreational Facilities
- Public Utilities
- White Collar Work
- Relief Production
- Conservation
- Airports
- Sanitation

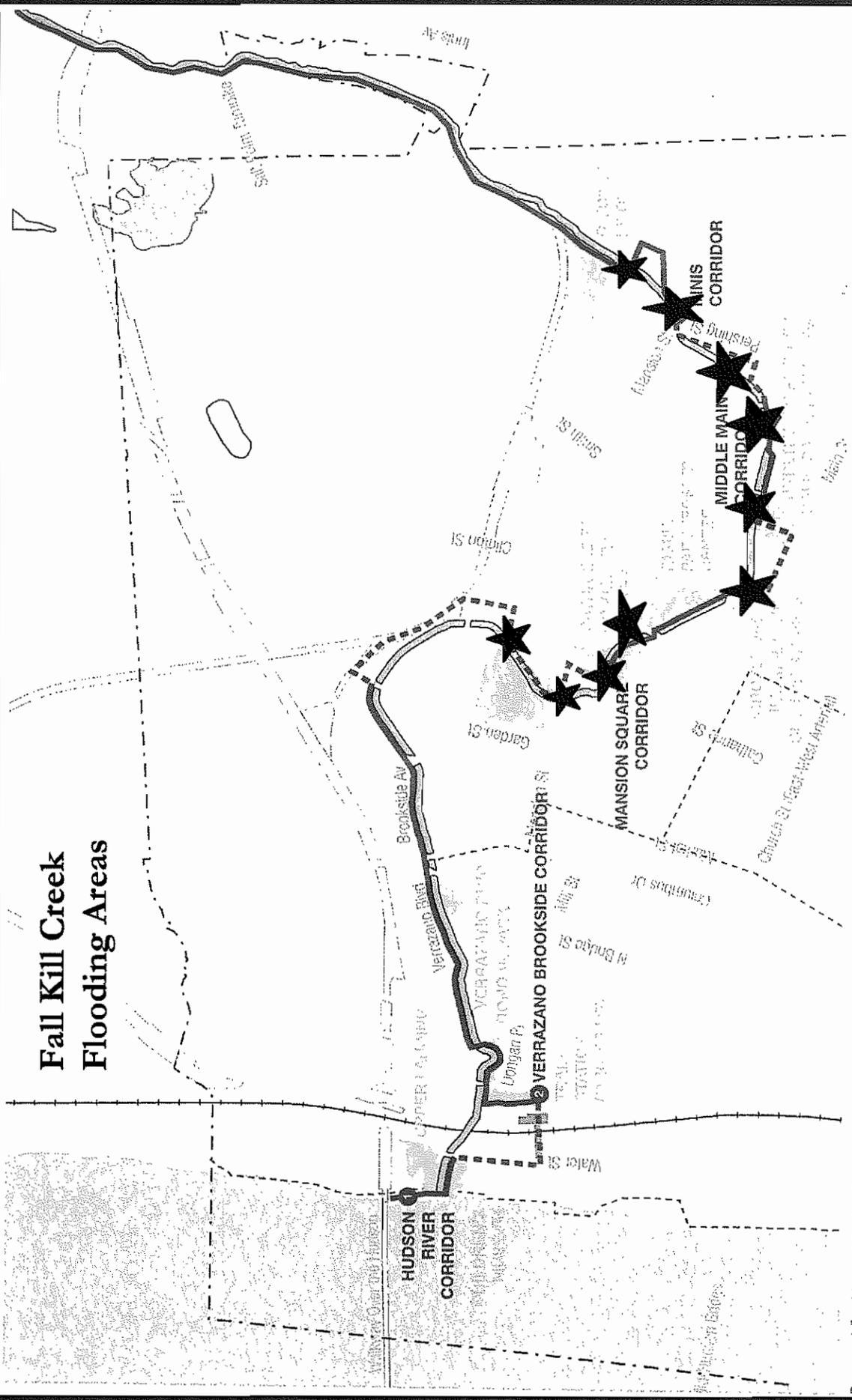




Early 1900s, the rural character of the north side is still evident in this photograph which appeared in Illustrated and Descriptive Poughkeepsie, 1906. The caption read: 'Sanford's ball fields and the Fall Kill Creek.' The creek, a major source of power in earlier days, had become a favorite swimming and fishing spot despite heavy industrial use farther upstream."



# Fall Kill Creek Flooding Areas



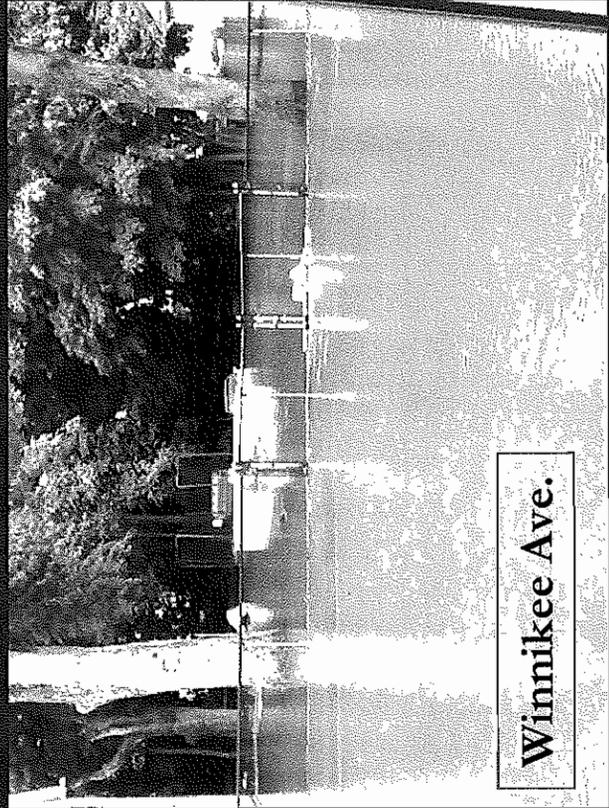
Proposed Corridor and Pocket Parks

Team Workshp

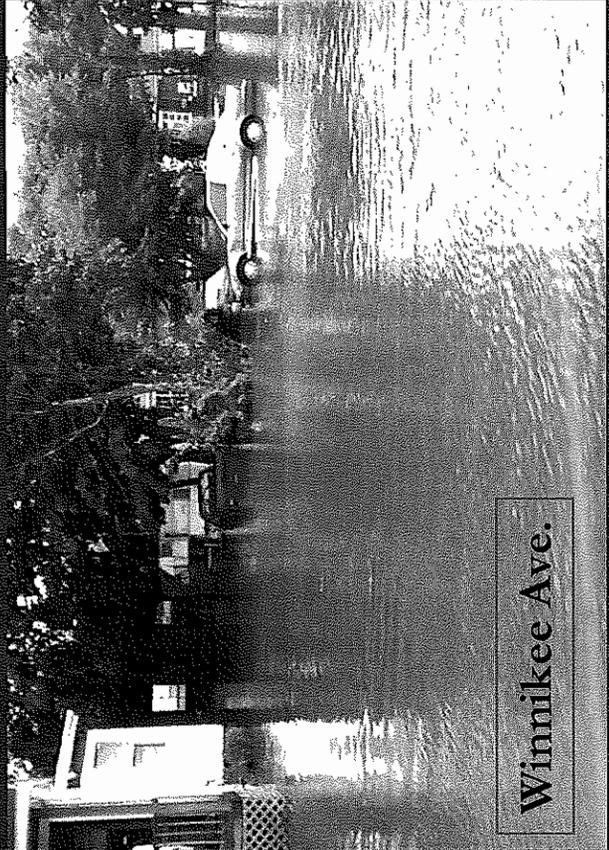
HURRICANE IRENE  
&  
TROPICAL STORM  
LEE



Winnikee Ave.



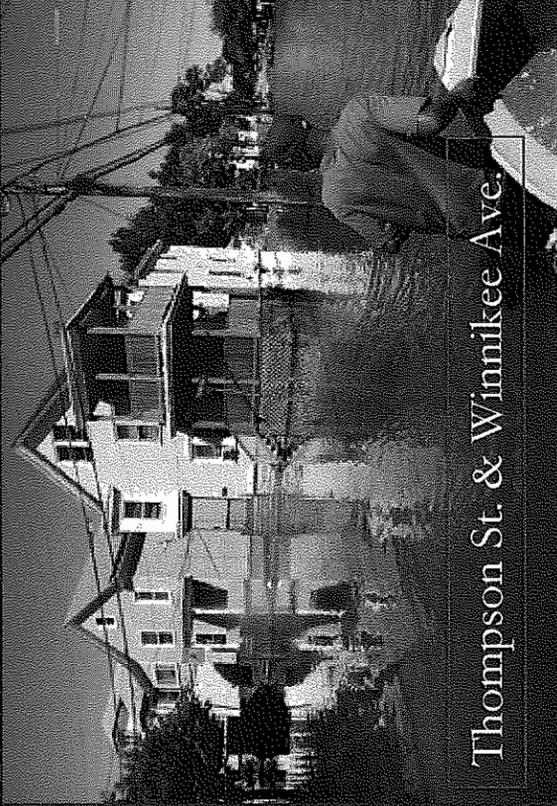
Winnikee Ave.



Winnikee Ave.



Mansion Street & Conklin Street



Thompson St. & Winnikee Ave.



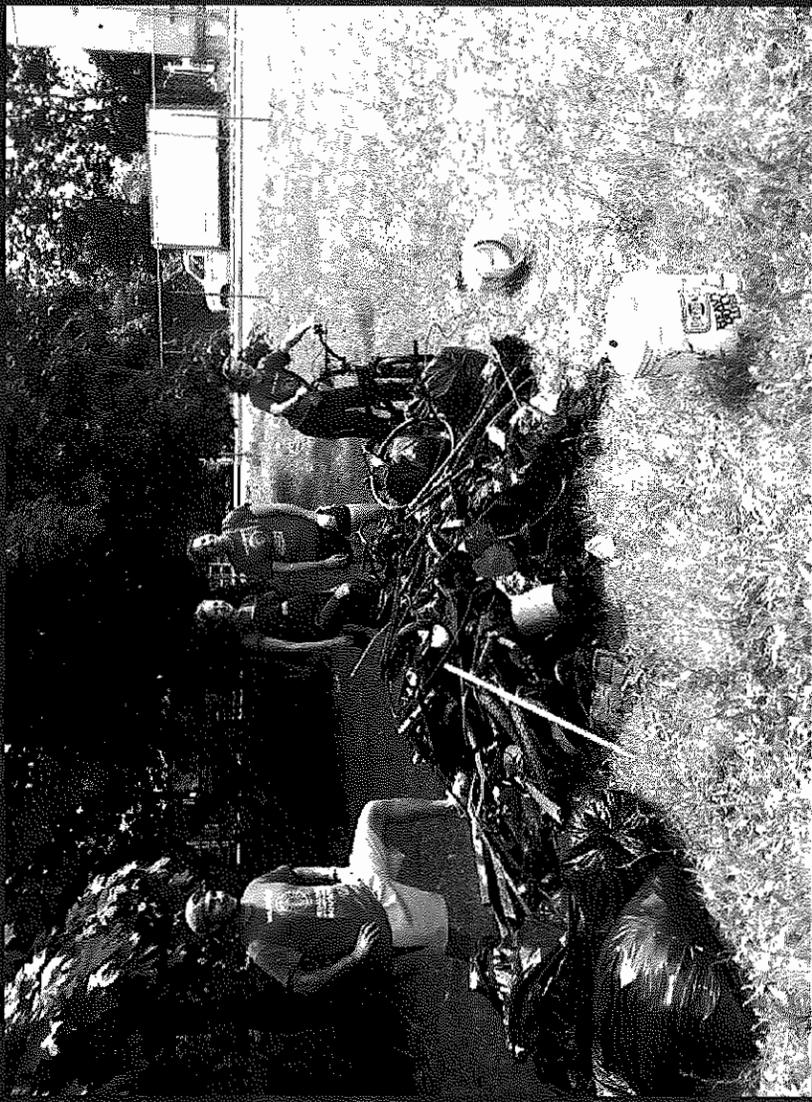
Family Partnership Center



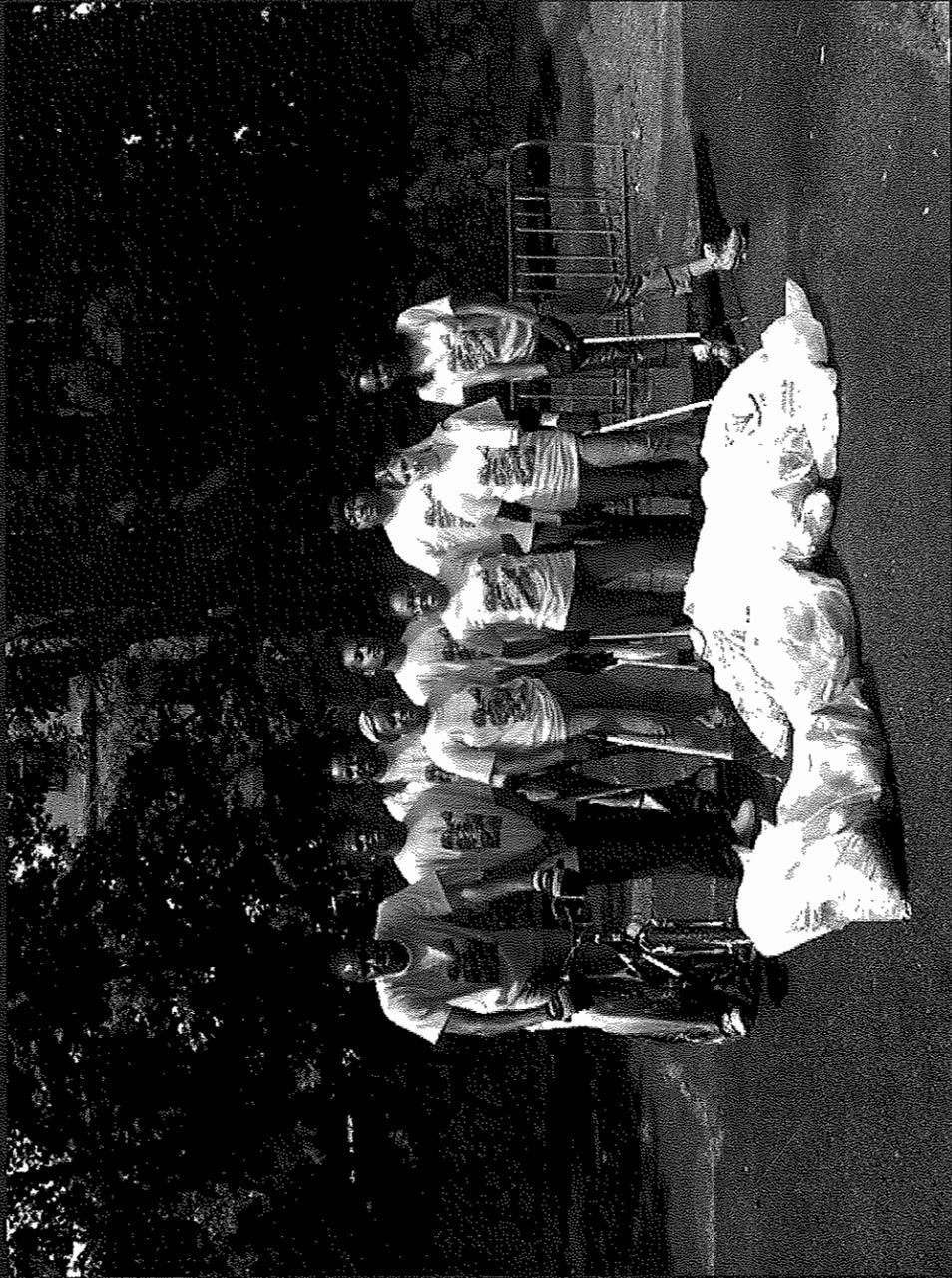
Parking Lot of Beulah Baptist Church



Phase I - Clean up of the Fall Kill Creek  
Removal of Garbage and Debris







Phase II – Removal of Ingrown Trees and Dead Branches







Phase III- Stone Wall Restoration







TOO DANGEROUS TO REPAIR. RECOMMEND DEBRIS REMOVAL ONLY.

MINIMAL DEBRIS REMOVAL RECOMMENDED.

MINIMAL DEBRIS REMOVAL RECOMMENDED.

TREES DOWN. RECOMMEND REMOVAL.

HEAVY DEBRIS OBSTRUCTING FLOW. RECOMMEND INCREASING WALL TO ORIGINAL HEIGHT.

SMALL PARTIAL REPAIR OF WALL RECOMMENDED.

MINIMAL DEBRIS REMOVAL RECOMMENDED.

WALL COLLAPSE, LONG SPAN. RECOMMEND FULL REPAIR.

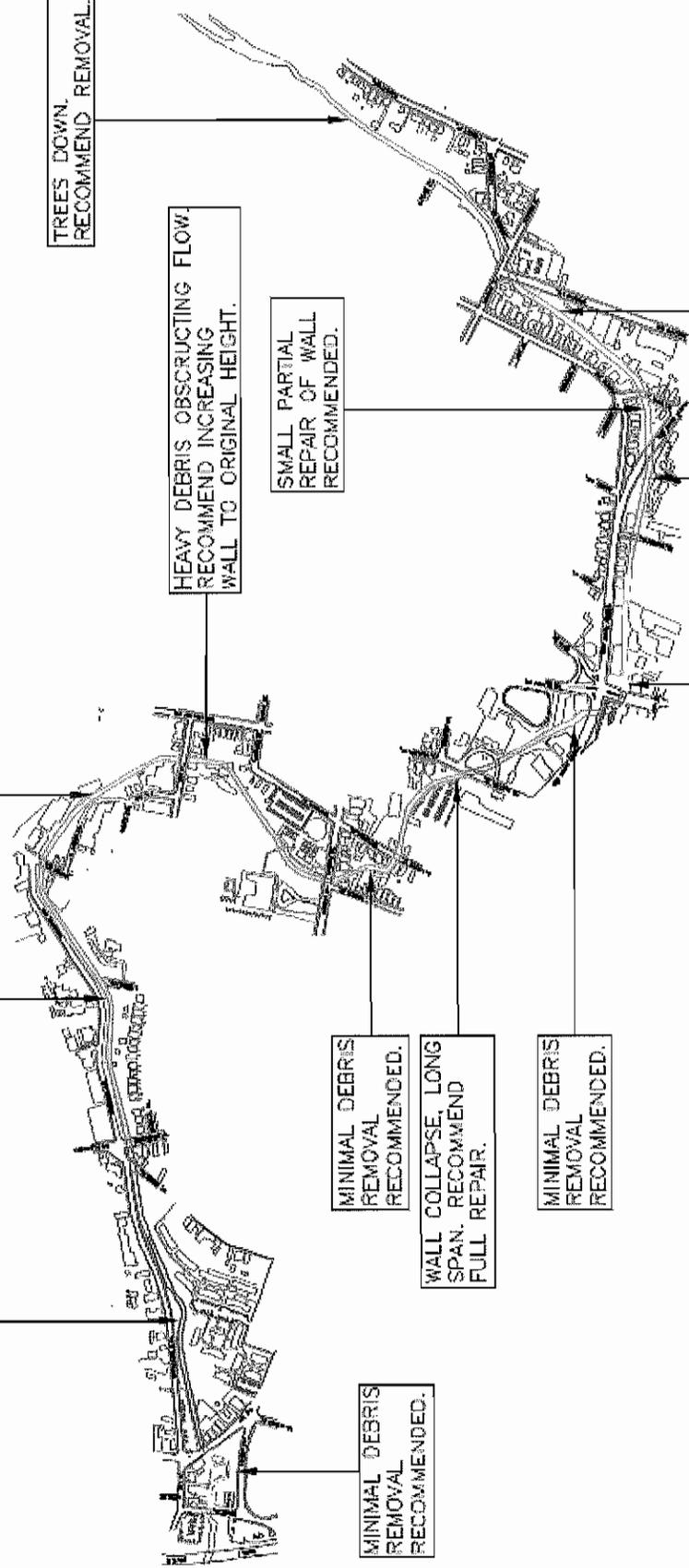
MINIMAL DEBRIS REMOVAL RECOMMENDED.

HEAVY DEBRIS OBSTRUCTING FLOW.

DEBRIS REMOVAL RECOMMENDED.

DEBRIS AND TREE REMOVAL RECOMMENDED.

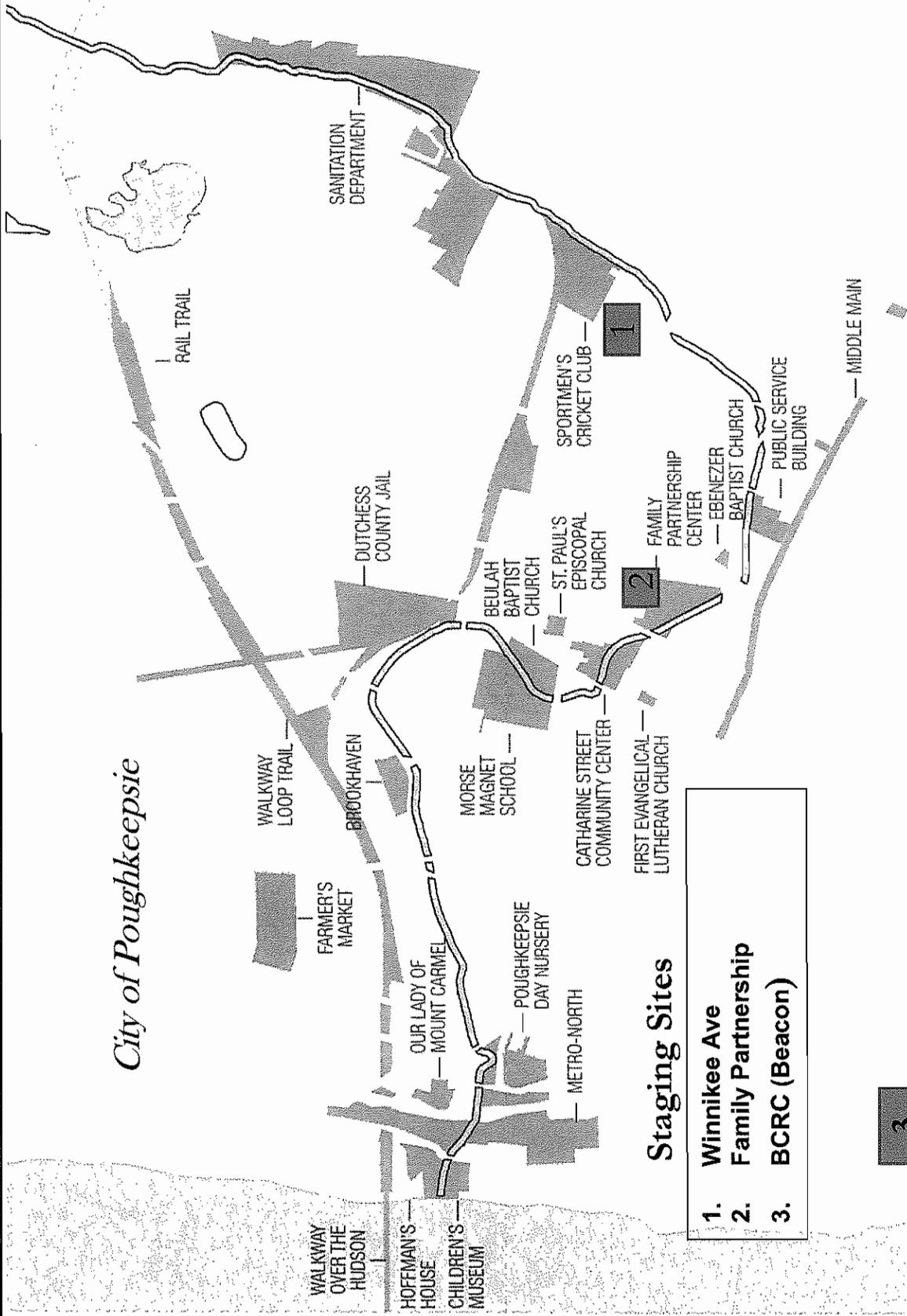
MINIMAL DEBRIS REMOVAL RECOMMENDED.



KEY:

- REMOTELY SAFE AREA
- BORDERLINE SAFE AREA (HIGH WATER VELOCITY)
- DANGEROUS AREA (POTENTIAL WALL FAILURE)

# City of Poughkeepsie

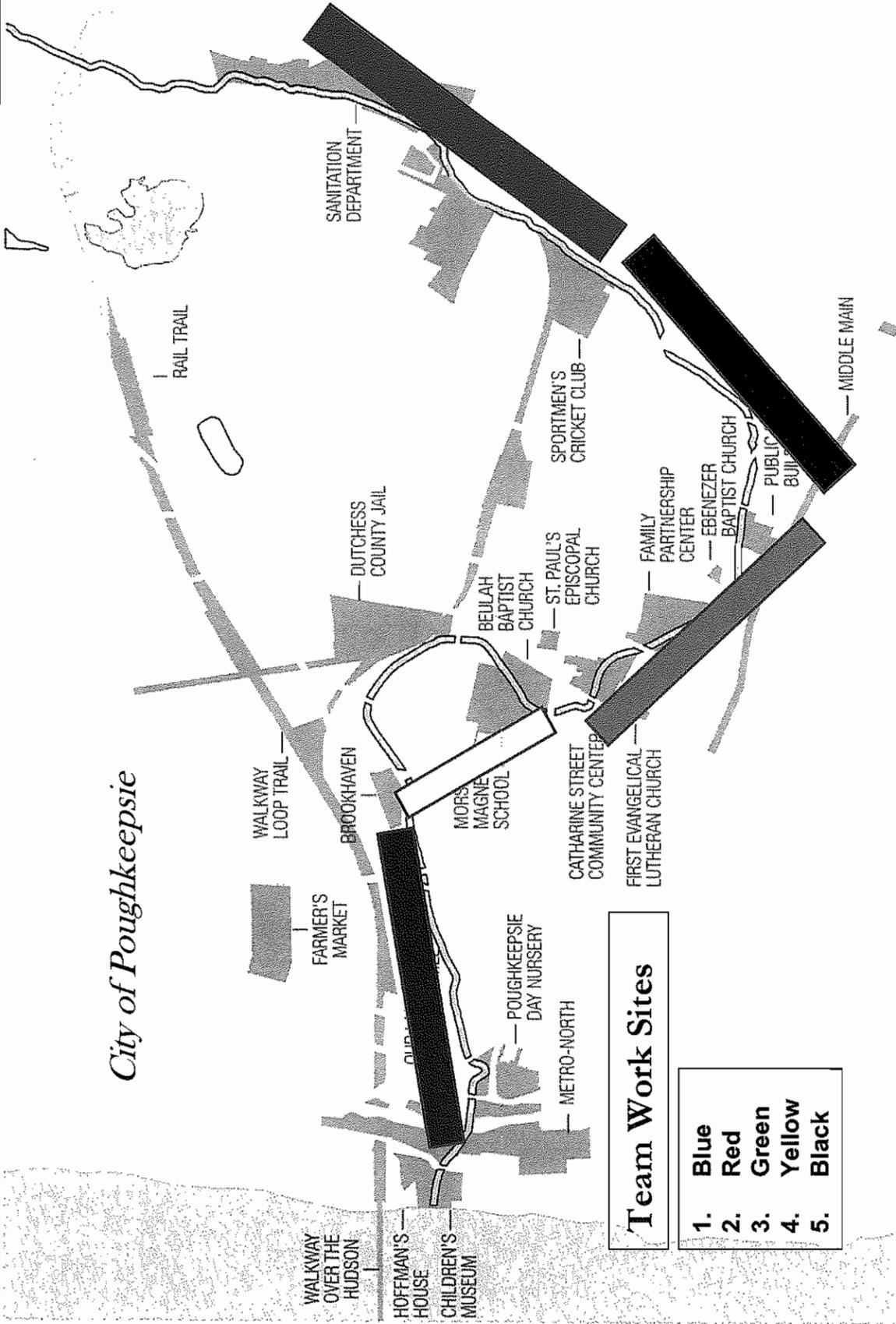


## Staging Sites

1. Winnikee Ave
2. Family Partnership
3. BCRC (Beacon)

3

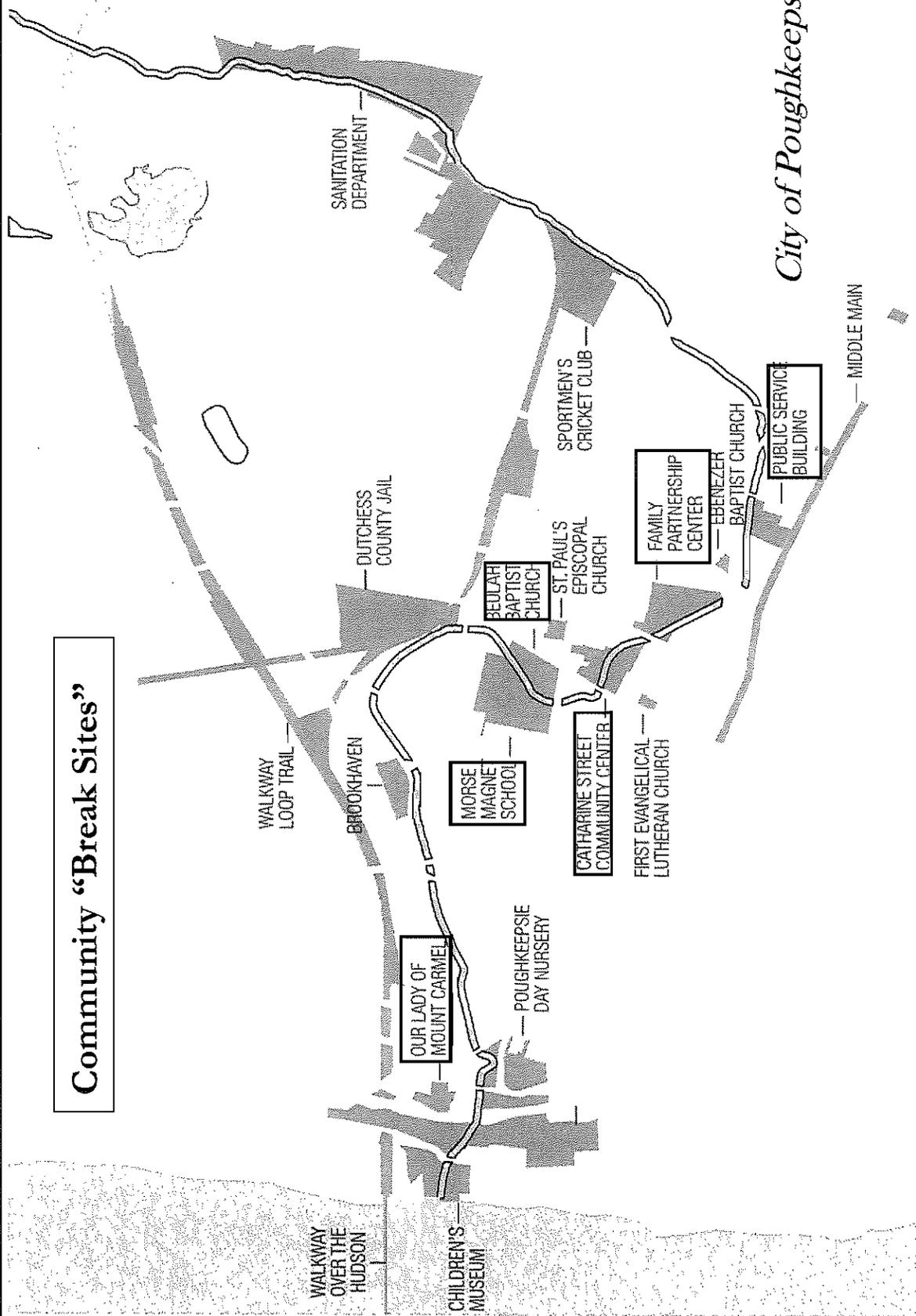
# City of Poughkeepsie



## Team Work Sites

- 1. Blue
- 2. Red
- 3. Green
- 4. Yellow
- 5. Black

**Community "Break Sites"**



*City of Poughkeepsie*

## 4 – DAY ORIENTATION

### Day One

Fall Kill Restoration Project Overview

Employee Work Expectations (punctuality/lateness, absences, behavior, cell phone, language, drug testing)

Personnel Manual

Environmental Impact Awareness Training

### Day Two

Financial Literacy (Money & Banking)

Water & Personal Safety

### Day Three

OSHA – 10 Training

### Day Four

OSHA – 10 Training

HR Consultant  
Donna  
Johnson

Project  
Manager  
Boskin Durham

Executive Director NDI

Project Planner  
Mario Johnson

Safety  
Supervisor/Inspector - 1

HR Office Supervisor  
-Rhonda Robinson

HR Assistants  
(Interviewers) - 4

Beacon Site Supervisor -  
Cari Griffen-DePoalis

Project Supervisors - 5

Job Coach/Supervisors - 5

Laborers - 15 per team  
(5 teams/75 Laborers)

Clearwater Environmental  
Consultant - Ryan Palmer

Project Manager #2

Masons & Stone Cutters - 10

Inventory Supervisor - Damell White  
& Tool Specialists - 1

Transportation Supervisor - 1

Drivers - 6

Monday	Tuesday	Wednesday	Thursday	Friday	Total Hours
Fall Kill Creek	Fall Kill Creek	Fall Kill Creek	Fall Kill Creek	Rain out day YB Mgr., Sup., TL., Meeting	
8:00 am - 4:00 pm 7.5 hours	8:00 am - 12:00 pm 4 hours	30 work hours per week			

## NOTES

### Human Resources

18 Minimum Age

City of Poughkeepsie & Beacon

HSD/GED (non GED must register and enroll in a GED program)

Drug Testing (mandatory)

### Site Prep - Studies

Survey of Fall Kill

Hydrological Report

Engineering Scope of Work

12- Worksite selections

Clean-Up (debris removal)

Tree removals

Rock/Stone displacement

At this time, Resolution No. 2012045, entitled, Local Law No. 3 of 2012, A Local Law Amending the Dutchess County Charter and Local Law No. 4 of 1975 as it Pertains to Article III, Section 3.07, that was laid on the desks on February 15, 2012, revised pursuant to the County Attorney on March 5, 2012, was considered.

Roll call vote on the foregoing Resolution No. 2012045 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

The County Executive signed it into law on April 2, 2012. The effective date was April 16, 2012.

RESOLUTION NO. 2012046

RE: AUTHORIZING GRANT AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR MATCHING FUNDS FOR FTA SECTION 5307 FUNDS FOR CAPITALIZED FUEL ELIGIBLE EXPENSES FOR YEARS 2012 AND 2013

LEGISLATORS HUTCHINGS, BORCHERT, FLESLAND, ROMAN BOLNER, MICCIO, and PERKINS offer the following and move its adoption:

WHEREAS, a Resolution to authorize the filing of grant applications with the Federal Transit Administration for capitalized fuel eligible expenses under the Urban Mass Transportation Act of 1964, as amended, is being submitted concurrently with this resolution, and

WHEREAS, the State matching portion of these grants is \$60,000 for 2012 and \$60,000 for 2013, and

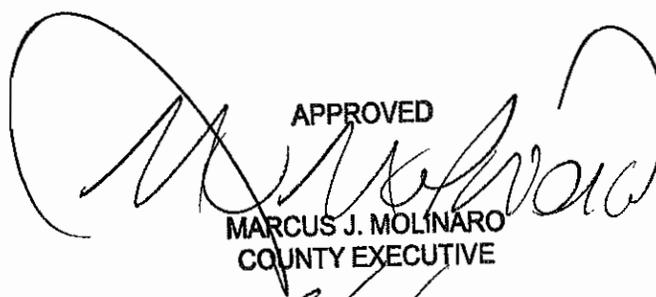
WHEREAS, the Commissioner of Planning and Development will be advised that the Federal Transit Administration will grant funds to Dutchess County under Section 5307 to fund capitalized fuel eligible expenses, and

WHEREAS, State Mass Transportation Capital Aid is available to fund projects approved by the Commissioner of Transportation, and

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

RESOLVED, that the County Executive be and he is hereby authorized to execute any necessary agreements arising from such applications on behalf of Dutchess County with the New York State Department of Transportation to aid in the financing of these projects.

CA-38-12  
ca/C-5195  
2/16/12  
Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
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 \$ 60,000  
and Source

State Match to Federal Transit Administration 5307 program funding

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: \$60,000

Net County Cost (this year): \_\_\_\_\_  
Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

If approved, up to \$60,000 per year will offset the county cost for gasoline in the Mass Transit 2012 and 2013 budgets.

Prepared by: Cynthia Ruiz, Transit Administrator

# *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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 18 - City of Beacon	Forman	<i>absent</i>	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant		
District 22 - Town of Beekman	Hutchings (C)		

Present: 10  
 Absent: 1  
 Vacant: 1

Resolution: ✓  
 Motion:     

Total : 10      0  
           Yes        No  
 Abstentions: 0

2012046      AUTHORIZING GRANT AGREEMENTS WITH THE NEW YORK  
 STATE DEPARTMENT OF TRANSPORTATION FOR MATCHING  
 FUNDS FOR FTA SECTION 5307 FUNDS FOR CAPITALIZED FUEL  
 ELIGIBLE EXPENSES FOR YEARS 2012 AND 2013

Date: 3/08/12

# Roll Call Sheets

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

Present: 22                      Resolution:  \_\_\_\_\_                      Total : 22                      0  
 Absent: 2                              Motion: \_\_\_\_\_    Yes                              No  
 Vacant: 1    Abstentions: 0

2012046                      AUTHORIZING GRANT AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR MATCHING FUNDS FOR FTA SECTION 5307 FUNDS FOR CAPITALIZED FUEL ELIGIBLE EXPENSES FOR YEARS 2012 AND 2013

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012046 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012047

RE: AUTHORIZING FILING OF SECTION 5307 GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2012 AND 2013 WITH THE FEDERAL TRANSIT ADMINISTRATION FOR CAPITALIZED FUEL ELIGIBLE EXPENSES

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

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

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

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

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

WHEREAS, grant applications have been submitted to the Federal Transit Administration for capital assistance under Section 5307 for capitalized fuel eligible expenses in the amount of \$480,000 for year 2012 and \$480,000 for year 2013, now, therefore, be it

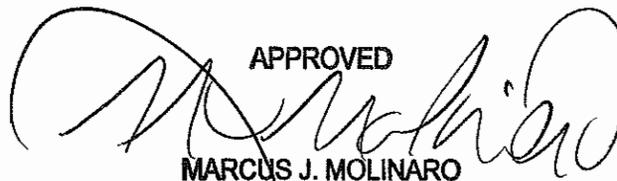
RESOLVED, that the County Executive or his designee be and is hereby authorized to execute and file an application with the Federal Transit Administration for Section 5307 Capital project funds under the Urban Mass Transportation Act of 1964, as amended and to furnish such additional information as the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

RESOLVED, that the County Executive or his designee be and is hereby authorized to execute such grant agreement arising from such application on behalf of Dutchess County with the Federal Transit Administration to aid in the financing of capital projects pursuant to Section 5307 of the Urban Mass Transportation Act of 1964, as amended, and be it further

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

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

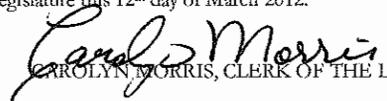
CA-30-12  
ADR/ca/C-4097  
2/15/12  
Fiscal Impact: See attached statement

  
APPROVED  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
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 \$ 480,000  
and Source

Federal Transit Administration 5307 program funding

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: \$480,000

Net County Cost (this year): \_\_\_\_\_  
Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

If approved, up to \$480,000 per year will offset the county cost for gasoline in the Mass Transit 2012 and 2013 budgets.

Prepared by: Cynthia Ruiz, Transit Administrator

# *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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
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District 7 - Town of Hyde Park	Perkins		
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District 18 - City of Beacon	Forman	<i>absent</i>	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant		
District 22 - Town of Beekman	Hutchings (C)		

Present: 10  
 Absent: 1  
 Vacant: 1

Resolution: ✓  
 Motion:     

Total: 10      1  
           Yes        No  
 Abstentions: 0

2012047      AUTHORIZING FILING OF SECTION 5307 GRANT APPLICATION  
 FOR FEDERAL FISCAL YEAR 2012 AND 2013 WITH THE  
 FEDERAL TRANSIT ADMINISTRATION FOR CAPITALIZED FUEL  
 ELIGIBLE EXPENSES

Date: 3/08/12

# Roll Call Sheets

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

Present: 22                      Resolution:                       Total: 22                      0  
 Absent: 2                              Motion:                               Yes                              No  
 Vacant: 1    Abstentions: 0

2012047                      AUTHORIZING FILING OF SECTION 5307 GRANT APPLICATION  
 FOR FEDERAL FISCAL YEAR 2012 AND 2013 WITH THE  
 FEDERAL TRANSIT ADMINISTRATION FOR CAPITALIZED FUEL  
 ELIGIBLE EXPENSES

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012047 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012048

RE: DECLARING DUTCHESS COUNTY LEAD AGENCY AND THE ADOPTION OF A NEGATIVE DECLARATION FOR THE ACCEPTANCE OF 12.90 +/- ACRES FROM POUGHKEEPSIE-HIGHLAND RAILROAD BRIDGE CO. INC. D.B.A. WALKWAY OVER THE HUDSON FOR THE CONSTRUCTION, MAINTENANCE AND CONTINUED USE OF STAGE 5 OF THE DUTCHESS RAIL TRAIL

Legislators HUTCHINGS, BORCHERT, FLESLAND, ROMAN, MICCIO, BOLNER, FORMAN, HORTON, INCORONATO, KELSEY, ROLISON, SERINO, SURMAN, THOMES, TRAUDT, WEISS, WILKINSON, DOXSEY, and PERKINS offer the following and move its adoption:

WHEREAS, this Legislature has before it a companion resolution seeking authorization to accept a donation of 12.90 +/- acres of real property from Poughkeepsie-Highland Railroad Bridge Co., Inc. d.b.a. Walkway Over the Hudson for the construction, maintenance and continued use of Stage 5 of the Dutchess Rail Trail, and

WHEREAS, once the County acquires the 12.90+/- acres of the corridor, it will commence design and construction of the Poughkeepsie extension of the Dutchess Rail Trail, and

WHEREAS, the construction of the linking trail segment will be subject to a separate review under SEQRA when the sufficient project details are developed to facilitate the required review, and

WHEREAS, 6 NYCRR 617 requires the designation of a lead agency from among the involved agencies before a determination of significance can be made, and Dutchess County has been identified as the only involved agency for the subject action, and

WHEREAS, the acquisition of this real property is an unlisted action pursuant to the State Environmental Quality Review Act, and

WHEREAS, the Dutchess County Department of Public Works has prepared a Short Environmental Assessment Form and based thereon, concluded the proposed acquisition is an unlisted action which will not have a significant adverse impact on the environment, and

WHEREAS, it is the purpose of this Legislature, in adopting this Resolution, to establish Dutchess County as the lead agency for this action and to adopt the Short Environmental Assessment Form and Negative Declaration, attached hereto, which sets forth the basis for its conclusion that the acquisition will not have a significant adverse impact on the environment, now, therefore, be it

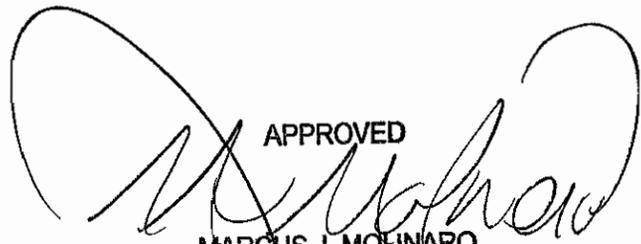
RESOLVED, Dutchess County hereby assumes lead agency status with respect to the above referenced acquisition, adopts and confirms the Short Environmental Assessment Form and Negative Declaration attached hereto concluding the proposed donation of 12.90 +/- acres of real property from Poughkeepsie-Highland Railroad Bridge Co., Inc. d.b.a. Walkway Over the Hudson for the construction, maintenance and continued use of Stage 5 of the Dutchess Rail Trail between the Walkway Over the Hudson and the Dutchess Rail Trail at Morgan Lake in the City and Town of Poughkeepsie will not have a significant adverse impact on the environment.

CA-32-12

CAB/ca/G-1391-D

2/15/12

Fiscal Impact: See attached statement

  
APPROVED  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

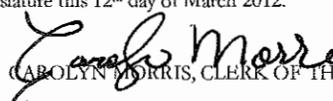
STATE OF NEW YORK

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
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):    \$0 \_\_\_\_\_

Over Five Years:    \$0 \_\_\_\_\_

#### Additional Comments/Explanation:

Resolution involves SEQR documentation for accepting 12.90 acres of donated land to facilitate development of Dutchess Rail Trail Stage 5.

Prepared by: Brad Barclay

## Appendix C

## State Environmental Quality Review

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

For UNLISTED ACTIONS Only

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

1. APPLICANT/SPONSOR County of Dutchess	2. PROJECT NAME Acceptance of land donation for DRT Stage 5
3. PROJECT LOCATION: Municipality City and Town of Poughkeepsie County Dutchess	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) A portion of Tax parcel 131300-6162-54-194448 (95 Parker Avenue, Poughkeepsie) and Tax parcel 134689-6162-02-516575 (Creek road/City Line, Poughkeepsie) consisting of 12.90 acres of the former railroad right-of-way located between the Walkway Over the Hudson and the existing trailhead of the Dutchess Rail Trail in Morgan Lake Park.	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: The project involves the acceptance by the County of Dutchess of 12.90 acres of former railroad right-of-way from the Walkway Over the Hudson to facilitate linking the Walkway to the DRT with a multiple use trail. The construction of the linking trail segment will be subject to a separate review under SEQRA when the sufficient project details are developed to facilitate the required hard look.	
7. AMOUNT OF LAND AFFECTED: Initially <u>12.90</u> acres Ultimately <u>12.90</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: The project site is a former railroad right-of-way that runs through the mixed use northside of the City of Poughkeepsie	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>County of Dutchess</u> Date: <u>2/15/12</u> Signature: <u>Bradford A Borch</u>	

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

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

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

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

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

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  
 The action under review is the donation of 12.90 acres of former railroad ROW for the purpose of developing a trail linkage between the DRT and Walkway over the Hudson. This action will result in no physical changes to the involved property.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  
 The action under review is the donation of 12.90 acres of former railroad ROW for the purpose of developing a trail linkage between the DRT and Walkway over the Hudson. This action will result in no physical changes to the involved property.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
 The action under review is the donation of 12.90 acres of former railroad ROW for the purpose of developing a trail linkage between the DRT and Walkway over the Hudson. This action will result in no physical changes to the involved property.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  
 The action under review is the donation of 12.90 acres of former railroad ROW for the purpose of developing a trail linkage between the DRT and Walkway over the Hudson. This action will result in no physical changes to the involved property.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
 The project will facilitate development of a trail link between the DRT and the Walkway. The construction of the link will be subject to a separate SEQR review when sufficient details are available.

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

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  
 The eventual development of the trail link will increase the availability of public recreation opportunities in the area.

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

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

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

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

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

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

County of Dutchess 2/15/12

---

Name of Lead Agency Date

Charles Traver Commissioner of Public Works

---

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

*Charles Traver* *Bradford A. Burch*

---

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

Reset

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

Project Number

Date: 2/15/12

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

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

**Name of Action:**

Acceptance of land donation for DRT Stage 5

**SEQR Status:**    Type 1      
                          Unlisted   

**Conditioned Negative Declaration:**     Yes  
     No

**Description of Action:**

The project involves the acceptance by the County of Dutchess of 12.90 acres of former railroad right-of-way from the Walkway Over the Hudson to facilitate linking the Walkway to the Morgan Lake Park trailhead of the Dutchess Rail Trail with a multiple use trail. The construction of the linking trail segment will be subject to a separate review under SEQRA when the sufficient project details are developed to facilitate the required hard look.

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

12.90 acres of former railroad ROW located between the Walkway over the Hudson and DRT

**Reasons Supporting This Determination:**

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

The action under review is acceptance by the County of Dutchess of the donation of 12.90 acres of former railroad ROW for the purpose of developing a trail linkage between the Dutchess Rail Trail and Walkway Over the Hudson. This action will result in no physical changes to the involved property. Once sufficient details of the proposed trail linkage are developed to facilitate the required hard look under SEQRA, a separate SEQRA review will be conducted for the proposed construction of the multiple-use trail linking the existing recreational facilities.

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

**For Further Information:**

Contact Person: Brad Barclay

Address: 5th Floor, 22 Market St. Poughkeepsie, NY 12601

Telephone Number: (845) 486-2121

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

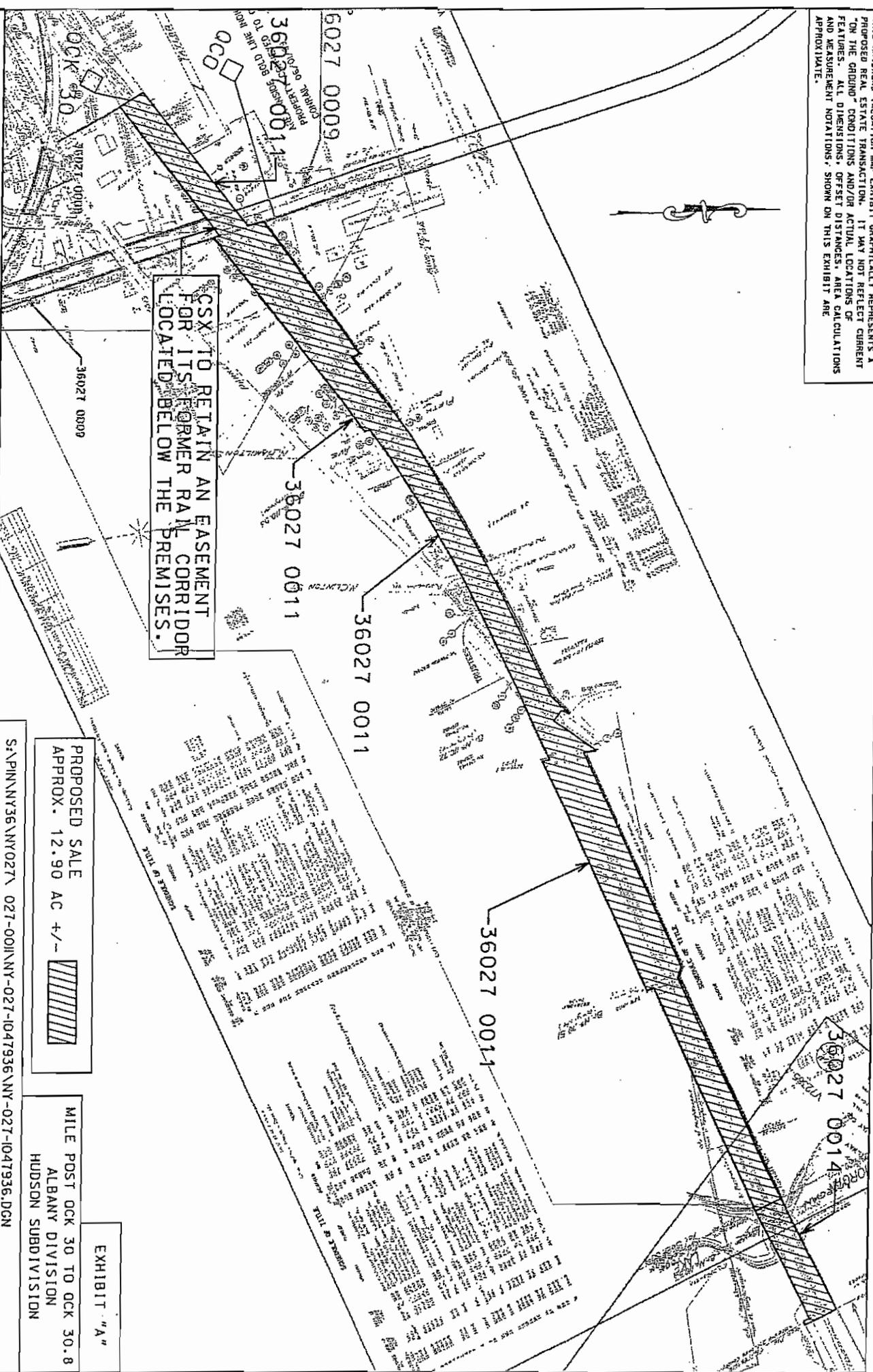
Chief Executive Officer, Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

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

THIS RAILROAD VALUATION MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT ON THE GROUND CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS, SHOWN ON THIS EXHIBIT ARE APPROXIMATE.



CSX TO RETAIN AN EASEMENT FOR ITS FORMER RAIL CORRIDOR LOCATED BELOW THE PREMISES.

PROPOSED SALE APPROX. 12.90 AC +/-

MILE POST OCK 30 TO OCK 30.8 ALBANY DIVISION HUDSON SUBDIVISION

EXHIBIT "A"

CSX TRANSPORTATION, INC.

SITE ID: NY-027-1047936

PROPOSED SALE OF 1 MILE EAST/WEST CORRIDOR

DATE: 08-30-11

SCALE: 200'

DRAWN BY: RE

REVISED: 09-06

CITY: Poughkeepsie

STATE: NY

FIPS: 36027

DWG #: 1047936

VAL. SECT.:

V8083

MAP No:

37, 38

GIS NUMBERS:

72364-001

72365-001

PIN NUMBERS:

36-027-0011-000

36-027-0014-000

S:\PIN\NY36\NY027\ 027-001\NY-027-1047936\NY-027-1047936.DGN

# *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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 18 - City of Beacon	Forman	<i>absent</i>	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant		
District 22 - Town of Beekman	Hutchings (C)		

Present: 10  
 Absent: 1  
 Vacant: 1

Resolution: ✓  
 Motion:     

Total : 10      1  
           Yes        No  
 Abstentions: 0

2012048      DECLARING DUTCHESS COUNTY LEAD AGENCY AND THE ADOPTION OF A NEGATIVE DECLARATION FOR THE ACCEPTANCE OF 12.90 +/- ACRES FROM POUGHKEEPSIE-HIGHLAND RAILROAD BRIDGE CO. INC. D.B.A. WALKWAY OVER THE HUDSON FOR THE CONSTRUCTION, MAINTENANCE, AND CONTINUED USE OF STAGE 5 OF THE DUTCHESS RAIL TRAIL

Date: 3/08/12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:   
 Motion:

Total : 22 0  
           Yes      No  
 Abstentions: 0

2012048      DECLARING DUTCHESS COUNTY LEAD AGENCY AND THE  
 ADOPTION OF A NEGATIVE DECLARATION FOR THE  
 ACCEPTANCE OF 12.90 +/- ACRES FROM POUGHKEEPSIE-  
 HIGHLAND RAILROAD BRIDGE CO. INC. D.B.A. WALKWAY  
 OVER THE HUDSON FOR THE CONSTRUCTION, MAINTENANCE,  
 AND CONTINUED USE OF STAGE 5 OF THE DUTCHESS RAIL  
 TRAIL

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012048 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012049

RE: AUTHORIZE ACCEPTANCE OF THE DONATION OF 12.90 +/- ACRES OF REAL PROPERTY FROM POUGHKEEPSIE-HIGHLAND RAILROAD BRIDGE CO., INC. D.B.A. WALKWAY OVER THE HUDSON FOR CONSTRUCTION, MAINTENANCE AND CONTINUED USE OF STAGE 5 OF THE DUTCHESS RAIL TRAIL

Legislators HUTCHINGS, BORCHERT, FLESLAND, ROMAN, MICCIO, BOLNER, FORMAN, HORTON, INCORONATO, KELSEY, ROLISON, SERINO, SURMAN, THOMES, TRAUDT, WEISS, WILKINSON, DOXSEY, and PERKINS offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised CSX Transportation, Inc. and Poughkeepsie-Highland Railroad Bridge Co., Inc. d.b.a. Walkway Over the Hudson (Walkway) have entered into a contract for the sale of 12.90+/- acres of real property located in the City and Town of Poughkeepsie, as depicted on the map annexed hereto, and

WHEREAS, this property is the link between the Walkway Over the Hudson State Park and the Dutchess Rail Trail at Morgan Lake, and

WHEREAS, Walkway has agreed to donate the 12.90 +/- acres of real property to the County so that the County can construct Stage 5 of the Dutchess Rail Trail, and

WHEREAS, the Dutchess Rail Trail has proven to be an extremely popular addition to the County's park system, and

WHEREAS, the lands to be donated are located on portions of property identified as tax map parcel number 131300-6162-54-194448 with a parcel address of 95 Parker Avenue, Poughkeepsie and tax map parcel number 134689-6162-02-516575 with a parcel address of Creek Road/City Line, Poughkeepsie, and

WHEREAS, the New York State Environmental Quality Review Act (SEQRA) process has been completed in a companion resolution resulting in a finding of no significant adverse effect on the environment, and

WHEREAS, it is necessary for this Legislature to approve said donation, and

WHEREAS, acceptance of this donation of 12.90+/- acres of real property would be in the best interests of County residents, now, therefore, be it

RESOLVED, that the County Legislature hereby approves the acceptance of the donation from Poughkeepsie-Highland Railroad Bridge Co., Inc. d.b.a. Walkway Over the Hudson of 12.90 +/- acres of real property indentified as portions of tax map parcel number 131300-6162-54-194448 with a parcel address of 95 Parker Avenue, Poughkeepsie and tax map parcel number 134689-6162-02-516575 with a parcel address of Creek Road/City Line, Poughkeepsie, and be it further

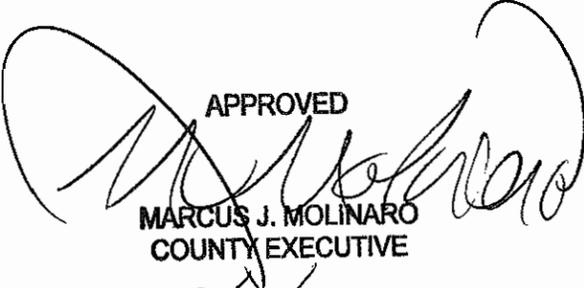
RESOLVED, that the County Executive be and he is hereby authorized and empowered to execute such documents in the name of Dutchess County which may be necessary to effectuate the acceptance of this donation from Poughkeepsie-Highland Railroad Bridge, Co. Inc. d.b.a. Walkway Over the Hudson.

CA-31-12

CAB/ca/G-1391-D

2/15/12

Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
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: Joseph E. Kelley, Public Works - Engineering

# *Public Works and Capital Projects Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
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District 18 - City of Beacon	Forman	<i>absent</i>	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant		
District 22 - Town of Beekman	Hutchings (C)		

Present: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Vacant: \_\_\_\_\_

Resolution: ✓  
 Motion: \_\_\_\_\_

Total : 10      0  
           Yes           No  
 Abstentions: 0

2012049      AUTHORIZE ACCEPTANCE OF THE DONATION OF 12.90 +/- ACRES OF REAL PROPERTY FROM POUGHKEEPSIE-HIGHLAND RAILROAD BRIDGE CO., INC. D.B.A. WALKWAY OVER THE HUDSON FOR CONSTRUCTION, MAINTENANCE, AND CONTINUED USE OF STAGE 5 OF THE DUTCHESS RAIL TRAIL

Date: 3/08/12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:   
 Motion:

Total: 22 0  
           Yes      No  
 Abstentions: 0

2012049      AUTHORIZE ACCEPTANCE OF THE DONATION OF 12.90 +/- ACRES OF REAL PROPERTY FROM POUGHKEEPSIE-HIGHLAND RAILROAD BRIDGE CO., INC. D.B.A. WALKWAY OVER THE HUDSON FOR CONSTRUCTION, MAINTENANCE, AND CONTINUED USE OF STAGE 5 OF THE DUTCHESS RAIL TRAIL

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012049 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012050

RE: APPOINTMENT TO STOP DWI POLICY PLANNING BOARD

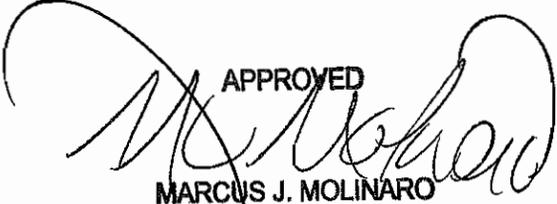
Legislators ROMAN, FLESLAND, HORTON, and PERKINS offer the following and move its adoption:

WHEREAS, by Resolution No. 503 of 1985 the Dutchess County Legislature did approve a 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) members, six (6) of which shall be appointed by the County Executive and seven (7) which shall be appointed by the County Legislature, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Peter Wilkinson to the Policy Planning Board for the Stop DWI Program to replace Legislator James Doxsey.

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Public Safety Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 3 - Town of LaGrange	Borchert*	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland*	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson*	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Doxsey	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson (VC)	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Serino	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman (C)	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	White	<input type="checkbox"/>	<input type="checkbox"/>
District 12 - Town of East Fishkill	Weiss	<input type="checkbox"/>	<input type="checkbox"/>
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	<input type="checkbox"/>	<input type="checkbox"/>

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution:   
 Motion:

Total : 12 0  
 Yes No  
 Abstentions: 0

2012050 APPOINTMENT TO STOP DWI POLICY PLANNING BOARD

Date: 3/08/12

# Roll Call Sheets

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

Present:	<u>22</u>	Resolution:	___	Total :	<u>22</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	___		Yes	No
Vacant:	<u>1</u>			Abstentions:	<u>0</u>	

2012050 APPOINTMENT TO STOP DWI POLICY PLANNING BOARD

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012050 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

**Government Services and Administration**

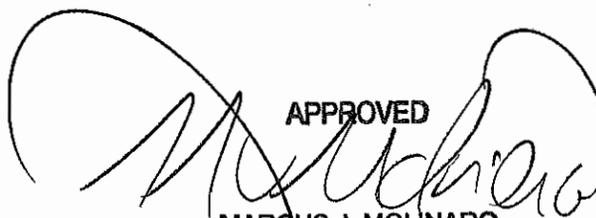
RESOLUTION NO. 2012051

RE: APPOINTMENT TO THE DUTCHESS COUNTY JURY BOARD

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

RESOLVED, that pursuant to Section 503 of the Judiciary Law, the Dutchess County Legislature does hereby appoint Legislator Dale Borchert as a member of the Dutchess County Jury Board, and, be it further

RESOLVED, that the Clerk of the Dutchess County Legislature be and she is hereby authorized and directed to file a certified copy of this resolution in the Office of the Clerk of the County of Dutchess.

  
APPROVED  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

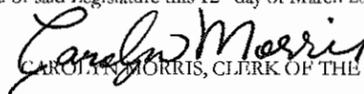
STATE OF NEW YORK

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# *Government Services and Administration Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant	<i>Vacant</i>	
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		

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

2012051      APPOINTMENT TO THE DUTCHESS COUNTY JURY BOARD

Date: 3/08/12

# Roll Call Sheets

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

Present: 22      Resolution:       Total : 22      0  
 Absent: 2      Motion:       Yes      No  
 Vacant: 1      Abstentions: 0

2012051      APPOINTMENT TO THE DUTCHESS COUNTY JURY BOARD

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012051 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012052

RE: URGING CONGRESS TO AMEND CONSTITUTION SO  
CORPORATE DONATIONS ARE NO LONGER  
CONSTITUTIONALLY PROTECTED SPEECH AFTER SUPREME  
COURT CITIZENS UNITED DECISION

Legislators TYNER, JETER-JACKSON, MACAVERY, and AMPARO offer the following and move its adoption:

WHEREAS, in 2010 the United States Supreme Court issued its decision in Citizens United v. Federal Election Commission, holding that independent spending on elections by corporations and other groups could not be limited by government regulations, and

WHEREAS, this decision rolled back the legal restrictions on corporate spending in the electoral process, allowing for unlimited corporate spending to influence elections, candidate selection, and policy decisions, and

WHEREAS, in reaching its decision, a majority of the Supreme Court, relying on prior decisions, interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons, and

WHEREAS, in his eloquent dissent, Justice John Paul Stevens rightly recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires; corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established", and

WHEREAS, the Court's decision in Citizens United severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity, and

WHEREAS, corporations should not be afforded the entirety of protections or "rights" of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally protected speech, and

WHEREAS, several proposed amendments to the Constitution have been introduced in Congress that would allow governments to regulate the raising and spending of money by corporations to influence elections, and therefore be it

RESOLVED, that the Dutchess County Legislature opposes the Supreme Court's interpretation of the Constitution in Citizens United regarding the constitutional rights of

corporations, and supports amending the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calls on Congress to begin the process of amending the Constitution, and be it further

RESOLVED, that a copy of this resolution be sent to President Barack Obama, Senators Kirsten Gillibrand and Chuck Schumer, and Representatives Chris Gibson, Nan Hayworth, and Maurice Hinchey.

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		✓
District 3 - Town of LaGrange	Borchert*		✓
District 6 - Town of Poughkeepsie	Flesland*		✓
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	✓	
District 9 - City of Poughkeepsie	White (VC)		✓
District 12 - Town of East Fishkill	Weiss		✓
District 14 - Town of Wappinger	Amparo	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant	<i>vacant</i>	
District 20 - Town of Red Hook	Traudt		✓
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		✓

Present: <u>  4  </u>	Resolution: <u>  ✓  </u>	Total: <u>  3  </u>	
Absent: <u>  0  </u>	Motion: <u>    </u>	Yes	No
Vacant: <u>  1  </u>		Abstentions: <u>  0  </u>	

defeated

2012052      URGING CONGRESS TO AMEND CONSTITUTION SO  
CORPORATE DONATIONS ARE NO LONGER  
CONSTITUTIONALLY PROTECTED SPEECH AFTER SUPREME  
COURT CITIZENS UNITED DECISION

Date: 3/08/12

2012052

## Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	✓	
District 9 - City of Poughkeepsie	White (VC)	✓	
District 12 - Town of East Fishkill	Weiss		✓
District 14 - Town of Wappinger	Amparo		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant	<i>Vacant</i>	
District 20 - Town of Red Hook	Traudt	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)	✓	

Present: <u>11</u>	Resolution: <u>    </u>	Total: <u>9</u>	
Absent: <u>0</u>	Motion: <u>✓</u>	Yes	No
Vacant: <u>1</u>		Abstentions: <u>0</u>	

A Mac - BJJ

Remove 4th Whereas

3/8/12

## Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	✓	
District 9 - City of Poughkeepsie	White (VC)	✓	
District 12 - Town of East Fishkill	Weiss		✓
District 14 - Town of Wappinger	Amparo	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant		
District 20 - Town of Red Hook	Traudt	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)	✓	

Present: 11  
 Absent: 0  
 Vacant: 1

Resolution: ✓  
 Motion: ✓

Total: 10      1  
           Yes            No  
 Abstentions: \_\_\_\_\_

AF / KR D Borchert

"Call the Question"

3/8/12

Resolution No. 2012052 was defeated in Government Services and Administration Committee on March 8, 2012.

RESOLUTION NO. 2012053

RE: APPOINTMENT TO AUDIT REVIEW ADVISORY BOARD

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

WHEREAS, pursuant to Resolution No. 117 of 1997, the Dutchess County Legislature created an Audit Review Advisory Board, and

WHEREAS, pursuant to the authorizing resolution, the Chairman of the Legislature has the power to appoint one member to the board, subject to confirmation by the Legislature, and

WHEREAS, the Chairman hereby appoints James Miccio to be a member of the Audit Review Advisory Board, now, therefore, be it

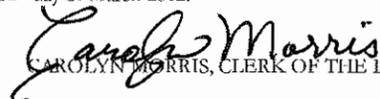
RESOLVED, that the Dutchess County Legislature confirms the appointment of James Miccio to the Audit Review Advisory Board for a term to expire on December 31, 2013, and hereby confirms the Chairman's appointment.

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/26/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		
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>	

2012053      APPOINTMENT TO THE AUDIT REVIEW ADVISORY BOARD

Date: 3/08/12

# Roll Call Sheets

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

Present: 22                      Resolution:                       Total : 22                      0  
 Absent: 2                              Motion:     Yes                              No  
 Vacant: 1    Abstentions: 0

2012053                      APPOINTMENT TO THE AUDIT REVIEW ADVISORY BOARD

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012053 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012054

RE: URGING THE NEW YORK STATE LEGISLATURE TO  
ENACT BETTER CHOICE BUDGET COALITION  
RECOMMENDATIONS TO FUND DUTCHESS COUNTY  
SERVICES, SCHOOLS, HEALTH CARE, AND THE DEC TO  
AVOID COUNTY PROPERTY OR SALES TAX HIKES

Legislators TYNER, JETER-JACKSON, MACAVERY, and DOXSEY offer the following and move its adoption:

WHEREAS, our County Executive's State of the County Address informed us that, "the 2012 budget appropriates \$24.3 million of the year-end audited general fund balance of \$29.9 million to pay for the core services our residents expect; this application of fund balance, coupled with the additional drawdown of \$3 million during 2011 and other potential projected revenue shortfalls or unforeseen emergencies, could leave county government with no un-appropriated fund balance when the 2011 books are closed," and

WHEREAS, New York's millionaires tax used to bring in \$4.6 billion in revenue annually; because of December's tax deal, it now only brings in \$1.9 billion in revenue, creating a \$2.7 billion hole in the state budget; the richest one percent of NYS households increased their share of all income statewide from 10 percent in 1980 to 35 percent in 2007, the 67 billionaires who call New York home have a combined net worth over \$234.9 billion, and recent Marist/YNN, Siena, Quinnipiac, and Hart research polls all show the vast majority of New Yorkers strongly supported maintaining, extending, and expanding the full state-level millionaires tax, and

WHEREAS, over the last two years \$2.7 billion has been cut from state aid to schools in New York; as a result, Hyde Park Elementary School may close, LaGrange and Smith Elementary Schools already closed, and the City of Poughkeepsie has cut back to half-day kindergarten; Governor Cuomo has proposed to only add \$805 million in additional state aid to schools this year, while cutting \$99 million from early childhood intervention services over the next five years, and

WHEREAS, because of \$36 million cut in state funding to 300,000 New York seniors over the last year for the state's Elderly Prescription Insurance Coverage (EPIC) program, starting in January EPIC participants have had to pay between \$3 and \$20 for a prescription, depending on the overall cost of the medication; now New York doesn't subsidize participants until they reach the coverage gap of \$2,930, also known as the "doughnut hole"; until that time, seniors pay 25 percent of the cost of the drug, and

WHEREAS, as Comptroller DiNapoli has recently stated, "defined contribution plans are not adequate for retirement security for public or private workers; study after

study has shown that defined benefit plans cost less in the long run than 401k style plans and perform better; it is unconscionable that so many New Yorkers and Americans do not have a secure retirement, often times because corporations have stripped retirement plans for short-term fiscal gains," and

WHEREAS, last year state spending on health care was cut by \$2.8 billion, and the State University of New York has been cut by \$1.4 billion over the last four years; SUNY's total operating budget has already been reduced by over 35% over the last five years, and tuition is scheduled to rise by \$300 a year every year for the next five years; at about one trillion dollars, Americans' student loan debt surpassed credit card debt for the first time in history, and

WHEREAS, the Better Choice Budget Coalition calls for a return to the full millionaires tax and one billion dollars worth of corporate tax loopholes annually to be closed; coalition members include the New York State Alliance for Retired Americans, Statewide Senior Action Council of NYS, NYS Coalition for the Aging, New York State Library Association, Interfaith Alliance of NYS, Interfaith Impact of NYS, Alliance for Quality Education, Environmental Advocates of NY, Center for Independence of the Disabled of New York, NYS AFL-CIO, CSEA, NYSUT, PEF, AFSCME, New York Association of Psychiatric Rehabilitation Services, New Yorkers for Fiscal Fairness, NYS Community Action Association, NYS Episcopal Public Policy Network, New Yorkers for Fiscal Fairness, Community Voices Heard, Fiscal Policy Institute, and the Hunger Action Network of New York State, and therefore be it

RESOLVED, that the Dutchess County Legislature hereby calls on the New York State Legislature to pass and Governor Andrew Cuomo to sign into law the Better Choice Budget coalition's common-sense revenue recommendations, to avoid property/sales tax hikes, avoid any more attacks on public employees and their pensions, and to restore full funding for crucial services here in our county, our schools, health care, our universities, our state's Departments of Environmental Conservation, Agriculture and Markets, and Office of Parks, Recreation, and Historic Preservation, and be if further

RESOLVED, that a copy of this resolution be sent to Governor Andrew Cuomo, state Senators Greg Ball and Stephen Saland, and Assembly members Kevin Cahill, Stephen Katz, and Joel Miller.

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

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 3 - Town of LaGrange	Borchert*		✓
District 6 - Town of Poughkeepsie	Flesland*		✓
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		✓
District 7 - Town of Hyde Park	Perkins	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	✓
District 17 - Town and Village of Fishkill	Miccio (C)		✓
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		✓
District 24 - Towns of Dover and Union Vale	Surman		✓

Present: 11      Resolution: ✓      Total: 4      8  
 Absent: 1      Motion: —      Yes      No  
 Vacant: 0      Abstentions: —

*Defeated*

2012054      URGING THE NEW YORK STATE LEGISLATURE TO ENACT BETTER CHOICE BUDGET COALITION RECOMMENDATIONS TO FUND DUTCHESS COUNTY SERVICES, SCHOOLS, HEALTH CARE, AND THE DEC TO AVOID COUNTY PROPERTY OR SALES TAX HIKES

Date: 3/08/12

2012054

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson	✓	
District 7 - Town of Hyde Park	Perkins	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 17 - Town and Village of Fishkill	Miccio (C)	✓	
District 18 - City of Beacon	Forman(VC)	absent	
District 22 - Town of Beekman	Hutchings	✓	
District 24 - Towns of Dover and Union Vale	Surman	✓	

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution:       
 Motion: ✓

Total : 11 0  
 Yes No  
 Abstentions: 0

JT - BJJ

Remove "Whereas"  
#s 2, 3, 4, & 6

3/8/12

Resolution No. 2012054 was defeated in Budget, Finance, and Personnel Committee on March 8, 2012.

RESOLUTION NO. 2012055

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL  
AND TO ORDER THE LOCAL TAX COLLECTOR TO  
ISSUE A CORRECTED TAX BILL

APPLICANT: Tong Wu and Michiko Kurebayashi  
18 Four Corners Blvd.  
Hopewell Jct NY 12533

ACCOUNT NO.: 132800-6657-01-051910-0000

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

WHEREAS, there is a re-levied sewer bill amount on the tax roll for the Town of East Fishkill for 2011 under the name of Tong Wu and Michiko Kurebayashi, Account No. 132800-6657-01-051910-0000, 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 Collector for the Town of East Fishkill 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 January 27, 2012, relating to Account No. 132800-6657-01-051910-0000 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:

Municipality	Assessed Value	Exempt Amt.	Taxable Value	Corrected Tax
County	457,900		457,900	1,489.49
Town of East Fishkill	457,900		457,900	1,167.32
Four Corners Sewer	1 unit		1 unit	115.59
Four Corners Water	1 unit		1 unit	185.81
East Fishkill Fire	457,900		457,900	351.68
E. Fishkill Public Lib.	457,900		457,900	90.71
			TOTAL:	\$3,400.60

and be it further

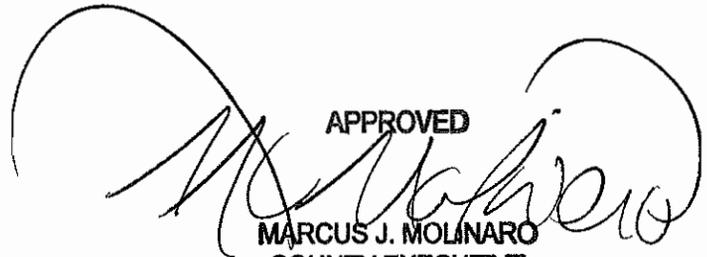
RESOLVED, that the Tax Collector be instructed to return the unpaid portion as being erroneous when the accounts are settled with the Commissioner of Finance at the expiration of the warrant, and be it further

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 East Fishkill	<u>80.01</u>
Total	\$ 80.01

CA-27-12  
MB/ca G-194  
2/7/12

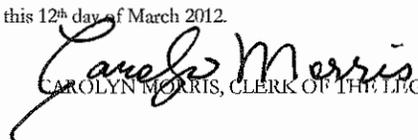
Fiscal Impact: None

  
APPROVED  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/12

STATE OF NEW YORK  
ss:  
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Real Property Tax Service Agency

## COE Investigating Report

Li Description (grid #) 132800-6657-01-051910-0000

Owner's Name Tong Wu and Michiko Kurebayashi

Mailing Address 18 Four Corners Blvd. Hopwell Jct. NY 12533

Property Location 18 Four Corners Blvd.

School District Wappingers Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 457,900 Corrected to Same

Taxable Assessed Value now on roll 457,900 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$3,480.61 Should be \$3,400.60

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)  
 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:  Incorrect water 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 Water Re-levy \$80.01

Investigator Margaret Burns

Director Eric Johnson



NYS BOARD OF REAL PROPERTY SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL

FOR THE YEAR 20 12

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.

Wu Tong + Kore Baygshi Mchko Day ( ) Evening ( )
1a. Name of Owner 2. Telephone Number

18 Four Corners Blvd
Hopewell Jct, NY 12533
1b. Mailing Address 3. Parcel Location (if different than 1b.)

6657-01-051910
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 Unpaid water
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): "unpaid water" part

on bill by mistake

1/24/2012
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: 1/27/12 Period of warrant for collection of taxes: 12/19/11

Last day for collection of taxes without interest: 2/29/12

Recommendation: [X] Approve application\* [ ] Deny Application

1/30/2012
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): 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

RECEIVED
DUTCHESS COUNTY
COMMISSIONER OF FINANCE
2012 JAN 27 P 11 28

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 Macis, assessor for the Town/City of E. Fishkill

Dutchess County, do hereby affirm that the assessment or taxable assessment on

Grid # 6657.01.051910

owned by Wu Tong + Kurekayali Mubke

as shown on the East Fishkill (yr) Assessment/Tax roll of the

Town/City of E. Fishkill

School district of Wappinger

is **incorrect** and may be corrected per RPTL 550.

An explanation of the error and how it occurred is as follows: (Please be specific)

"unpaid water" does not belong on this parcel.

Assessment was: 457.900 Should be: \_\_\_\_\_

Exemption was: 457.900 Should be: \_\_\_\_\_

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 1/24/12 Signature of Assessor or Designee [Signature]

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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		
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>	

2012055 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/08/12

# Roll Call Sheets

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

Present: 22 Resolution:  Total : 22 0  
 Absent: 2 Motion:  Yes No  
 Vacant: 1 Abstentions: 6

2012055 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012055 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012056

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL  
AND TO ORDER THE LOCAL TAX COLLECTOR TO  
ISSUE A CORRECTED TAX BILL

APPLICANT: Peter J. Kimber and Tracy A. Kimber  
46 Four Corners Blvd.  
Hopewell Jct NY 12533

ACCOUNT NO.: 132800-6658-03-064046-0000

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

WHEREAS, there is a re-levied sewer bill amount on the tax roll for the Town of East Fishkill for 2011 under the name of Peter J. Kimber and Tracy A. Kimber, Account No. 132800-6658-03-064046-0000, 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 Collector for the Town of East Fishkill 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 January 25, 2012, relating to Account No. 132800-6658-03-064046-0000 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:

Municipality	Assessed Value	Exempt Amt.	Taxable Value	Corrected Tax
County	499,200		499,200	1,623.83
Town of East Fishkill	499,200		499,200	1,272.61
Four Corners Sewer	1 unit		1 unit	115.59
Four Corners Water	1 unit		1 unit	185.81
East Fishkill Fire	499,200		499,200	383.40
E. Fishkill Public Lib.	499,200		499,200	98.89
			TOTAL:	\$3,680.13

and be it further

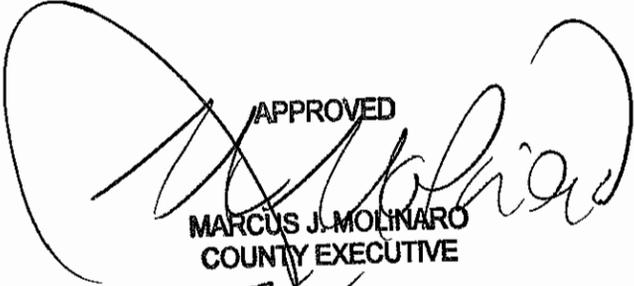
RESOLVED, that the Tax Collector be instructed to return the unpaid portion as being erroneous when the accounts are settled with the Commissioner of Finance at the expiration of the warrant, and be it further

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 East Fishkill	<u>359.50</u>
Total	\$359.50

CA-28-12  
MB/ca G-194  
2/7/12

Fiscal Impact: None

  
APPROVED  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Real Property Tax Service Agency

## COE Investigating Report

Parcel Description (grid #) 132800-6658-03-064046-0000

Owner's Name Peter J. and Tracy A. Kimber

Mailing Address 46 Four Corners Blvd. Hopwell Jct. NY 12533

Property Location 46 Four Corners Blvd.

School District Wappingers Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 499,200 Corrected to Same

Taxable Assessed Value now on roll 499,200 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$4,039.63 Should be \$3,680.13

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)
- 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:  Incorrect 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 \$359.50

Investigator Margaret Burns

Director Eric [Signature]



NYS BOARD OF REAL PROPERTY SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL

FOR THE YEAR 20 12

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.

Peter J + Tracy A Kimber  
1a. Name of Owner

Day( ) Evening ( )  
2. Telephone Number

46 FOUR CORNERS BLVD  
HOPEWELL JCT NY 12533  
1b. Mailing Address

3. Parcel Location (if different than 1b.)

6658-03-064046  
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 4039.63

7. I hereby request a correction of tax levied by TOWN OF EAST FISHKILL  
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): "Unpaid Sewer" charge added in error. Supporting documentation attached.

1/20/12  
Date

[Signature]  
Signature of Applicant

RECEIVED  
DUTCHESS COUNTY  
COMMISSIONERS OF FINANCE  
2012 JAN 25

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: 1/25/12 Period of warrant for collection of taxes: 12/19/11

Last day for collection of taxes without interest: 2/29/12

Recommendation:  Approve application\*  Deny Application

1/25/2012  
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): \_\_\_\_\_ 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

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total: 11 0  
 Yes No  
 Abstentions: 0

2012056 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/08/12

# Roll Call Sheets

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

Present:	<u>22</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>22</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>1</u>			Abstentions:	<u>0</u>	

2012056 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012056 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012057

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL  
AND TO ORDER THE LOCAL TAX COLLECTOR TO  
ISSUE A CORRECTED TAX BILL

APPLICANT: Henry G Page Jr. Development Ltd.  
360 Manchester Rd.  
Poughkeepsie NY 12603

ACCOUNT NO.: 133400-6361-01-031667-0000

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

WHEREAS, there is an assessment on the assessment roll for the Town of LaGrange for 2011 under the name of Henry G Page Jr. Development Ltd. , Account No. 133400-6361-01-031667-0000 , 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 LaGrange 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 14, 2012, relating to Account No. 133400-6361-01-031667-0000 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:

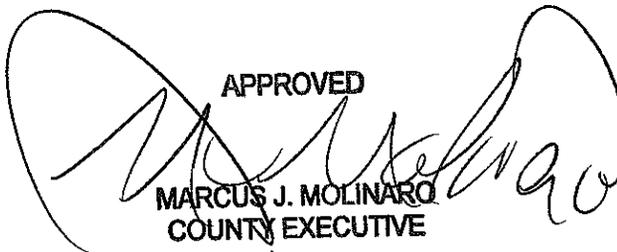
<u>Municipality</u>	<u>Assessed Value</u>	<u>Exempt Amt.</u>	<u>Taxable Value</u>	<u>Corrected Tax</u>
County	326,500		326,500	1,062.06
Town of LaGrange	326,500		326,500	788.74
Sleight-Frank F Sewer	1 unit		1 unit	261.22
LaGrange Fire	326,500		326,500	796.31
Manchester Water	18.04 units		18.04 units	10,059.12

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 Sleght-Frank F Sw (FFSF3)	\$ 8,954.64
A430 Manchester Water District	<u>9,484.80</u>
Total	\$18,439.44

CA-33-12  
MB/ca G-194  
2/15/12  
Fiscal Impact: None

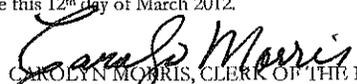
APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**Dutchess County Real Property Tax Service Agency**  
**COE Investigating Report**

Lot Description (grid #) 133400-6361-01-031667-0000

Owner's Name Henry G. Page Jr. Development Ltd.

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Overlook Rd.

School District Arlington Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 326,500 Corrected to Same

Taxable Assessed Value now on roll 326,500 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$31,406.89 Should be \$12,967.45

Tax Bill Paid? \_\_\_ yes  no Verified with assessor?  yes \_\_\_ no

Error Claimed is defined in Real Property Tax Law, Section 550:

- Subdivision 2, Paragraph E (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:  Incorrect Special District units placed on the parcel.

Recommendation  APPROVE APPLICATION  DENY APPLICATION

Details: It is recommended that the application for a corrected 2011/12 Cnty/Town tax bill be approved.

Investigator

*Margaret Burns*

Director

*Eric Gibson*



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 12

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.

Henry G Page Jr Development Ltd
1a. Name of Owner
360 Manchester Road
1b. Mailing Address
Poughkeepsie, NY 12603
133400 6361-01-031667
2. Telephone Number
Day 845 Evening ( )
452-2111
3. Parcel Location (if different than 1b.)
Overlook Road

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)
5. Account No. 08031667
6. Amount of taxes currently billed 31,406.89

7. I hereby request a correction of tax levied by Town of LaGrange
(county/city/school district; town in Westchester County; non-assessing village)
for the following reasons (use additional sheets if necessary): Water units caculated at wrong amount (35.06 per unit rather than 18.04) and Sewer billed at 35.0 per unit rather than 1.0.

02/08/12
Date
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: 2/14/12
Period of warrant for collection of taxes: 12/19/11
Last day for collection of taxes without interest: 2/29/12

Recommendation: [X] Approve application\* [ ] Deny Application
Date: 2/14/2012
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: \$ 31,406.89
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

2012 FEB 14 AM 10:34
REAL PROPERTY TAX SERVICES

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	absent	
District 22 - Town of Beekman	Hutchings		
District 24 - Towns of Dover and Union Vale	Surman		

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

2012057                      APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/08/12

# Roll Call Sheets

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

Present:	<u>22</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>22</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>1</u>			Abstentions:	<u>6</u>	

2012057 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012057 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton,  
Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio,  
Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt,  
Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012058

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL  
AND TO ORDER THE LOCAL TAX COLLECTOR TO  
ISSUE A CORRECTED TAX BILL

APPLICANT: Patrick Kozakiewicz and Erin Kozakiewicz  
132 Old Post Rd.  
Staatsburg NY 12580

ACCOUNT NO.: 134400-6364-02-674908-0000

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

WHEREAS, there is a re-levied school tax bill on the tax roll for the Town of Pleasant Valley for 2011 under the name of Patrick Kozakiewicz and Erin Kozakiewicz, Account No. 134400-6364-02-674908-0000, 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 School Tax Collector for the Hyde Park Central School District has made a clerical error in said re-levy, 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 3, 2012, relating to Account No. 134400-6364-02-674908-0000 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	150,000		150,000	487.93
Town of Pleasant Valley	150,000		150,000	358.78
Pleasant Valley Fire	150,000		150,000	187.80
Pleasant Valley Amb.	150,000		150,000	10.03
			TOTAL:	\$1,044.54

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

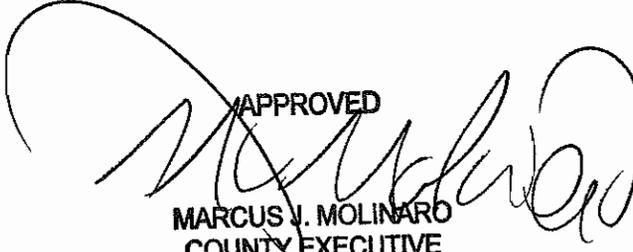
warrant, and be it further

RESOLVED, that the Commissioner of Finance be and hereby is authorized, empowered and directed to deduct the sum of \$2,946.79 from the payment to the School District in April 2012, 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	\$ 206.28
A660 Due to School District	\$ 2,946.79

CA-29-12  
MB/ca G-194  
2/15/12  
Fiscal Impact: None

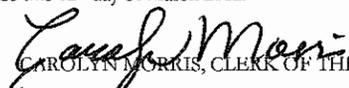
APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**Dutchess County Real Property Tax Service Agency**  
**COE Investigating Report**

Parcel Description (grid #) 134400-6364-02-674908-0000

Owner's Name Patrick and Erin Kozakiewicz

Mailing Address 132 Old Post Rd. Staatsburg NY 12580

Property Location Coachman Way

School District Hyde Park Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 150,000 Corrected to Same

Taxable Assessed Value now on roll 150,000 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$4,197.61 Should be \$1,044.54

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)
- 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:  Incorrect School Tax bill 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.**

Investigator Margaret Burns

Director Eric Allen



NYS BOARD OF REAL PROPERTY SERVICES

RP-554 (1/03)

APPLICATION FOR CORRECTED TAX ROLL

FOR THE YEAR 20 12

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.

Kozakiewicz, Patrick & Erin

1a. Name of Owner

Day ( ) Evening ( )

2. Telephone Number

132 Old Post Rd

Coachman Way

Staatsburg, NY 12580

1b. Mailing Address

3. Parcel Location (if different than 1b.)

13 4400 6364-02-674908

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 (county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary):

2-3-12 Date

Erin Kozakiewicz 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: 2/3/12

Period of warrant for collection of taxes: 12/19/11

Recommendation:

[X] Approve application\* [ ] Deny Application

2/14/2012 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-date mailed to applicant:

Corrected tax: \$

Order instructing collecting officer to correct tax:

date mailed

APPLICATION DENIED Reason:

Seal of Office

Date

Signature of Chief Executive Officer or Official Designated by Resolution

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 11      0  
           Yes        No  
 Abstentions: 0

2012058      APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/08/12

# Roll Call Sheets

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

Present:	<u>22</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>22</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>1</u>			Abstentions:	<u>0</u>	

2012058 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012058 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012059

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL  
AND TO ORDER THE LOCAL TAX COLLECTOR TO  
ISSUE A CORRECTED TAX BILL

APPLICANT: Timothy M. Eddy and Linda A. Eddy  
PO Box 303  
Salt Point NY 12576

ACCOUNT NO.: 133400-6465-02-867758-0000

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

WHEREAS, there is a re-levied school tax bill amount on the County/Town tax roll for the Town of Pleasant Valley for 2011 under the name of Timothy M. Eddy and Linda A. Eddy, Account No. 133400-6465-02-867758-0000, 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 Hyde Park Central School District 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 16, 2012, relating to Account No. 133400-6465-02-867758-0000 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	213,000		213,000	692.87
Town of Pleasant Valley	213,000		213,000	509.47
Pleasant Valley Fire	213,000		213,000	266.68
Pleasant Valley Amb.	213,000		213,000	14.25
			TOTAL:	\$1,483.27

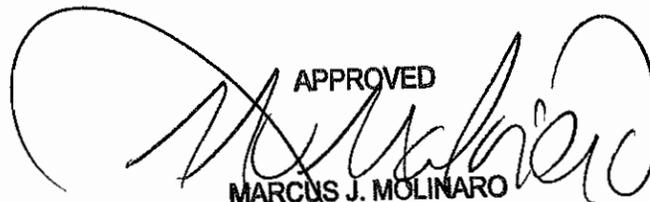
and be it further

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	\$ 234.43
A440 Hyde Park Central School Dist.	<u>3,349.07</u>
Total	\$ 3,583.50

CA-39-12  
MB/ca G-194  
2/21/12  
Fiscal Impact: None

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Real Property Tax Service Agency

## COE Investigating Report

Location Description (grid #) 133400-6465-02-867758-0000

Owner's Name Timothy M and Linda A. Eddy

Mailing Address PO Box 303 Salt Point NY 12576

Property Location 76 Hibernia Rd.

School District Hyde Park Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 213,000 Corrected to Same

Taxable Assessed Value now on roll 213,000 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$5,066.77 Should be \$1,483.27

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)
- 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:  Incorrect school tax 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.

A440 Hyde Park CSD \$3,583.50

Investigator

*Margaret Burns*

Director

*Eric A. ...*



NYS BOARD OF REAL PROPERTY SERVICES

RP-554 (1/03)

APPLICATION FOR CORRECTED TAX ROLL

FOR THE YEAR 20 12

2012 FEB 16 PM 5:04  
REAL PROPERTY TAX SERVICES

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.

Timothy M Eddy  
1a. Name of Owner

Day  845-233-0372 Evening   
2. Telephone Number

P.O. Box 303  
Salt Point, NY 12578  
1b. Mailing Address

3. Parcel Location (if different than 1b.)

Parcel ID 134400 6465-02-867758-000 76 Hibernia Road 210-1 Family Res  
4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 13867758

6. Amount of Taxes currently Billed 5,066.77

7. I hereby request a correction of tax levied by Dutchess County/Town of Pleasant Valley/Hyde Park School  
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): School Tax Payment in 10/2011 not Applied to Account

2/16/2012  
Date

Timothy M Eddy  
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: 2/16/12 Period of warrant for collection of taxes: 12/19/11

Recommendation:  Approve application\*  Deny Application

2/16/2012  
Date

Eric Olsen  
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-date mailed to applicant: \_\_\_\_\_ Corrected tax: \$ \_\_\_\_\_  
Order instructing collecting officer to correct tax: \_\_\_\_\_ date mailed \_\_\_\_\_  
APPLICATION DENIED Reason: \_\_\_\_\_

Seal of Office

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Chief Executive Officer or Official Designated by Resolution

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		
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>	

2012059      APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/08/12

# Roll Call Sheets

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

Present: 22      Resolution:       Total : 22      0  
 Absent: 2      Motion:       Yes      No  
 Vacant: 1      Abstentions: 0

2012059      APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012059 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012060

RE: APPROVAL OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE:

APPLICANT: Henry G. Page Jr. Development Ltd. 360 Manchester Rd. Poughkeepsie NY 12603

ACCOUNT NO: 133400-6361-01-031667-0000

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

WHEREAS, there is a special district assessment on the assessment roll for the Town of Lagrange for 2009 under the name of Henry G. Page Jr. Development Ltd., Account No: 133400-6361-01-031667-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a refund of real property taxes on the basis of an alleged clerical error, and

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of Lagrange 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 14, 2012 relating to Account No. 133400-6361-01-031667-0000 for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$17,521.32 and to charge-back the erroneous taxes on next years levy as follows:

A430	Sleight-Frank F Sewer (FFSF3)	\$8,086.12
A430	Manchester Water District (MW0L1)	<u>9,435.20</u>
	Total:	\$17,521.32

and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized, empowered and directed to mail a copy of the approved application and this resolution to the applicant.

CA-34-12 MB/ca G-194 2/15/12 Fiscal Impact: None

APPROVED [Signature] MARCUS J. MOLINARO COUNTY EXECUTIVE

Date 3/14/2012

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 March 2012, 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 March 2012.

[Signature] CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Real Property Tax Service Agency

## COE Investigating Report

Description (grid #) 133400-6361-01-031667-0000

Owner's Name Henry G. Page Jr. Development Ltd.

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Overlook Rd.

School District Arlington Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 326,500 Corrected to Same

Taxable Assessed Value now on roll 326,500 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$31,335.29 Should be \$13,005.71

Tax Bill Paid?  yes  no Verified with assessor?  yes  no

Error Claimed is defined in Real Property Tax Law, Section 550:

- Subdivision 2, Paragraph E (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:  Incorrect Special District units placed on the parcel.

Recommendation  APPROVE APPLICATION  DENY APPLICATION

Details: **It is recommended that the application for a partial refund of the 2010/11 Cnty/Town tax bill be approved**

Investigator

*Margaret Burns*

Director

*Eric Wilson*



10/11

RP-556 (1/06)

NEW YORK STATE DEPARTMENT OF TAXATION & FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES

APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES  
FOR THE YEAR(S) 20 11

Part I: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services (in Nassau and Tompkins Counties, submit to Chief Assessing Officer), or in a village which has retained its assessing unit status, submit to the village assessor or chairman of village board of trustees. The application must be submitted within three years of the annexation of the warrant for the collection of such tax. For an "unlawful entry" as defined in Sec. 550(7)(a) of the Real Property Tax Law, 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. (See definitions on reverse side).

Henry G Page Jr Development Ltd

Day 845 Evening ( )

1a. Name of Owner  
360 Manchester Road

2. Telephone Number  
452-2111

Poughkeepsie, NY 12603  
1b. Mailing Address

Overlook Road  
3. Parcel Location (if different than 1b.)

1c. E-mail Address (optional)  
133400 6361-01-031667

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 08031667 6a. Amount of taxes paid or payable 31,335.29 6b. Date of payment (if paid) 2/28/11  
(as appears on tax bill)

7. I hereby request a refund or credit of real property taxes levied for the year(s) 2011 by Town of Lagrange  
for the following reasons (use additional sheets if necessary): WATER UNITS CALCULATED (Tax levying body) INCORRECTLY -  
35.05 PER UNIT RATHER THAN 18.04. SEWER CHARGED AT 35.0 RATHER THAN 60.  
\* Insert name of village, county, city, school district; town in Westchester County

2/10/2012  
Date

[Signature]  
Signature of Applicant

PART II: For use by COUNTY DIRECTOR, VILLAGE ASSESSOR: Attach written report including documentation and recommendation (Include type of error as defined in Sec. 550)

Date application received: 2/14/12 Date warrant annexed: 12/16/10

Last day for collection of taxes without interest: paid 2/28/11

Recommendation:  Approve application\*  Deny Application  
2/15/2012 Date [Signature] Signature of Official

\*  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 of petitions filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION \_\_\_\_\_ :  
(Insert Number or Date)

APPLICATION APPROVED (Check reason)  Clerical error  Unlawful entry  Error in essential fact

Amount of taxes paid: \$ \_\_\_\_\_ Amount of taxes due: \$ \_\_\_\_\_

Amount of refund or outstanding tax to be credited: \$ \_\_\_\_\_

APPLICATION DENIED Reason: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Chief Executive Officer  
or Official Designated by Resolution

2012 FEB 14 AM 10:34  
REAL PROPERTY  
TAX SERVICES

# *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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		
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>	

2012060      APPROVAL OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE, FOR THE TOWN OF:

Date: 3/08/12

# Roll Call Sheets

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

**Present:** 22                      **Resolution:**                       **Total :** 22                      0  
**Absent:** 2                              **Motion:**     **Yes**                              **No**  
**Vacant:** 1    **Abstentions:** 0

2012060                      APPROVAL OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE, FOR THE TOWN OF:

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012060 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012061

RE: APPROVAL OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE:

APPLICANT: Henry G. Page Jr. Development Ltd. 360 Manchester Rd. Poughkeepsie NY 12603

ACCOUNT NO: 133400-6361-01-031667-0000

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

WHEREAS, there is a special district assessment on the assessment roll for the Town of Lagrange for 2010 under the name of Henry G. Page Jr. Development Ltd., Account No: 133400-6361-01-031667-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a refund of real property taxes on the basis of an alleged clerical error, and

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of Lagrange 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 14, 2012 relating to Account No. 133400-6361-01-031667-0000 for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$18,329.58 and to charge-back the erroneous taxes on next years levy as follows:

A430	Sleight-Frank F Sewer (FFSF3)	\$8,692.18
A430	Manchester Water District (MW0L1)	<u>9,637.40</u>
	Total:	\$18,329.58

and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized, empowered and directed to mail a copy of the approved application and this resolution to the applicant.

CA-35-12 MB/ca G-194 2/15/12 Fiscal Impact: None

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 3/4/2012

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 March, 2012, 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 March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Real Property Tax Service Agency

## COE Investigating Report

Le Description (grid #) 133400-6361-01-031667-0000

Owner's Name Henry G. Page Jr. Development Ltd.

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Overlook Rd.

School District Arlington Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 343,600 Corrected to Same

Taxable Assessed Value now on roll 343,600 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$30,185.60

Should be \$12,664.28

Tax Bill Paid?  yes  no

Verified with assessor?  yes  no

Error Claimed is defined in Real Property Tax Law, Section 550:

- Subdivision 2, Paragraph E (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:  Incorrect Special District units placed on the parcel.

Recommendation  APPROVE APPLICATION  DENY APPLICATION

Details: It is recommended that the application for a partial refund of the 2009/10 Cnty/Town tax bill be approved

Investigator

*Margaret Burns*

Director

*Eric Gibson*

09/10



RP-556 (1/06)

NEW YORK STATE DEPARTMENT OF TAXATION & FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES

APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES  
FOR THE YEAR(S) 20 10

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services (in Nassau and Tompkins Counties, submit to Chief Assessing Officer), or in a village which has retained its assessing unit status, submit to the village assessor or chairman of village board of trustees. The application must be submitted within three years of the annexation of the warrant for the collection of such tax. For an "unlawful entry" as defined in Sec. 550(7)(a) of the Real Property Tax Law, 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. (See definitions on reverse side).

Henry G Page Jr Development Ltd  
1a. Name of Owner  
360 Manchester Road  
Poughkeepsie, NY 12603  
1b. Mailing Address

Day (845) Evening ( )  
2. Telephone Number  
452-2111  
Overlook Road  
3. Parcel Location (if different than 1b.)

1c. E-mail Address (optional)  
133400 6361-01-031667

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 08031667 6a. Amount of taxes paid or payable 33,108.96 6b. Date of payment (if paid) 03/01/10  
(as appears on tax bill)

7. I hereby request a refund or credit of real property taxes levied for the year(s) 2010 by Town of Lagrange \*  
for the following reasons (use additional sheets if necessary): WATER UNITS CALCULATED (Tax levying body) INCORRECTLY -  
CHARGED AT 35.05 PER UNIT RATHER THAN 18.04. SEWER CHARGED AT 35.0 RATHER THAN 1.0  
\* Insert name of village, county, city, school district; town in Westchester County

2/10/2012  
Date

[Signature]  
Signature of Applicant

PART II: For use by COUNTY DIRECTOR, VILLAGE ASSESSOR: Attach written report including documentation and recommendation (Include type of error as defined in Sec. 550)

Date application received: 2/14/12 Date warrant annexed: 12/28/09

Last day for collection of taxes without interest: Paid 3/1/10

Recommendation:  Approve application\*  Deny Application  
2/15/2012 Date [Signature] Signature of Official

\*  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 of petitions filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION \_\_\_\_\_: (Insert Number or Date)

APPLICATION APPROVED (Check reason)  Clerical error  Unlawful entry  Error in essential fact

Amount of taxes paid: \$ \_\_\_\_\_ Amount of taxes due: \$ \_\_\_\_\_

Amount of refund or outstanding tax to be credited: \$ \_\_\_\_\_

APPLICATION DENIED Reason: \_\_\_\_\_

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Chief Executive Officer or Official Designated by Resolution

2012 FEB 14 AM 10:34  
REAL PROPERTY TAX SERVICES

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		
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>	

2012061      APPROVAL OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE, FOR THE TOWN OF:

Date: 3/08/12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:   
 Motion:

Total: 22      0  
                   Yes            No  
 Abstentions: 0

2012061      APPROVAL OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE, FOR THE TOWN OF:

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012061 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012062

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE  
ASSESSED UNDER THE NAME OF COUNTY CONDUIT CORP  
GRID: 133400-6362-02-767771-0000

Legislators BORCHERT, BOLNER, and MICCIO offer the following and  
move its adoption,

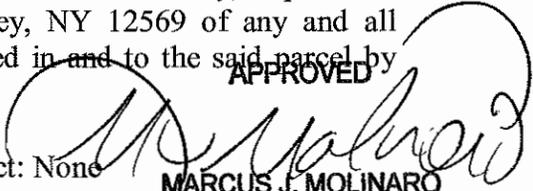
WHEREAS, unpaid tax on property in the Town of Lagrange assessed to  
County Conduit Corp for the levy year 2008 and described as Grid No. 133400-6362-02-  
767771-0000 amounting to \$2,004.49 was placed on a List of Delinquent Taxes filed in  
the Dutchess County Clerk's Office on November 2, 2009 for 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 August 17, 2011 in the Office of the  
Dutchess County Clerk as Document # 02 2011 3699, and

WHEREAS, the sum of \$8,000.00 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 Mary Albrecht, 570 Plass Road, Pleasant Valley, NY 12569 of any and all  
interest which the County of Dutchess may have acquired in and to the said parcel by  
reason of the above deed.

CA-25-12 PB:CM:deb/ca/R-0324 2/1/2012 Fiscal Impact: None

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE

STATE OF NEW YORK

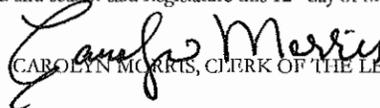
ss:

COUNTY OF DUTCHESS

Date 3/12/2012

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 12<sup>th</sup> day of  
March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE



# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:   
 Motion:

Total: 22 0  
 Yes No  
 Abstentions: 0

2012062 QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE  
 ASSESSED UNDER THE NAME OF COUNTY CONDUIT CORP

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012062 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012063

RE: APPROVAL OF APPLICATION TO CANCEL A TAX BILL  
AND TO AUTHORIZE A CHARGE-BACK BY THE  
COMMISSIONER OF FINANCE

APPLICANT: United States of America  
National Parks Service Northeast Region  
Land Resources Division  
115 John St. 5<sup>th</sup> Floor  
Lowell MA 01852

ACCOUNT NO. 133200-6164-01-030579-0000

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

WHEREAS, there is an assessment on the 2011 assessment roll for the Town of Hyde Park under the name of United States of America, Account No. 133200-6164-01-030579-0000, 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 February 24, 2012 relating to Account No. 133200-6164-01-030579-0000 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

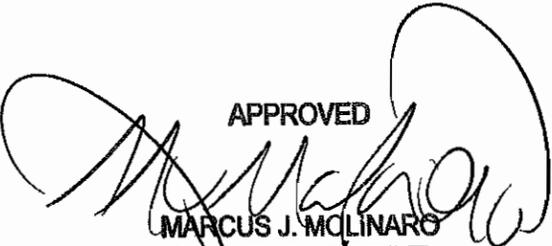
RESOLVED, that the tax collector be instructed to return the unpaid portion as being erroneous when the accounts are settled with the Commissioner of Finance at the expiration of the warrant, and be it further

RESOLVED, that the Commissioner of Finance be and hereby is authorized, empowered and directed to deduct the sum of \$39,233.38 from the payment to the School District in April 2012, 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:

A342 Allowance for Uncollectible Taxes	\$ 2,746.34
A660 Due to School District	\$ 39,233.38

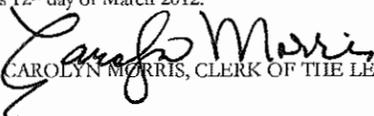
CA-40-12  
MB/ca G-194  
2/24/12

  
APPROVED  
MARCUS J. MCLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**Dutchess County Real Property Tax Service Agency**  
**COE Investigating Report**

1 Description (grid #) 133200-6164-01-030579-0000

Owner's Name United States of America

Mailing Address C/O National Park Service Land Resources Div. 115 John St 5<sup>th</sup> Floor Lowell Ma 01852

Property Location 4114 Albany Post Rd.

School District Hyde Park Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 1,100,000 Corrected to Same

Taxable Assessed Value now on roll 1,100,000 Corrected to Same

Exempt codes and amounts if applicable

Wholly Exempt 1,100,000

Amount Levied \$41,979.72 Should be \$0.00

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 to cancel the 2011/12 Cnty/Town tax bill be approved.**

Investigator

*Margaret Burns*

Director

*Eric Afelsen*



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES

RP-554 (9/04)  
2012 FEB 24 PM 1:47

APPLICATION FOR CORRECTED TAX ROLL  
FOR THE YEAR 20\_\_

REAL PROPERTY  
TAX SERVICES

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.

UNITED STATES OF AMERICA  
1a. Name of Owner

Day 413 523 9170 Evening ( )  
2. Telephone Number

NATIONAL PARK SERVICE, LAND RESOURCES  
115 JOHN ST. 5<sup>th</sup> FL, LOWELL, MA 01852  
1b. Mailing Address

4114 ALBANY POST RD., HYDE PARK, NY  
3. Parcel Location (if different than 1b.)

133200-6164-01-030579-0000  
4. Description of real property as shown on tax roll or tax bill (include tax map designation)

5. Account No. 07030579 6. Amount of taxes currently billed \$ 41,979.72

7. I hereby request a correction of tax levied by RET 2011 SCHOOL TAX - HYDE PARK CNTY SCH  
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): FEDERAL PROPERTY TAX EXEMPT

2-24-12  
Date

BY DAVID FUNK  
*David Funk*  
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: 2/24/12 Period of warrant for collection of taxes: 12/19/11

Last day for collection of taxes without interest: 2/29/12

Recommendation:  Approve application\*  Deny Application

2/24/2012  
Date *Eric Alfelsen*  
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  
2/27/2012  
Date

*[Signature]*  
Signature of Chief Executive Officer or Official Designated by Resolution

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)	<i>absent</i>	
District 22 - Town of Beekman	Hutchings		
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>	

2012063      APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO  
 AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF  
 FINANCE

Date: 3/08/12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:   
 Motion:

Total: 22      0  
                   Yes            No  
 Abstentions: 0

2012063      APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO  
 AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF  
 FINANCE

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012063 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012064

RE: SETTING A PUBLIC HEARING IN CONNECTION WITH THE ESTABLISHMENT OF ZONE OF ASSESSMENT "M" IN DUTCHESS COUNTY WATER DISTRICT LOCATED IN THE TOWN OF RED HOOK

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

WHEREAS, the New York State Legislature, by Chapter 592 of the Laws of 1991 (Section 1142, Public Authorities Law), as part of the creation of the Dutchess County Water & Wastewater Authority (WWA), established the Dutchess County Water District (DCWD), and

WHEREAS, the WWA has presented to this Legislature a notice of project pursuant to Section 1124 of the Public Authorities Law which outlines the WWA's plan to establish Zone of Assessment "M" within the Dutchess County Water District located in the Town of Red Hook, and

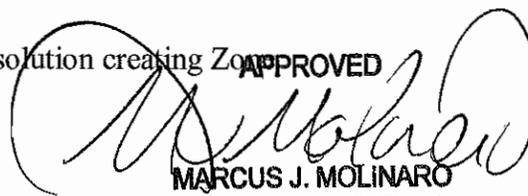
WHEREAS, said notice of project also describes the zone of assessment that will be created which is more particularly described in Attachment A attached hereto, and

WHEREAS, it is necessary to conduct a public hearing on the establishment of such Zone of Assessment, now therefore, be it

RESOLVED, that this Legislature shall conduct a public hearing on the 16<sup>th</sup> day of April, 2012, at 7pm, in the afternoon of said day, at the Chambers of the Dutchess County Legislature, County Office Building, 22 Market Street, Poughkeepsie, New York, on a proposal to establish Zone of Assessment "M" in the Dutchess County Water District located in the Town of Red Hook, Dutchess County, New York, described in Attachment A attached hereto, and be it further

RESOLVED, that the Clerk of the Legislature shall publish notice of said hearing in the official newspapers of the County and shall include therein a description, identifying the areas to be included within the Zone of Assessment "M", the improvements proposed, the maximum amount to be expended for the improvements, the proposed method of assessment of the cost, the estimated cost of hook-up fees, if any, the cost to the typical property or one or two family home, all in accordance with Section 254 of the County Law.

CA-37-12 JMF:ca/G-1217-M  
2/15/12 Fiscal Impact: Statement will be attached to resolution creating Zone of Assessment "M" when submitted to Legislature

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/1/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
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: Bridget Barclay, Ex. Director, DCWWA

**ATTACHMENT "A"**

**DUTCHESS COUNTY WATER DISTRICT  
ZONE OF ASSESSMENT "M"**

**DESCRIPTION OF ZONE**

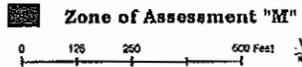
(List of tax parcels)

The Dutchess County Water District Zone of Assessment "M" shall include all those parcels depicted on the attached map. These parcels are further described by the following list of tax parcel grid numbers:

6371-02-644999	6371-02-631954	6372-04-767017	6372-04-771017
6371-02-712998	6371-02-619968	6372-04-705032	6372-04-795010
6371-02-795973	6371-02-662960	6372-04-774018	6372-04-753034
6371-02-796989	6371-02-780944	6372-04-736038	6372-04-751037
6371-02-795978	6372-04-729037	6372-04-702031	6372-04-734037
6371-02-795982	6372-04-713033	6372-04-754030	6372-04-797002
6371-02-794976	6372-04-708033	6372-04-725036	6372-04-796005
6371-02-796984	6372-04-732037	6372-04-755029	
6371-02-621993	6372-04-779021	6372-04-758023	
6371-02-797998	6372-04-794007	6372-04-717035	
6371-02-820938	6372-04-782021	6372-04-711084	
6371-02-647962	6372-04-660010	6372-04-742039	
6371-02-675979	6372-04-793013	6372-04-681018	
6371-02-695986	6372-04-776020	6372-04-757026	



**Fairways Water System**  
**Red Hook, NY**  
**Zone of Assessment "M"**



**DUTCHESS COUNTY**  
**Water & Wastewater Authority**  
27 High Street  
Poughkeepsie, NY 12601

Sheet No.  
1 of 1

Old Routes - Dutchess County Road Department File 21-Via Agency  
Proposed by Dutchess County Water & Wastewater Authority  
Drawn by Joseph C. Davis, Project Engineer

DATE: 10/11/2011



## *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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt (C)		
District 21 - Town of East Fishkill	Horton		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: <u>✓</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>	

2012064      SETTING A PUBLIC HEARING IN CONNECTION WITH THE ESTABLISHMENT OF ZONE OF ASSESSMENT "M" IN DUTCHESS COUNTY WATER DISTRICT LOCATED IN THE TOWN OF RED HOOK

Date: 3/08/12

# Roll Call Sheets

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

Present:	<u>22</u>	Resolution:	<u>✓</u>	Total:	<u>22</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<u>—</u>		Yes	No
Vacant:	<u>1</u>			Abstentions:	<u>0</u>	

2012064      SETTING A PUBLIC HEARING IN CONNECTION WITH THE ESTABLISHMENT OF ZONE OF ASSESSMENT "M" IN DUTCHESS COUNTY WATER DISTRICT LOCATED IN THE TOWN OF RED HOOK

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012064 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012065

RE: APPOINTMENT TO THE REGION 3 FOREST PRACTICE BOARD

Legislators MICCIO, TRAUDT, HORTON, and PERKINS offer the following and move its adoption:

WHEREAS, there exists a vacancy on the Region 3 Forest Practice Board by reason of the expiration of the term of Benjamin Traudt, and

WHEREAS, pursuant to Article 11, Section 9-0705 of the Environmental Conservation Law, the Chairman of the Dutchess County Legislature has made the following appointment to such board, now, therefore, be it

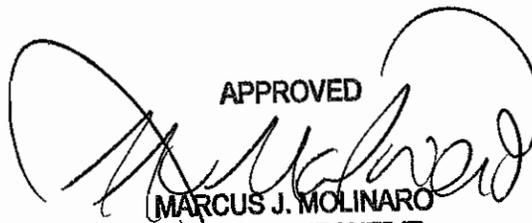
RESOLVED, that the Dutchess County Legislature does hereby ratify and confirm the following appointment to the Region 3 Forest Practice Board for the term set forth:

APPOINTMENT

TERM

Peter Wilkinson  
14 Barbara Lane  
Pleasant Valley, NY 12569

12/31/13

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

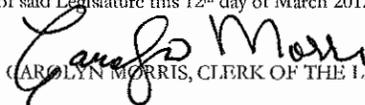
STATE OF NEW YORK

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# *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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt (C)		
District 21 - Town of East Fishkill	Horton		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present:	<u>✓</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>	

2012065      APPOINTMENT TO THE REGION 3 FOREST PRACTICE BOARD

Date: 3/08/12

# Roll Call Sheets

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

Present: 22      Resolution:       Total : 22      0  
 Absent: 2      Motion:       Yes      No  
 Vacant: 1      Abstentions: 0

2012065      APPOINTMENT TO THE REGION 3 FOREST PRACTICE BOARD

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012065 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 20120066

RE: REAPPOINTMENTS TO THE DUTCHESS COUNTY SOIL AND WATER CONSERVATION BOARD

Legislators TRAUDT, BORCHERT, FLESLAND, HORTON, and PERKINS offer the following and move its adoption:

WHEREAS, vacancies exist on the Dutchess County Soil and Water Conservation Board by reason of the expiration of the terms of Legislators Alison MacAvery and James J. Miccio,

WHEREAS, Legislators Alison MacAvery and James J. Miccio, have expressed a desire to be reappointed to said Board, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby reappoint Legislators Alison MacAvery and James J. Miccio to the Dutchess County Soil and Water Conservation Board for the terms specified below:

REAPPOINTMENTS

TERM ENDING

Legislator Alison MacAvery  
10 Driscoll Road  
Fishkill, NY 12524

1/1/12 – 12/31/12

Legislator James J. Miccio  
24 Broad Street  
Fishkill, NY 12524

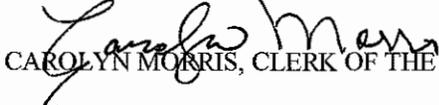
1/1/12 – 12/31/12

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# *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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt (C)		
District 21 - Town of East Fishkill	Horton		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: <u>✓</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>	

2012066      REAPPOINTMENTS TO THE DUTCHESS COUNTY SOIL AND WATER CONSERVATION BOARD

Date: 3/08/12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:   
 Motion:

Total: 22      0  
                   Yes            No  
 Abstentions: 0

2012066 REAPPOINTMENTS TO THE DUTCHESS COUNTY SOIL AND WATER CONSERVATION BOARD

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012066 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012067

RE: AUTHORIZING ACCEPTANCE OF FUNDING UNDER HURRICANE IRENE AND TROPICAL STORM LEE DISASTER NATIONAL EMERGENCY GRANT (NEG) AND THE TRADE ADJUSTMENT ASSISTANCE ACT (TAA)

LEGISLATORS KELSEY, BOLNER, SERINO, HORTON, and PERKINS offer the following and move its adoption:

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

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County for the operation of PY11 NEG Disaster funding for the period 9/13/11 – 9/30/12, FY 2010 TAA funding for the period 10/01/09 – 9/30/12 and FY 2011 TAA funding for the period 10/01/10 – 9/30/13, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized, empowered and directed to accept funding under the above NEG Disaster Emergency Grant and TAA Program and amend the following accounts:

APPROPRIATIONS

Increase (Decrease)

**PY 2011**

CD6292.2011.4819 NEG Disaster Funding \$ 355,000

**FY 2010**

CD6292.2010.4813 TAA Participant Funding 5,550

**FY 2011**

CD6292.2011.4813 TAA Participant Funding 5,249

**FY 2011**

CD6292.2011.4813.126 TAA Job Relocation 4,260

\$370,059

REVENUES

Increase (Decrease)

**PY 2011**

CD6292.2011.41910.27 NEG Disaster Funding \$355,000

**FY 2010**

CD6292.2010.47910.22 TAA Participant Funding 5,550

**FY 2011**

CD6292.2011.47910.22 TAA Participant Funding 5,249

**FY 2011**

CD6292.2011.47910.12 TAA Job Relocation 4,260

\$370,059

CA-36-12 LK/CRC/ca/G-1263 Fiscal Impact: See attached statement

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

APPROVED  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
DATE 3/14/2012

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 370,059

Total Current Year Revenue \$ 370,059  
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: Laraine Kautz - Executive Director Dutchess County Workforce Investment Board

## *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 3 - Town of LaGrange	Borchert*	✓	
District 6 - Town of Poughkeepsie	Flesland*	<i>absent</i>	
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	✓	
District 4 - Town of Hyde Park	Serino (VC)	✓	
District 7 - Town of Hyde Park	Perkins	✓	
District 9 - City of Poughkeepsie	White	✓	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)	✓	
District 21 - Town of East Fishkill	Horton	✓	
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	✓	

Present: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Vacant: \_\_\_\_\_

Resolution: \_\_\_\_\_  
 Motion: \_\_\_\_\_

Total : \_\_\_\_\_  
           Yes        No  
 Abstentions: \_\_\_\_\_

2012067        AUTHORIZING ACCEPTANCE OF FUNDING UNDER HURRICANE  
 IRENE AND TROPICAL STORM LEE DISASTER NATIONAL  
 EMERGENCY GRANT (NEG) AND THE TRADE ADJUSTMENT  
 ASSISTANCT ACT (TAA)

Date: 3/08/12

# Roll Call Sheets

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

Present: 22                      Resolution: ✓                      Total : 22                      0  
 Absent: 2                              Motion:         Yes                              No  
 Vacant: 1    Abstentions: 0

2012067                      AUTHORIZING ACCEPTANCE OF FUNDING UNDER HURRICANE IRENE AND TROPICAL STORM LEE DISASTER NATIONAL EMERGENCY GRANT (NEG) AND THE TRADE ADJUSTMENT ASSISTANCT ACT (TAA)

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012067 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012068

RE: APPOINTMENTS TO THE VETERANS AFFAIRS COMMITTEE

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

WHEREAS, by Resolution 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 Resolution 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 30<sup>th</sup>, and

WHEREAS, there are currently four vacancies for county legislators on the Veterans Affairs Committee and legislators John Thomes, Joseph Incoronato, Francena Amparo, and Alison MacAvery have expressed a desire to become members of the Veterans Affairs Committee, now, therefore, be it

RESOLVED, that Legislators Joseph Incoronato and John Thomes are hereby appointed to the Veterans Affairs Committee for terms ending November 30, 2012, or such time as they cease to serve as legislators, and be it further

RESOLVED, that Legislators Francena Amparo and Alison MacAvery are hereby appointed to the Veterans Affairs Committee for terms ending November 30, 2013, or such time as they cease to serve as legislators.

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROL ANN FERRIS, CLERK OF THE LEGISLATURE

# *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 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 12 0  
           Yes      No  
 Abstentions: 0

2012068      APPOINTMENTS TO THE VETERANS AFFAIRS COMMITTEE

Date: 3/08/12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:   
 Motion:

Total : 22 0  
           Yes      No  
 Abstentions: 0

2012068 APPOINTMENTS TO THE VETERANS AFFAIRS COMMITTEE

Date: 3/12/12

Roll call vote on the foregoing Resolution No. 2012068 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

Resolution No. 2012069, entitled, Resolution No. 2012045, A Local Law Amending the Dutchess County Charter and Local Law No. 4 of 1975 as it Pertains to Article III, Section 3.07, was pulled to be combined with Resolution No. 2012045.

RESOLUTION NO. 2012070

**RE: URGING THE NEW YORK STATE LEGISLATURE TO INTRODUCE AND PASS AND THE GOVERNOR TO SIGN INTO LEGISLATION PROVIDING FOR MANDATE RELIEF WITH RESPECT TO THE BOARD OF ELECTIONS**

**LEGISLATORS ROLISON, BORCHERT, HORTON, INCORONATO, SERINO, SURMAN, WILKINSON, and PERKINS offer the following and move its adoption:**

**WHEREAS, there is a fiscal crisis that County and Local Governments find themselves in that is well documented; and**

**WHEREAS, the cost of running and maintaining the Board of Elections has significantly increased as the Counties were obligated to take over election responsibilities from the local municipalities; and**

**WHEREAS, pursuant to the Election Law, certain costs with respect to elections can be and are shared with local municipalities; and**

**WHEREAS, the cost of a normal election cycle has increased dramatically and the costs of the election cycle are substantially compounded when there are multiple additional elections such as primary elections and special elections that have to occur by law; and**

**WHEREAS, there are certain initiatives that can be undertaken which would result in the potential for substantial cost savings at both the County and the Local level; and**

**WHEREAS, as many counties are facing an unprecedented number of primaries and special elections, it is incumbent upon the State Legislature and the Governor to take action to provide for amendments to the Election Law to allow for cost savings that new technology makes available that was not contemplated by laws which were adopted during the era of the lever machine; and**

**WHEREAS, such simple and common sense approaches must be considered, which would promote cost savings such as the consolidation of primary elections for State and Federal offices; allow flexibility for the number of poll inspectors which are mandated at polling sites; increasing the number of voters in an Election District; authorizing the modification of polling sites to allow voters from a contiguous district to vote outside of their resident municipality; now therefore, be it**

**RESOLVED, that the Dutchess County Legislature on behalf of Dutchess County, its local governments and all of the people of Dutchess County, hereby urges the New York State Legislature to introduce and adopt legislation and that the Governor should sign such legislation that would accomplish the following goals:**

- 1. Amend Section 8-100 (1)(a) of the Election Law, as it relates to the date for holding Primary Elections in New York, which date should be moved back to accommodate the Federal MOVE Act and to give military voters proper rights for absentee voting, and to coordinate state primary elections with federal primary election to eliminate the need for an additional un-budgeted primary election; and**

2. Amend Section 3-400 (1) &(2) of the Election Law, to allow Election Commissioners flexibility to designate how many Inspectors are needed at poll sites by adding language that a poll site must be staffed with "a sufficient number of inspectors" with a minimum of four inspectors to allow for proper coverage; and
3. Amend Section 4-100 (3)(a) of the Election Law, to increase the voter limits in each election district by increasing the maximum number of voters from 1,150 per election district to 2,500 per election district and up to 4,000 upon consent of the Board of Elections; and
4. Amend certain requirements with respect to the locations of poll sites to allow a Board of Elections to authorize voters from a contiguous district to vote outside of their town or city so as to consolidate poll sites where appropriate; and
5. Amend Section 8 (2) of election law to standardize all voting hours across New York State for primary elections to 6:00 am instead of noon,

and be it further

RESOLVED, that a copy of this Resolution be forwarded to Governor Andrew M. Cuomo, Senate Majority Leader Dean Skelos, State Senator Stephen M. Saland, State Senator Greg Ball, and Assembly Speaker Sheldon Silver, Assemblyman Joel M. Miller, Assemblyman Steven Katz and Assemblyman Kevin Cahill so that those State Legislators can properly sponsor the appropriate legislation which will make the granting of the intent this Resolution herein possible.

Amended in Government Services & Administration Committee 3-08-12 dw

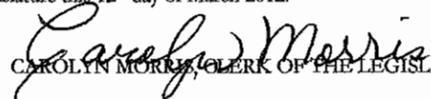
STATE OF NEW YORK

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant	vacant	
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		

Present: <u>11</u>	Resolution: <u>✓</u>	Total: <u>100</u>	
Absent: <u>0</u>	Motion: <u>—</u>	Yes	No
Vacant: <u>1</u>		<u>0</u>	

2012070      URGING THE NEW YORK STATE LEGISLATURE TO INTRODUCE AND PASS AND THE GOVERNOR TO SIGN INTO LEGISLATION PROVIDING FOR MANDATE RELIEF WITH RESPECT TO THE BOARD OF ELECTIONS

Date: 3/08/12

## Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	✓	
District 9 - City of Poughkeepsie	White (VC)	✓	
District 12 - Town of East Fishkill	Weiss	✓	
District 14 - Town of Wappinger	Amparo	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant	<i>vacant</i>	
District 20 - Town of Red Hook	Traudt	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		✓

Present: 11  
 Absent: 0  
 Vacant: 1

Resolution:       
 Motion: ✓

Total: 9      2  
           Yes        No  
 Abstentions: 0

Leg. MacAvery / Leg B. Jeter-Jackson  
 amendment attached

3/8/12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:       
 Motion: ✓

Total: 1 21  
           Yes      No  
 Abstentions: 0

*JT / A mac*  
*Remove #3*

*defeated*

2012070

3-12-12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution: ✓  
 Motion:     

Total: 21      1  
           Yes            No

Abstentions: 0

2012070 Urging the New York State Legislature to introduce and pass and the Governor to sign into legislation providing for mandate relief with respect to the Board of Elections

Discussion on Resolution No. 2012070 resulted as follows:

Legislator Tyner made a motion, duly seconded by Legislator MacAvery, to remove item 3.

Roll call on the foregoing amendment resulted as follows:

AYES: 1 Tyner

NAYS: 21 Rolison, Borchert, Flesland, Jeter-Jackson, MacAvery, Doxsey, Wilkinson, Serino, Roman, Perkins, Weiss, Bolner, Amparo, Incoronato, Miccio, Forman, Traudt, Horton, Hutchings, Thomes, Surman

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Amendment defeated.

Roll call vote on the foregoing Resolution No. 2012070 resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

RESOLUTION NO. 2012071

RE: CONFIRMING THE APPOINTMENT OF WILLIAM F. X. O'NEIL  
AS DEPUTY COUNTY EXECUTIVE

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

WHEREAS, by Resolution No. 2012017, Local Law No. 1 of 2012, a  
Local Law amending Article III of the Dutchess County Charter, was adopted creating  
the position of Deputy County Executive, and

WHEREAS, the Commissioner of Human Resources has developed a job  
description for such Deputy and has concluded the appropriate management job grade  
within the Management and Confidential Employees Compensation Program would be an  
"MJ", and

WHEREAS, the County Executive has determined that William F. X.  
O'Neil is best qualified to perform the duties of the position of Deputy County Executive  
and has appointed him to that position, and

WHEREAS, pursuant to Article III, Section 3.05 of the Dutchess County  
Charter, the County Executive may appoint such Deputy County Executive, in writing,  
subject to confirmation by the County Legislature, now, therefore, be it

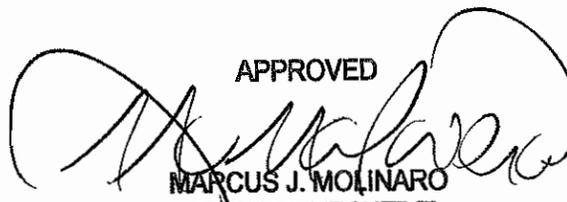
RESOLVED, this Legislature hereby authorizes and assigns the  
permanent position of "Deputy County Executive(s)" within the Dutchess County  
Executive's Office to a Management Grade "MJ" in the Management and Confidential  
Employees Compensation Program effective immediately, and

RESOLVED, that the Legislature of the County of Dutchess does hereby  
confirm the appointment of William F. X. O'Neil as Deputy County Executive effective  
immediately.

CA-41-12  
JMF/ca G-1062  
2/27/12  
Amended on floor 3/12/12 lw

STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 3/14/2012

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 12<sup>th</sup> day of  
March 2012, 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 12<sup>th</sup> day of March 2012.

  
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: Earl T. Bruno, Commissioner, Human Resources

# Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	/	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Vacant	<i>Vacant</i>	
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		

Present: 11  
 Absent: 0  
 Vacant: 1

Resolution:   
 Motion:

Total: \_\_\_\_\_  
 Abstentions: \_\_\_\_\_  
                   Yes      No

2012071      CONFIRMING THE APPOINTMENT OF WILLIAM F. X. O'NEIL  
 AS DEPUTY COUNTY EXECUTIVE

Date: 3/08/12

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:       
 Motion:

Total: 21 1  
 Yes No  
 Abstentions: 0

2012071

*AF / D Borchert  
 add 2nd Whereas  
 add another Resolved after  
 last Whereas  
 3-12-12*

# Roll Call Sheets

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

Present: 22  
 Absent: 2  
 Vacant: 1

Resolution:   
 Motion:

Total: 21 1  
 Yes No  
 Abstentions: 0

2012071 CONFIRMING THE APPOINTMENT OF WILLIAM F. X. O'NEIL  
 AS DEPUTY COUNTY EXECUTIVE

Date: 3/12/12

Discussion on Resolution No. 2012071 resulted as follows:

Legislator Flesland moved to amend the foregoing resolution, duly seconded by Legislator Borchert, to add the following:

WHEREAS, the Commissioner of Human Resources has developed a job description for such Deputy and has concluded the appropriate management job grade within the Management and Confidential Employees Compensation Program would be an "MJ", and

RESOLVED, this Legislature hereby authorizes and assigns the permanent position of "Deputy County Executive(s)" within the Dutchess County Executive's Office to a Management Grade "MJ" in the Management and Confidential Employees Compensation Program effective immediately, and

The foregoing amendment was adopted with Legislator Tyner being the only no vote.

Roll call vote on the foregoing Resolution No. 2012071 resulted as follows:

AYES: 21 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Surman, Thomes, Traudt, Weiss, Wilkinson

NAYS: 1 Tyner

ABSTAIN: 0

ABSENT: 2 Kelsey, White

VACANCY: 1

Resolution adopted.

***Commendation: Frederick (Ricky) J. Pizzuto***

Legislator ROLISON offers the following and moves its adoption:

**Whereas**, Frederick (Ricky) J. Pizzuto is a member of Boy Scout Troop 275 of Poughkeepsie. He has obtained the rank of Eagle Scout and received that award at a Court of Honor held recently in his honor, and

**Whereas**, Ricky has been a member of Boy Scout Troop 275 for several years and has earned many merit badges and has held a number of distinguished leadership roles within the Troop, and

**Whereas**, Eagle Scout Pizzuto has demonstrated a commitment to the highest ideals of Scouting and to his community, and

**Whereas**, Ricky currently attends Lourdes High School in Poughkeepsie. Thereafter, he is considering a career in the U.S. Coast Guard, and

**Whereas**, Ricky's Eagle Scout project was conducted at the Samuel F.B. Morse estate at the Locust Grove Historic Site where he cleared an existing trail and opened up a new trail on the grounds to allow visitors to enjoy the scenic beauty of the site, now, therefore, be it

**Resolved**, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Frederick (Ricky) J. Pizzuto, and, be it further

**Resolved**, that the Dutchess County Legislature, does hereby extend to Frederick (Ricky) J. Pizzuto, its best wishes in all of his future endeavors.

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2012072 entitled, Commendation: Eagle Scout – Frederick J. Pizzuto, was unanimously adopted.

***Commendation: Thomas Vaeth***

Legislator ROLISON offers the following and moves its adoption:

**Whereas**, Thomas Vaeth is a member of Boy Scout Troop #3025, of Red Oaks Mill, New York. He has completed the requirements for and having been examined by an Eagle Scout Board of Review on November 10, 2011, has been found to be worthy of the rank of Eagle Scout, and

**Whereas**, Thomas Vaeth was honored at an Eagle Scout Court of Honor held on Sunday, February 19, 2012, at 2:00 p.m. at the American Legion Hall, and

**Whereas**, Thomas is a member of Boy Scout Troop #3025 in Red Oaks Mill; and

**Whereas**, Eagle Scout Vaeth has demonstrated a commitment to the highest ideals of Scouting and to his community, and

**Whereas**, Thomas Vaeth attends Spackenkill High School, where he is currently a Junior, and

**Whereas**, Thomas' Eagle Scout project involved designing and building a Koi Pond with a brick pathway and patio at the Elant Nursing Home in Fishkill. Thomas worked with the experts at Adams, who not only helped him with the specifics, but also donated their advice and offered discounts on the project materials. Thomas received assistance from approximately 42 fellow Scouts, friends and family to help with the 350 hours of labor put into this project. The project now allows the residents of Elant Nursing Home to have a beautiful and serene area to sit and enjoy the outdoors, now, therefore, be it

**Resolved**, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Thomas Vaeth, and, be it further

**Resolved**, that the Dutchess County Legislature, does hereby extend to Eagle Scout Vaeth, its best wishes in all of his future endeavors.

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2012073 entitled, Commendation: Eagle Scout – Thomas Vaeth, was unanimously adopted.

***Commendation: Sarah Martinez***

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

WHEREAS, the Dutchess County Legislature seeks to commend those individuals whose actions serve to save life and enhance the quality of life in Dutchess County, and

WHEREAS, Sarah Martinez, is a sixth grader at Poughkeepsie Middle School, Dutchess County,

WHEREAS, Sarah Martinez was escorting a classmate to the nurse's office because she had partially swallowed a mint candy, and

WHEREAS, while Sarah and the classmate were walking to the nurse's office the candy became lodged in the classmate's throat, Sarah, being a Girl Scout, immediately took her, bent her over, and whacked her on the back dislodging the candy from her classmate's throat and averted a disaster, and

WHEREAS, Sarah, being a Girl Scout, has had some training in emergency response regarding the Heimlich maneuver and other simple lifesaving techniques and used her knowledge to save her classmate, and

WHEREAS, the Poughkeepsie Middle School is very proud of her actions and have decided to implement a program to teach other students the Heimlich maneuver and other general life saving techniques, and

WHEREAS, Sarah's ability to think quickly and act under emergency conditions saved her classmate, now therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby compliment and commend Sarah Martinez for her quick actions in helping to save her fellow classmate, and be it further

RESOLVED, that the Dutchess County Legislature honors Sarah Martinez, for her display of courage, heroic efforts, and significant respect for their fellow classmate.

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2012074 entitled, Commendation: Sarah Martinez, was unanimously adopted.

***Commendation: Vivianna Rivera***

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

WHEREAS, the Dutchess County Legislature seeks to commend those individuals whose actions serve to save life and enhance the quality of life in Dutchess County, and

WHEREAS, Vivianna Rivera, is a seventh grader at Poughkeepsie Middle School, Dutchess County,

WHEREAS, Vivianna Rivera noticed that a classmate was trying to get the attention of the class by waving her arms and pointing to her neck area, and

WHEREAS, when Vivianna noticed the classmate she went to her immediately recognizing that she was in distress. Vivanna preformed the Heimlich maneuver on her classmate, dislodging an object lodged in her throat and averted a disaster, and

WHEREAS, Vivianna responded without training in the Heimlich maneuver however, knew that something had to be done and reacted in a positive manner to save her classmate, and

WHEREAS, the Poughkeepsie Middle School is very proud of her actions and have decided to implement a program to teach other students the Heimlich maneuver and other general life saving techniques, and

WHEREAS, Vivianna's ability to think quickly and act under emergency conditions saved her classmate, now therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby compliment and commend Vivianna Rivera for her quick actions in helping to save her fellow classmate, and be it further

RESOLVED, that the Dutchess County Legislature honors Vivanna Rivera, for her display of courage, heroic efforts and significant respect for their fellow classmate.

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2012075 entitled, Commendation: Vivianna Rivera, was unanimously adopted.

***Commendation: Gary Cooper***

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

**Whereas**, the Dutchess County Legislature seeks to honor and recognize those individuals whose public service enhance the quality of life in Dutchess County, and

**Whereas**, Gary Cooper was elected to the Dutchess County Legislature for seven (7) consecutive terms and was the senior member of the Dutchess County Legislature, having served for more than twelve (12) years, and

**Whereas**, Gary Cooper previously served as the elected Highway Superintendent for the Town of Pine Plains and is now departing elected office to continue his public service to take a position with the Dutchess County Department of Public Works, and

**Whereas**, Gary Cooper was first elected to represent District 29, Town of North East/Stanford/Pine Plains, and

**Whereas**, throughout Gary Cooper's service to Dutchess County, his strong leadership and knowledge assisted him in many of the committee positions served by him over the years; and

**Whereas**, while representing District 29, Gary Cooper served on the Legislature; Capital Projects & Economic Development, Environment, Public Safety as Vice Chair, Public Works and Transportation, Budget and Finance, and Assistant Majority Leader in 2003, and

**Whereas**, Gary Cooper was elected to represent District 19, Towns of North East/Stanford/Pine Plains/Milan in 2004; from 2004 through 2006 he served as the Assistant Majority Leader, 2007 he served as Chairman, 2008 through 2009 he served as Minority Leader, from 2010 through 2011 he served as Majority Leader, and in 2012 he served on the Government Services and Administration Committee and Chairman of the Public Works and Capital Projects Committee, and

**Whereas**, Gary Cooper's strong leadership and deep knowledge of Dutchess County Government has made his contributions to the County, his colleagues and his constituents invaluable and he will be deeply missed by this Body, now therefore, be it

**Resolved**, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Gary Cooper, on his many years of service and dedication to Dutchess County and extends its deepest and sincere appreciation, and, be it further

**Resolved**, that the Dutchess County Legislature, does hereby extend to Gary Cooper, its best wishes in all of his future endeavors.

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2012076 entitled, Commendation: Gary Cooper, was unanimously adopted.

***Condolence: Donald B. Dedrick***

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 Donald B. Dedrick on February 24, 2012, at Sharon Hospital, Sharon CT at the age of 90, and

**Whereas**, Donald B. Dedrick, was a longtime resident of Dutchess County. He was born on August 15, 1921, to the late Clarence and Alice (Ottensburgh) Dedrick, and

**Whereas**, Donald B. Dedrick graduated from Ticonderoga High School in 1939 and attended SUNY Plattsburgh, and

**Whereas**, Donald B. Dedrick enlisted as a Naval Aviator Cadet in 1943 and graduated from Pensacola Naval Air Station, where he continued as an instructor. He flew transport flights in the Pacific Theater. In 1952, Mr Dedrick was recalled back to serve in the Korean War where he enlisted into the U.S. Coast Guard and flew fixed wing airplanes and helicopters on search and rescue missions. He remained active in the reserve until 1981, and

**Whereas**, Donald married Doris Hufcut on January 23, 1944, and they had three children, Donna, Betsy and Jay; and five granddaughters and nine great grandchildren, and

**Whereas**, Donald B. Dedrick began his career at Prudential Insurance Company in 1947 as a sales representative. In 1957, Donald B. Dedrick started the Donald B. Dedrick Agency, a general insurance agency, and

**Whereas**, Donald was very active in the community in which he lived. He served as the director and chairman of the board of Pawling Savings Bank, as well as a director of Progressive Bank, Inc.; he served as a trustee and chairman of the Board of Trustees for Sharon Hospital in Sharon CT; he is a life member and past president of the J.H. Ketcham Hose Company and past president and charter member of the Dover Rescue Squad, which he helped organize. Additionally, Donald was a charter member, life member and past president of the Town of Dover Lions Club, a life member and past Commander of the American Legion Post #1949, a life member of the VFW Post #5444, a life member of the Dover PTSA and a charter member and president of the Town of Dover Historical Society, chairman of the Town of Dover Bicentennial Committee, a member of the Dover Masonic Lodge, a life member of the Elks Club and a member and past chairman of the Board of Trustees of the Second Baptist Church in Dover Plains, and

**Whereas**, his 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 Donald B. Dedrick, and, be it further

**Resolved**, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Donald B. Dedrick.

STATE OF NEW YORK  
COUNTY OF DUTCHESS

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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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2012077 entitled, Condolence: Donald B. Dedrick, was unanimously adopted.

***Condolence: Daniel James O'Neil, III***

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 D. James O'Neil on February 28, 2012, at Westchester Medical Center, and

**Whereas,** D. James O'Neil, was born in Hudson and was a lifelong resident of Dutchess County. He was born on July 24, 1951, to Daniel James O'Neil, Jr. and Carolyn Schug O'Neil, and

**Whereas,** James O'Neil attended Marist College where he graduated in 1974 and thereafter attended Vermont Law School where he received his Juris Doctorate Degree in 1977, and

**Whereas,** James O'Neil married Kristen Webber in Wappingers Falls on May 29, 1981, and they have one daughter Kimberly, and

**Whereas,** James O'Neil began his career in 1977 at the Dutchess County District Attorney's office where he handled thousands of cases until 1989, when he left for private practice. Thereafter, in 2002 he became a partner in the law firm of O'Neil & Burke, LLP, specializing in criminal, family, and real estate law, and

**Whereas,** James O'Neil was a member of the New York State Bar Association and the Dutchess County Bar Association, and

**Whereas,** his 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 D. James O'Neil, and, be it further

**Resolved,** that the meeting of the Dutchess County Legislature be adjourned in memory of the late D. James O'Neil.

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 12<sup>th</sup> day of March 2012, 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 12<sup>th</sup> day of March 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2012078 entitled, Condolence: D. James O'Neil, III, was unanimously adopted.

On motion by Legislator Weiss, duly seconded by Legislator Flesland and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non-agenda items.

Jim Krevo, 8 Bayview Avenue, Beacon, spoke regarding transfer authority and the legislature losing power regarding financing. He also spoke against financing hydrofracking.

Mickey Strawinski, 21 Cedar Drive, Town of Red Hook, spoke regarding the *Northern Dutchess Communities that Care* organization that seeked to empower youth. She also spoke regarding green energy grants that were in obtained at Bard College and saving money. She also questioned when the next redistricting meeting would be held.

Kenneth Stickle, 118 Catherine Street, City of Poughkeepsie, spoke regarding the cost of transporting inmates to other facilities. He urged the county to house inmates that were non violent at the Hudson Valley Psychiatric Center. He stated that the building was secure and the county could put them back to work cleaning up garbage along the streets.

No one else wishing to speak, on motion by Legislator Weiss, duly seconded by Legislator Flesland and carried, the Regular Order of Business was resumed.

There being no further business, the Chairman adjourned the meeting at 8:45 p.m.