

Attendance Sheets

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

Date: 4/7/14

Regular Meeting
of the
Dutchess County Legislature

Monday, April 7, 2014

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

Roll Call by the Clerk of the Legislature

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

ABSENT: 1 Johnson

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Rabbi Neal Loevinger of Temple Beth-El in Poughkeepsie, followed by a moment of silent meditation.

Commendations and Proclamations

Commendation: Kealy Salomon

Commendation: Pamela Barrack

Commendation: Frederick Scanlon

Commendation: William S. Augerson, M.D.

Commendation: Town of Pleasant Valley and Town of
Pleasant Valley Open Space Committee

Commendation: Stanford Grange #808

Proclamation: Autism Awareness Month

Presentation: Board of Health to present 2014 Public Health
Partnership Awards

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

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke in support of Resolution No. 2014106, Legislature Of The County Of Dutchess, Exempting Residential Energy Sources And Services From Sales And Compensating Use Taxes Pursuant To The Authority Of Article 29 Of The Tax Law Of The State Of New York And Repealing Resolution No. 2013341 Of 2013 Which Would Have Reinstated That Exemption At A Future Date.

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

Chairman Rolison entertained a motion to approve the March 2014 minutes.

The March 2014 minutes were adopted.

COMMUNICATIONS RECEIVED FOR THE APRIL 2014 BOARD MEETING

Received emails opposing the energy tax from the following:

Vince Freni
James Pellegrino

Received from Poughkeepsie City Chamberlain, Resolution R-13-90, Opposing the Merger of the City of Poughkeepsie Bus System with the Dutchess County Loop Bus System.

Received from Commissioner of Personnel, County Attorney, Acting Commissioner of Public Health, memo appointing Dennis Joseph Chute, M.D. Acting Medical Examiner effective March 3, 2014.

Received from Chenango County Clerk of the Board, Resolution No. 46-14P, A Resolution Offering an Alternative to the Property Tax Freeze that will Lead to Permanent and Historic Property Tax Reductions by Eliminating the Cost of State Mandated Spending Imposed on County Property Taxpayers

Received from Fulton County Clerk of the Board of Supervisors, Resolution 98, Resolution Denying the State of New York Permission to Use the Fulton County Seal For Enforcement of the So-Called "Safe Act".

Received from LaGrange Town Clerk, proposed local law entitled, "A Local Law Amending Section 240-70.1, Section 240-27, Schedule A, and Section 240-35 (H) (2) (a) (8) of Chapter 240, "Zoning ", of the LaGrange Town Code to Modify Regulations Pertaining to Drive-Through Service Facilities.

Received from Budget Director, memo responding to questions from the fiscal presentation at the Budget & Finance Committee.

Received the following from Delaware County Clerk of the Board of Supervisors:

Resolution No. 53, Calling on New York State Legislature to Reject Governor Cuomo's Plans to Reward Prison Inmates by Providing them with College Educations at Taxpayer Expense Sheriff's Office,

Resolution No. 54, Resolution Urging Governor Cuomo to Refund the Projected New York State Tax Surpluses to the Taxpayers,

Resolution No. 56, In Support of Home Rule 543 "Blue Water Navy Vietnam Veterans Act of 2013" Veterans' Service Agency, and

Resolution No. 57, In Support of Home Rule 1494 "Blue Water Navy Accountability Act" Veterans' Service Agency.

Received from Budget Director, contingency account status as of April 3, 2014.

Received from New York State Department of Taxation and Finance Office of Real Property Tax Services, Statement of County Equalization for the calendar year beginning January 1, 2014, based on assessment rolls completed and filed in 2013.

Received from Poughkeepsie Deputy Town Clerk, Notice of Public Hearing for April 2 to amend Chapter 210 of the Town Code entitled, "Zoning" as it pertains to amendments to Salt Point Center.

Received from Cayuga Clerk of the Legislature, Resolution 49-14, Denying Permission to the State of New York to use the Name, Seal of the County, Letterhead or Address for Purposes of Correspondence with Legal Registered Gun Owners Regarding Permit Recertification or for any Other Purpose Associated with the Safe Act.

Received from County Clerk, Summary of Mortgage Tax collected October 2013 – February 2014.

RESOLUTION NO. 2014078

RE: REQUESTING THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION ABANDON LANDS ON NYS ROUTE 22,
SH 537, IN THE TOWN OF AMENIA TO COUNTY OF DUTCHESS

Legislators HUTCHINGS, KELSEY, SAGLIANO, SURMAN, PERKINS, and
FARLEY offer the following and move its adoption:

WHEREAS, the State of New York Department of Transportation has
maintenance jurisdiction over a .19 of an acre, more or less, parcel of land for state highway
purposes located on a portion of NYS Route 22, SH 537, Town of Amenia,

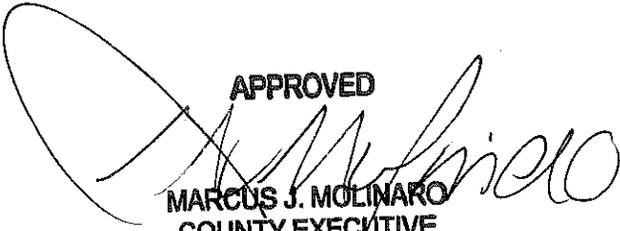
WHEREAS, said parcel of land is no longer needed or useful to the New York
State Highway System, and

WHEREAS, the County of Dutchess owns the .19 acre, more or less, of NYS
Route 22 in fee, now, therefore be it

WHEREAS, New York State Highway Law Section 10(32) authorizes the
Commissioner of Transportation, upon proper request, to abandon a State Highway, or portion
thereof, to a municipality, when such parcel is no longer needed by, or useful to the State
Highway System, and

RESOLVED, that the Dutchess County Legislature, pursuant to the New York
State Highway Law Section 10(32), does hereby request the New York State Commissioner of
Transportation abandon to the County of Dutchess that portion of NYS Route 22, SH 537, Town
of Amenia, as set forth on the attached map.

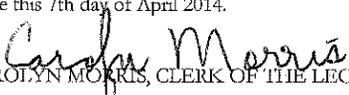
CA-65-14
CAB/kvh G-0188
3/18/2014
Fiscal Impact: See attached statement


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

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the
same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

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

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement pertains to the accompanying resolution request, requesting the New York State Department of Transportation abandon maintenance jurisdiction to a 0.19 +/- acre portion of NYS Route 22, SH 537, to the County of Dutchess. This parcel is located adjacent to Jack's Automotive Service, Inc., as shown on the attached conveyance map.

Prepared by: Matthew W. Davis

2929

NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
CONVEYANCE MAP

MAP No.
PARCEL No.
SHEET 1 OF 2 SHEETS

HIGHWAY No. 537
MAP No. 54 (R-1)

MAP REFERENCE INFORMATION:
MAP No. 54 (R-1) COMPLETED
ON APRIL 12, 1938.
COPY ON FILE AT THE NYS DEPT.
OF TRANSPORTATION OFFICE AT
POUGHKEEPSIE, N.Y.

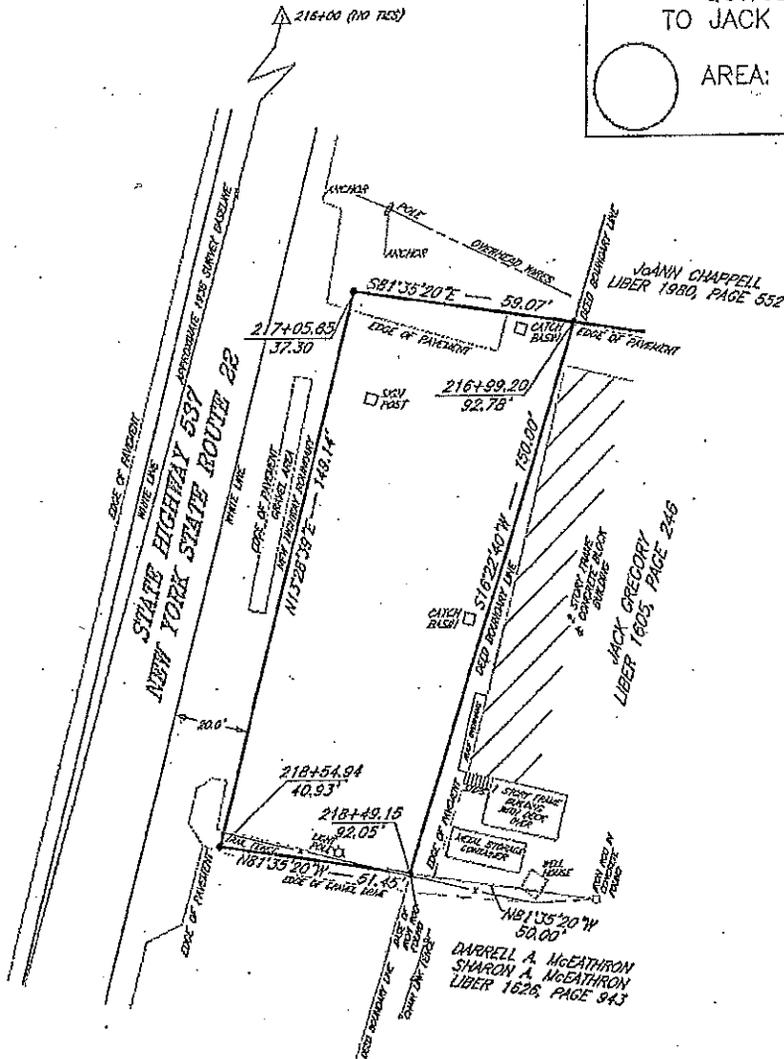
LANDS OF THE PEOPLE OF THE
STATE OF NEW YORK
UNDER PRESENT JURISDICTION OF
DEPARTMENT OF TRANSPORTATION

PARCEL SUMMARY:
TYPE: CONVEYANCE
PORTION OF 2013 TAX
MAP REF. NO. 7165-01
TOWN OF ALENIA
DUTCHESS COUNTY
STATE OF NEW YORK

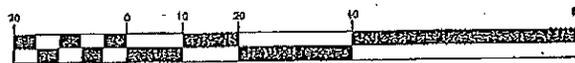
PARCEL LOCATOR POINT:
PARCEL No.
N:
E:
DATUM NAD.

PROPERTY TO BE
QUITCLAIMED
TO JACK GREGORY

AREA: 8209± SQ. FT
0.19 ACRE



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

Public Works and Capital Projects Roll Call

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

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion: —

Total : 12 0
Yes **No**
Abstentions: 0

2014078 REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ABANDON LANDS ON NYS ROUTE 22, SH 537, IN THE TOWN OF AMENIA TO COUNTY OF DUTCHESS - *REVISED 3/31/2014*

Date: April 3, 2014

Roll Call Sheets

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

Present: 24

Absent: 1

Vacant: 0

Resolution: ✓

Motion:

Total: 24 0

Yes No

Abstentions: 0

2014078 REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ABANDON LANDS ON NYS ROUTE 22, SH 537, IN THE TOWN OF AMENIA TO COUNTY OF DUTCHESS

Date: April 7, 2014

RESOLUTION NO. 2014079

RE: REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ABANDON LANDS ON US ROUTE 9, SH 5094, AT INTERSECTION OF MILL ROAD IN THE TOWN OF RHINEBECK TO COUNTY OF DUTCHESS

Legislators HUTCHINGS, BOLNER, SAGLIANO, MICCIO, and FARLEY offer the following and move its adoption:

WHEREAS, the State of New York Department of Transportation has maintenance jurisdiction over a .30 acre portion, more or less, of US Route 9, SH 5092, for state highway purposes located at the intersection of Mill Road in the Town of Rhinebeck,

WHEREAS, said parcel of land is no longer needed or useful to the New York State Highway System, and

WHEREAS, the County of Dutchess owns the .30 acre, more or less, portion of US Route 9 in fee, now, therefore be it

WHEREAS, New York State Highway Law Section 10(32) authorizes the Commissioner of Transportation, upon proper request, to abandon a State Highway, or portion thereof, to a municipality, when such parcel is no longer needed by, or useful to the State Highway System, and

RESOLVED, that the Dutchess County Legislature, pursuant to the New York State Highway Law Section 10(32), does hereby request the New York State Commissioner of Transportation abandon to the County of Dutchess that portion of US Route 9, SH 5094, located at the intersection of said highway with Mill Road, Town of Rhinebeck, as set forth on the attached map.

CA-64-14
CAB/khv G-0188
3/18/2014
Fiscal Impact: See attached statement


APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/16/2014

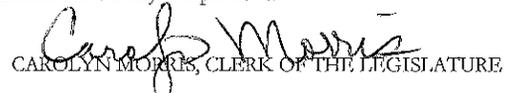
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

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

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

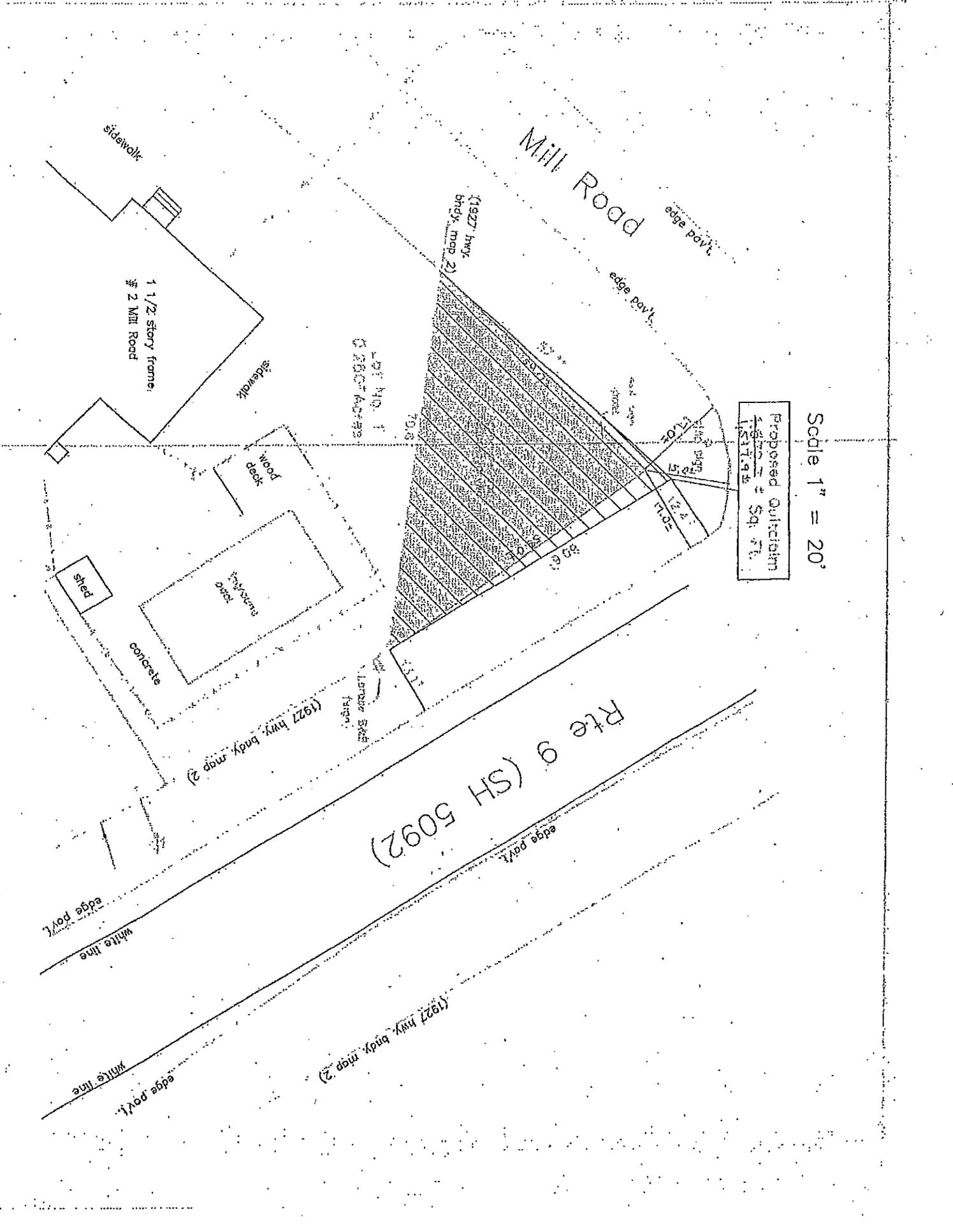
This Fiscal Impact Statement pertains to the accompanying resolution request, requesting the New York State Department of Transportation abandon maintenance jurisdiction to a 0.03 +/- acre portion of US Route 9, SH 5092, located at the intersection of Mill Road, to the County of Dutchess, as shown on the attached drawing.

Prepared by: Matthew W. Davis

2929

Scale 1" = 20'

Proposed Outfitting
 $\frac{18,000}{121,795} = \text{Sq. Ft.}$



Public Works and Capital Projects Roll Call

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

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

2014079 REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ABANDON LANDS ON US ROUTE 9, SH 5094, AT INTERSECTION OF MILL ROAD IN THE TOWN OF RHINEBECK TO COUNTY OF DUTCHESS

Date: April 3, 2014

Roll Call Sheets

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

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

2014079 REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ABANDON LANDS ON US ROUTE 9, SH 5094, AT INTERSECTION OF MILL ROAD IN THE TOWN OF RHINEBECK TO COUNTY OF DUTCHESS

Date: April 7, 2014

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014080

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF CR 21, NOXON ROAD, AND CR 49, TITUSVILLE ROAD, INTERSECTION IN THE TOWN OF LA GRANGE FROM JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (PIN 8758.69)

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

WHEREAS, the Department of Public Works has proposed the improvement of the intersection of CR 21, Noxon Road, and CR 49, Titusville Road, in the Town of LaGrange, which project (PIN #8758.69) includes the acquisition of portions of certain properties, and

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

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

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6360-03-226470-0000, described as 9.28+/- square meters (99.86± square feet) more or less as shown on Map No. 61, Parcel No. 128, copy is annexed hereto, and

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

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of \$580.00 plus up to \$500.00 for related expenses and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

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

RESOLVED, that on the submission by the property owner of deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of \$580.00 (plus \$500.00 for related expenses) for Fee Acquisition in accordance with the agreement to purchase, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

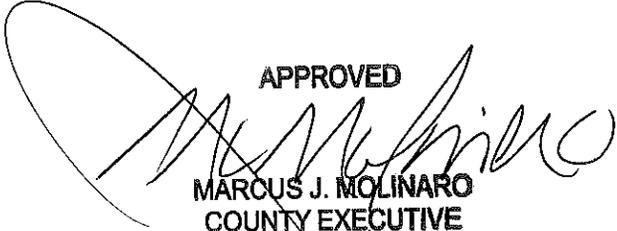
RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Fee Acquisition) be carried out by the Dutchess County Department of Public Works.

CA-60-14

CAB/kvh/R-0907-GGG

3/14/14

Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

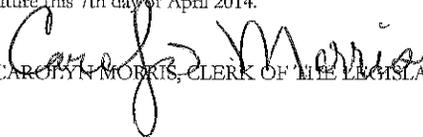
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 1,080

Total Current Year Revenue \$ 1,026
and Source

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount \$ 500

Nature/Reason:

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

Anticipated Savings to County: \$ 1,026

Net County Cost (this year): \$ 54
Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement pertains to the accompanying resolution request form, for authorization to acquire in fee a 9.28+/- square meter (99.86+/- square foot) parcel located on CR 49 in the Town of LaGrange for a consideration of \$580, from Joseph L. Daubman and Paul L. Daubman, as shown on the accompanying Map 61, Parcel 128, in connection with the project identified as PIN 8758.69, Rehabilitation of County Route 21 (Noxon Road), and County Route 49 (Titusville Road) Intersection, Town of LaGrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis

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AGREEMENT TO PURCHASE REAL PROPERTY
(FBE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8758.69 Map: 61 Parcel: 128

This Agreement by and between JOSEPH L. DAUBMAN and PAUL L. DAUBMAN, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

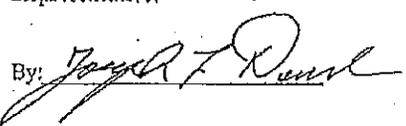
1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey all right, title and interest to a 9.28± Square Meter (99,86± Square Foot) parcel located on the South Side of CR 49, Titusville Road, in the Town of LaGrange, Dutchess County, New York, further described as:

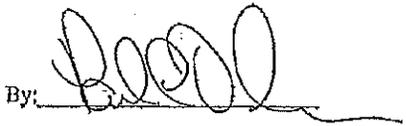
Being a portion of those same lands described in a deed dated April 7, 1987, and recorded on April 9, 1987 in Liber 1747 at Page 395 in the Office of the County Clerk for Dutchess County, New York with the address 294 Titusville Road (Re. Tax map No. 133400-6360-03-226470-0000), and being the same lands designated as Map 61, Parcel 128 on exhibit "A" attached hereto.
2. **IMPROVEMENTS INCLUDED IN THE PURCHASE.** The following improvements, if any, now in or on the property are included in this Agreement: 34.62 sq. ft. of lawn and 75.42 sq. ft. of driveway material to be removed.
3. **PURCHASE PRICE.** The total purchase price is FIVE HUNDRED EIGHTY Dollars (\$580.00). This price includes the acquisition of the above real property in fee as described in paragraph 1 and the improvements described in paragraph 2, if any.
4. **PAYMENT.** All by check at closing.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about September 30, 2013.
6. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. **Closing Documents.** Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
 - B. **Abstract, Bankruptcy and Tax Searches, and Acquisition Map.** Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
 - C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.
7. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.
8. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

- 9. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
- 10. **ENTIRE AGREEMENT.** This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.
- 11. **NOTICES.** All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
- 12. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road/Tilusville Road Intersection Project, PIN 8758.69: Including, but not limited to the following: A portion of new curb and sidewalk will be installed and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface.

IN WITNESS WHEREOF, on this 07 day of MARCH, ~~2013~~²⁰¹⁴, the parties have entered into this Agreement.

Seller: Joseph L. Daubman and Paul L. Daubman
Representative:

By: 

By: 

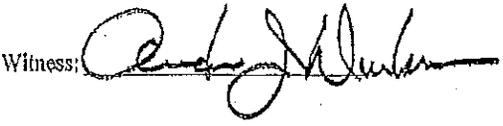
JOSEPH L. DAUBMAN
Printed Name

PAUL L. DAUBMAN
Printed Name

Title

Title

Witness: 

Witness: 

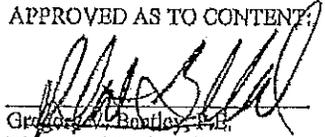
County of Dutchess

Witness: _____

Buyer: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

Carol A. Bogle
Sr. Asst. County Attorney

APPROVED AS TO CONTENT:


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

Robert H. Balkind, P.E.
Deputy Commissioner



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

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

PIN 8768.69

MAP NO. 61
 PARCEL NO. 128, 129
 SHEET 2 OF 2

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

PARCEL 128, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE REHABILITATION OF COUNTY ROUTE 49 (TITUSVILLE ROAD) FOR THE NOXON ROAD/TITUSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: A PORTION OF NEW CURB AND SIDEWALK WILL BE INSTALLED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF COUNTY ROUTE 49 (TITUSVILLE ROAD), SAID POINT ALSO BEING AT THE DIVISION LINE OF LANDS OF JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (REPUTED OWNERS) TO THE EAST AND OF LANDS OF JOHN A. DAUBMAN AND SANDRA H. DAUBMAN (REPUTED OWNERS) TO THE WEST, SAID POINT ALSO BEING DISTANT 21.81m MEASURED AT RIGHT ANGLES FROM STATION 10+297.727 OF THE HERINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY NORTH 73°41'41.51" EAST A DISTANCE OF 9.56m (31.42FT) TO A POINT, SAID POINT BEING DISTANT 26.60m MEASURED AT RIGHT ANGLES FROM STATION 10+249.036 OF SAID BASELINE; THENCE THROUGH LANDS OF JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (REPUTED OWNERS) SOUTH 56°59'26.14" WEST A DISTANCE OF 4.08m (13.42FT) TO A POINT, SAID POINT BEING DISTANT 25.23m MEASURED AT RIGHT ANGLES FROM STATION 10+253.076 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 72°35'47.16" WEST A DISTANCE OF 5.73m (18.82FT) TO A POINT ON THE DIVISION LINE OF LANDS OF JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (REPUTED OWNERS) TO THE EAST AND OF LANDS OF JOHN A. DAUBMAN AND SANDRA H. DAUBMAN (REPUTED OWNERS) TO THE WEST, SAID POINT BEING DISTANT 22.94m MEASURED AT RIGHT ANGLES FROM STATION 10+258.330 OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE NORTH 13°3'48.49" WEST A DISTANCE OF 1.28m (4.22FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 9.28± SQUARE METERS (99.86± SQUARE FEET) MORE OR LESS.

PARCEL 129, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, GRADING THE SIDE SLOPES ADJACENT TO THE DRIVEWAY AND NEW SIDEWALK TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT, ALONG COUNTY ROUTE 49 (TITUSVILLE ROAD) FOR THE NOXON ROAD/TITUSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF COUNTY ROUTE 49 (TITUSVILLE ROAD), SAID POINT ALSO BEING AT THE DIVISION LINE OF LANDS OF JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (REPUTED OWNERS) TO THE WEST AND OF LANDS OF GUY NY LEASING INC. (REPUTED OWNER) TO THE EAST, SAID POINT ALSO BEING DISTANT 34.54m MEASURED AT RIGHT ANGLES FROM STATION 10+230.013 OF THE HERINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE SOUTH 13°3'48.49" EAST A DISTANCE OF 1.93m (6.32FT) TO A POINT, SAID POINT BEING DISTANT 36.24m MEASURED AT RIGHT ANGLES FROM STATION 10+230.915 OF SAID BASELINE; THENCE THROUGH LANDS OF JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (REPUTED OWNERS) SOUTH 64°46'9.13" WEST A DISTANCE OF 24.45m (80.21FT) TO A POINT, SAID POINT BEING DISTANT 29.60m MEASURED AT RIGHT ANGLES FROM STATION 10+254.450 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 73°41'41.51" WEST A DISTANCE OF 6.56m (21.52FT) TO A POINT ON THE DIVISION LINE OF LANDS OF JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (REPUTED OWNERS) TO THE EAST AND OF LANDS OF JOHN A. DAUBMAN AND SANDRA H. DAUBMAN (REPUTED OWNERS) TO THE WEST, SAID POINT BEING DISTANT 26.87m MEASURED AT RIGHT ANGLES FROM STATION 10+260.409 OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE NORTH 13°3'48.49" WEST A DISTANCE OF 4.44m (14.61FT) TO A POINT, SAID POINT BEING DISTANT 22.84m MEASURED AT RIGHT ANGLES FROM STATION 10+258.330 OF SAID BASELINE; THENCE THROUGH LANDS OF JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (REPUTED OWNERS) NORTH 72°35'47.16" EAST A DISTANCE OF 5.73m (18.82FT) TO A POINT, SAID POINT BEING DISTANT 25.23m MEASURED AT RIGHT ANGLES FROM STATION 10+253.076 OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 56°59'26.14" EAST A DISTANCE OF 4.08m (13.42FT) TO A POINT ON THE SOUTHERLY BOUNDARY OF COUNTY ROUTE 49 (TITUSVILLE ROAD), SAID POINT BEING DISTANT 25.80m MEASURED AT RIGHT ANGLES FROM STATION 10+249.036 OF SAID BASELINE; THENCE ALONG SAID BOUNDARY NORTH 73°41'41.51" EAST A DISTANCE OF 20.93m (68.71FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 119.69± SQUARE METERS (1280.28± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 129, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
 BEGINNING AT STATION 10+221.267 THENCE SOUTH 49°1'22.54" WEST TO STATION 10+302.442; ALL BEARINGS REFERRED TO GRID NORTH NEW YORK STATE PLANE EAST ZONE.

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

Date FEB 20 2013

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

✓ Recommended by

Date FEBRUARY 20 2013

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

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

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



Date 2/15 2013

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

MAP NUMBER 61
 REVISED DATE 2/22/12 2/12/13
 DATE PREPARED 2/22/12

NSP - SELLS
 555 PLEASANTVILLE ROAD
 BRIARCLIFF MANOR, NY 10510

Public Works and Capital Projects Roll Call

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

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

2014080 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF CR 21, NOXON ROAD, AND CR 49, TITUSVILLE ROAD, INTERSECTION IN THE TOWN OF LA GRANGE FROM JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN

Date: April 3, 2014

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014080 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF CR 21, NOXON ROAD, AND CR 49, TITUSVILLE ROAD, INTERSECTION IN THE TOWN OF LA GRANGE FROM JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN

Date: April 7, 2014

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014081

RE: GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 51 COTTAGE ROAD, TOWN OF POUGHKEEPSIE

Legislators HUTCHINGS, FLESLAND, SAGLIANO, and FARLEY offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised that Central Hudson Gas and Electric Corporation (Central Hudson) desires an easement and right of way to a 27,467± square foot (0.63± acre) parcel located at 51 Cottage Road, in the Town of Poughkeepsie for the purpose of facility access, maintenance and future construction purposes, and

WHEREAS, this easement and right of way pertains to a portion of Dutchess County Real Property Tax Map Parcel #134689-6163-19-621061-0000, and

WHEREAS, the Tax Map Parcel #134689-6163-19-621061-0000 is a portion of the Dutchess Community College (DCC) campus, and

WHEREAS, the Dean of Administration for DCC was apprised of Central Hudson's request for a Permanent Easement and according to an email from the Associate Dean of Administration, DCC has no objection to the granting of the Permanent Easement, and

WHEREAS, Central Hudson has offered to pay the County the sum of \$6,300.00 for the easement and right of way, and

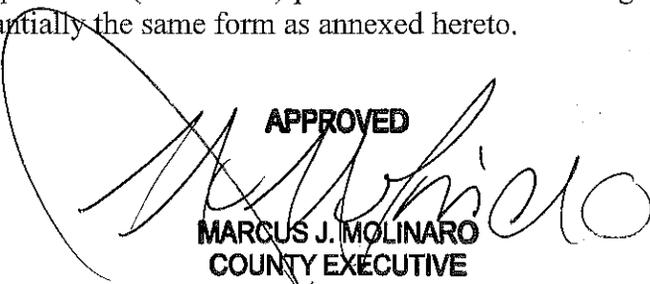
WHEREAS, Central Hudson has submitted a Grant of Easement and Right of Way document for the County Executive to execute, a copy of which is annexed hereto, now therefore, be it

RESOLVED, that the County Executive be and he is hereby authorized, empowered and directed to execute the Grant of Easement and Right of Way to Central Hudson Gas and Electric Corporation to a 27,467± square foot (0.63± acre) parcel located at 51 Cottage Road, in the Town of Poughkeepsie in substantially the same form as annexed hereto.

CA-59-14
CAB/ca/R-0902-B
3/12/14
Fiscal Impact: See attached statement

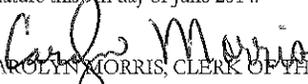
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 6/19/2014

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of June 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of June 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 6,300
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

This fiscal impact statement pertains to the accompanying resolution request for authorization to grant an easement and right of way to a 27,467+/- square foot (0.63+/- acre) parcel located at 51 Cottage Road, Town of Poughkeepsie, to Central Hudson Gas & Electric Corporation,

Prepared by: Matthew W. Davis

2925

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

**PROPOSED EASEMENT
THROUGH LANDS NOW OR FORMERLY OF
THE COUNTY OF DUTCHESS
TO BE GRANTED TO
CENTRAL HUDSON GAS AND ELECTRIC CORPORATION
TOWN OF POUGHKEEPSIE, COUNTY OF DUTCHESS, STATE OF NEW YORK
AREA = 27,467± SQUARE FEET OF LAND**

All that certain tract, piece or parcel of land situate in the Town of Poughkeepsie, County of Dutchess, State of New York, lying Southwesterly of Cottage Road, and being more particularly bounded and described as follows:

BEGINNING at a point on the Southwesterly road boundary of Cottage Road at its point of intersection with the division line between the lands now or formerly of the County of Dutchess as described in Document No. 02 2012 1174 on the West and other lands now or formerly of the County of Dutchess as described in Document No. 02 2005 11397 on the East and runs thence from said point of beginning along said division line South 02 deg. 28 min. 45 sec. East 12± feet to its point of intersection with the division line between said lands now or formerly of the County of Dutchess as described in Document No. 02 2012 1174 on the North and the lands now or formerly of Central Hudson Gas and Electric Company as described in Book 460 of Deeds at Page 201 and Book 4640 of Deeds at Page 4 on the South; thence along the last mentioned division line the following two (2) courses: 1) South 81 deg. 09 min. 03 sec. West 1,061± feet to a point; and 2) South 81 deg. 46 min. 14 sec. West 440± feet to its point of intersection with the division line between the said lands now or formerly of the County of Dutchess as described in Document No. 02 2012 1174 on the East and the lands now or formerly of Fairview Fire District as described in Book 694 of Deeds at Page 235 on the West; thence North 08 deg. 47 min. 50 sec. West along the last mentioned division line 17± feet to a

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

DESCRIPTION

AREA = 27,467± SQUARE FEET OF LAND

PAGE - 2

point; thence through the said lands now or formerly of the County of Dutchess as described in Document No. 02 2012 1174 North 81 deg. 20 min. 14 sec. East 1,488± feet to the point or place of beginning and containing 27,467± square feet or 0.63 acre of land, more or less.

C.T. MALE ASSOCIATES

William J. Nettleton, P.L.S.

February 20, 2013

Revised March 25, 2014

WJN/sag/amb

C.T. Male Project No. 12.2402

GRANT OF EASEMENT AND RIGHT OF WAY

BETWEEN

County of Dutchess, with an office at 22 Market Street, Poughkeepsie, New York 12601

Grantor,

and

CENTRAL HUDSON GAS & ELECTRIC CORPORATION, a domestic corporation having its principal office at 284 South Avenue, Poughkeepsie, New York 12601

Grantee,

In consideration of the sum of \$1.00 and other valuable consideration, the receipt whereof from Central Hudson Gas & Electric Corporation (hereinafter called Central Hudson), is hereby acknowledged, the undersigned hereby grant(s) and convey(s) unto Central Hudson, its successors, assigns, and lessees, an easement and right of way throughout its extent, in upon, over, under and across the lands of the undersigned, including roads and highways thereon and adjacent thereto, situated in the Town of Poughkeepsie, County of Dutchess, State of New York.

This easement pertains to a portion of Dutchess County Real Property Tax Map Parcel 6163-19-621061-0000.

A description of the easement area and a survey of such easement area are attached hereto as Exhibit A.

Together with the permanent right at all times to have access thereto across the remaining premises of the undersigned, and to enter thereon, and to construct, excavate, relocate, operate and maintain, and to protect, repair, replace and remove, in, upon, over and under the property covered by said easement and right of way such facilities including but not limited to all poles, towers, lines of poles, lines of towers, supporting structures, cables, cross arms, wires, guys, braces, underground conduits, pipes, mains and ducts and all other appurtenances and fixtures necessary or adaptable to the present and future needs, uses and purposes of Central Hudson, its successors, assigns, licensees and lessees.

Together with the permanent right to trim and/or cut to ground level, and/or at the election of Central Hudson to remove, at any time, such brush, trees, vegetation and other objects thereon or within the easement area or on adjacent property of the undersigned as in the sole judgment and opinion of Central Hudson its successors, assigns, licensees and/or lessees, which may prevent State and Federal regulatory compliance or may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, facilities, poles, towers, lines and other appurtenances and fixtures or any thereof, which are now or may hereafter be constructed or placed in, over, across or on said easement and right of way. Said right shall include the right to

use chemical means of brush and vegetation control within the limits of the easement and rights of way where applicable.

The location of said easement and right of way, facilities and lines is to be as determined by Central Hudson having regard to the origin, general direction and destination of said facilities and the requirements of Central Hudson.

Reserving unto the undersigned, and the undersigned's heirs and assigns, the right to cultivate the ground within the limits of said easement and right of way and the right to construct, maintain and use roadway(s) across said easement and right of way, the location, construction and use of which, however, shall be subject to the prior written consent of Central Hudson, without any obligation or duty on the part of Central Hudson, its successors, assigns, licensees or lessees, to construct or maintain any such roadway, provided that in the exercise, use, construction and maintenance of any such roadway by the undersigned and the undersigned's heirs and assigns, every reasonable and proper precaution shall be taken not to interfere with the use of, obstruct or endanger the facilities installed on the aforesaid easement and right of way by Central Hudson, its successors, assigns, licensees or lessees, for its and their corporate purposes, and that, for mutual protection, Central Hudson, its successors, assigns, licensees and lessees shall be notified in writing in advance of any changes in such exercise, use or maintenance thereof, or of any unusual use or contemplated use or condition.

No house, structures, or other improvements shall be erected or placed on, in, under or over the Easement Area and right of way, and no roadway (except as agreed upon herein) shall be constructed or placed, and excavating, mining or blasting shall not be undertaken within the limits of said Easement Area and right of way without the prior written consent of Central Hudson, its successors or assigns; and any house or other structure that is already on said easement and right of way may be removed by Central Hudson, its successors or assigns, or at the expense of Central Hudson, its successors, assigns or lessees, upon written notice to the undersigned, or the undersigned's heirs or successors, by Central Hudson its successors, assigns or lessees, by certified mail, to the address herein below given.

The terms hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, personal representatives, successors and assigns, licensees and lessees of the undersigned and Central Hudson.

DEFENSE AND INDEMNIFICATION

Grantee agrees to the fullest extent permitted by law to defend, indemnify and hold the Grantor and its employees harmless from any and all such losses, claims, liens, demands and causes for action, including but not limited to, judgments, penalties, interest, court costs, and legal fees incurred by the Grantor in connection with or arising directly or indirectly from this Agreement and caused by the negligent acts or omissions of Grantee and/or officers, employees or subcontractors. The Grantee shall investigate, handle, respond to and defend any such claims, demands or suits at his sole expense, and shall bear all other related costs and expenses even if such claims, demands or suits are groundless, false or fraudulent. This indemnification section shall survive the expiration or termination of this Easement.

In any matter in which indemnification hereunder for either professional or non-professional services would violate Section 5-322.1 of the New York General Obligations Law or any other applicable legal prohibition, the foregoing provisions shall not be construed to indemnify the Grantor for damage arising out of bodily injury to persons or to property caused by or resulting from the negligence of the Grantor's employees. The term "employee" shall include all officers, advisory board members and/or volunteers serving the Grantor.

INSURANCE REQUIREMENTS

At all times during the term of this Easement, the Grantee and any contractors working on behalf of the Grantee, if any, shall maintain at his own cost the following insurance and shall provide proof thereof to the Grantor, in the form of a Certificate of Insurance, prior to commencing work under this Easement:

Worker's Compensation Employer's Liability and Disability Benefits Coverage (statutory limits). In compliance with the Workers' Compensation Law of the State of New York, the Grantee and any contractors shall provide:

- a. a certificate of insurance on an Acord form indicating proof of coverage for Worker's Compensation, Employer's Liability and Disability Benefits Coverage, OR
- b. a New York State Workers Compensation Notice of Compliance (Form C-105, Form U-26.3, Form SI-12 or Form SI-105.2P) and New York State Notice of Compliance - Disability Benefits Law (Form DB-120 or DB-20.1).
- c. In the event that a contractor is exempt from providing coverage, he must provide a properly executed copy of the Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage: Form CE-200.

Commercial General Liability Insurance coverage including blanket contractual coverage for the operation of the program under this Easement with limits not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate. This insurance shall be written on a claims made basis and include bodily injury and property damage liability. The Grantor must be listed as additional insured. The additional insured endorsement for the Commercial General Liability insurance required above shall not contain any exclusion for bodily injury or property damage arising from completed operations. All construction, trade contractor, and service maintenance agreements must utilize the additional insured endorsement CG 2037 July 2004 edition. The insurance coverage shall contain a waiver of subrogation in favor of the Grantor. Acceptable proof of the waiver of subrogation and the Grantor's additional insured status may be evidenced through a copy of the policy form or endorsement.

Automobile Liability Insurance coverage for all owned, scheduled, hired, and non-owned vehicles with a combined single limit of liability of not less than \$1,000,000. This insurance shall include coverage for bodily injury and property damage. The Grantor must be listed as additional insured. Acceptable proof of the Grantor's additional insured status may be obtained by

submitting a copy of the policy form or endorsement. The insurance coverage shall contain a waiver of subrogation in favor of the Grantor.

THE GRANTOR MUST BE NAMED AS THE CERTIFICATE HOLDER AND ADDITIONAL INSURED.

All policies of insurance referred to above shall be underwritten by companies authorized to do business in the State of New York with an A.M. Best financial strength rating of A or better. In addition, every policy required above shall be primary insurance and any insurance carried by the Grantor, its officers, or its employees shall be excess and not contributory insurance to that provided by the Grantee. The Grantee and contractor(s), if any, shall be solely responsible for any deductible losses under each of the policies required above.

Prior to cancellation or material change in any policy, a thirty (30) day notice shall be given to the County Attorney at the address listed below:

Dutchess County Attorney
County Office Building
22 Market Street
Poughkeepsie, New York 12601

Acceptable proof of the thirty day notice provision may be obtained by submitting a copy of the policy form, endorsement or Acord insurance certificate. On receipt of such notice, the Grantor shall have the option of terminating the Easement, or to require the Grantee to replace the cancelled insurance policy, or rectify any material change in the policy, so that the insurance coverage required by this paragraph is maintained continuously throughout the term of this Easement in form and substance acceptable to the Grantor. Failure of the Grantee to take out or to maintain, or the taking out or the maintenance of any required insurance, shall not relieve the Grantee from any liability under this Easement nor shall the insurance requirements be construed to conflict with or to limit the obligations of the Grantee concerning indemnification.

All losses of the Grantor's property shall be adjusted with and made payable directly to the Grantor.

All Certificates of Insurance shall be approved by the Grantor's Director of Risk Management or designee prior to commencement of any work under this Easement.

Signed, sealed and delivered, on _____, 2014.

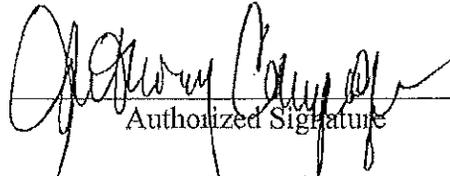
County of Dutchess
22 Market Street
Poughkeepsie, New York 12601

Authorized Signature

Print Name

Title: _____

CENTRAL HUDSON GAS & ELECTRIC CORP.



Authorized Signature

Anthony Campagiorni

Print Name

Title: Vice President-Business Development
& Governmental Affairs

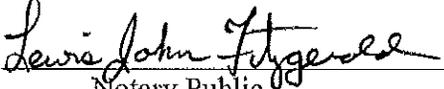
STATE OF NEW YORK)
COUNTY OF _____) ss.:

On the ____ day of _____ in the year 2014 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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

On the 27th day of May in the year 2014 before me, the undersigned, personally appeared Anthony Campagiorni, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

LEWIS JOHN FITZGERALD
Notary Public, State of NY
No. 01F16254844
Qualified in Dutchess County
Commission Expires 1-17-16

RECORD AND RETURN TO:
Ms. Veronica Bardunias
Central Hudson Gas & Electric Corporation
284 South Avenue
Poughkeepsie, NY 12601-4838

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

EXHIBIT A
PROPOSED EASEMENT
THROUGH LANDS NOW OR FORMERLY OF
THE COUNTY OF DUTCHESS
TO BE GRANTED TO
CENTRAL HUDSON GAS AND ELECTRIC CORPORATION
TOWN OF POUGHKEEPSIE, COUNTY OF DUTCHESS, STATE OF NEW YORK
AREA = 27,467± SQUARE FEET OF LAND

All that certain tract, piece or parcel of land situate in the Town of Poughkeepsie, County of Dutchess, State of New York, lying Southwesterly of Cottage Road, and being more particularly bounded and described as follows:

BEGINNING at a point on the Southwesterly road boundary of Cottage Road at its point of intersection with the division line between the lands now or formerly of the County of Dutchess as described in Document No. 02 2012 1174 on the West and other lands now or formerly of the County of Dutchess as described in Document No. 02 2005 11397 on the East and runs thence from said point of beginning along said division line South 02 deg. 28 min. 45 sec. East 12± feet to its point of intersection with the division line between said lands now or formerly of the County of Dutchess as described in Document No. 02 2012 1174 on the North and the lands now or formerly of Central Hudson Gas and Electric Company as described in Book 460 of Deeds at Page 201 and Book 4640 of Deeds at Page 4 on the South; thence along the last mentioned division line the following two (2) courses: 1) South 81 deg. 09 min. 03 sec. West 1,061± feet to a point; and 2) South 81 deg. 46 min. 14 sec. West 440± feet to its point of intersection with the division line between the said lands now or formerly of the County of Dutchess as described in Document No. 02 2012 1174 on the East and the lands now or formerly of Fairview Fire District as described in Book 694 of Deeds at Page 235 on the West; thence

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

DESCRIPTION

AREA = 27,467± SQUARE FEET OF LAND

PAGE - 2

North 08 deg. 47 min. 50 sec. West along the last mentioned division line 17± feet to a point; thence through the said lands now or formerly of the County of Dutchess as described in Document No. 02 2012 1174 North 81 deg. 20 min. 14 sec. East 1,488± feet to the point or place of beginning and containing 27,467± square feet or 0.63 acre of land, more or less.

C.T. MALE ASSOCIATES

William J. Nettleton, P.L.S.

February 20, 2013

Revised March 25, 2014

WJN/sag/amb

C.T. Male Project No. 12.2402

NONE XREFS

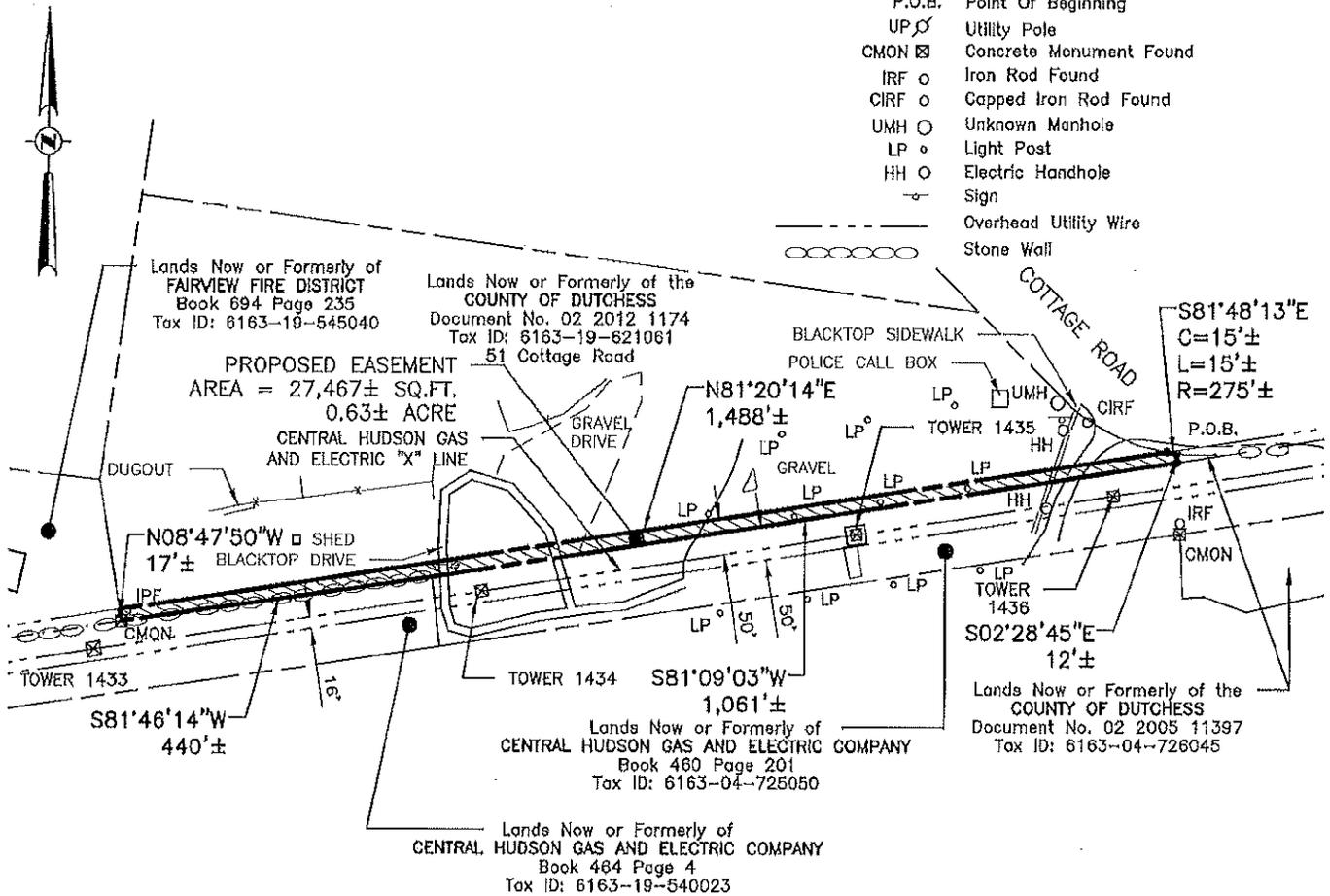
UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

MAP REFERENCE

1. "Town of Poughkeepsie County of Dutchess" prepared by Central Hudson Gas and Electric Co. dated April 13, 1927 and last revised August 29, 2001, File No. 11-P 2810.

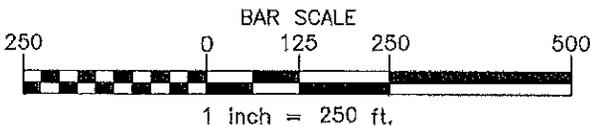
LEGEND

- P.O.B. Point Of Beginning
- UP \circ Utility Pole
- CMON \square Concrete Monument Found
- IRF \circ Iron Rod Found
- CIRF \circ Capped Iron Rod Found
- UMH \circ Unknown Manhole
- LP \circ Light Post
- HH \circ Electric Handhole
- Sign
- Overhead Utility Wire
- Stone Wall



MAP NOTES

1. Information shown hereon was compiled from an actual field survey conducted during the months of November, 2012 and January, 2013.
2. North orientation and bearings are referenced to Grid North and are based on the New York State Plane Coordinate System, East Zone, NAD 83. The distances shown are horizontal ground distances.
3. This survey was prepared without the benefit of an up to date abstract of title or title report and is therefore subject to any easements, covenants, restrictions or any statement of fact that such documents may disclose. Title research was performed by Contract Land Staff.
4. The location of underground improvements or encroachments, if any exist, or as shown hereon, are not certified. There may be underground utilities, the existence of which are not known to the undersigned. Size and location of all underground utilities and structures must be verified by the appropriate authorities. Dig Safely New York must be notified prior to conducting test borings, excavation and construction.
5. Parcel may be subject to an unprotractable easement granted to Central Hudson Gas and Electric Corp. in an instrument dated September 16, 1926.



DWG. NO. 13-199

Date	RECORD OF WORK	Apr.

PROPOSED EASEMENT
LANDS NOW OR FORMERLY OF THE
COUNTY OF DUTCHESS
TO BE GRANTED TO CENTRAL HUDSON GAS & ELECTRIC CORP.
TOWN OF POUGHKEEPSIE **DUTCHESS CO., NEW YORK**

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

50 CENTURY HILL DRIVE, LATHAM, NY 12110
 518.786.7400 * FAX 518.786.7299



Drafter: LMK Checker: EEC
 Apr. by: WJN Proj. No. 12.2402

SCALE: 1"=250' DATE: FEB. 14, 2013

CAD DWG. FILE N \\Projects\122402\Survey\EASEMENT MAPS\6163-19-621061_DUTCHESS CO.dwg



Jessica D. Caserto
Associate Director
Real Property Services

April 23, 2014

County of Dutchess
22 Market Street
Poughkeepsie, NY 12601

Re: Proposed Easements in the Town of Poughkeepsie

Dear Property Owner,

If you'll recall, the 2003 blackout which affected most of the northeastern U.S. was triggered when a tree, located within a transmission right-of-way, grew into contact with a 345 kV transmission line, causing power interruptions in Ohio. That outage, in turn, cascaded through the northeast power grid, putting millions of people in the dark.

As an outcome of the investigation following that event, the Federal Energy Regulatory Commission issued many guidelines to prevent another, similar catastrophic occurrence. Acting upon those guidelines, the Public Service Commission of New York State has required, by regulation, that all electric utilities in New York State must ensure that they have proper line clearance and that the trees in the designated right-of-way are trimmed.

Given our obligation to help ensure the public safety and to improve the reliability of vital electric service by maintaining the region's transmission system we surveyed all of our 115 kV transmission lines to ensure we have the right to trim trees within 50 feet of the center transmission line. In performing this survey, we identified a deficiency on properties owned by Dutchess County, which are further identified in the attached survey maps and associated legal descriptions.

Regarding the property at 51 Cottage Road (SBL #6163-19-621061) the deficiency is 17 feet in width on the most western portion of the property and narrows to 12 feet, approximately 1,500 feet running in an easterly direction along the transmission line.

Regarding the property at 57 Pendell Road (SBL #6162-07-690850) the deficiency is 12 feet in width on the most western portion of the property and narrows to 0 feet, approximately 137 feet running in an easterly direction along the transmission line.

Regarding the proposed easement area #1 at the property at Sheafe Road (SBL #6058-04-740353), the deficiency is 1 foot in width on the most northern portion of the property and narrows to 0 feet, approximately 687 feet running in a southerly direction along the transmission line. The proposed easement area #2, at the same location, has a deficiency which is

284 South Avenue
Poughkeepsie, NY 12601

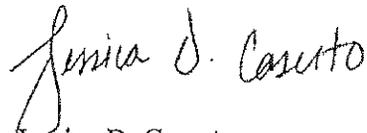
Direct: (845) 486-5485
Fax: (845) 473-7316
Email: JCaserto@CenHud.com
www.CentralHudson.com

approximately 90 feet in width on the most southern portion of the property and narrows to 0 feet, approximately 3,900 feet running in a northerly direction along the transmission line.

As such Central Hudson would like to obtain additional easement (or right-of-way) from Dutchess County. An easement is not the purchase of land, but rather a legal agreement allowing Central Hudson to operate and maintain facilities on your property.

If you are interested in discussing Central Hudson's proposal, please contact me at (845) 486-5485, or by email to jcaserto@cenhud.com. I am available to meet and discuss Central Hudson's proposal at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Jessica D. Caserto". The signature is written in a cursive style with a large initial "J".

Jessica D. Caserto

Associate Director – Real Property Services

Public Works and Capital Projects Roll Call

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

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

2014081 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 51 COTTAGE ROAD, TOWN OF POUGHKEEPSIE

Date: April 3, 2014

Roll Call Sheets

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

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

JT/JJ

add to last Resolved with drawn due to motion to table

"as long as this has nothing to do with massive transmission lines in DC"

2014081
4.7.14

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

AF/AMAC
"Move to table"

2014081

4.7.14

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total: _____
 Yes _____ No _____
 Abstentions: _____

2014081 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 51 COTTAGE ROAD, TOWN OF POUGHKEEPSIE

Date: April 7, 2014

Public Works and Capital Projects Roll Call

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

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

2014081 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 51 COTTAGE ROAD, TOWN OF POUGHKEEPSIE

Date: June 3, 2014

Roll Call Sheets

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

Present:	<u>25</u>	Resolution:	<u>✓</u>	Total:	<u>25</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<u> </u>	Yes		No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014081 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 51 COTTAGE ROAD, TOWN OF POUGHKEEPSIE

Date: June 9, 2014

Resolution No. 2014081 was introduced at the April 7, 2014, board meeting. Discussion at that time resulted as follows:

Legislator Amparo questioned why there was no indemnification clause included and why the transmission line was not included in the wording in the resolution.

Legislator Tyner made a motion, duly seconded by Legislator Jeter-Jackson, to amend the last Resolved as follows:

RESOLVED, that the County Executive be and he is hereby authorized, empowered and directed to execute the Grant of Easement and Right of Way to Central Hudson Gas and Electric Corporation to a 27,467± square foot (0.63± acre) parcel located at 51 Cottage Road, in the Town of Poughkeepsie in substantially the same form as annexed hereto, **as long as this has nothing to do with massive transmission lines in Dutchess County.**

Legislator Flesland, duly seconded by Legislator Bolner, moved to table the foregoing resolution.

The foregoing amendment was withdrawn due to the motion to table.

The foregoing resolution was tabled on April 7, 2014, and reintroduced on June 9, 2014, and adopted.

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014082

RE: GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 85-129 SHEAFE ROAD, TOWN OF POUGHKEEPSIE

Legislators HUTCHINGS, FLESLAND, SAGLIANO, and FARLEY offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised that Central Hudson Gas and Electric Corporation (Central Hudson) desires an easement and right of way to a 941± square foot (0.02± acre) parcel and a 56,628± square foot (1.30± acre) parcel located at 85-129 Sheafe Road, in the Town of Poughkeepsie for the purpose of facility access, maintenance and future construction purposes, and

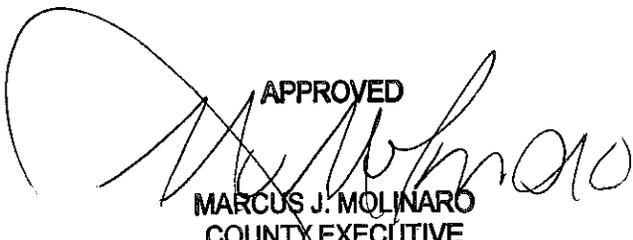
WHEREAS, these easements and rights of way pertain to a portion of Dutchess County Real Property Tax Map Parcel #134689-6058-04-740353-0000, and

WHEREAS, Central Hudson has offered to pay the County the sum of \$13,200.00 for the easements and rights of way, and

WHEREAS, Central Hudson has submitted a Grant of Easement and Right of Way document for the County Executive to execute, a copy of which is annexed hereto, now therefore, be it

RESOLVED, that the County Executive be and he is hereby authorized, empowered and directed to execute the Grant of Easement and Right of Way to Central Hudson Gas and Electric Corporation to a 941± square foot (0.02± acre) parcel and a 56,628± square foot (1.30± acre) parcel located at 85-129 Sheafe Road, in the Town of Poughkeepsie in substantially the same form as annexed hereto.

CA-58-14
CAB/ca/R-0902-B
3/12/14
Fiscal Impact: See attached statement

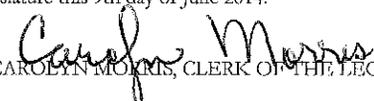
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 6/19/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of June 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of June 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 13,200
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

This fiscal impact statement pertains to the accompanying resolution request for authorization to grant an easement and right of way to a 941+/- square foot (0.02+/- acre) parcel and a 56,628+/- square foot (1.30+/- acre) parcel located at 85-129 Sheafe Road, Town of Poughkeepsie, to Central Hudson Gas & Electric Corporation, for a consideration of \$13,200.

Prepared by: Matthew W. Davis 2925

GRANT OF EASEMENT AND RIGHT OF WAY

BETWEEN

County of Dutchess, with an office at 22 Market Street, Poughkeepsie, New York 12601

Grantor,

and

CENTRAL HUDSON GAS & ELECTRIC CORPORATION, a domestic corporation having its principal office at 284 South Avenue, Poughkeepsie, New York 12601

Grantee,

In consideration of the sum of \$1.00 and other valuable consideration, the receipt whereof from Central Hudson Gas & Electric Corporation (hereinafter called Central Hudson), is hereby acknowledged, the undersigned hereby grant(s) and convey(s) unto Central Hudson, its successors, assigns, and lessees, an easement and right of way throughout its extent, in upon, over, under and across the lands of the undersigned, including roads and highways thereon and adjacent thereto, situated in the Town of Poughkeepsie, County of Dutchess, State of New York.

This easement pertains to a portion of Dutchess County Real Property Tax Map Parcel 6058-04-740353-0000.

A description of the easement area and a survey of such easement area are attached hereto as Exhibit A.

Together with the permanent right at all times to have access thereto across the remaining premises of the undersigned, and to enter thereon, and to construct, excavate, relocate, operate and maintain, and to protect, repair, replace and remove, in, upon, over and under the property covered by said easement and right of way such facilities including but not limited to all poles, towers, lines of poles, lines of towers, supporting structures, cables, cross arms, wires, guys, braces, underground conduits, pipes, mains and ducts and all other appurtenances and fixtures necessary or adaptable to the present and future needs, uses and purposes of Central Hudson, its successors, assigns, licensees and lessees.

Together with the permanent right to trim and/or cut to ground level, and/or at the election of Central Hudson to remove, at any time, such brush, trees, vegetation and other objects thereon or within the easement area or on adjacent property of the undersigned as in the sole judgment and opinion of Central Hudson its successors, assigns, licensees and/or lessees, which may prevent State and Federal regulatory compliance or may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, facilities, poles, towers, lines and other appurtenances and fixtures or any thereof, which are now or may hereafter be constructed or placed in, over, across or on said easement and right of way. Said right shall include the right to

use chemical means of brush and vegetation control within the limits of the easement and rights of way where applicable.

The location of said easement and right of way, facilities and lines is to be as determined by Central Hudson having regard to the origin, general direction and destination of said facilities and the requirements of Central Hudson.

Reserving unto the undersigned, and the undersigned's heirs and assigns, the right to cultivate the ground within the limits of said easement and right of way and the right to construct, maintain and use roadway(s) across said easement and right of way, the location, construction and use of which, however, shall be subject to the prior written consent of Central Hudson, without any obligation or duty on the part of Central Hudson, its successors, assigns, licensees or lessees, to construct or maintain any such roadway, provided that in the exercise, use, construction and maintenance of any such roadway by the undersigned and the undersigned's heirs and assigns, every reasonable and proper precaution shall be taken not to interfere with the use of, obstruct or endanger the facilities installed on the aforesaid easement and right of way by Central Hudson, its successors, assigns, licensees or lessees, for its and their corporate purposes, and that, for mutual protection, Central Hudson, its successors, assigns, licensees and lessees shall be notified in writing in advance of any changes in such exercise, use or maintenance thereof, or of any unusual use or contemplated use or condition.

No house, structures, or other improvements shall be erected or placed on, in, under or over the Easement Area and right of way, and no roadway (except as agreed upon herein) shall be constructed or placed, and excavating, mining or blasting shall not be undertaken within the limits of said Easement Area and right of way without the prior written consent of Central Hudson, its successors or assigns; and any house or other structure that is already on said easement and right of way may be removed by Central Hudson, its successors or assigns, or at the expense of Central Hudson, its successors, assigns or lessees, upon written notice to the undersigned, or the undersigned's heirs or successors, by Central Hudson its successors, assigns or lessees, by certified mail, to the address herein below given.

The terms hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, personal representatives, successors and assigns, licensees and lessees of the undersigned and Central Hudson.

DEFENSE AND INDEMNIFICATION

Grantee agrees to the fullest extent permitted by law to defend, indemnify and hold the Grantor and its employees harmless from any and all such losses, claims, liens, demands and causes for action, including but not limited to, judgments, penalties, interest, court costs, and legal fees incurred by the Grantor in connection with or arising directly or indirectly from this Agreement and caused by the negligent acts or omissions of Grantee and/or officers, employees or subcontractors. The Grantee shall investigate, handle, respond to and defend any such claims, demands or suits at his sole expense, and shall bear all other related costs and expenses even if such claims, demands or suits are groundless, false or fraudulent. This indemnification section shall survive the expiration or termination of this Easement.

In any matter in which indemnification hereunder for either professional or non-professional services would violate Section 5-322.1 of the New York General Obligations Law or any other applicable legal prohibition, the foregoing provisions shall not be construed to indemnify the Grantor for damage arising out of bodily injury to persons or to property caused by or resulting from the negligence of the Grantor's employees. The term "employee" shall include all officers, advisory board members and/or volunteers serving the Grantor.

INSURANCE REQUIREMENTS

At all times during the term of this Easement, the Grantee and any contractors working on behalf of the Grantee, if any, shall maintain at his own cost the following insurance and shall provide proof thereof to the Grantor, in the form of a Certificate of Insurance, prior to commencing work under this Easement:

Worker's Compensation Employer's Liability and Disability Benefits Coverage (statutory limits). In compliance with the Workers' Compensation Law of the State of New York, the Grantee and any contractors shall provide:

- a. a certificate of insurance on an Acord form indicating proof of coverage for Worker's Compensation, Employer's Liability and Disability Benefits Coverage, OR
- b. a New York State Workers Compensation Notice of Compliance (Form C-105, Form U-26.3, Form SI-12 or Form SI-105.2P) and New York State Notice of Compliance - Disability Benefits Law (Form DB-120 or DB-20.1).
- c. In the event that a contractor is exempt from providing coverage, he must provide a properly executed copy of the Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage: Form CE-200.

Commercial General Liability Insurance coverage including blanket contractual coverage for the operation of the program under this Easement with limits not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate. This insurance shall be written on a claims made basis and include bodily injury and property damage liability. The Grantor must be listed as additional insured. The additional insured endorsement for the Commercial General Liability insurance required above shall not contain any exclusion for bodily injury or property damage arising from completed operations. All construction, trade contractor, and service maintenance agreements must utilize the additional insured endorsement CG 2037 July 2004 edition. The insurance coverage shall contain a waiver of subrogation in favor of the Grantor. Acceptable proof of the waiver of subrogation and the Grantor's additional insured status may be evidenced through a copy of the policy form or endorsement.

Automobile Liability Insurance coverage for all owned, scheduled, hired, and non-owned vehicles with a combined single limit of liability of not less than \$1,000,000. This insurance shall include coverage for bodily injury and property damage. The Grantor must be listed as additional insured. Acceptable proof of the Grantor's additional insured status may be obtained by

submitting a copy of the policy form or endorsement. The insurance coverage shall contain a waiver of subrogation in favor of the Grantor.

THE GRANTOR MUST BE NAMED AS THE CERTIFICATE HOLDER AND ADDITIONAL INSURED.

All policies of insurance referred to above shall be underwritten by companies authorized to do business in the State of New York with an A.M. Best financial strength rating of A or better. In addition, every policy required above shall be primary insurance and any insurance carried by the Grantor, its officers, or its employees shall be excess and not contributory insurance to that provided by the Grantee. The Grantee and contractor(s), if any, shall be solely responsible for any deductible losses under each of the policies required above.

Prior to cancellation or material change in any policy, a thirty (30) day notice shall be given to the County Attorney at the address listed below:

Dutchess County Attorney
County Office Building
22 Market Street
Poughkeepsie, New York 12601

Acceptable proof of the thirty day notice provision may be obtained by submitting a copy of the policy form, endorsement or Acord insurance certificate. On receipt of such notice, the Grantor shall have the option of terminating the Easement, or to require the Grantee to replace the cancelled insurance policy, or rectify any material change in the policy, so that the insurance coverage required by this paragraph is maintained continuously throughout the term of this Easement in form and substance acceptable to the Grantor. Failure of the Grantee to take out or to maintain, or the taking out or the maintenance of any required insurance, shall not relieve the Grantee from any liability under this Easement nor shall the insurance requirements be construed to conflict with or to limit the obligations of the Grantee concerning indemnification.

All losses of the Grantor's property shall be adjusted with and made payable directly to the Grantor.

All Certificates of Insurance shall be approved by the Grantor's Director of Risk Management or designee prior to commencement of any work under this Easement.

Signed, sealed and delivered, on _____, 2014.

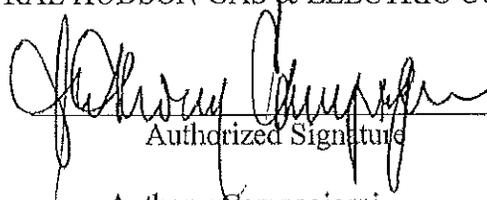
County of Dutchess
22 Market Street
Poughkeepsie, New York 12601

Authorized Signature

Print Name

Title: _____

CENTRAL HUDSON GAS & ELECTRIC CORP.



Authorized Signature

Anthony Campagiorni

Print Name

Title: Vice President-Business Development
& Governmental Affairs

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

On the _____ day of _____ in the year 2014 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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

On the 27th day of May in the year 2014 before me, the undersigned, personally appeared Anthony Campagiorni, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Lewis John Fitzgerald

Notary Public

LEWIS JOHN FITZGERALD
Notary Public, State of NY
No. 01Fi6254644
Qualified in Dutchess County
Commission Expires 1-17-16

RECORD AND RETURN TO:
Ms. Veronica Bardunias
Central Hudson Gas & Electric Corporation
284 South Avenue
Poughkeepsie, NY 12601-4838

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

Exhibit A
**PROPOSED EASEMENTS
THROUGH LANDS NOW OR FORMERLY OF
THE COUNTY OF DUTCHESS
TO BE GRANTED TO
CENTRAL HUDSON GAS AND ELECTRIC CORPORATION
TOWN OF POUGHKEEPSIE, COUNTY OF DUTCHESS, STATE OF NEW YORK
TOTAL AREA = 1.32± ACRES OF LAND**

All those certain tracts, pieces or parcels of land situate in the Town of Poughkeepsie, County of Dutchess, State of New York, lying Westerly of Sheafe Road, and being more particularly bounded and described as follows:

Easement No. 1

COMMENCING at the point of intersection of the division line between the lands now or formerly of The County of Dutchess as described in Book 1400 of Deeds at Page 408 (Parcel No. 1) on the South and the lands now or formerly of the Town of Poughkeepsie and the Village of Wappingers Falls as described in Book 1600 of Deeds at Page 225 on the North with the division line between the said lands now or formerly of The County of Dutchess on the East and the lands now or formerly of New York Central Railroad on the West; thence from said point of commencement along the last mentioned division line South 09 deg. 13 min. 01 sec. West 1± feet to the point or place of beginning and runs thence from said point of beginning through the said lands now or formerly of The County of Dutchess South 01 deg. 04 min. 55 sec. East 687± feet to a point on the Easterly boundary of an existing easement previously granted to Central Hudson Gas and Electric Corporation as described in Book 1078 of Deeds at Page 654; thence continuing through the said lands now or formerly of The County of Dutchess and along said Easterly easement boundary the following two (2) courses: 1) North 01 deg. 18 min. 57 sec. West 672± feet to a point; and 2) North 09 deg. 13 min. 01 sec. East 15±

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

DESCRIPTION

TOTAL AREA = 1.32± ACRES OF LAND

PAGE - 2

feet to the point or place of beginning and containing 941± square feet or 0.02 acre of land, more or less.

Easement No. 2

COMMENCING at the point of intersection of the division line between the said lands now or formerly of The County of Dutchess as described in Book 1400 of Deeds at Page 408 (Parcel No. 1) on the North and the lands now or formerly of William Y. Stevens and Gwendolyn H. Stevens as described in Book 1215 of Deeds at Page 259 on the South with the division line between the said lands now or formerly of The County of Dutchess on the Southeast and the reputed lands of the People of the State of New York on the Northwest; thence from said point of commencement along the last mentioned division line the following four (4) courses: 1) North 22 deg. 32 min. 01 sec. East 50± feet to a point; 2) North 37 deg. 20 min. 21 sec. East 74.60 feet to a point; 3) North 35 deg. 59 min. 26 sec. East 54.46 feet to a point; and 4) North 33 deg. 00 min. 21 sec. East 80± feet to the point or place of beginning and runs thence from said point of beginning continuing along said last mentioned division line North 33 deg. 00 min. 21 sec. East 90± feet to a point, said point being on the Southeasterly boundary of an easement previously granted to Central Hudson Gas and Electric Corporation as described in Book 1181 of Deeds at Page 703; thence through the said lands now or formerly of The County of Dutchess and along the Southeasterly and Easterly boundary of said previously granted easement the following two (2) courses: 1) North 51 deg. 25 min. 43

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

DESCRIPTION

TOTAL AREA = 1.32± ACRES OF LAND

PAGE - 3

sec. East 340.00 feet to a point; and 2) North 00 deg. 15 min. 03 sec. East 3,447± feet to a point; thence continuing through the said lands now or formerly of The County of Dutchess the following seven (7) courses: 1) South 00 deg. 19 min. 37 sec. East 475± feet to a point; 2) South 00 deg. 02 min. 25 sec. East 536.24 feet to a point; 3) South 00 deg. 06 min. 03 sec. East 827.70 feet to a point; 4) South 00 deg. 18 min. 12 sec. East 442.77 feet to a point; 5) South 00 deg. 01 min. 34 sec. West 453.82 feet to a point; 6) South 01 deg. 08 min. 59 sec. East 711.37 feet to a point; and 7) South 50 deg. 37 min. 45 sec. West 454± feet to the point or place of beginning and containing 1.30 acres of land, more or less.

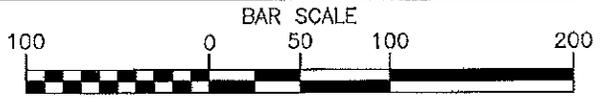
C.T. MALE ASSOCIATES

William J. Nettleton, P.L.S.

November 13, 2013
WJN/nap/wjn/amb
C.T. Male Project No. 12.2402

NE: XREFS

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.



Lands Now or Formerly of the TOWN OF POUGHKEEPSIE AND VILLAGE OF WAPPINGERS FALLS
Book 1600 Page 225
Tax ID: 6058-02-667630

LEGEND

- P.O.B. Point Of Beginning
- IPF \circ Iron Pipe Found
- IRF \circ Iron Rod Found
- SMON \boxtimes Square Concrete Monument Found
- UP \odot Utility Pole
- Overhead Utility Wire

N09°13'01"E
15'±

N01°18'57"W
672'±

(TIE COURSE)
S09°13'01"W
1'±

P.O.B.
EASEMENT NO. 1

PROPOSED EASEMENT NO. 1
AREA=941±SQ.FT.
0.02±ACRE

S01°04'55"E
687'±

Lands Now or Formerly of THE COUNTY OF DUTCHESS
Book 1400 Page 408
Parcel No. 1
Tax ID: 6058-04-740353
85-129
SHEAFE ROAD

EXISTING CENTRAL HUDSON GAS & ELECTRIC EASEMENT
Book 1078 Page 654
"SC" LINE

Book 1400 Page 408
Parcel No. 4

S00°19'37"E
475'±

PROPOSED EASEMENT NO. 2
AREA=1.30± ACRE

Lands Now or Formerly of NEW YORK CENTRAL RAILROAD
Tax ID: 6058-02-620730

Book 1400 Page 408
Parcel No. 5

S00°02'25"E
536.24'

MATCH LINE "A"

MAP NOTES

1. Information shown hereon was compiled from an actual field survey conducted during the month of January, 2013.
2. North orientation and bearings are referenced to Grid North and are based on the New York State Plane Coordinate System, East Zone, NAD 83. The distances shown are horizontal ground distances.
3. This survey was prepared without the benefit of an up to date abstract of title or title report and is therefore subject to any easements, covenants, restrictions or any statement of fact that such documents may disclose. Title research was performed by Contract Land Staff.
4. The location of underground improvements or encroachments, if any exist, or as shown hereon, are not certified. There may be underground utilities, the existence of which are not known to the undersigned. Size and location of all underground utilities and structures must be verified by the appropriate authorities. Dig Safety New York must be notified prior to conducting test borings, excavation and construction.
5. Subject to easements and rights granted to Central Hudson Gas and Electric Company and rights reserved as described in Book 1078 of Deeds at Page 654 and Book 1181 of Deeds at Page 703.
6. Subject to an unprotractable access easement as described in Book 1078 of Deeds at Page 654.

SHEET 1 OF 2

DWG. NO. 13-386

Date	RECORD OF WORK	Appr.
Drafter: GLB	Checker: EEC	
Appr. by: WJN	Proj. No. 12.2402	

PROPOSED EASEMENT
LANDS NOW OR FORMERLY OF
THE COUNTY OF DUTCHESS
TO BE GRANTED TO CENTRAL HUDSON GAS & ELECTRIC CORP.

TOWN OF POUGHKEEPSIE DUTCHESS CO., NEW YORK

C.T. MALE ASSOCIATES
Engineering, Surveying, Architecture & Landscape Architecture, P.C.

50 CENTURY HILL DRIVE, LATHAM, NY 12110
518.786.7400 * FAX 518.786.7299

SCALE: 1"=500' DATE: JUNE 18, 2013

Projects\122402\Survey\EASEMENT MAPS\6058-04-740353_DUTCHESS COUNTY.dwg CAD DWG. FILE NAM

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

Dutchess County
DPW ENGINEERING

Memo

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

From: Matthew W. Davis, Assistant Civil Engineer I

Date: March 5, 2014

**Re: RESOLUTION REQUEST
AUTHORIZATION TO GRANT AN EASEMENT AND RIGHT OF WAY TO
CENTRAL HUDSON GAS & ELECTRIC CORPORATION, ON PROPERTY
LOCATED AT 85-129 SHEAFE ROAD, TOWN OF POUGHKEEPSIE**

Accompanying this memo is a Resolution Request and Fiscal Impact Statement with supporting documentation to request authorization to grant an easement and right of way to a 941+/- square foot (0.02+/- acre) parcel and a 56,628+/- square foot (1.30+/- acre) parcel to Central Hudson Gas & Electric Corporation, for a consideration of \$13,200.00. These easements and rights of way are on a portion of property located at 85-129 Sheafe Road in the Town of Poughkeepsie, identified as parcel identification number 134689-6058-04-740353-0000. These easements and rights of way will be used for facility access, maintenance and future construction purposes.

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



Jessica D. Caserto
Associate Director
Real Property Services

April 23, 2014

County of Dutchess
22 Market Street
Poughkeepsie, NY 12601

Re: Proposed Easements in the Town of Poughkeepsie

Dear Property Owner,

If you'll recall, the 2003 blackout which affected most of the northeastern U.S. was triggered when a tree, located within a transmission right-of-way, grew into contact with a 345 kV transmission line, causing power interruptions in Ohio. That outage, in turn, cascaded through the northeast power grid, putting millions of people in the dark.

As an outcome of the investigation following that event, the Federal Energy Regulatory Commission issued many guidelines to prevent another, similar catastrophic occurrence. Acting upon those guidelines, the Public Service Commission of New York State has required, by regulation, that all electric utilities in New York State must ensure that they have proper line clearance and that the trees in the designated right-of-way are trimmed.

Given our obligation to help ensure the public safety and to improve the reliability of vital electric service by maintaining the region's transmission system we surveyed all of our 115 kV transmission lines to ensure we have the right to trim trees within 50 feet of the center transmission line. In performing this survey, we identified a deficiency on properties owned by Dutchess County, which are further identified in the attached survey maps and associated legal descriptions.

Regarding the property at 51 Cottage Road (SBL #6163-19-621061) the deficiency is 17 feet in width on the most western portion of the property and narrows to 12 feet, approximately 1,500 feet running in an easterly direction along the transmission line.

Regarding the property at 57 Pendell Road (SBL #6162-07-690850) the deficiency is 12 feet in width on the most western portion of the property and narrows to 0 feet, approximately 137 feet running in an easterly direction along the transmission line.

Regarding the proposed easement area #1 at the property at Sheafe Road (SBL #6058-04-740353), the deficiency is 1 foot in width on the most northern portion of the property and narrows to 0 feet, approximately 687 feet running in a southerly direction along the transmission line. The proposed easement area #2, at the same location, has a deficiency which is

284 South Avenue
Poughkeepsie, NY 12601

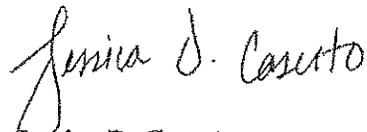
Direct: (845) 486-5485
Fax: (845) 473-7316
Email: JCaserto@CenHud.com
www.CentralHudson.com

approximately 90 feet in width on the most southern portion of the property and narrows to 0 feet, approximately 3,900 feet running in a northerly direction along the transmission line.

As such Central Hudson would like to obtain additional easement (or right-of-way) from Dutchess County. An easement is not the purchase of land, but rather a legal agreement allowing Central Hudson to operate and maintain facilities on your property.

If you are interested in discussing Central Hudson's proposal, please contact me at (845) 486-5485, or by email to jcaserto@cenhud.com. I am available to meet and discuss Central Hudson's proposal at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Jessica D. Caserto". The signature is written in black ink and is positioned above the printed name and title.

Jessica D. Caserto

Associate Director – Real Property Services

TAX MAP ID#: 6058-04-740353-0000

LANDOWNER NAME: County of Dutchess

SHORT LEGAL DESCRIPTION: 1.32 acres located at 85-129 Sheafe Road, in the town of Poughkeepsie, Dutchess County

	Area	Acreage	Price/Acre	Easement Total
Permanent Easement		1.320	\$10,000.00	\$13,200.00
<i>Total Consideration For Permanent Easement</i>				<i>\$13,200</i>

AUTHORIZED SIGNATURE: _____

TITLE: _____

AGENT SIGNATURE:  _____

NOTES: _____

Public Works and Capital Projects Roll Call

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

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

2014082 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 85-129 SHEAFE ROAD, TOWN OF POUGHKEEPSIE

Date: April 3, 2014

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion: ✓

Total: 24 0
 Yes No
 Abstentions: 0

AF / Jeter-Jackson
"Move to Table"

2014082
 4.7.14

Roll Call Sheets

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

Present: _____

Absent: _____

Vacant: _____

Resolution: _____

Motion: _____

Total: _____

Yes No

Abstentions: _____

2014082 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 85-129 SHEAFE ROAD, TOWN OF POUGHKEEPSIE

Date: April 7, 2014

Public Works and Capital Projects Roll Call

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

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

2014082 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 85-129 SHEAFE ROAD, TOWN OF POUGHKEEPSIE

Date: June 3, 2014

Roll Call Sheets

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

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

2014082 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 85-129 SHEAFE ROAD, TOWN OF POUGHKEEPSIE

Date: June 9, 2014

Resolution No. 2014082 was introduced at the April 7, 2014, board meeting. Discussion at that time resulted as follows:

Legislator Flesland, duly seconded by Legislator Bolner, moved to table the foregoing resolution.

The foregoing resolution was tabled on April 7, 2014, and reintroduced on June 9, 2014, and adopted.

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014083

RE: GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON
GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 57
PENDELL ROAD, TOWN OF POUGHKEEPSIE

Legislators HUTCHINGS, FLESLAND, SAGLIANO, and FARLEY offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised that Central Hudson Gas and Electric Corporation (Central Hudson) desires an easement and right of way to a 540± square foot (0.01± acre) parcel located at 57 Pendell Road, in the Town of Poughkeepsie for the purpose of facility access, maintenance and future construction purposes, and

WHEREAS, this easement and right of way pertains to a portion of Dutchess County Real Property Tax Map Parcel #134689-6162-07-690850-0000, and

WHEREAS, the Tax Map Parcel #134689-6162-07-690850-0000 is a portion of the Dutchess Community College (DCC) campus, and

WHEREAS, the Dean of Administration for DCC was apprised of Central Hudson's request for a Permanent Easement and according to an email from the Associate Dean of Administration, DCC has no objection to the granting of the Permanent Easement, and

WHEREAS, Central Hudson has offered to pay the County the sum of \$250.00 for the easement and right of way, and

WHEREAS, Central Hudson has submitted a Grant of Easement and Right of Way document for the County Executive to execute, a copy of which is annexed hereto, now therefore, be it

RESOLVED, that the County Executive be and he is hereby authorized, empowered and directed to execute the Grant of Easement and Right of Way to Central Hudson Gas and Electric Corporation to a 540± square foot (0.01± acre) parcel located at 57 Pendell Road, in the Town of Poughkeepsie in substantially the same form as annexed hereto.

CA-57-14

CAB/ca/R-0902-B

3/12/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

COUNTY OF DUTCHESS

SS:

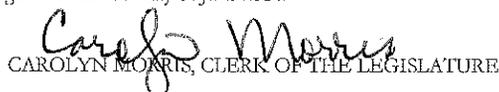
This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of June 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of June 2014.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

6/10/2014
Date


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 250
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

This fiscal impact statement pertains to the accompanying resolution request for authorization to grant an easement and right of way to a 540+/- square foot (0.01+/- acre) parcel located at 57 Pendell Road, Town of Poughkeepsie, to Central Hudson Gas & Electric Corporation,

Prepared by: Matthew W. Davis 2925

GRANT OF EASEMENT AND RIGHT OF WAY

BETWEEN

County of Dutchess, with an office at 22 Market Street, Poughkeepsie, New York 12601

Grantor,

and

CENTRAL HUDSON GAS & ELECTRIC CORPORATION, a domestic corporation having its principal office at 284 South Avenue, Poughkeepsie, New York 12601

Grantee,

In consideration of the sum of \$1.00 and other valuable consideration, the receipt whereof from Central Hudson Gas & Electric Corporation (hereinafter called Central Hudson), is hereby acknowledged, the undersigned hereby grant(s) and convey(s) unto Central Hudson, its successors, assigns, and lessees, an easement and right of way throughout its extent, in upon, over, under and across the lands of the undersigned, including roads and highways thereon and adjacent thereto, situated in the Town of Poughkeepsie, County of Dutchess, State of New York.

This easement pertains to a portion of Dutchess County Real Property Tax Map Parcel 6162-07-690850-0000.

A description of the easement area and a survey of such easement area are attached hereto as Exhibit A.

Together with the permanent right at all times to have access thereto across the remaining premises of the undersigned, and to enter thereon, and to construct, excavate, relocate, operate and maintain, and to protect, repair, replace and remove, in, upon, over and under the property covered by said easement and right of way such facilities including but not limited to all poles, towers, lines of poles, lines of towers, supporting structures, cables, cross arms, wires, guys, braces, underground conduits, pipes, mains and ducts and all other appurtenances and fixtures necessary or adaptable to the present and future needs, uses and purposes of Central Hudson, its successors, assigns, licensees and lessees.

Together with the permanent right to trim and/or cut to ground level, and/or at the election of Central Hudson to remove, at any time, such brush, trees, vegetation and other objects thereon or within the easement area or on adjacent property of the undersigned as in the sole judgment and opinion of Central Hudson its successors, assigns, licensees and/or lessees, which may prevent State and Federal regulatory compliance or may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, facilities, poles, towers, lines and other appurtenances and fixtures or any thereof, which are now or may hereafter be constructed or placed in, over, across or on said easement and right of way. Said right shall include the right to

use chemical means of brush and vegetation control within the limits of the easement and rights of way where applicable.

The location of said easement and right of way, facilities and lines is to be as determined by Central Hudson having regard to the origin, general direction and destination of said facilities and the requirements of Central Hudson.

Reserving unto the undersigned, and the undersigned's heirs and assigns, the right to cultivate the ground within the limits of said easement and right of way and the right to construct, maintain and use roadway(s) across said easement and right of way, the location, construction and use of which, however, shall be subject to the prior written consent of Central Hudson, without any obligation or duty on the part of Central Hudson, its successors, assigns, licensees or lessees, to construct or maintain any such roadway, provided that in the exercise, use, construction and maintenance of any such roadway by the undersigned and the undersigned's heirs and assigns, every reasonable and proper precaution shall be taken not to interfere with the use of, obstruct or endanger the facilities installed on the aforesaid easement and right of way by Central Hudson, its successors, assigns, licensees or lessees, for its and their corporate purposes, and that, for mutual protection, Central Hudson, its successors, assigns, licensees and lessees shall be notified in writing in advance of any changes in such exercise, use or maintenance thereof, or of any unusual use or contemplated use or condition.

No house, structures, or other improvements shall be erected or placed on, in, under or over the Easement Area and right of way, and no roadway (except as agreed upon herein) shall be constructed or placed, and excavating, mining or blasting shall not be undertaken within the limits of said Easement Area and right of way without the prior written consent of Central Hudson, its successors or assigns; and any house or other structure that is already on said easement and right of way may be removed by Central Hudson, its successors or assigns, or at the expense of Central Hudson, its successors, assigns or lessees, upon written notice to the undersigned, or the undersigned's heirs or successors, by Central Hudson its successors, assigns or lessees, by certified mail, to the address herein below given.

The terms hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, personal representatives, successors and assigns, licensees and lessees of the undersigned and Central Hudson.

DEFENSE AND INDEMNIFICATION

Grantee agrees to the fullest extent permitted by law to defend, indemnify and hold the Grantor and its employees harmless from any and all such losses, claims, liens, demands and causes for action, including but not limited to, judgments, penalties, interest, court costs, and legal fees incurred by the Grantor in connection with or arising directly or indirectly from this Agreement and caused by the negligent acts or omissions of Grantee and/or officers, employees or subcontractors. The Grantee shall investigate, handle, respond to and defend any such claims, demands or suits at his sole expense, and shall bear all other related costs and expenses even if such claims, demands or suits are groundless, false or fraudulent. This indemnification section shall survive the expiration or termination of this Easement.

In any matter in which indemnification hereunder for either professional or non-professional services would violate Section 5-322.1 of the New York General Obligations Law or any other applicable legal prohibition, the foregoing provisions shall not be construed to indemnify the Grantor for damage arising out of bodily injury to persons or to property caused by or resulting from the negligence of the Grantor's employees. The term "employee" shall include all officers, advisory board members and/or volunteers serving the Grantor.

INSURANCE REQUIREMENTS

At all times during the term of this Easement, the Grantee and any contractors working on behalf of the Grantee, if any, shall maintain at his own cost the following insurance and shall provide proof thereof to the Grantor, in the form of a Certificate of Insurance, prior to commencing work under this Easement:

Worker's Compensation Employer's Liability and Disability Benefits Coverage (statutory limits). In compliance with the Workers' Compensation Law of the State of New York, the Grantee and any contractors shall provide:

- a. a certificate of insurance on an Acord form indicating proof of coverage for Worker's Compensation, Employer's Liability and Disability Benefits Coverage, OR
- b. a New York State Workers Compensation Notice of Compliance (Form C-105, Form U-26.3, Form SI-12 or Form SI-105.2P) and New York State Notice of Compliance - Disability Benefits Law (Form DB-120 or DB-20.1).
- c. In the event that a contractor is exempt from providing coverage, he must provide a properly executed copy of the Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage: Form CE-200.

Commercial General Liability Insurance coverage including blanket contractual coverage for the operation of the program under this Easement with limits not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate. This insurance shall be written on a claims made basis and include bodily injury and property damage liability. The Grantor must be listed as additional insured. The additional insured endorsement for the Commercial General Liability insurance required above shall not contain any exclusion for bodily injury or property damage arising from completed operations. All construction, trade contractor, and service maintenance agreements must utilize the additional insured endorsement CG 2037 July 2004 edition. The insurance coverage shall contain a waiver of subrogation in favor of the Grantor. Acceptable proof of the waiver of subrogation and the Grantor's additional insured status may be evidenced through a copy of the policy form or endorsement.

Automobile Liability Insurance coverage for all owned, scheduled, hired, and non-owned vehicles with a combined single limit of liability of not less than \$1,000,000. This insurance shall include coverage for bodily injury and property damage. The Grantor must be listed as additional insured. Acceptable proof of the Grantor's additional insured status may be obtained by

submitting a copy of the policy form or endorsement. The insurance coverage shall contain a waiver of subrogation in favor of the Grantor.

THE GRANTOR MUST BE NAMED AS THE CERTIFICATE HOLDER AND ADDITIONAL INSURED.

All policies of insurance referred to above shall be underwritten by companies authorized to do business in the State of New York with an A.M. Best financial strength rating of A or better. In addition, every policy required above shall be primary insurance and any insurance carried by the Grantor, its officers, or its employees shall be excess and not contributory insurance to that provided by the Grantee. The Grantee and contractor(s), if any, shall be solely responsible for any deductible losses under each of the policies required above.

Prior to cancellation or material change in any policy, a thirty (30) day notice shall be given to the County Attorney at the address listed below:

Dutchess County Attorney
County Office Building
22 Market Street
Poughkeepsie, New York 12601

Acceptable proof of the thirty day notice provision may be obtained by submitting a copy of the policy form, endorsement or Acord insurance certificate. On receipt of such notice, the Grantor shall have the option of terminating the Easement, or to require the Grantee to replace the cancelled insurance policy, or rectify any material change in the policy, so that the insurance coverage required by this paragraph is maintained continuously throughout the term of this Easement in form and substance acceptable to the Grantor. Failure of the Grantee to take out or to maintain, or the taking out or the maintenance of any required insurance, shall not relieve the Grantee from any liability under this Easement nor shall the insurance requirements be construed to conflict with or to limit the obligations of the Grantee concerning indemnification.

All losses of the Grantor's property shall be adjusted with and made payable directly to the Grantor.

All Certificates of Insurance shall be approved by the Grantor's Director of Risk Management or designee prior to commencement of any work under this Easement.

Signed, sealed and delivered, on _____, 2014.

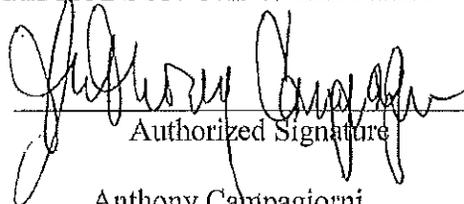
County of Dutchess
22 Market Street
Poughkeepsie, New York 12601

Authorized Signature

Print Name

Title: _____

CENTRAL HUDSON GAS & ELECTRIC CORP.



Authorized Signature

Anthony Campagiorni

Print Name

Title: Vice President-Business Development
& Governmental Affairs

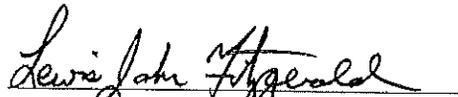
STATE OF NEW YORK)
COUNTY OF _____) ss.:

On the ____ day of _____ in the year 2014 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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

On the 27th day of May in the year 2014 before me, the undersigned, personally appeared Anthony Campajorni, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

RECORD AND RETURN TO:
Ms. Veronica Bardunias
Central Hudson Gas & Electric Corporation
284 South Avenue
Poughkeepsie, NY 12601-4838

LEWIS JOHN FITZGERALD
Notary Public, State of NY
No. 01F16254844
Qualified in Dutchess County
Commission Expires 1-17-16

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

Exhibit A
**PROPOSED EASEMENT
THROUGH LANDS NOW OR FORMERLY OF
THE COUNTY OF DUTCHESS
TO BE GRANTED TO
CENTRAL HUDSON GAS AND ELECTRIC CORPORATION
TOWN OF POUGHKEEPSIE, COUNTY OF DUTCHESS, STATE OF NEW YORK
AREA = 540± SQUARE FEET OF LAND**

All that certain tract, piece or parcel of land situate in the Town of Poughkeepsie, County of Dutchess, State of New York, lying Southerly of Cottage Road, and being more particularly bounded and described as follows:

BEGINNING at a point on the Southerly road boundary of Cottage Road at its point of intersection with the division line between the lands now or formerly of the County of Dutchess as described in Document No. 02 2005 11397 on the East and other lands now or formerly of the County of Dutchess as described in Document No. 02 2001 1174 on the West and runs thence from said point of beginning along the Southerly road boundary of Cottage Road the following two (2) courses: 1) in an Easterly direction along a curve to the left having a radius of 275± feet, an arc length of 56± feet and a chord bearing of South 89 deg. 09 min. 54 sec. East 56± feet to a point; and 2) North 85 deg. 28 min. 55 sec. East 40± feet to its point of intersection with the division line between the said lands now or formerly of the County of Dutchess as described in Document No. 02 2005 11397 on the North and the lands now or formerly of Central Hudson Gas and Electric Corporation as described in Book 460 of Deeds at Page 201 on the South; thence South 81 deg. 14 min. 54 sec. West along the last mentioned division line 97± feet to its point of intersection with the above first mentioned division line; thence along said above first mentioned division line North 02 deg. 28 min. 45 sec. West

C. T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

DESCRIPTION

AREA = 540± SQUARE FEET OF LAND

PAGE - 2

12± feet to the point or place of beginning and containing 540± square feet or 0.01 acre
of land, more or less.

C.T. MALE ASSOCIATES

William J. Nettleton, P.L.S.

February 20, 2013

WJN/sag/amb

C.T. Male Project No. 12.2402

NONE XREFS

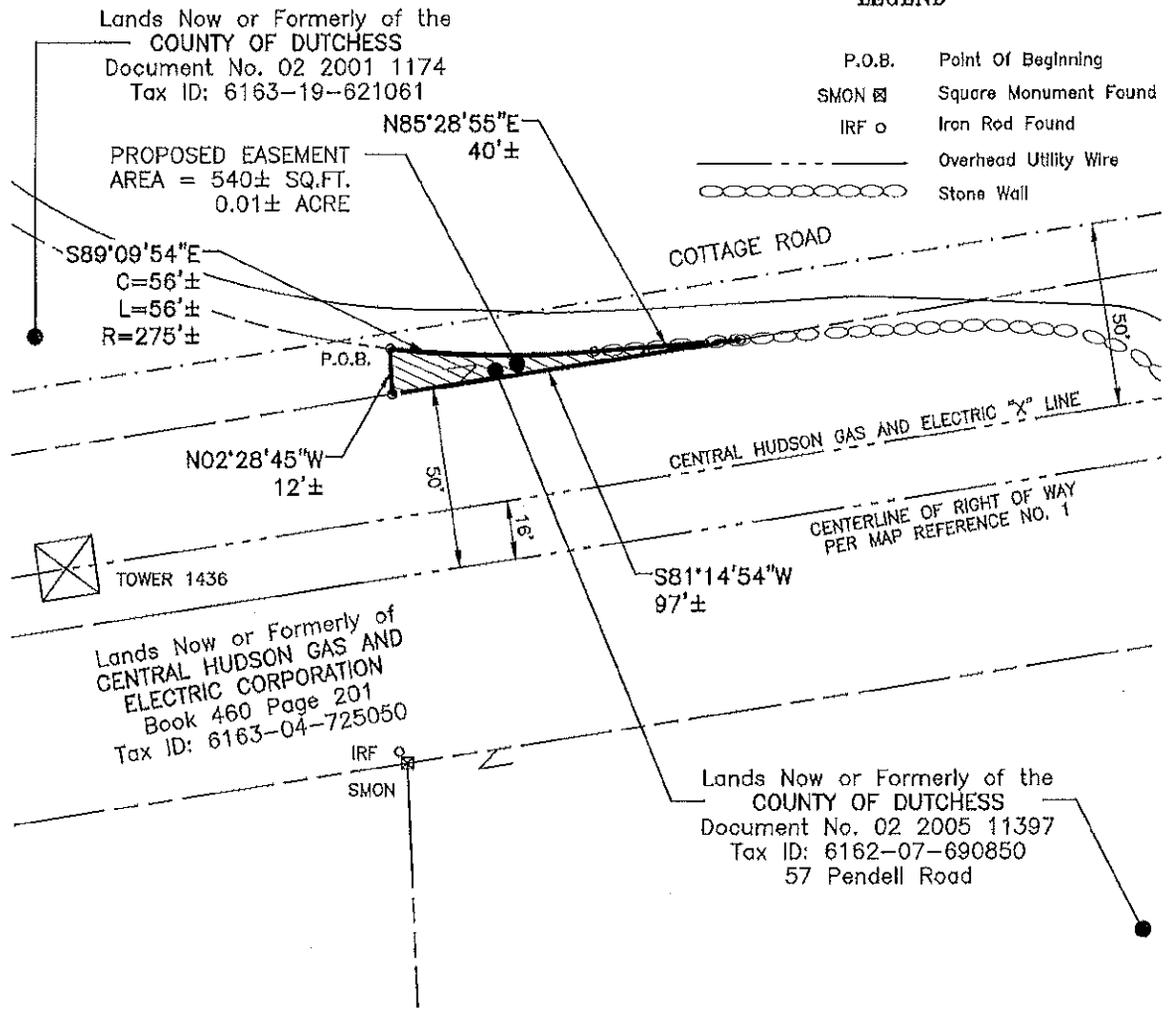
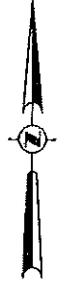
UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

MAP REFERENCE

1. "Town of Poughkeepsie County of Dutchess" prepared by Central Hudson Gas and Electric Co. dated April 13, 1927 and last revised August 29, 2001, File No. 11-P 2610.

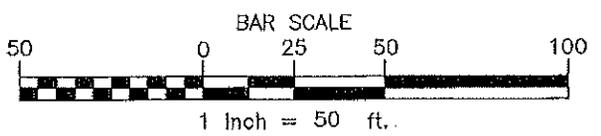
LEGEND

- P.O.B. Point Of Beginning
- SMON  Square Monument Found
- IRF  Iron Rod Found
-  Overhead Utility Wire
-  Stone Wall



MAP NOTES

1. Information shown hereon was compiled from an actual field survey conducted during the months of November, 2012 and January, 2013.
 2. North orientation and bearings are referenced to Grid North and are based on the New York State Plane Coordinate System, East Zone, NAD 83. The distances shown are horizontal ground distances.
 3. This survey was prepared without the benefit of an up to date abstract 5. of title or title report and is therefore subject to any easements, covenants, restrictions or any statement of fact that such documents may disclose. Title research was performed by Contract Land Staff.
 4. The location of underground improvements or encroachments, if any exist, or as shown hereon, are not certified. There may be underground utilities, the existence of which are not known to the undersigned. Size and location of all underground utilities and structures must be verified by the appropriate authorities. Dig Safely New York must be notified prior to conducting test borings, excavation and construction.
- Parcel may be subject to an unprotractable easement granted to Central Hudson Gas and Electric Corp. as described in an Instrument dated September 16, 1926.



DWG. NO. 13-197

Date	RECORD OF WORK	Appr.
1/6/2014	REVISE TAX PARCEL IDENTIFICATION	WJN
3/25/14	REVISE ADDRESS	WJN

**PROPOSED EASEMENT
LANDS NOW OR FORMERLY OF THE
COUNTY OF DUTCHESS
TO BE GRANTED TO CENTRAL HUDSON GAS & ELECTRIC CORP.**

TOWN OF POUGHKEEPSIE DUTCHESS CO., NEW YORK

C.T. MALE ASSOCIATES
Engineering, Surveying, Architecture & Landscape Architecture, P.C.

50 CENTURY HILL DRIVE, LATHAM, NY 12110
518.786.7400 * FAX 518.786.7299

SCALE: 1"=50' DATE: FEB. 14, 2013

Drafter: LMK	Checker: EEC
Appr. by: WJN	Proj. No. 12.2402

CAD DWG. FILE N: \Projects\122402\Survey\EASEMENT MAPS\6162-07-690850_COUNTY OF DUTCHES

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

Dutchess County
DPW ENGINEERING

Memo

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

From: Matthew W. Davis, Assistant Civil Engineer I

Date: March 5, 2014

**Re: RESOLUTION REQUEST
AUTHORIZATION TO GRANT AN EASEMENT AND RIGHT OF WAY TO
CENTRAL HUDSON GAS & ELECTRIC CORPORATION, ON PROPERTY
LOCATED AT 57 PENDELL ROAD, TOWN OF POUGHKEEPSIE**

Accompanying this memo is a Resolution Request and Fiscal Impact Statement with supporting documentation to request authorization to grant an easement and right of way to a 540+/- square foot (0.01+/- acre) parcel to Central Hudson Gas & Electric Corporation, for a consideration of \$250.00. This easement and right of way is on a portion of property located at 57 Pendell Road in the Town of Poughkeepsie, identified as parcel identification number 134689-6162-07-690850-0000. This easement and right of way will be used for facility access, maintenance and future construction purposes.

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

TAX MAP ID#: 6162-07-690850-0000

LANDOWNER NAME: County of Dutchess

SHORT LEGAL DESCRIPTION: 0.01 acre located at 57 Pendell Road, in the Town of Poughkeepsie, Dutchess County

	Area	Acreage	Price/Acre	Easement Total
Permanent Easement		0.010		\$250.00
<i>Total Consideration For Permanent Easement</i>				<i>\$250</i>

AUTHORIZED SIGNATURE: _____

TITLE _____

AGENT SIGNATURE: *John J. Coe III*

NOTES: _____

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	Rollison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2014083 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 57 PENDELL ROAD, TOWN OF POUGHKEEPSIE

Date: April 3, 2014

Roll Call Sheets

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

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

AF / D Bolner
"Move to Table"

2014083
 4.7.14

Roll Call Sheets

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

Present: _____
 Absent: _____
 Vacant: _____

Resolution: _____
 Motion: _____

Total: _____
 Yes _____ No _____
 Abstentions: _____

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2014083 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 57 PENDELL ROAD, TOWN OF POUGHKEEPSIE

Date: April 7, 2014

Public Works and Capital Projects Roll Call

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

Present: <u>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>	

2014083 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 57 PENDELL ROAD, TOWN OF POUGHKEEPSIE

Date: June 3, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
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District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total: 25 0
 Yes No
 Abstentions: 0

2014083 GRANTING EASEMENT AND RIGHT OF WAY TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION ON PROPERTY LOCATED AT 57 PENDELL ROAD, TOWN OF POUGHKEEPSIE

Date: June 9, 2014

Resolution No. 2014083 was introduced at the April 7, 2014, board meeting. Discussion at that time resulted as follows:

Legislator Flesland, duly seconded by Legislator Kelsey, moved to table the foregoing resolution.

The foregoing resolution was tabled on April 7, 2014, and reintroduced on June 9, 2014, and adopted.

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014084

RE: AUTHORIZING GRANT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE (PUBLIC SERVICE COMMISSION) AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS – BUILDINGS DIVISION (A.1620)

Legislators HUTCHINGS, PULVER, SAGLIANO, FARLEY, and PERKINS offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised that the New York State Department of Public Service (Public Service Commission) has awarded the County a grant (T713005) in the sum of \$49,999 to fund an intervenor contract with A. Page & Associates to follow, analyze, review, comment, and participate in the Alternating Current Transmission Upgrades – Comparative Proceeding Case 13-E-0488 in order to protect the public interests of Dutchess County, and

WHEREAS, the grant covers the period through the end of 2014, but due to delays, may be extended to the end of 2015, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2014 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant award from the New York State Department of Public Service in connection with the above project and further authorizes and empowers the County Executive to execute said grant agreement on behalf of the County of Dutchess, and be it further

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

APPROPRIATIONS

Increase

A.1620.4401.105 Professional Services Consultants \$49,999

REVENUES

Increase

A.1620.12890.00 Other General/Misc.

CA-56-14 CAB/ca/G-0188/#10329
3/12/14 Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/14/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 49,999

Total Current Year Revenue \$ 49,999

and Source
Grant funds from the Public Service Commission

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

Identify Line Items(s):

A.1620.4401.105

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$0 _____

Over Five Years: _____

Additional Comments/Explanation:

Grant funds fully offset the cost of the intervenor contract with A. Page & Associates.

Prepared by: Rachel Armstrong x2018

<u>STATE AGENCY (Name & Address):</u> Department of Public Service 3 Empire State Plaza Albany, NY 12223	<u>NYS COMPTROLLER'S NUMBER: T713005</u> <u>ORIGINATING AGENCY CODE: 16000</u>	
<u>CONTRACTOR (Name and Address):</u> The County of Dutchess	<u>TYPE OF PROGRAM(S):</u> County of Dutchess - First Request for Intervenor Funds - PSC Art. VII - AC Transmission Upgrades	
<u>CHARITIES REGISTRATION NUMBER:</u> <u>FEDERAL TAX IDENTIFICATION NUMBER:</u> <u>MUNICIPALITY NO.: (if applicable)</u>	<u>TERM:</u> FROM: 12/20/13 TO: 12/31/14	
<u>STATUS:</u> CONTRACTOR IS () IS NOT () A SECTARIAN ENTITY CONTRACTOR IS () IS NOT () A NOT-FOR-PROFIT ORGANIZATION.	<u>FUNDING AMOUNT FOR INITIAL PERIOD:</u> \$49,999	
<u>APPENDICES ATTACHED AND PART OF THIS AGREEMENT:</u>		
<u>X</u>	APPENDIX A	Standard Clauses for New York State Contracts
<u>X</u>	APPENDIX B	Budget
<u>X</u>	APPENDIX C	Program Workplan
—	APPENDIX X	Modification Agreement Form (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)
<u>X</u>	OTHER (Identify)	Ruling Granting Funding Award, with Recipient's Intervenor Funding application, attached
—	OTHER (Identify)	_____
—	OTHER (Identify)	_____
—	OTHER (Identify)	_____

#10329

Appendix B

BUDGET

Contract No. T713005

The County of Dutchess

(Provide a budget for tasks related to this Case. Your total budget cannot exceed the awarded amount of \$49,999)

Total Budget for Contract No. T713005: \$49,999

Appendix C

WORKPLAN

Contract No. T713005

The County of Dutchess

(Provide a detailed work plan including services to be provided and objectives to be met. Where applicable include reporting requirements and dates by which stated services are to be delivered and/or objectives to be met. Pursuant to 16 NYCRR §85-2.4(j), the party receiving an award will provide quarterly reports to the Department as a condition of obtaining an intervenor funding award.)

APPENDIX A

STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS

**PLEASE RETAIN THIS DOCUMENT
FOR FUTURE REFERENCE.**

December, 2012

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STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6-a). However, such pre-approval shall not be required for any contract established as a centralized contract through the Office of General Services or for a purchase order or other transaction issued under such centralized contract.

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner

consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and

any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be exemptly identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract

is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project; then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall

consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized) but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process, upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES.

In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
Albany, New York 12245
Telephone: 518-292-5100
Fax: 518-292-5884
email: opa@esd.ny.gov

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
633 Third Avenue
New York, NY 10017
212-803-2414
email: mwbecertification@esd.ny.gov
<http://esd.ny.gov/MWBE/directorySearch.html>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS.

Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.

Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.

If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded

the contract, the Department of Civil Service and the State Comptroller.

24. PROCUREMENT LOBBYING. To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement, the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

Public Works and Capital Projects Roll Call

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

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

2014084 AUTHORIZING GRANT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE (PUBLIC SERVICE COMMISSION) AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS – BUILDINGS DIVISION (A.1620)

Date: April 3, 2014

Roll Call Sheets

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

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

2014084 AUTHORIZING GRANT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE (PUBLIC SERVICE COMMISSION) AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS – BUILDINGS DIVISION (A.1620)

Date: April 7, 2014

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014085

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

Legislators HUTCHINGS, BOLNER, AMPARO, INCORONATO, SAGLIANO, SERINO, and FARLEY offer the following and move its adoption:

WHEREAS, by Resolution Nos. 208397, 2010224 and 2012189 this Legislature approved Intermunicipal Agreements with the Town of Wappinger (Town) for maintenance of the Town of Wappinger portion of the Dutchess Rail Trail, and

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

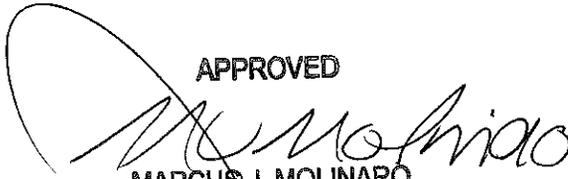
WHEREAS, pursuant to Article 5-G of the General Municipal Law, the County and the Town are authorized to enter into such agreement, and

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

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

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

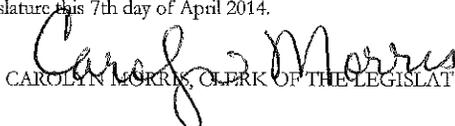
CA-54-14
CAB/ca/G-1391-D-K
3/7/14
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ 0 _____

Total Current Year Revenue \$ 0 _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Steve Olsen, Director of Parks

SRDD
LAW
STENGER ROBERTS
DAVIS & DIAMOND LLP

1130 Route 9
Wappingers Falls, New York 12690
(845) 298-2000
FAX (845) 298-2842
www.srddlav.com
e-mail: info@srddlav.com

February 26, 2014

Kenneth M. Stenger
Albert P. Roberts
Thomas R. Davis
Stephen B. Diamond*
Joan F. Gattrell**

Hon. Marcus J. Molinaro, Dutchess County Executive
22 Market Street
Poughkeepsie, New York 12601

Re: Intermunicipal Agreement for Rail Trail Maintenance
Town of Wappinger

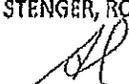
Dear Marcus:

Kevin T. McDermott
Angel I. Falcón
James P. Horan***
Lisa M. Cobb
M. Ellen O'Sullivan
Marina V. O'Neill
Melissa A. Mann-Williams

I am pleased to enclose the Intermunicipal Agreement for Rail Trail maintenance for the portion of the Rail Trail that traverses the Town of Wappinger. The Agreement was signed by Supervisor Gutzler on February 25, 2014. I am attaching a copy of the Resolution that was adopted the February 24th Town Board meeting. Please provide me with an executed copy of the Agreement.

Very truly yours,

STENGER, ROBERTS, DAVIS & DIAMOND, LLP


ALBERT P. ROBERTS
APR/so
Enc.

OF COUNSEL
Scott L. Volkman
Karen MacNish

cc: Hon. Barbara A. Gutzler, Supervisor

PARALEGALS
Sandra Oakley
Dawn M. Palno

CLOSING COORDINATOR
Maria L. Jones

* ALSO ADMITTED IN FL & IA
** ALSO ADMITTED IN CT
*** ALSO ADMITTED IN NH

2014 FEB 27 PM 1:08
DUTCHESS COUNTY
CLERK
RECEIVED



Town of Wappinger
 20 Middlebush Road
 Wappingers Falls, NY 12590

SCHEDULED

RESOLUTION 2014-76

Meeting: 02/24/14 07:30 PM
 Department: Town Board
 Category: Agreements, Contracts, Leases
 Prepared By: Jessica Fulton
 Initiator: Barbara Gutzler
 Sponsors: Barbara Gutzler

02/24/14

DOC ID: 3847

Resolution Authorizing Entry Into Intermunicipal Agreement for DC Rail Trail

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

WHEREAS, the County has requested each of the above referenced Towns to assist in providing proper maintenance of a portion of the WRSDRT that traverses through the respective Towns; and

WHEREAS, the Town and the County have negotiated an agreement for maintenance of the Trail entitled "Intermunicipal Agreement" ("Agreement"), a copy of which is annexed hereto as Exhibit "A" and is made apart hereof; and

WHEREAS, the Town Board has determined that this is a Type II action pursuant to 6 NYCRR 617.5 (c) (20) and is otherwise exempt from environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) or pursuant to Local Law No. 6 of 1992.

NOW, THEREFORE, BE IT RESOLVED:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board Members acknowledge that they have read the terms and conditions set forth in the aforementioned "Intermunicipal Agreement" and hereby accepts the terms, conditions and obligations imposed upon the Town as set forth in said Agreement, a copy of which is annexed hereto as Exhibit "A".
3. The Supervisor, Barbara A. Gutzler, is hereby directed and authorized to execute "Intermunicipal Agreement" by and on behalf of the Town of Wappinger and to forward a copy thereof to the County of Dutchess to the attention of Marcus J. Mollaro, County Executive.

FINANCIAL IMPACT:

N

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2014, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the "COUNTY") and the TOWN OF WAPPINGER, a municipal corporation with its offices at 20 Middlebush Road, Wappingers Falls, NY 12590 (hereinafter referred to as the "TOWN")

WITNESSETH:

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

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

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

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

1. SCOPE OF SERVICES. The Town shall assist the County in the maintenance of the WRSDRT by providing the services as set forth on Exhibit "A," "Scope of Services," attached hereto and made a part hereof.

2. TERM OF AGREEMENT. The term of this Agreement is January 1, 2014-December 31, 2015. Representatives of the County and Town will meet on or about November 1, 2015 to review each party's maintenance responsibilities.

3. COUNTY TO INDEMNIFY THE TOWN. The County shall defend, protect, and indemnify the Town for damages done to property, injury, or death to persons resulting from the negligence of the County's employees in connection with the County's ownership of the WRSDRT and the work done by County employees in connection this agreement.

4. TOWN TO INDEMNIFY COUNTY. The Town shall defend, protect, and indemnify the County for damages done to property, injury or death to persons resulting from the negligence of the Town's employees in connection with the Town's maintenance responsibilities in connection with the WRSDRT as described in this agreement.

5. INSURANCE REQUIREMENTS. At all times during the term of this agreement, the parties agree to maintain the following insurance and shall provide proof thereof to each other in the form of a Certificate of Insurance and additional insured endorsement page(s):

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

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

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

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

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

APPROVED AS TO FORM:

ACCEPTED : COUNTY OF DUTCHESS

County Attorney's Office

BY: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO CONTENT:

TOWN OF WAPPINGER

Department of Public Works

BY: _____
Print Name _____
Title _____

SCOPE OF SERVICE

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

9. **Drainage/Stormwater Management Facilities.** The County shall inspect and maintain all of the drainage culverts and storm water management facilities on the WRSDRT on an annual basis and shall undertake any necessary repairs or replacements. The Town shall notify the County of any potential drainage or storm water issues that are seen on their monthly inspections (or reported at any time) as soon as practical.
10. **Emergencies.** Both the County and the Town shall have the right to close any section of the DCRT for emergency or safety purposes. The Town official who makes the decision to close the any portion of the WRSDRT shall be responsible for immediately contacting the appropriate fire, police and/or rescue authorities, post a "WRSDRT closed" sign, and contact the County Parks Duty Officer (914-456-6403). The following information should be provided when reporting a closure: the nature and location of the incident, the end points of the closed portion of the WRSDRT, the time and expected duration of the closures, and what, if any, assistance is required from the County. The County will also notify the Town should closure of the WRSDRT be required. Town shall designate those Town officials authorized to close the WRSDRT and take the above action.
11. **Police Presence (Towns of Poughkeepsie and East Fishkill only).** The Town's responsibility to maintain a police presence on the WRSDRT and associated parking areas shall consist of: emergency responses, patrols by automobile or bicycle, and as mandated by the Towns of Poughkeepsie and East Fishkill Police Chiefs. These patrols shall be coordinated by the Towns with the County Sheriff's Office. The County's Sheriff's Office shall also provide patrols of the WRSDRT. The Town Police Chiefs or their designee and County Sheriff staff shall meet to discuss issues as they arise.
12. **Police Presence (LaGrange and Wappinger).** The Towns shall not be responsible for providing any police patrol at/on the WRSDRT. The County shall be responsible, to the extent practical, for providing a police presence on the WRSDRT and for addressing unauthorized access or use of the WRSDRT.

Public Works and Capital Projects Roll Call

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

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion:

Total : 12 0
Yes **No**
Abstentions: 0

2014085 AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF WAPPINGER FOR MAINTENANCE OF THE TOWN OF WAPPINGER PORTION OF THE WILLIAM R. STEINHAUS DUTCHESS RAIL TRAIL

Date: April 3, 2014

Roll Call Sheets

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

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

2014085 AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF WAPPINGER FOR MAINTENANCE OF THE TOWN OF WAPPINGER PORTION OF THE WILLIAM R. STEINHAUS DUTCHESS RAIL TRAIL

Date: April 7, 2014

DISCUSSION ONLY 4/7/14
PUBLIC WORKS AND CAPITAL PROJECTS
AMENDED IN COMMITTEE 5/8/14

RESOLUTION NO. 2014086

BOND RESOLUTION DATED MAY 12, 2014

A RESOLUTION AUTHORIZING DEMOLITION OF VACANT STRUCTURES, INCLUDING ASBESTOS ABATEMENT AT THE EASTERN DUTCHESS GOVERNMENT CENTER, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$808,000, AND AUTHORIZING THE ISSUANCE OF \$808,000 BONDS TO PAY THE COST THEREOF

WHEREAS, the capital project hereinafter described has been determined to be an "Unlisted Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant a the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in a significant environmental effect; and

WHEREAS, all conditions precedent to the financing the capital project hereinafter described including compliance with the provisions of the State Environmental Quality Review Act , have been performed and the SEQRA compliance materials are on file in the Office of the Clerk of the County legislature where they may be inspected during regular office hours; and

WHEREAS, it is now desired to authorize the financing thereof, NOW, THEREFORE,

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

Section 1. Demolition of vacant structures at the Eastern Dutchess Government Center in Poughkeepsie, New York, in and for the County of Dutchess, New York, including related asbestos abatement and incidental costs and expenses, is hereby authorized at a maximum

estimated cost of \$808,000 as structures no longer any use or value or dangerous or detrimental to human life, health or safety.

Section 2. It is hereby determined that the plan for the financing of the specific object or purpose is by the issuance of the \$808,000 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 10 years, pursuant to subdivision 12-a of paragraph a of Section 11.00 of the Local Finance Law.

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

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

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on May 12, 2014, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 20 ayes and 5 noes, with 0 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on May 23, 2014, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Southern Dutchess News	May 9, 2014
Poughkeepsie Journal	May 9, 2014

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

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
County Office Building, 6 th Floor, County Office Building Poughkeepsie, NY 12601	May 9, 2014

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 13 day of May, 2014.



Carol Morris
Clerk, County Legislature

LEGAL NOTICE OF ESTOPPEL

The following entitled bond resolution, a summary of which is published herewith, has been adopted on May 12, 2014, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Poughkeepsie, New York,
May 13, 2014

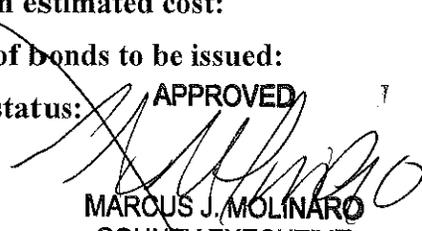

Clerk, County Legislature

RESOLUTION NO. 2014086 2014

BOND RESOLUTION DATED MAY 12, 2014.

A RESOLUTION AUTHORIZING DEMOLITION OF VACANT STRUCTURES, INCLUDING ASBESTOS ABATEMENT AT THE EASTERN DUTCHESS GOVERNMENT CENTER, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$808,000, AND AUTHORIZING THE ISSUANCE OF \$808,000 BONDS TO PAY THE COST THEREOF.

Specific object or purpose:	Demolition, including asbestos abatement at the Eastern Dutchess Government Center in Poughkeepsie, New York
Period of probable usefulness:	10 years
Maximum estimated cost:	\$808,000
Amount of bonds to be issued:	\$808,000 bonds
SEQRA status:	Unlisted Action; Negative Declaration; SEQRA compliance materials are on file in the office of the Clerk of the County Legislature where they may be inspected during regular office hours

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 5/23/2014

H0467 - 2014 DPW Building Demolition

APPROPRIATIONS

Increase

H0467.1620.3120	Demolition	\$800,000
H0467.1620.3900	Bond Issuing Costs	\$8,000
		<u>\$808,000</u>

REVENUES

Increase

H0467.1620.57100	Serial Bonds	\$808,000
		<u>\$808,000</u>

ASBESTOS ABATEMENT AND DEMOLITON AT THE EDGC

808,000.00
10 years at 2.25%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	808,000	80,800	18,180	98,980
2	727,200	80,800	16,362	97,162
3	646,400	80,800	14,544	95,344
4	565,600	80,800	12,726	93,526
5	484,800	80,800	10,908	91,708
6	404,000	80,800	9,090	89,890
7	323,200	80,800	7,272	88,072
8	242,400	80,800	5,454	86,254
9	161,600	80,800	3,636	84,436
10	80,800	<u>80,800</u>	<u>1,818</u>	<u>82,618</u>
TOTAL		<u>808,000</u>	<u>99,990</u>	<u>907,990</u>
AVG. PER YEAR		80,800	9,999	90,799

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$808,000
ANTICIPATED INTEREST RATE	2.25%
TERM 10 YEARS. TOTAL ANTICIPATED FEES:	\$8,000
ANTICIPATED ANNUAL COST (PRIN + INT):	\$90,799
TOTAL PAYBACK (ANNUAL COST x TERMS):	\$907,990

PREPARED BY PAMELA BARRACK

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

Memorandum

TO: Carolyn Morris, Clerk Dutchess County Legislature
William O'Neil, Deputy County Executive

FROM: Noel Knille, Commissioner Dept of Public Works 

PREPARED
BY: Brad Barclay, Senior Planner

RE: Additional EDGC Building Demolition Information - West Wing

DATE: May 2, 2014

The Department of Public Works has been asked by the Legislature to provide additional information about possible demolition of the West Wing at the Eastern Dutchess Government Center (EDGC) and estimate the cost of including its abatement for asbestos and demolition in the project dealing with the demolition of the other vacant buildings at EDGC.

The cost of abating the West Wing for asbestos and then demolishing it, as part of the current capital project, is estimated at @\$320,000. The cost to County for this work may end up being less than the estimate since it is hoped that the demolition contractor may provide credit for salvage of materials. As stated in discussions of the larger capital project, the County plans to abate the building for asbestos and then allow the chosen contractor to salvage materials for reuse from the structure, providing the County a credit towards the cost of the demolition. The costs of the abatement and demolition and any credits for salvage that the contractors intends to provide will be documented as part of the bidding process for this job.

The SEQRA findings for the original scope of work to renovate the EDGC, which were upheld by the court system, stated that the West Wing would be retained as an example of the structures that made up the County Poorhouse and was to be the location of the historical display on the site's long history of County use. If the building is not to be stabilized and retained for future use, the County's SEQRA Negative Declaration of Significance would have to be amended to reflect this change and a new means of treating the historical use of

the property would have to be developed and SHPO consulted. This work could be combined with the proposed efforts to preserve and educate the public on the Brier Hill Cemetery, which is located on a remote portion of the site.

Background

The West Wing was originally proposed for renovation and reuse, because it was in the best shape of all the older structures dating from the County Poorhouse era and it is visible from the adjacent County Highway. It was originally designed and used predominately for office space and had an elevator shaft, which would make renovation for the proposed uses possible. The building remains structurally sound, but the deterioration has continued and it is significant. In 2011, the SEN report recommended the following scope of work to stabilize the West Wing, to preserve its ability to be renovated for future use.

- Remove two story porch on south end due to extreme deterioration, provide new brick facade
- Replace all windows with insulating glass
- Remove paint from brick exterior and repoint masonry
- Selectively replace eroded, cracked and missing bricks with new or salvaged brick from demolition
- Waterproof cellar foundation wall
- Remove all interior finishes
- In bathrooms remove fixtures and tile finishes
- Remove all plumbing pipes and radiators
- Remove all electrical conduits, fixtures and panels, due to water exposure

The cost estimate provided by SEN Architects for this scope of work to stabilize the West Wing totals @ \$1,241,725, when corrected for 2014 dollars. Since the SEN report was written, however, there has been continual water infiltration in the structure and substantial deterioration of the brick exterior foundation walls. Additional expense would be required to repair and stabilize the foundation, prior to waterproofing it. There has also been significant additional exterior water damage due to deteriorated and/or missing gutters and downspouts. The cost of this additional work will depend greatly on how soon the repairs are undertaken. A more complete forensic analysis of the damage and design for the repair are also needed to refine the additional costs. It should be noted that while the West Wing would be stabilized and mothballed for future use, all of the plumbing, electrical panels, wiring and fixtures, HVAC system and interior finishes would be removed. These elements and a new interior layout would have to be designed and replaced as part of a future renovation project, which would require significant additional funding.

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

Memorandum

TO: Carolyn Morris, Clerk Dutchess County Legislature
William O'Neil, Deputy County Executive

FROM: Noel Knille, Commissioner Dept of Public Works 

PREPARED
BY: Brad Barclay, Senior Planner

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**Demolition of Vacant Structures
at the**

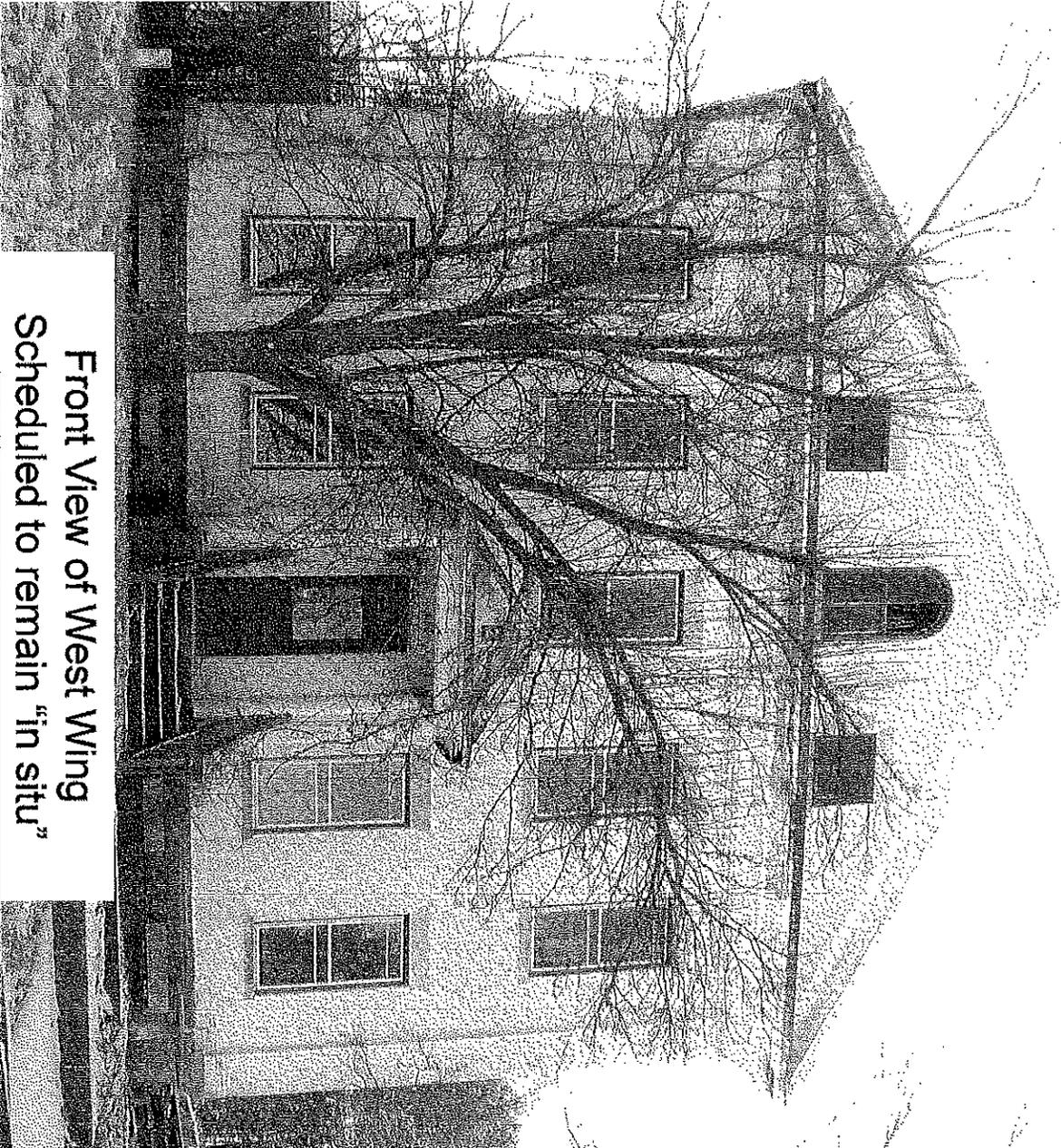
Eastern Dutchess Government Complex



EDGC Site Map And Building Inventory

1. North Wing (Occupied)
2. West Wing (Vacant)
3. Supervisor's Quarters (Vacant)
4. Center Wing (Vacant)
5. East Wing (Demolished 2011)
6. Pharmacy (Vacant)
7. N-S & E-W Connectors (Vacant/Partial Demo.)
8. Groundkeeper's Quarters (Vacant)
9. Residence/Farmhouse (Vacant)

BLDG #2



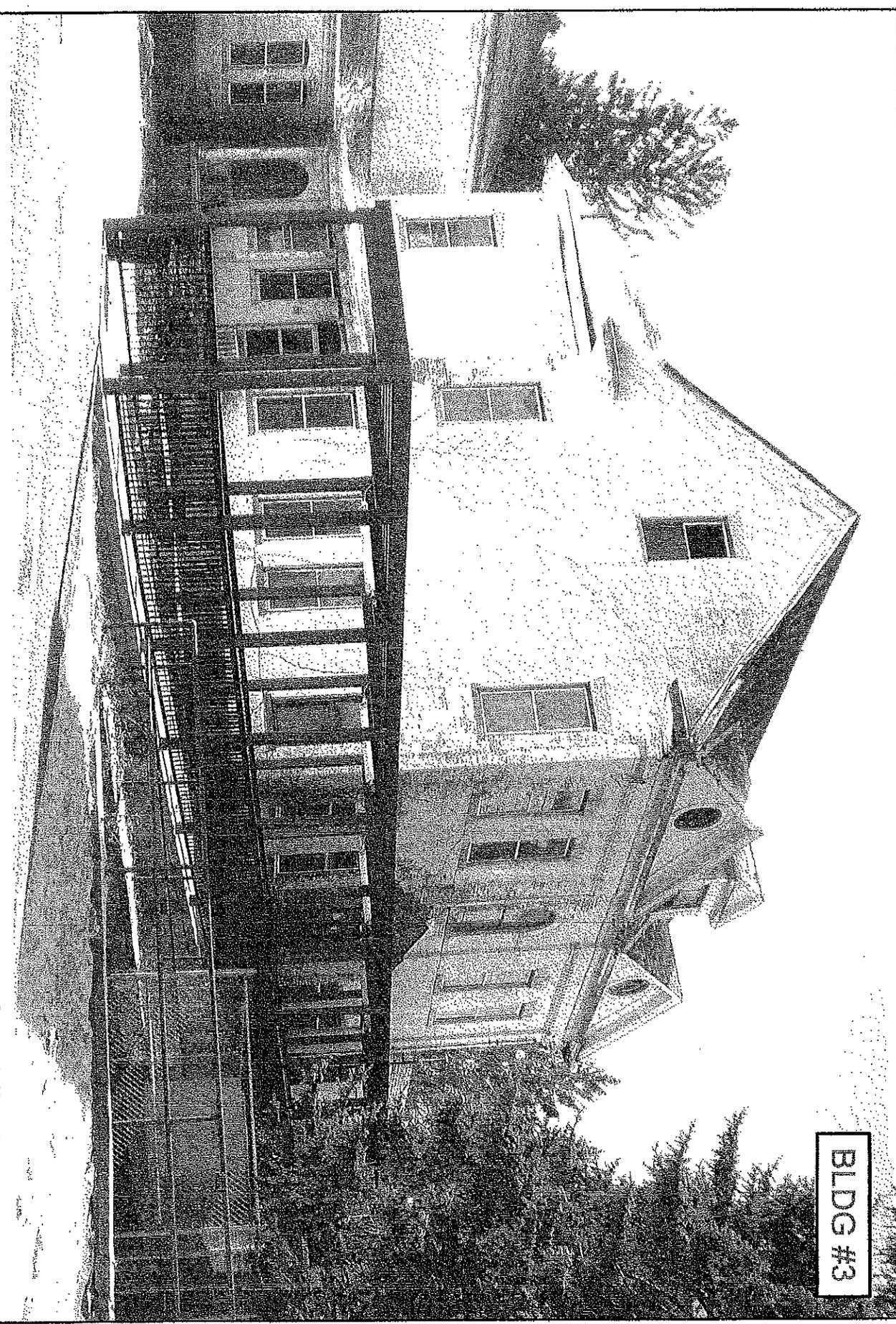
Front View of West Wing
Scheduled to remain "in situ"

BLDG #3



Supervisor's Quarters (taken from east)
Renovated North Wing to Rt., Partially Demolished connector to former East Wing to Lt.

BLDG #3



Supervisor's Quarters (showing former front and west side of Building) and adjacent covered walkway for clients of EDGC to access program Transportation

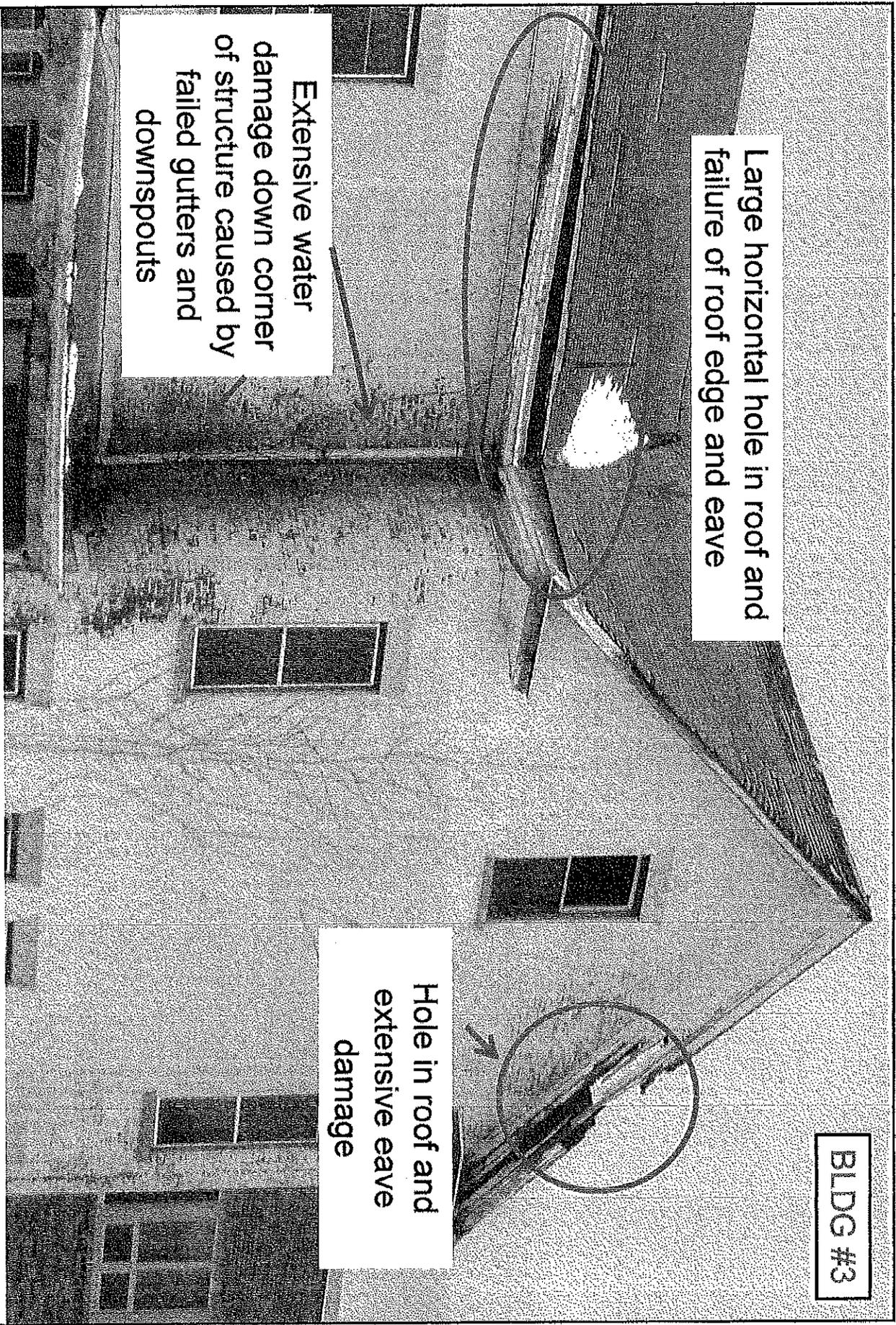
Large horizontal hole in roof and failure of roof edge and eave

Extensive water damage down corner of structure caused by failed gutters and downspouts

Hole in roof and extensive eave damage

BLDG #3

Supervisor's Quarter (West side of Building)

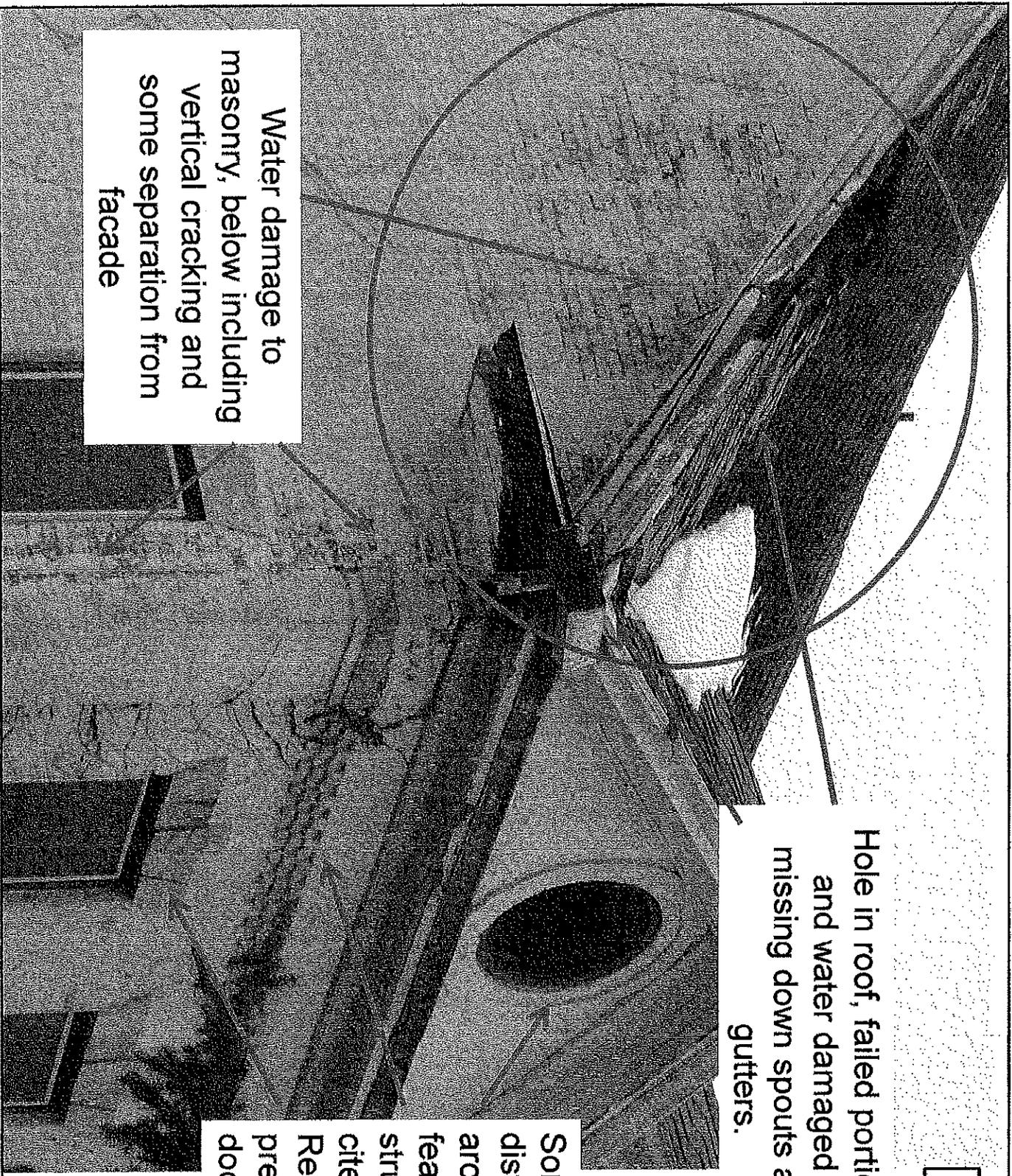


BLDG #3

Hole in roof, failed portion of eave and water damaged corner, missing down spouts and failed gutters.

Some of the distinctive architectural features of structure cited in SEN Report to be preserved or documented

Water damage to masonry, below including vertical cracking and some separation from facade

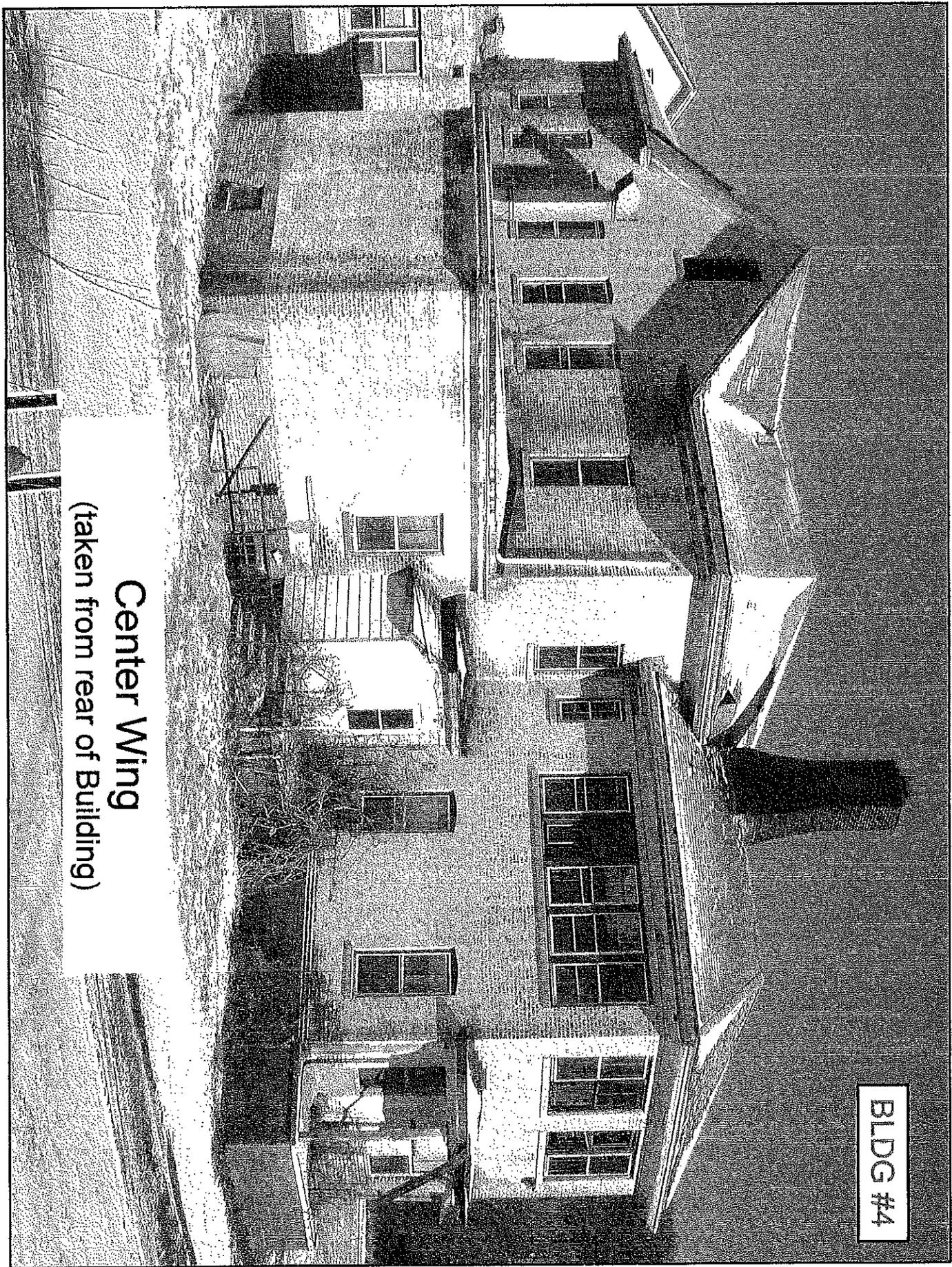




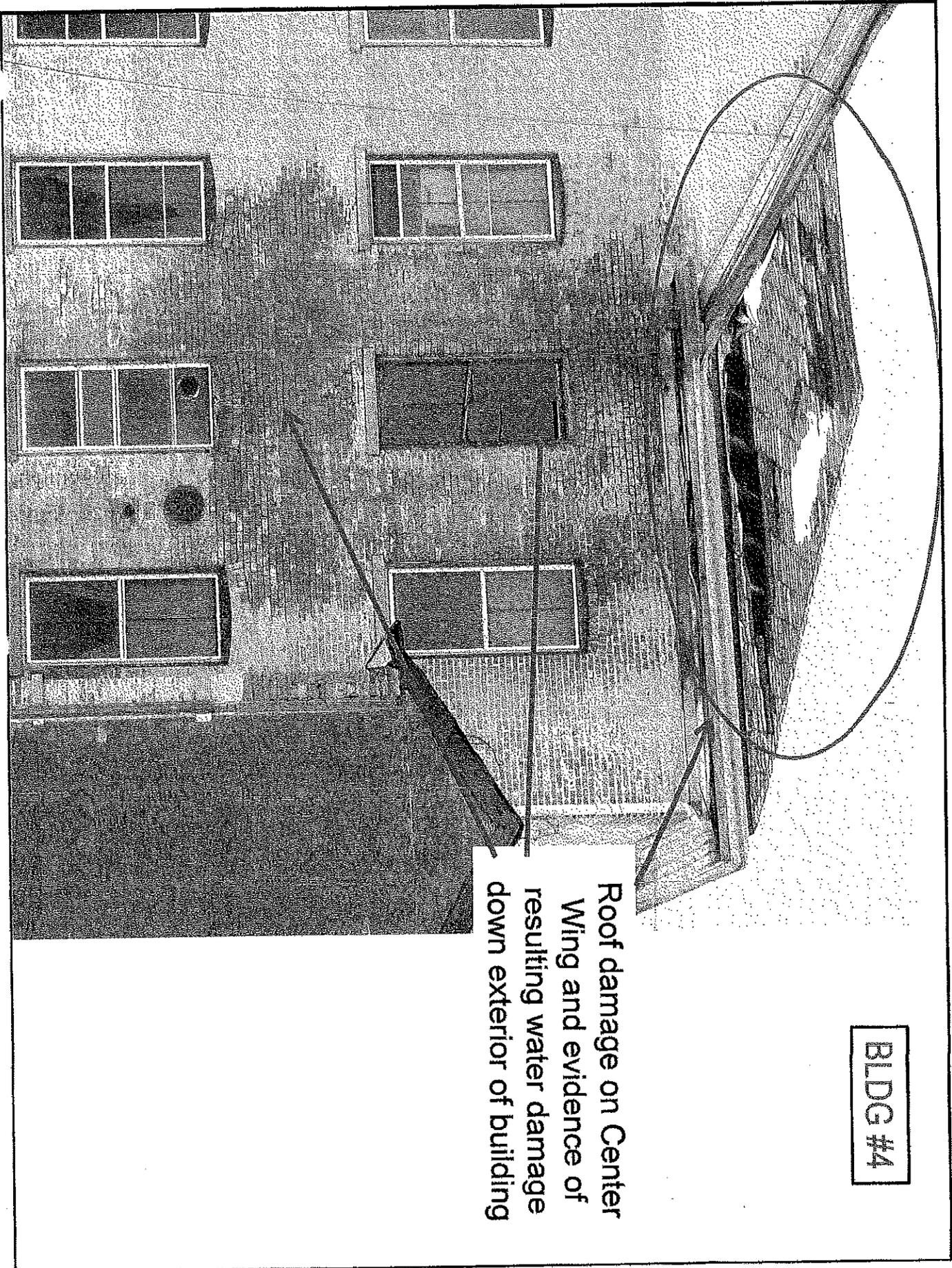
BLDG #3

Partially Collapsed Ceiling in Supervisor's Quarters, Evidence of water infiltration and extensive damage to building

BLDG #4



Center Wing
(taken from rear of Building)



BLDG #4

Roof damage on Center Wing and evidence of resulting water damage down exterior of building

Dutchess County Department of Public Works



Eastern Dutchess Government Center

Stabilization/Disposition of Vacant Structures

January, 2014

Dutchess County
Department of Public Works

Eastern Dutchess Government Center
Stabilization/Disposition of Vacant Structures

There are several vacant structures in the Eastern Dutchess Government Center (EDGC), which need immediate attention. For most of these structures the County has no future use and the buildings should be abated for hazardous materials, architecturally significant elements should be removed and/or documented and the structures demolished. These actions need to be completed in a timely manner as the involved buildings continue to deteriorate. Once the buildings reach the tipping point where the structures are no longer viable, then the involved buildings will have to be taken down without any abatement of hazardous materials, which will require that all the resulting waste be treated as hazardous material at a significantly greater cost and with the potential for exposure to contaminants. The documentation and preservation of historically significant elements will also become impossible.

Currently, the close proximity of the significantly deteriorated, former Supervisor's Residence to the covered walkway used by EDGC clients to access transportation creates a direct hazard to these users, which will worsen the structure deteriorates further. If the County decides to retain the potential for future use of the West Wing, then this structure needs to be stabilized, now.

Prior to any of this work being undertaken, the County would consult with the NY State Historic Protection Office (SHPO) to ensure that State Historic Preservation Law (HPL) is being followed for the disposition of the involved structures. None of the involved buildings are listed on the National Register of Historic Places, nor have they been nominated for inclusion on that list.

A narrative of the scope of work and breakdown of the estimated costs per building follows. Recommendations for prioritizing the necessary demolition by building are also included.

Background

Pursuant to Resolutions 204241A & 204241B of the Dutchess County Legislature in 2004, the County approved State Environmental Quality Review Act (SEQRA) findings and provided \$7,156,000 in funding to reconstruct the North and the West Wings of the former Dutchess County Infirmary to house the Eastern Dutchess Government Center to more efficiently provide a variety of government services to eastern Dutchess County. The approved plan was to renovate the North Wing and the West Wing on the site, develop a connector between the two structures and demolish the other buildings that remained from when the site housed the County Poorhouse (East Wing, Center Wing, Supervisor House, Pharmacy, Caretakers House and outbuildings).

Dutchess County
Department of Public Works

Prior to approving the involved resolutions in 2004, the Legislature added a condition that vacant buildings be mothballed, at least until their demolition could be reviewed with SHPO. As part of the redevelopment of the site, a review was to be completed of any historically, significant architectural elements of the buildings to be demolished. These elements would then be documented and/or removed and saved prior to demolition. A history of the County's use of the site, dating back to the County Poorhouse, was to be documented and displayed in the renovated West Wing.

In February of 2005, several adjoining property owners filed a petition with the State of New York Supreme Court to overturn the Dutchess County Legislatures approvals of the SEQR findings and funding for the Eastern Dutchess Government Center. While the Supreme Court upheld Dutchess County's actions related to the Eastern Dutchess Government Center and dismissed the lawsuit, the legal proceedings caused a significant delay in the project. Cost increases caused by the delay and other factors in the renovation process resulted in only the North Wing being renovated and no progress being made on the disposition of the other buildings.

In February of 2011, as the result of a heavy snowload, the roof of the East Wing of the complex collapsed. It was determined that the building was unsafe and posed a threat to the life safety of the site's users. The East Wing was then condemned and demolished. After this work was completed, the County commissioned an Assessment Report by SEN Architects to determine the condition of the other vacant structures, review these structures for architecturally significant elements and conduct a hazardous materials survey and testing. The assessment also provided a recommended scope of work for each building and cost estimates. The cost estimates included in the SEN Assessment Report, dated November 17, 2011, were increased by 15% in developing this proposal to accommodate the increase in construction costs and additional deterioration of the involved buildings that have occurred since the report was completed.

The current project is necessary to stabilize the West Wing to allow for future use of the building and to make final disposition of the other dilapidated structures to prevent further unplanned collapses and remove any hazards presented to those seeking services or employees located at Eastern Dutchess Government Center, which is housed in the former North Wing.

Dutchess County
Department of Public Works

Hazardous Materials Assessment and Abatement

As part of the Assessment Report for Eastern Dutchess Government Center, done by SEN Architects, LLP, dated November 17, 2011, a limited inspection for asbestos-containing materials, lead based paint and PCB's was conducted. Lead-based paint was found throughout the facility, requiring that lead-safe work practices be employed for any work done on the involved structures. However, any lead based paints contained in demolition materials do not require special disposal. Caulking and glazing materials were tested for PCB's. None were discovered that had a concentration higher than 50 parts per million of PCB's, thus no abatement is required. However, three drum-type transformers were discovered in the tunnel basement that are assumed to contain PCB's and will have to be disposed of properly.

Some asbestos-containing materials were discovered in all of the vacant structures, which was to be expected in buildings of this age. These hazardous materials should be abated prior to any further work being done in the involved structures or before any more deterioration occurs in the structures that would limit the County's ability to safely abate these materials. The cost estimate for all of the asbestos abatement work totals @ \$371,290. This cost includes the demolition of the Ground's Keepers Cottage in its entirety and disposal of all the resulting debris as asbestos-containing material, because this structure has already deteriorated to the point where it is unsafe to enter and abate the asbestos, prior to demolition (estimated cost for disposing Ground's Keepers Cottage in the recommended manner is \$113,615).

Dutchess County
Department of Public Works

Scope of Work by Building and Reasons for Disposition

Supervisor's Residence (3,000 sq ft, 2 storied + Basement and Attic)

The Supervisor's Residence is proposed for immediate demolition. The structure was originally used as the Supervisor's Quarters, but later served other functions for the Dutchess County Infirmary. The building has suffered significant water damage and northeast edge of the roof and gutters have completely fallen apart. Unfortunately, this portion of the building is close to where clients leave the North Wing to access transportation. Some of the openings in the building have allowed a variety of animals to inhabit the structure and cause additional damage.



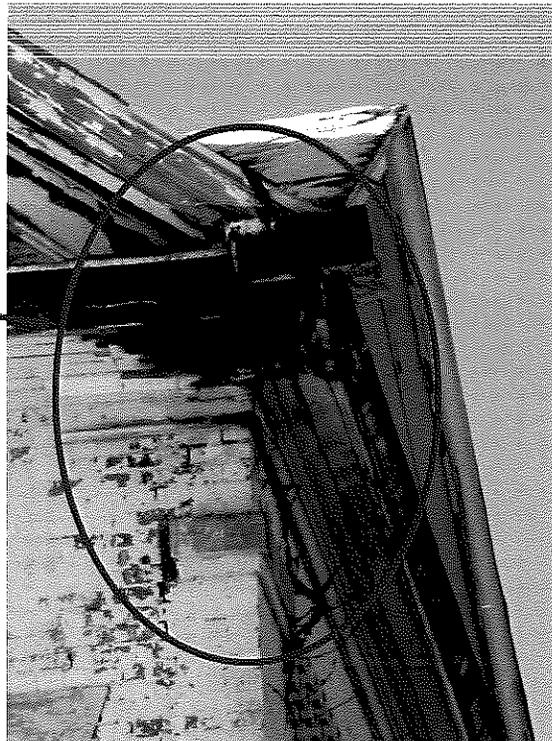
Supervisor's Residence (taken from east)

Dutchess County
Department of Public Works



Supervisor's Residence and covered walkway to transportation access for clients of EDGC (taken from northeast)

Hole in roof and section of missing eave, water damage to masonry below including vertical cracking and some separation from facade



Supervisor's Residence roof damage adjacent to covered walkway

Dutchess County
Department of Public Works

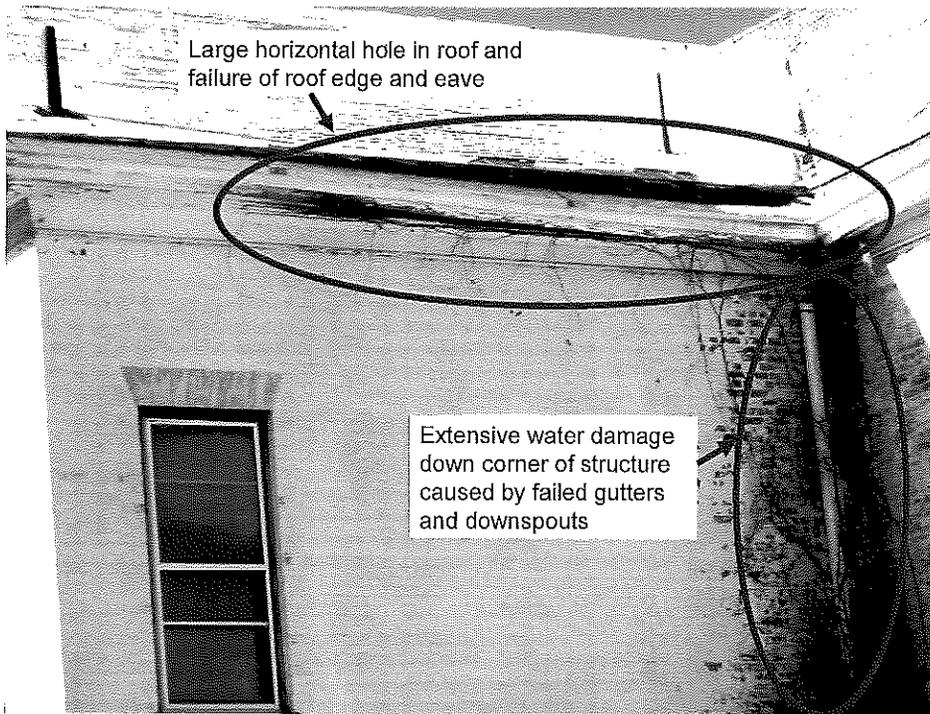


Supervisor's Residence Attic showing light coming in through holes



Supervisor's Residence showing water damage from roof hole on second floor

Dutchess County
Department of Public Works



Supervisor's Residence collapse of roof edge



Supervisor's Residence Attic showing light coming in through roof edge collapse

Dutchess County
Department of Public Works

There are a variety of architectural details that should be documented and examples saved prior to demolition. There are stone headers and stone sills at all window openings and the window heads at the north face are elaborately detailed. Note-worthy architectural woodworking details include the north stairway and baluster and the interior paneled wood doors with fluted casings. The main door is an elegant paneled wood and glass door. There are also several fireplaces with stone hearth, masonry surround and a marble mantle.



Supervisor's Residence former front entrance showing architectural detail

Dutchess County
Department of Public Works

The cost of demolishing this structure is estimated at @ \$121,460, which would include salvaging some lumber (for use stabilizing West Wing) and some of the detailed wood work (architectural significant elements).

West Wing (6,500 sq ft, 2 Storied + Basement and Attic)

The West Wing was proposed for renovation, because it was in the best shape of all the older structures dating from the County Poorhouse era and it is visible from the adjacent County Highway. It was originally designed and used predominately for office space and had an elevator shaft, which would make renovation for the proposed uses possible. The building remains structurally sound, but the deterioration has continued and it is significant. If the recommended stabilization efforts are not undertaken very soon the building may become unsalvageable.



West Wing front entrance (taken from North)

Dutchess County
Department of Public Works



Side view of West Wing showing back porches that need to be removed

Partial failure of NE
corner of
foundation wall,
damaged and loose
bricks, cracking and
separation of
corner from
remainder of
structure



West Wing NW corner showing water damage to foundation
caused by lack of gutters and downspouts

Dutchess County
Department of Public Works



West Wing roof edge holes



West Wing small roof holes, which need to be repaired to stabilize building

Dutchess County
Department of Public Works

The Assessment report recommends the following scope of work to stabilize the West Wing, to preserve its ability to be renovated for future use.

- Remove two story porch on south end due to extreme deterioration, provide new brick facade
- Replace all windows with insulating glass
- Remove paint from brick exterior and repoint masonry
- Selectively replace eroded, cracked and missing bricks with new or salvaged brick from demolition
- Waterproof cellar foundation wall
- Remove all interior finishes
- In bathrooms remove fixtures and tile finishes
- Remove all plumbing pipes and radiators
- Remove all electrical conduits, fixtures and panels, due to water exposure

The cost estimate provided by SEN Architects for this scope of work to stabilize the West Wing totals @ \$1,241,725, when corrected for 2014 dollars. The cost of demolishing this structure is estimated at @ \$330,930. Since the SEN report was written, however, there has been substantial deterioration of the brick exterior foundation walls. Additional expense would be required to repair and stabilize the foundation, prior to waterproofing it. There has also been significant additional exterior water damage due to deteriorated and/or missing gutters and downspouts. The cost of this additional work will depend greatly on how soon the repairs are undertaken. A more complete forensic analysis of the damage and design for the repair are also needed to refine the additional costs.

The SEQRA findings that were upheld by the court case stated that the West Wing would be retained as an example of the structures that made up the County Poorhouse and was to be the location of the historical display on the site's long history of County use. If the building is not to be stabilized and retained for future use, the County's SEQRA Negative Declaration of Significance would have to be amended to reflect this change and a new means of treating the historical use of the property would have to be developed and SHPO consulted.

Dutchess County
Department of Public Works

Center Wing (4,335 sq ft, 2 storied + Basement and Attic)

The Center Wing is proposed for demolition. It once housed the main kitchen, dining room, lounges, classrooms and storage space. It has suffered significant water damage, has several large holes in the roof and part of the roof support system has failed.



Center Wing (taken from SW, rear of site)

Dutchess County
Department of Public Works



Center Wing- Large hole in roof

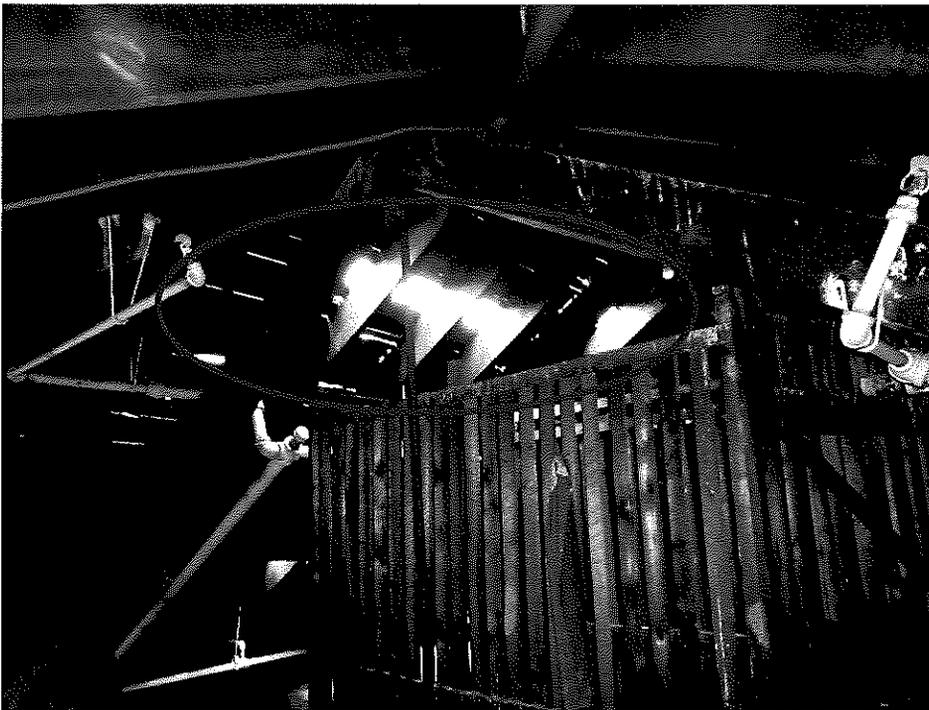


Center Wing- Large holes in roof, repaired bracing of roof structure and water damage

Dutchess County
Department of Public Works



Center Wing- Cracked roof support



Center Wing- Additional large roof holes

Dutchess County
Department of Public Works



Center Wing- Second floor water damage



Center Wing- Second floor water damage

Dutchess County
Department of Public Works

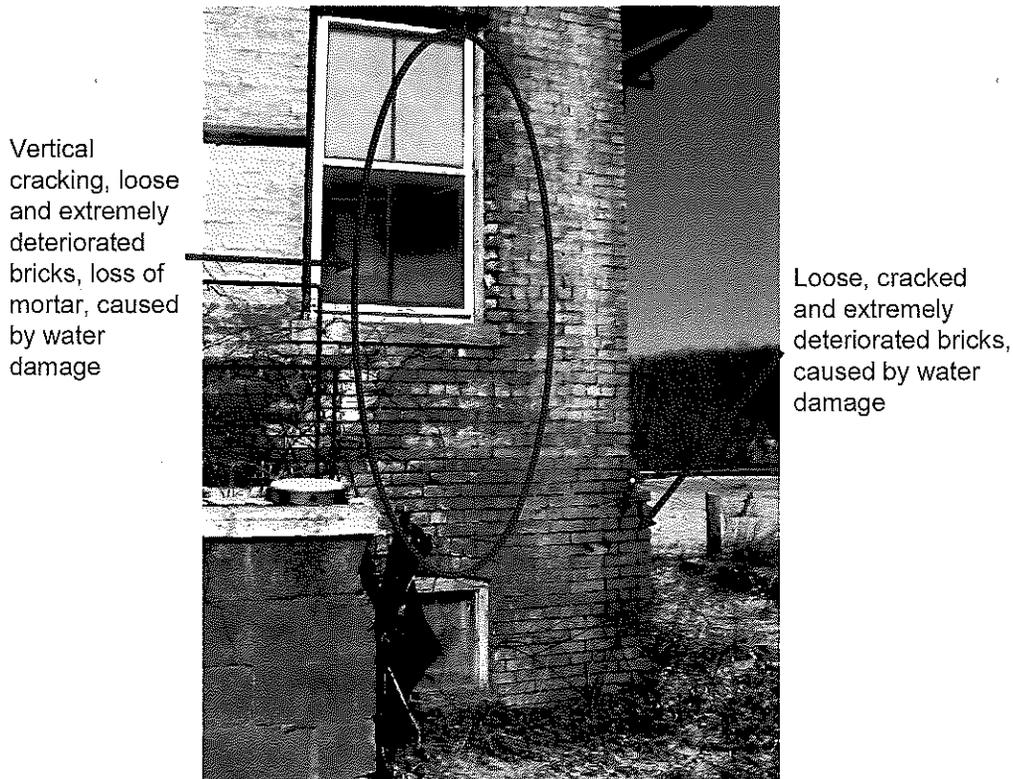


Center Wing- Second floor water damage



Center Wing- Foundation Water Damage

Dutchess County
Department of Public Works



Center Wing- Foundation water damage and cracking

This structure is proposed for demolition, because of the extensive water intrusion and damage. The estimated cost of demolition would be @ \$172,500, which would include salvaging some lumber (for use stabilizing West Wing) and some of the detailed wood work (architectural significant elements).

The architect cited note-worthy Architectural woodwork details in the classrooms on the second floor. These included paneled doors with operable glazed ventilators. The wood details extend to the door frames, wall base wood floors- creating a well thought out carpentry interior space. These details would be documented and some examples may be extracted, prior to demolition.

Dutchess County
Department of Public Works

Pharmacy (568sq ft, 1 storied)

The Pharmacy is proposed for demolition. The building has significant water damage and no note-worthy architectural features. The estimated cost of demolition is \$51,050.

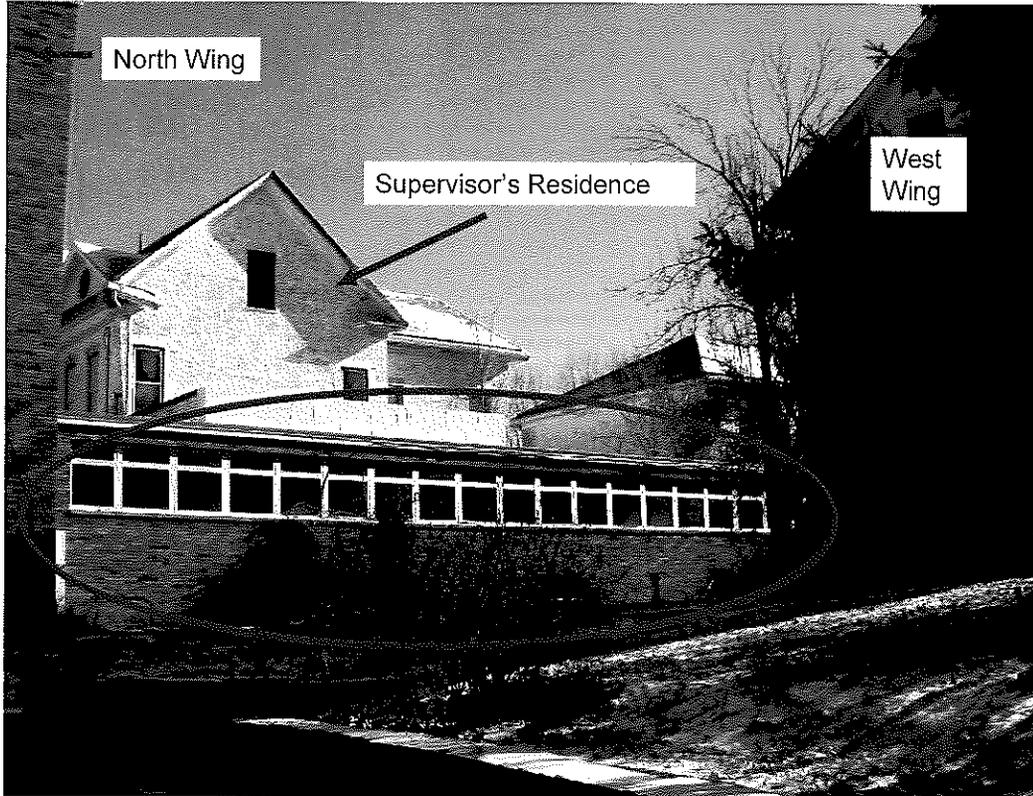


Pharmacy- Located between West and Center Wings

Dutchess County
Department of Public Works

North-South Connector (1,600 sq ft, 2 storied)

This structure is proposed for demolition. It was to serve as a connector between the North and West Wings, but those buildings can function as stand alone structures. The estimate to demolish this structure is @ \$55,095.



Dutchess County
Department of Public Works

Groundskeepers Residence (1,452 sq ft, 1 storied + Basement and Attic)

This structure is proposed for demolition. No entry to the building is possible as a large section of wall/floor has caved in and blocks the door. The porch at the rear of the building has totally deteriorated and is unsafe. No architectural elements worth saving were determined to be present by SEN Architects. As stated in the Asbestos Abatement section, because it is unsafe to enter this building, it would be demolished, as is, and disposed of as asbestos contaminated material at an estimated cost of @ \$113,615.



Ground's Keeper Residence

Various Shed and Barns

There are various sheds, a water storage tank building and a barn on the site which are in some stage of collapse and need to be removed. The estimated cost of these demolitions would be @ \$37,495.

Dutchess County
Department of Public Works

Residence/Farmhouse (3,000 sq ft, 2 storied + Basement and Attic)

The residence/farmhouse is an old wood frame house that had been converted into offices without substantial alteration, so that the efficiency of the space is poor for commercial or office use and it was not ADA compatible. Safety concerns were also raised, because the type of construction was of very low grade of fire resistance (wood frame).

As the old farmhouse/residence was ill-suited for use as office space, the County had proposed either selling the structure and having it relocated (several nearby landowners had expressed an interest in this option) or subdividing the property the house sits on from the rest of the EDGC site and selling it as a residence. As the EDGC renovation project advanced, testing for hazardous materials in the farmhouse was done. Lead paint and asbestos were found. The County proceeded to abate the asbestos. Once the abatement was completed the County contacted the nearby landowners who had previously expressed an interest in acquiring the structure and they declined. The County also offered the structure to the local Historical Society, which also declined.

In order to determine an appropriate disposition for the structure the County retained LMV Architects, who designed the renovations for EDGC, to do a structural study of the farmhouse and a review of the structure's potential historical significance. The original portion of the farmhouse/residence was constructed in the early 1800's with additions and major alterations occurring in the mid to late 1800's and the early 1900's (according to the Dutchess County Windshield survey of Potentially Historic Properties). As part of this process, LMV Architects submitted a request to determine the eligibility of the structure for the National Register of Historic Places was submitted to the SHPO. SHPO replied that the structure was eligible for listing; however the structure was never nominated to be placed on the State or National Registers.

The 2011 SEN's Assessment Report found the structure to be somewhat unique in construction and aesthetics. The exterior details are typically residential, with traditional wood decorative elements. However, the condition of the structure was found to be poor with mold and mildew covering most horizontal surfaces. The edges of the roof were found to be in total disrepair leading to extensive water damage and rot of exterior wood members. Since that time, the entire structure has continued to deteriorate significantly and much of the decorative exterior molding has fallen off.

Dutchess County
Department of Public Works



Residence/Farmhouse (taken from NE, back of structure)



Residence/Farmhouse- Porch roof collapsing and decorative molding fallen off

Dutchess County
Department of Public Works



Residence/Farmhouse (taken from SE, front of structure)



Residence/Farmhouse- Roof and frontage damage and decorative molding fallen off

Dutchess County
Department of Public Works

The current proposal includes demolition of this structure, because of its current dilapidated condition. However, a SEQR review would have to be completed for this action or it would have to be considered in amended SEQR findings for the entire site. Salvage of the decorative details that may be significant architecturally would be difficult, leaving documentation as the main means of preserving the structure's history. The cost of demolishing this structure is estimated at @34,675.

Conclusion

The scope of work recommended by Sen Architects in the Assessment Report, dated November 17, 2011, for the Eastern Dutchess Government Center (EDGC) includes the stabilization of the West Wing for future use, abatement of hazardous materials and demolition of remaining structures. The proposed scope of work and breakdown of cost estimated by SEN Architects was the basis for the estimated costs developed for this proposal. The SEN report's estimated costs were increased by 15% to cover inflation in construction costs and additional deterioration that has occurred since the report was completed in 2011. The total cost of the involved work recommended in the SEN report is estimated at \$2,023,900.

Prior to this work being undertaken, the County would consult with the SHPO to ensure that State HPL is being followed for the disposition of the involved structures and to discuss required historical documentation, storage of salvaged architectural elements and the display acknowledging the site's history.

Of the total cost of this project, the cost of stabilizing and mothballing the West Wing for future use would be \$1,241,725. The cost to demolish this structure instead is estimated at @ \$330,930, which would reduce the cost of the total project by \$910,795. The total estimated cost of the work for all vacant buildings on the site, if the West Wing was to be demolished instead of stabilized, is @ \$1,113,105. This decision should be based on 1) the likelihood that Dutchess County will require additional space in eastern Dutchess County to meet the needs of that portion of the County's population in a reasonable timeframe, 2) the ability of the County to amend its Negative Declaration of Significance dealing with the renovations at EDGC to include the demolition of all of the remaining former Dutchess County Poorhouse structures.

If a decision is made to take no further action at the site now, the cost of dealing with the involved vacant structures is sure to increase and there are substantial risks that would be incurred. If the buildings continue to deteriorate there is the potential of another collapse that would endanger clients and employees that work at the site. The abatement of hazardous materials may become unfeasible and an exposure to the environment of the contaminants and increased costs for eventual disposal, due to structural problems would result.

Dutchess County
Department of Public Works

Recommendation

DCDPW recommends that the County proceed with the proposed project to finalize the disposition of the remaining unused structures at the Eastern Dutchess Government Center. The first step in this process would be to consult with NY SHPO to review the 2011 SEN Architects EDGC Assessment Report and determine any conditions that they would place on the project. In addition, SHPO would be asked what if any additional steps would be required if the County decides to demolish the West Wing. Then, any amended SEQRA findings that were needed could be developed with the options for the disposition of the West Wing and the Farmhouse discussed.

DCDPW has developed four options to proceed with the disposition of the vacant structures at the EDGC, depending on the County's level of commitment to retaining the potential for the reuse of the West Wing and the economic realities of the County's current fiscal situation.

Option 1)

The County would undertake all of the scope of work recommended in the 2011 SEN Assessment Report at a cost of \$2,023,900, when corrected for 2014 dollars. All of the vacant buildings would be abated for asbestos, the West Wing would be stabilized, and the remainder of the structures would be demolished after documenting and/or salvaging the historically significant architectural elements cited in the SEN report.

It should be noted that while the West Wing would be stabilized and mothballed for future use, all of the plumbing, electrical panels, wiring and fixtures, HVAC system and interior finishes would be removed. These elements and a new interior layout would have to be designed and replaced as part of a future renovation project, which would require funding.

New SEQRA findings would have to be developed to support the demolition of the farmhouse.

Dutchess County
Department of Public Works

Option 2)

The County would undertake all of the scope of work recommended in the 2011 SEN Assessment Report, with the exception that the West Wing would be demolished instead of retained and stabilized. All of the vacant buildings would be abated for asbestos, and then demolished after documenting and/or salvaging the historically significant architectural elements cited in the SEN report.

Cost of all work in SEN Report (corrected for 2014)	\$2,023,900
Less cost to stabilize the West Wing	-\$1,241,725
<u>Demolish West Wing</u>	<u>\$330,930</u>
Total Estimated Cost of Option 2	\$1,113,105

The existing SEQRA findings would have to be amended to support the demolition of the West Wing and the farmhouse. These findings would have to include a new approach to preserving the historic use of the site by the County, which would incorporate the documentation of the historic elements cited in the SEN report, storage and/or display of salvaged architectural elements.

Option 3)

If a further reduced scope is desired to lessen the current cost to County and still protect us from increased risks to employees and clients that use the EDGC, the following items should be given priority.

Hazardous Materials Abatement in all the vacant structures (except the Ground's Keepers Cottage)	\$273,675
Demolition of Ground's Keeper Residence and disposal of all debris as asbestos containing material	\$113,615
Demolition of Supervisor's Residence	\$121,460
Demolition of Farmhouse	\$34,675
<u>Demolition of North-South Connector</u>	<u>\$55,095</u>
Total Estimated Cost of Option 3	\$598,520

This reduced scope would abate the hazardous materials and demolish the structures that are adjacent to the occupied North Wing or that are most in danger of collapse. Should it be decided not to stabilize the West Wing, the potential to renovate it for future use could be lost.

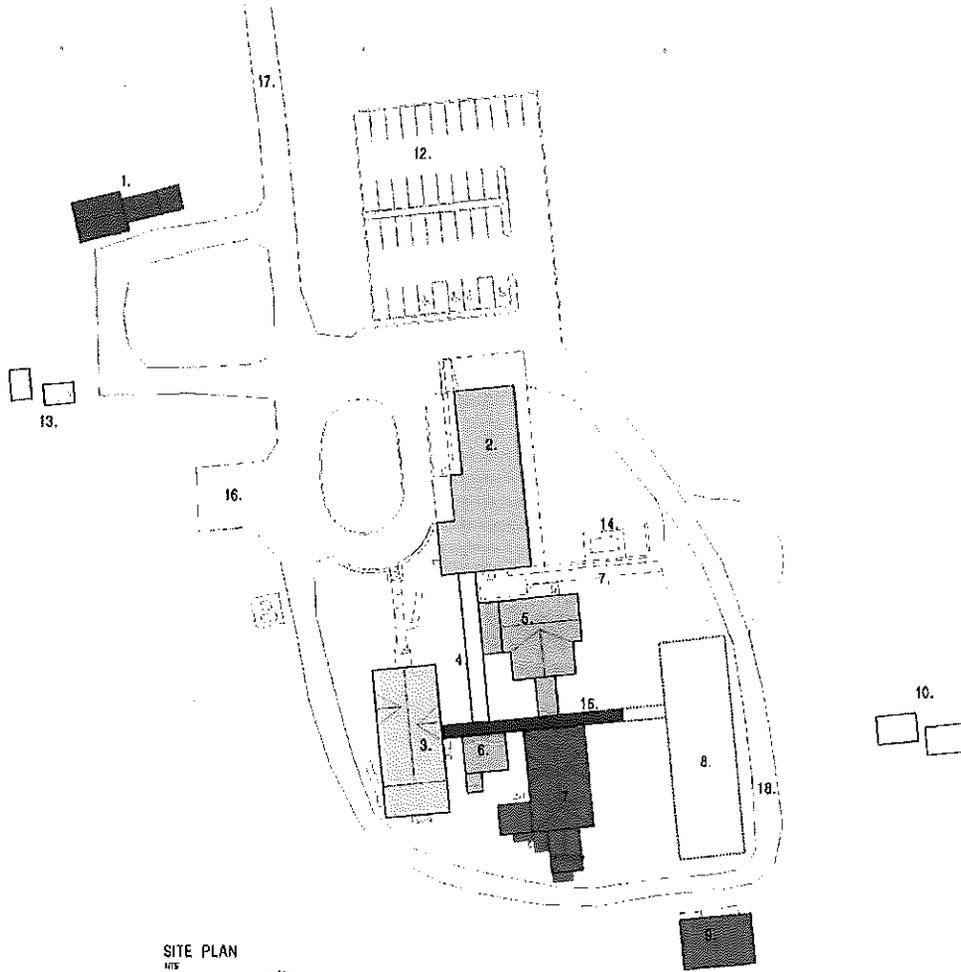
New SEQRA findings would have to be developed to support the demolition of the farmhouse.

Dutchess County
Department of Public Works

Option 4)

As stated earlier, the Supervisor's Residence is directly adjacent to the covered walkway used by clients of the EDGC to access their transportation. This building is significantly deteriorated. As such, the potential for a collapse or materials falling off this structure create an existing hazard for the adjacent transportation access and its users. This represents the most immediate concern on the EDGC site and this option would eliminate that concern.

Abate the Supervisor's Residence for asbestos	\$69,680
<u>Demolish the Supervisor's Residence</u>	<u>\$121,460</u>
Total Estimated Cost Option 4	\$191,140



SITE PLAN
1/11/11

LEGEND:

1. RESIDENCE/FARMHOUSE
2. NORTH WING
3. WEST WING
4. NORTH/SOUTH CONNECTOR
5. SUPERVISOR'S RESIDENCE
6. PHARMACY
7. ~~Center Wing~~ Center Wing
8. DEMOLISHED EAST WING
9. GROUNDSKEEPER'S RESIDENCE
10. SHEDS AND BARN
11. WATER STORAGE BUILDING
12. PARKING LOT
13. SMALL SHEDS
14. GENERATOR
15. EAST/WEST CONNECTOR
16. PARKING
17. ENTRANCE ROAD
18. ACCESS ROAD

EASTERN DUTCHESS GOVERNMENT CENTER MILLBROOK, NY

2014086

Morris, Carolyn

From: Knille, Noel
ent: Wednesday, May 07, 2014 6:02 PM
To: Kelsey, Michael
Cc: Morris, Carolyn; Ellison, Michael; O'Neil, William; Flesland, Angela; Wager, Leigh
Subject: FW: Message from "Legislature6thFLC3503"
Attachments: EDGC Resolution.pdf; EDGC West Wing Memo.pdf

Importance: Low

Legislator Kelsey:

Thank you for your email below. Hopefully I can provide a bit of information which might clarify the proposed addition of the West Wing in the EGDC Demolition of Buildings Resolution.

The original resolution request from DPW (see attached) associated with Resolution No. 2014086 was for the demolition of 6 of the 7 existing structures at EDGC, with the 7th structure - the West Wing - remaining in situ for the time being in accordance with the previously approved Resolutions from 2004, the County approved SEQRA findings and discussions with SHPO (State Historic Preservation Office). The intent of DPW was to address the West Wing issues, formulate a proposed plan or two for innovative ways to preserve the history of the West Wing, resolve any potential SEQRA issues and then bring this back to the Legislature at a later date. (The attached original resolution request is simpler and a bit more straightforward than the earlier report which is attached to the actual Resolution.)

When the Legislators (Serino, Hutchings, Incoronato, Strawinski, Weiss, Perkins, Jeter-Jackson) toured the EDGC site with Brad Barclay and me on April 22, 2014, the Legislators' consensus was to take all the buildings down **now** because of the very poor condition while salvaging as much historic items from all the buildings as possible after the abatement is done.

When I attended the Legislative Leadership meeting on April 30, I was requested by Legislative Leadership to prepare a memo outlining the additional costs for demolition of the West Wing with the other buildings at this time. This memo is attached. There is some financial advantage to demolishing all the structures at the same time as there would only be one mobilization cost rather than two.

So the options are to:

1. Approve demolition of all the 7 structures now with the understanding that DPW would address any SERQA, SHPO and historic issues, including the creation of some type of historic exhibition commemorating the history of the site (similar to your ideas), prior to the demolition.
2. Approve demolition of only 6 structures at this time, have DPW work up a plan to address SEQRA, SHPO and the creation of an historic exhibition, and then come back to the Legislature for a second approval.

Option 1 was suggested by the Legislators on the tour and will save some money and the additional legislative approval.

Option 2 was the original resolution proposal from DPW, will cost a bit more for two mobilizations and will take additional time to come back to the Legislature.

Both are viable options and it will be for the Legislature to determine which is the preferred approach at this time.

I hope this information is helpful.

Please let me know if you have any additional questions.

Best regards,

Noel

Noel H.S. Knille, AIA, ASLA
Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Phone: (845) 486-2085 Fax: (845) 486-2099
e-mail: nknille@dutchessny.gov

www.dutchessny.gov

From: Michael Kelsey [mailto:kelseyeg@yahoo.com]
Sent: Wednesday, May 07, 2014 11:13 AM
To: Morris, Carolyn; Ellison, Michael; O'Neil, William
Cc: Flesland, Angela; Wager, Leigh
Subject: Re: Message from "Legislature6thFLC3503"
Importance: Low

Since the 2004 SEQRA designated the West Wing as the depository of a permanent historical display on the significance of the infirmary/poor house in our county's history it follows that any amended SEQRA must provide a viable and realistic means of documenting/preserving the historic role.

Perhaps display boards in the North Wing and/or a walking trail complete with informational kiosks leading to the cemetery might be appropriate. I believe that the construction of kiosks could be conducted by Millbrook's Boy Scout Troop 31 as one or more Eagle Scout Projects to save on construction costs and as a means to involve the community (I would be happy to ask them when and if the time is right). I imagine funds for supplies needed to achieve this display would also have to be added to the bond request.

I'm not comfortable voting on the SEQRA without a plan in place for how the history will be preserved. I realize that at this late date this might not be possible in time for tomorrow's meeting, but I remain hopeful.

- Mike

Michael N. Kelsey, Esq.

Attorney at Law

PO Box 108

Salt Point, NY 12578

KelseyEsq@yahoo.com

Cell: (914) 475-0060

Fax: (845) 675-5404

Dutchess County Legislator

Campaign Website: www.VoteMikeKelsey.com

Public Policy Blog: <http://blog.votemikekelsey.com/>

FaceBook: <http://www.facebook.com/votemikekelsey>

Licensed NYS Adventure Guide

Photography Website: www.KelseyOutdoorPhoto.com

Adventure Blog: www.MikeKelseyAdventures.com

Adventure Video Gallery: www.FollowMikeKelsey.com

Guide Service: www.AWAYAdventureGuide.com

Facebook: <http://www.facebook.com/AwayAdventures>

On Wednesday, May 7, 2014 10:24 AM, "Morris, Carolyn" <cmorris@dutchessny.gov> wrote:
Good morning Mike and Bill:

Majority Leader Flesland discussed the attached memo with legislators to see if there was enough support to move forward with amending Resolution No. 2014086 to include asbestos abatement and demolition of the West Wing at the EDGC.

A Legislator raised concerns that before demolition of the West Wing certain criteria needs to be met as posed in the Eastern Dutchess Government Center Stabilization/Disposition of Vacant Structures report dated January, 2014 as follows:

- * If the building is not to be stabilized and retained for future use, the County's SEQRA Negative Declaration of Significance would have to be amended to reflect this change and a new means of treating the historical use of the property would have to be developed and NY State Historic Protection Office (SHPO) consulted.
- * There are a variety of architectural details that should be documented and examples saved prior to demolition. There are stone headers and stone sills at all window openings and the window heads at the north face are elaborately detailed. Note-worthy architectural woodworking details include the north stairway and baluster and the interior paneled wood doors with fluted casings. The main door is an elegant paneled wood and glass door. There are also several fireplaces with stone hearth, masonry surround and a marble mantle.

If time allows, it would be greatly appreciated if an amended SEQRA resolution could be submitted to the Legislature prior to approval of Resolution No. 2014086 along with language added to the bond resolution as to the preservation of the historical significance of these buildings.

Please contact me should you need any assistance with this. Thank you.

Carolyn Morris

Clerk
Dutchess County Legislature
845.486.2100

-----Original Message-----

From: legislature
Sent: Wednesday, May 07, 2014 10:15 AM
To: Carolyn Morris
Subject: Message from "Legislature6thFLC3503"

This E-mail was sent from "Legislature6thFLC3503" (MP C3503).

Scan Date: 05.07.2014 10:14:43 (-0400)
Queries to: legislature

Morris, Carolyn

From: Ellison, Michael
Sent: Monday, May 05, 2014 10:04 AM
To: Morris, Carolyn
Cc: Bogle, Carol; Fedorchak, James; Avallone, Catherine; Knille, Noel; O'Neil, William; Armstrong, Rachel
Subject: RE: Eastern Dut Gov Center and jail pod bond resolutions

Carolyn, hello.

The revisions made to these two bonds are as follows:

- EDGC Demolition Bond (2014086)
 - Amended the first whereas from listing the action as a Type II SEQRA to an unlisted action
- PODs Bond (2014103)
 - Second Whereas in Section 1: changed Memorandum of Understanding to Memorandum of Agreement
 - Amended the third whereas to include the reference to an appropriation of one million two hundred thousand dollars which when approved we stated it would not be spent until we had commitment on the PODs
 - Combined the previously fifth whereas with the third whereas referencing the undertaking of planning, design and cost analysis studies
 - to current seventh Whereas: added temporary housing of inmates & and SEQRA compliance
 - Section three final sentence added SEQRA to the list of necessary requisites to complete
 - Section three final sentence added -2015 indicating that the studies will span both 2014 and 2015

Please let us know if you need any additional information.

-Mike

Michael A. Ellison
Assistant County Executive
Dutchess County Executive Marc Molinaro
22 Market Street
Poughkeepsie, New York 12601
Tel: (845) 486-2000 Fax: (845) 486-2021
Email: mellison@dutchessny.gov

www.dutchessny.gov

From: Avallone, Catherine
Sent: Thursday, May 01, 2014 2:25 PM
To: Ellison, Michael
Cc: Bogle, Carol; Fedorchak, James
Subject: Eastern Dut Gov Center and jail pod bond resolutions

Carolyn Morris asked me to tell her what the revisions were to these two bonds. I called and spoke to Pam and she said I should refer the question to you (or the sixth floor) to answer.

I have provided the Legislature with the digital copies of the bonds:
Eastern Dutchess on 3/20 and revision of 4/16
Jail on 4/3 and revision on 4/16

Morris, Carolyn

From: Knille, Noel
Sent: Monday, May 05, 2014 12:51 PM
To: Morris, Carolyn; Ellison, Michael
Subject: RE: Bowdoin Maple Syrup

Carolyn and Mike:

Super.

Thanks!

Noel

Noel H.S. Knille, AIA, ASLA
Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Phone: (845) 486-2085 Fax: (845) 486-2099
e-mail: nknille@dutchessny.gov

www.dutchessny.gov

From: Morris, Carolyn
Sent: Monday, May 05, 2014 12:49 PM
To: Ellison, Michael
Cc: Knille, Noel
Subject: RE: Bowdoin Maple Syrup

I know that yesterday was a busy day for Legislators and I think this would be a lovely idea. I will let legislators know that the maple syrup will be available to purchase and make sure they stop by the table. Thanks.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

From: Ellison, Michael
Sent: Monday, May 05, 2014 9:25 AM
To: Morris, Carolyn
Subject: FW: Bowdoin Maple Syrup

Carolyn, good morning! What are your thoughts on this idea from Noel? We'll only do this, of course, if you are comfortable with us doing it. -Mike

From: Ellison, Michael
Sent: Monday, May 05, 2014 9:24 AM
To: Knille, Noel

Cc: O'Neil, William
Subject: RE: Bowdoin Maple Syrup

Commissioner... good morning! Let me discuss it with Carolyn and I'll get back to you. I think it is a good idea.

Thanks, Mike

Michael A. Ellison
Assistant County Executive
Dutchess County Executive Marc Molinaro
22 Market Street
Poughkeepsie, New York 12601
Tel: (845) 486-2000 Fax: (845) 486-2021
Email: mellison@dutchessny.gov

www.dutchessny.gov

From: Knille, Noel
Sent: Sunday, May 04, 2014 4:29 PM
To: Ellison, Michael
Cc: O'Neil, William
Subject: Bowdoin Maple Syrup

Michael:

Happy Sunday!

It was a gorgeous day at Bowdoin today for the Pancake Breakfast with original Bowdoin-Made Maple Syrup. There was a nice stream of attendees (and the park was crazy busy with loads of activities today!) but unfortunately no Legislators were able to make it for the Bowdoin Pancake/Maple Syrup and Open House today.

So...I was wondering if it would be ok if at the Legislative Meeting on May 12 it would be ok for our "Maple Syrup Making" Parks Staff (Debbie Sheehy and Dave Beck) to set up a table in the corridor by the elevator, have their posted displayed that shows the Maple Syrup-ing Process and have their small bottles of "Bowdoin Syrup" available for the Legislators and the public for a donation (there are \$5 and \$3 small bottles). (I bought 7 small bottles to give to friends - it is sooo yummy!)

I just thought that it would be nice to bring a Park activity (that is just wonderfully fun and educational) to the Legislators since they did not make it down today and since it seems as though DPW is often asking for funding or showing them "problems".

Let me know what you think.

Thanks.

Noel

Noel H.S. Knille, AIA, ASLA
Commissioner
Dutchess County Department of Public Works
16 Dutchess Turnpike
Phone: (845) 486-2085 Fax: (845) 486-2099
e-mail: nknille@dutchessny.gov

Morris, Carolyn

From: Knille, Noel
Sent: Tuesday, April 29, 2014 5:36 PM
To: Morris, Carolyn
Cc: Balkind, Robert; Barclay, Bradford
Subject: RE: EDGC

Carolyn:

Interesting!

When we toured the site Brad explained the Resolution - that there are 7 buildings on site that are in poor condition and the resolution proposes the demolition of 6 of the 7. One of the 7 (the West Wing) has prior SEQR related contingencies which include restrictions related to proposed demolition (and also, SHPO would need to be consulted prior to the building potentially being demolished) so we did not include this one in the proposed demolition Resolution.

When we toured the site, we started in the West Wing because it is actually the first building you enter to get to the other buildings. After we completed the look at the West Wing, all the Legislators except two said they had seen enough and exited the complex to leave. Legislator Incononato said that they should all be torn down. Legislators Strawinski and Perkins did look at another building.

So I am not sure why there would have been a misunderstanding. Perhaps because they only went through one building.

Hope this helps.

Best,

Noel

Noel H.S. Knille, AIA, ASLA
Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Phone: (845) 486-2085 Fax: (845) 486-2099
e-mail: nknille@dutchessny.gov

www.dutchessny.gov

From: Morris, Carolyn
Sent: Tuesday, April 29, 2014 4:17 PM
To: Knille, Noel
Cc: Balkind, Robert; Knille, Noel; Barclay, Bradford
Subject: EDGC

Good afternoon Noel:

I think that there may have been a misunderstanding during the Eastern Dutchess Government Center Tour. Some legislators thought that only one building was going to be demolished, however, I was under the impression that 6 of the 7 buildings were being demolished. Would you be so kind as to confirm this for me. Thank you.

Carolyn Morris

Clerk

Dutchess County Legislature

845.486.2100

Morris, Carolyn

From: O'Neil, William
Sent: Tuesday, April 22, 2014 12:06 PM
To: Kelsey, Michael
Cc: Morris, Carolyn; Ellison, Michael
Subject: RE: EDGC Paper

The West Wing is not going to be demolished at this time...there are issues with the historical status and the fact that in our previous SEQR we talked about eventually restoring it. We will do what needs to be done to keep it from further deterioration, but I'm not sure it has any value to the County and would recommend we take the necessary steps to eventually demolish the structure...but that is not a part of this resolution.

From: Michael Kelsey [<mailto:kelseyesc@yahoo.com>]
Sent: Saturday, April 19, 2014 12:18 PM
To: O'Neil, William
Subject: Re: EDGC Paper

Hi Bill,

Can you confirm what the plan is for the West Wing at EDGC -- to demolish or stabilize?

Thanks, Mike

Michael N. Kelsey, Esq.
Attorney at Law
PO Box 108
Salt Point, NY 12578
KelseyEsq@yahoo.com
Cell: (914) 475-0060
Fax: (845) 675-5404

Dutchess County Legislator

Campaign Website: www.VoteMikeKelsey.com
Public Policy Blog: <http://blog.votemikekelsey.com/>
FaceBook: <http://www.facebook.com/votemikekelsey>

Licensed NYS Adventure Guide

Photography Website: www.KelseyOutdoorPhoto.com
Adventure Blog: www.MikeKelseyAdventures.com
Adventure Video Gallery: www.FollowMikeKelsey.com
Guide Service: www.AWAYAdventureGuide.com
Facebook: <http://www.facebook.com/AwayAdventures>

On Thursday, April 17, 2014 4:00 PM, "Morris, Carolyn" <cmorris@dutchessny.gov> wrote:
Good afternoon –

Please see additional information on the Eastern Dutchess Government Center. Have a great evening.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

From: O'Neil, William
Sent: Thursday, April 17, 2014 3:52 PM
To: Morris, Carolyn
Cc: Ellison, Michael
Subject: FW: EDGC Paper

Carolyn,

Mike asked me to send you a copy of the EDGC Proposed Stabilization-Demolition report that Brad Barkley used for the committee meeting.

This is the report provided to me in February...I believe it is still the most current. I will, however check with Noel and if there is a more current version, I will get it to you tomorrow.

bill

William F.X. O'Neil
Dutchess County Deputy County Executive
22 Market Street
Poughkeepsie, New York 12601
Phone: 845048602000; Fax: 845-486-2021
email: woneil@dutchessny.gov

www.dutchessny.gov

bill

Morris, Carolyn

From: Michael Kelsey [kelseyessq@yahoo.com]
ent: Wednesday, May 07, 2014 11:13 AM
fo: Morris, Carolyn; Ellison, Michael; O'Neil, William
Cc: Flesland, Angela; Wager, Leigh
Subject: Re: Message from "Legislature6thFLC3503"

Importance: Low

Since the 2004 SEQRA designated the West Wing as the depository of a permanent historical display on the significance of the infirmary/poor house in our county's history it follows that any amended SEQRA must provide a viable and realistic means of documenting/preserving the historic role.

Perhaps display boards in the North Wing and/or a walking trail complete with informational kiosks leading to the cemetery might be appropriate. I believe that the construction of kiosks could be conducted by Millbrook's Boy Scout Troop 31 as one or more Eagle Scout Projects to save on construction costs and as a means to involve the community (I would be happy to ask them when and if the time is right). I imagine funds for supplies needed to achieve this display would also have to be added to the bond request.

I'm not comfortable voting on the SEQRA without a plan in place for how the history will be preserved. I realize that at this late date this might not be possible in time for tomorrow's meeting, but I remain hopeful.

- Mike

Michael N. Kelsey, Esq.

Attorney at Law

PO Box 108

Salt Point, NY 12578

KelseyEsq@yahoo.com

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Adventure Video Gallery: www.FollowMikeKelsey.com

Guide Service: www.AWAYAdventureGuide.com

Facebook: <http://www.facebook.com/AwayAdventures>

On Wednesday, May 7, 2014 10:24 AM, "Morris, Carolyn" <cmorris@dutchessny.gov> wrote:

Good morning Mike and Bill:

Majority Leader Flesland discussed the attached memo with legislators to see if there was enough support to move forward with amending Resolution No. 2014086 to include asbestos abatement and demolition of the West Wing at the EDGC.

A Legislator raised concerns that before demolition of the West Wing certain criteria needs to be met as posed in the Eastern Dutchess Government Center Stabilization/Disposition of Vacant Structures report dated January, 2014 as follows:

* If the building is not to be stabilized and retained for future use, the County's SEQRA Negative Declaration of Significance would have to be amended to reflect this change and a new means of treating the historical use of the property would have to be developed and NY State Historic Protection Office (SHPO) consulted.

* There are a variety of architectural details that should be documented and examples saved prior to demolition. There are stone headers and stone sills at all window openings and the window heads at the north face are elaborately detailed. Note-worthy architectural woodworking details include the north stairway and baluster and the interior paneled wood doors with fluted casings. The main door is an elegant paneled wood and glass door. There are also several fireplaces with stone hearth, masonry surround and a marble mantle.

If time allows, it would be greatly appreciated if an amended SEQRA resolution could be submitted to the Legislature prior to approval of Resolution No. 2014086 along with language added to the bond resolution as to the preservation of the historical significance of these buildings.

Please contact me should you need any assistance with this. Thank you.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

-----Original Message-----

From: legislature
Sent: Wednesday, May 07, 2014 10:15 AM
To: Carolyn Morris
Subject: Message from "Legislature6thFLC3503"

This E-mail was sent from "Legislature6thFLC3503" (MP C3503).

Scan Date: 05.07.2014 10:14:43 (-0400)
Queries to: legislature

Morris, Carolyn

To: Ellison, Michael; O'Neil, William
c: Flesland, Angela; Kelsey, Michael; Wager, Leigh
Subject: FW: Message from "Legislature6thFLC3503"
Attachments: 20140507101443753.pdf

Good morning Mike and Bill:

Majority Leader Flesland discussed the attached memo with legislators to see if there was enough support to move forward with amending Resolution No. 2014086 to include asbestos abatement and demolition of the West Wing at the EDGC.

A Legislator raised concerns that before demolition of the West Wing certain criteria needs to be met as posed in the Eastern Dutchess Government Center Stabilization/Disposition of Vacant Structures report dated January, 2014 as follows:

- If the building is not to be stabilized and retained for future use, the County's SEQRA Negative Declaration of Significance would have to be amended to reflect this change and a new means of treating the historical use of the property would have to be developed and NY State Historic Protection Office (SHPO) consulted.
- There are a variety of architectural details that should be documented and examples saved prior to demolition. There are stone headers and stone sills at all window openings and the window heads at the north face are elaborately detailed. Note-worthy architectural woodworking details include the north stairway and baluster and the interior paneled wood doors with fluted casings. The main door is an elegant paneled wood and glass door. There are also several fireplaces with stone hearth, masonry surround and a marble mantle.

If time allows, it would be greatly appreciated if an amended SEQRA resolution could be submitted to the Legislature prior to approval of Resolution No. 2014086 along with language added to the bond resolution as to the preservation of the historical significance of these buildings.

Please contact me should you need any assistance with this. Thank you.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

-----Original Message-----

From: legislature
Sent: Wednesday, May 07, 2014 10:15 AM
To: Carolyn Morris
Subject: Message from "Legislature6thFLC3503"

This E-mail was sent from "Legislature6thFLC3503" (MP C3503).

Scan Date: 05.07.2014 10:14:43 (-0400)
Queries to: legislature

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	Rollison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution:
 Motion: ✓

Total: 12 0
 Yes No
 Abstentions: 0

AF/DB
 Replacing first (2)
 Whereas (see attached)

2014086
 5.8.14

DISCUSSION ONLY 4/7/14
PUBLIC WORKS AND CAPITAL PROJECTS
AMENDED IN COMMITTEE 5/8/14

RESOLUTION NO. 2014086

BOND RESOLUTION DATED MAY 12, 2014

A RESOLUTION AUTHORIZING DEMOLITION OF VACANT STRUCTURES, INCLUDING ASBESTOS ABATEMENT AT THE EASTERN DUTCHESS GOVERNMENT CENTER, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$808,000, AND AUTHORIZING THE ISSUANCE OF \$808,000 BONDS TO PAY THE COST THEREOF

WHEREAS, the capital project hereinafter described has been determined to be an “Unlisted Action” pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant a the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in a significant environmental effect; and

WHEREAS, all conditions precedent to the financing the capital project hereinafter described including compliance with the provisions of the State Environmental Quality Review Act , have been performed and the SEQRA compliance materials are on file in the Office of the Clerk of the County legislature where they may be inspected during regular office hours; and

WHEREAS, it is now desired to authorize the financing thereof, NOW, THEREFORE,

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

Section 1. Demolition of vacant structures at the Eastern Dutchess Government Center in Poughkeepsie, New York, in and for the County of Dutchess, New York, including related asbestos abatement and incidental costs and expenses, is hereby authorized at a maximum

estimated cost of \$808,000 as structures no longer any use or value or dangerous or detrimental to human life, health or safety.

Section 2. It is hereby determined that the plan for the financing of the specific object or purpose is by the issuance of the \$808,000 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 10 years, pursuant to subdivision 12-a of paragraph a of Section 11.00 of the Local Finance Law.

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

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

Public Works and Capital Projects Roll Call

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

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

2014086 A RESOLUTION AUTHORIZING DEMOLITION OF VACANT STRUCTURES, INCLUDING ASBESTOS ABATEMENT AT THE EASTERN DUTCHESS GOVERNMENT CENTER, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$808,000 AND AUTHORIZING THE ISSUANCE OF \$808,000 BONDS TO PAY THE COST THEREOF

Date: May 8, 2014

Roll Call Sheets

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

Present: 25 Resolution: 25 ✓ Total: 20 5
 Absent: 0 Motion: _____ Yes No
 Vacant: 0 Abstentions: 0

2014086 A RESOLUTION AUTHORIZING DEMOLITION OF VACANT STRUCTURES, INCLUDING ASBESTOS ABATEMENT AT THE EASTERN DUTCHESS GOVERNMENT CENTER, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$808,000 AND AUTHORIZING THE ISSUANCE OF \$808,000 BONDS TO PAY THE COST THEREOF

Date: May 12, 2014

Resolution No. 2014086 was offered for discussion only at the Public Works and Capital Projects Committee Meeting on April 3, 2014, and considered at the May 12, 2014, Board Meeting. Discussion at that time proceeded as follows:

Noel Knille, Commissioner of Public Works stated this bond was for six of the seven buildings and did not address the West Wing.

Roll call on the foregoing resolution resulted as follows:

AYES: 20

NAYS: 5 Strawinski, Tyner, Perkins, Amparo, MacAvery

Resolution adopted.

DISCUSSION ONLY 4/7/14
PUBLIC WORKS & CAPITAL PROJECTS
AMENDED IN COMMITTEE 5/8/14

RESOLUTION NO. 2014087

BOND RESOLUTION DATED MAY 12, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AGGREGATE \$1,114,030 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF EQUIPMENT AND VEHICLES FOR THE DEPARTMENT OF PUBLIC WORKS, IN AND FOR SAID COUNTY

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; and

WHEREAS, it is now desired to authorize the financing thereof, NOW, THEREFORE,

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

Section 1. To pay the cost of the purchase of equipment for maintenance purposes for the Department of Public Works, including in each case incidental equipment and expenses in connection therewith, there are hereby authorized to be issued an aggregate \$1,114,030 serial bonds of the County of Dutchess, New York pursuant to the provisions of the Local Finance Law, apportioned as follows:

- a) For the purchase of trucks and equipment for maintenance purposes, each item of which costs \$30,000 or over, at a maximum estimated cost of \$1,065,550, being a class of objects or purposes, having a period of probable usefulness of fifteen years, pursuant to

subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, \$1,065,550 serial bonds of the aggregate \$1,114,030 serial bonds of the County of Dutchess, New York, herein authorized;

- b) For the purchase of an artificial turf groomer, at a maximum estimated cost of \$26,260, being a specific object or purpose, having a period of probable usefulness of ten years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, \$26,260 serial bonds of the aggregate \$1,114,030 serial bonds of the County of Dutchess, New York, herein authorized; and
- c) For the purchase of trucks and equipment for maintenance purposes, each item of which costs \$15,000 or less, at a maximum estimated cost of \$22,220, being a class of objects or purposes, having a period of probable usefulness of five years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, \$22,220 serial bonds of the aggregate \$1,114,030 serial bonds of the County of Dutchess, New York, herein authorized.

Section 2. It is hereby determined that the aggregate maximum estimated cost of the aforesaid objects or purposes described in Section 1 hereof is \$1,114,030, which objects or purposes are hereby authorized at said maximum estimated cost, and that the plan for the financing thereof by the issuance of the \$1,114,030 serial bonds herein authorized to be issued therefore pursuant to the provisions of the Local Finance Law, apportioned to each such object or purpose in accordance with the maximum estimated cost of each specified in Section 1 hereof.

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

contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

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

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

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

Section 7. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on

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

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

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

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on May 12, 2014, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on May 23, 2014, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News

May 9, 2014

Poughkeepsie Journal

May 9, 2014

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

Designated Location(s)
of posted notice

Date of Posting

County Office Building, 6th Floor, County Office Building
Poughkeepsie, NY 12601

May 9, 2014

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 13 day of May, 2014.



Carol Morris
Clerk, County Legislature

LEGAL NOTICE OF ESTOPPEL

The following entitled bond resolution, a summary of which is published herewith, has been adopted on May 12, 2014, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Poughkeepsie, New York,

May 13, 2014

APPROVED

M. J. Molinaro
MARCUS J. MOLINARO
COUNTY EXECUTIVE

Carole Morris
Clerk, County Legislature

RESOLUTION NO. 2014087
Date: *5/23/2014*

BOND RESOLUTION DATED MAY 12, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AGGREGATE \$1,114,030 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF EQUIPMENT AND VEHICLES FOR THE DEPARTMENT OF PUBLIC WORKS, IN AND FOR SAID COUNTY.

Objects or purposes:

- (a) Trucks and equipment, \$30,000 or over, class, 15-year period of probable usefulness, \$1,065,550 serial bonds
- (b) Artificial turf groomer; specific, 10-year period of probable usefulness, \$26,260 serial bonds
- (c) trucks and equipment; \$15,000 or less, class, 5-year period of probable usefulness, \$22,220 serial bonds

Maximum estimated cost:

An aggregate \$1,114,030

Amount of bonds to be issued:

An aggregate \$1,114,030 serial bonds, allocated by maximum estimated cost of each

SEQRA status:

Type II Action

**2014 DPW CONSTRUCTION/MAINTENANCE
EQUIPMENT**

\$1,114,030 at an average of 2%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$1,114,030	\$78,107	\$43,917	\$122,024
2	1,035,923	78,107	40,906	119,013
3	957,817	78,107	37,895	116,001
4	879,710	78,107	34,883	112,990
5	801,603	78,107	31,872	109,979
6	723,497	73,663	28,861	102,524
7	649,834	73,663	25,930	99,593
8	576,171	73,663	23,000	96,662
9	502,509	73,663	20,069	93,732
10	428,846	73,663	17,138	90,801
11	355,183	71,036	14,207	85,243
12	284,147	71,036	11,366	82,402
13	213,110	71,036	8,524	79,560
14	142,073	71,036	5,683	76,719
15	71,037	<u>71,036</u>	<u>3,333</u>	<u>74,368</u>
TOTAL		\$1,114,030	\$347,584	\$1,461,609
AVG. PER YEAR		\$74,269	\$23,172	\$97,441

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$1,114,030
ANTICIPATED INTEREST RATE	2.00%
TERM # YEARS. TOTAL ANTICIPATED FEES:	\$11,030
ANTICIPATED ANNUAL COST (PRIN + INT):	\$97,441
TOTAL PAYBACK (ANNUAL COST x TERMS):	\$1,461,609

PREPARED BY PAMELA BARRACK

H0464 - 2014 Highway Equipment

APPROPRIATIONS

Increase

H0464.5110.2400.15	DPW Hwy - Highway & Street Equip 15 Year	\$1,055,000
H0464.5610.2400.5	DPW Airport - Highway & Street Equip 5 Year	\$22,000
H0464.7110.2400.10	Parks - Highway & Street Equip 10 Year	\$26,000
H0464.5110.3900	Bond Issuing Costs	\$11,030
		<u>\$1,114,030</u>

REVENUES

Increase

H0464.5110.57100	Serial Bonds	\$ 1,114,030
		<u>\$1,114,030</u>

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

To: W.F.X. O'Neil, Deputy County Executive
From: Noel H.S. Knille, AIA, ASLA 
Date: April 14, 2014
Re: 2014 Capital Equipment Request (*Revision 2*)

The Department of Public Works is requesting authorization to purchase the following new and replacement trucks and machinery for various County departments and agencies. The equipment is necessary to provide for continued maintenance of transportation infrastructure, park facilities, and to help the County maintain readiness in the event of man-made or natural disasters. Individual items may cost slightly more or less than estimated, but the overall cost of the equipment will not exceed \$1,228,000.

Division	New or Replacement	Qty to purchase	Equipment Description	Unit price	Net to County Cost
Hwy	Replacement	2	4x6 Sander/Plow Truck	\$295,000.00	\$590,000.00
Hwy	Replacement	1	Telescopic Boom Hydraulic Excavator	\$315,000.00	\$315,000.00
Hwy	Replacement	1	18" HD Brush Chipper	\$110,000.00	\$110,000.00
Hwy	New	1	HD Mower attachments	\$40,000.00	\$40,000.00
Airport	Replacement	2	Zero turn 72" cut mowers	\$11,000.00	\$22,000.00
Parks	New	1	Artificial Turf Groomer	\$26,000.00	\$26,000.00
TOTAL:					\$1,103,000.00

Summary of Equipment:

1) 4x6 Sander/Plow Trucks (2):

These trucks will replace two 1989 Oshkosh plow/sander trucks. Both of the trucks have been refurbished once already and they are becoming increasingly unreliable. Each truck has cost approximately \$130,000 in parts and labor over its lifetime. The trucks are constantly in need of service. These two trucks were scheduled to be replaced in 2013 but were removed from the request list due to fiscal constraints. Replacement trucks will serve as front-line plow/sander trucks and will also be used as construction and dump trucks during summer months. Estimated cost \$295,000 ea x 2 = \$590,000.

2) Telescopic Boom Hydraulic Excavator:

This is a heavy excavator that will replace existing Excavator GL-3. The existing machinery is a 1997 Gradall G3WD. It has required significant service in recent years and has been moved to 2nd-line service. It is no longer suitable for 2nd-line service so the Department is seeking to replace this equipment and auction it off. Estimated cost \$315,000.

3) Heavy Duty 18" Brush Chipper:

This is a heavy-duty wood and tree chipper that can receive up 18" diameter logs. This chipper will replace an existing 2001 Morbark chipper. The existing chipper has a deteriorated frame and chassis and the motor requires regular repair. The existing chipper has approximately 1500 hours and will be auctioned when replaced. Estimated cost \$110,000.

4) Mower attachments:

New mower attachments will be used with DPW's Unimog truck. This truck is designed to operate various attachments in addition to serving as a plow/sander truck during winter operations. With the new mower attachments, the Unimog can be used year-round to perform roadside vegetation management along county highways. Without the attachments, the Unimog truck will remain unused during summer months. Estimated cost \$40,000.

5) Heavy-duty mowers for Airport vegetation management:

Airport staff are responsible for maintaining turf areas adjacent to runways, taxiways and ramps. These areas contain a wide array of navigation lights, signs and other ground-mounted features used to guide aircraft throughout the airport operational surface. Turf management requires smaller mowing equipment to negotiate around the ground-mounted features with causing damage. Two zero-turn mowers are requested to replace the two existing machines. One of the existing machines is no longer operating, and the other is unreliable due to constant repair needs. Both of the existing machines will be sold at auction. Estimated cost \$11,000 ea x 2 = \$22,000.

6) Artificial Turf Maintenance Equipment:

The natural turf at Dutchess Stadium has been replaced with artificial turf. The new artificial turf requires regular maintenance with special grooming and conditioning equipment. The equipment is designed to optimize the performance of the turf and prolong its useful life. Estimated cost \$26,000.

**COUNTY OF DUTCHESS DEPARTMENT OF PUBLIC WORKS
HIGHWAY CONSTRUCTION AND MAINTENANCE DIVISION**

2014 - 2018 CAPITAL EQUIPMENT REQUESTS

YEAR 2014

H= Highway, A= Airport, P= Parks, ER= Emergency Response

Qty to purchase	Equipment Description	DEPT	Unit price	Net Cost to County	Fleet Inventory	Percent of Inventory	NOTES
2	6x6 Sander/Plow Truck	H	\$ 295,000.00	\$ 590,000.00	8	25.00%	TR15, TR 26
1	Rubber Tired Hydraulic Excavator	H	\$ 315,000.00	\$ 315,000.00	5	20.00%	GL-3
1	Brush Chipper HD 18"	H	\$ 110,000.00	\$ 110,000.00	4	25.00%	BC-4
1	Mower attachment	H	\$ 40,000.00	\$ 40,000.00			attachment for Unimog
2	Zero turn 72" cut mowers	A	\$ 11,000.00	\$ 22,000.00	2	100.00%	Replaces two mowers
1	Artificial Turf Groomer	P	\$ 26,000.00	\$ 26,000.00	1	100.00%	To maintain turf system at Dutchess Stadium
	Highway Division:			\$ 1,103,000.00			
	TOTAL:			\$ 1,103,000.00			

4/3/2012

2012 DPW CAPITAL EQUIPMENT BOND REQUEST

The Department of Public Works is requesting a 2012 DPW Equipment bond in the amount of \$229,000. This will be utilized to fund the replacement and purchase of equipment approved as part of the 2012 county's capital budget.

The following is a list of existing equipment to be replaced:

H= Highway P= Parks A= Airport	Equip. I.D.	Equipment Description	Year of Replacement	Unit price	Yearly total:
1-Hwy	P-26	One Ton Sector Patrol Truck	2012	\$ 40,000.00	^{PAID} \$ 34,525
2-Hwy	New	Leaf Vac-All Towed	2012	\$ 42,000.00	\$ 39,065
3-Hwy	BC-1	Heavy Duty Chipper	2012	\$ 50,000.00	\$ 44,399
4-Hwy	SL-1	Skid Steer / attachments	2012	\$ 68,000.00	\$ 57,346
5-Parks		John Deere 1545 Front Mower Series II	2012	\$ 29,000.00	\$ 25,103
					\$ 229,000.00

\$ 200,438 SPENT

Summary of Equipment:

- 1) One Ton Sector Patrol Truck:** Critical primary vehicle used daily by the Sector Chiefs for road patrol, sign maintenance, patching, snow removal inspections etc. The existing unit has extensive corrosion of break lines, fuel line and mainframe.
- 2) Leaf Vac-All (towed):** This Vac-All will be utilized by all Sectors. Will cut down on rental of Vac-All.
- 3) Heavy Duty tree & brush chipper:** This unit is essential for storm clean up, brush cutting and daily operation of our tree crew. Existing unit has extensive rust and is worn out.
- 4) Skid Steer / attachments:** Existing unit is worn out and in need of major costly repairs. It is a multiuse piece of equipment. The 40" planer attachment request is so we can use it on bridge decks etc.
- 5) John Deere 1545 Front Mower Series II:** Existing mower will be 12 years old and has significant hours on it. It is one of the primary mowers for Wilcox Park and is starting to exhibit mechanical difficulties.

2012 H0441

BUDGET \$ 29,000

PAID \$ 25,103

Received Time Apr 16, 2012 2:34PM No. 4244



Count on it.

Quote ID: 1477314

- 270 Lake Ave.
8254th, New York
Phone: 1-716-822-2220
Parts Fax: 1-800-819-2000
Office Fax: 1-716-822-8838
- 315 Commerce Blvd.
Liverpool, New York
Phone: 1-315-457-0181
Parts Fax: 1-800-950-4342
Office Fax: 1-315-457-0512
- 392-098 Troy Schenectady Rd Latham, New York
Phone: 1-518-785-5944
Parts Fax: 1-800-822-4342
Office Fax: 1-518-785-5740

Date:	4/12/2012
Inquiry Date:	4/12/2012
Prices Good Until:	
Estimated Delivery:	
Terms:	
F.O.B.:	Delivered
Shipped Via:	Truck
Height of Cut:	
Purchase Order #:	

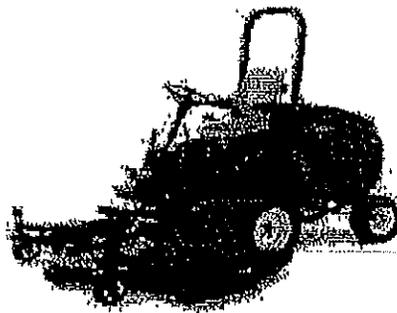
To: Customer Name: **Wilcox Park**
 Address: **Route 189**
 City/State/Zip: **Standfordville, NY 12581**

Attn: **Steve Olsen & Harold Petershagen**

Salesman	Chris Pogge
Cell Phone	618-887-0197
Email	cpogge@grasslandcorn.com

In Response to your inquiry, we submit the following Quotation

Qty	Model Number	Description	
In PDF version- Click on Image to link to Product Information on the web			
1	30345	Groundsmaster 3280-D 4WD	\$16,231.02
1	31336	72" Side Discharge deck with 4 castor wheels	\$4,261.92
1	24-5790-01	Rear Weight 35lb	\$132.68
2	325-8	SCREW-HH	\$4.36
2	3253-7	WASHER-LOCK	\$0.88
1	30313	Air Ride Seat Suspension	\$515.58
1	30398	Milco Seat	\$333.06
1	30707	Armrest Kit	\$127.92
1	108-9687	Armrest Adaptor Kit	\$34.30
1	30382	12V Power Port/Electrical Accessory Kit	\$113.88
1	30823	Debris Blower	\$2,878.98
1	110-8540	Attachment Frame Kit	\$468.99



NOTES	TOTALS
Mowers Group: 37600, Award: 21459-PF	Total \$25,103.57
	Toro Protection + \$ -
	Trade Ins \$ -
	Set Up \$ -
	Delivery Charges \$ -
	Fuel & Freight \$ 188.28
	Total \$25,103.57

2012 H0441, S010

BUDGET \$ 68,000
PAID \$ 57,346



Bobcat

Bond # 40432
2400.15

Approved
R. Blalock
6/15/12

Product Quotation

Quotation Number: CMS-17813
Date: 2012-06-13 09:51:37

Customer Name/Address:	Bobcat Dealer	Contract Holder/Manufacturer
COUNTY OF DUTCHESS Attn: SKIP DPW HIGHWAY 27 HIGH STREET POUGHKEEPSIE, NY 12603 Fax: (845) 486-2920	Geoff Summit Handling Systems, Inc 2500 ROUTE 208 WALDEN NY 12586 Phone: 845-569-8195 Fax: 845-522-8173	Bobcat Company PO Box 6000 West Fargo, ND 58078 Phone: 701-241-8719 Fax: 701-280-7860 Contact: Crystal Stram Crystal.stram@doosan.com

Description

S630 Bobcat Skid-Steer Loader

74.3 HP Turbo Interim Tier IV Diesel Engine
Auxiliary Hydraulics: Variable Flow
Backup Alarm
Bob-Tach
Bobcat Interlock Control System (BICS)
Engine/Hydraulic Systems Shutdown
Glow Plugs - Automatically Activated
Instrumentation: Engine Temp and Fuel Gauges, Hourmeter,
RPM and Warning Lights
Lift Arm Support
Lift Path: Radius

Part No	Qty	Price Ea.	Total
M0065	1	\$23,404.80	\$23,404.80

Lights, Front & Rear
Operator Cab

- Includes: Adjustable Cushion Seat, Top & Rear Windows, Parking Brake, Seat Bar, Seat Belt
- Roll Over Protective Structure (ROPS) meets SAE-J1040 & ISO 3471
- Falling Object Protective Structure (FOPS) meets SAE-J1043 & ISO 3449, Level I; (Level II is available through Bobcat Parts)

Spark Arrestor Muffler

Tires: 12-16.5, 12 PR, Bobcat Heavy Duty
Warranty: 12 Months, Unlimited Hours

Advanced Control System (ACS)
A91 Option Package
Cab enclosure with Heat and AC
High Flow Hydraulics
Two-Speed Travel with SAPR Parking Brake
Sound Reduction
Hydraulic Bucket Positioning

M0065-R01-C03	1	\$934.40	\$934.40
M0065-P01-A91	1	\$6,143.36	\$6,143.36

Power Bob-Tach
Deluxe Instrument Panel
Keyless Start
Suspension Seat with 3-Point Belt
Engine Block Heater
Attachment Control Kit
Cab Accessories Package

74" C/I Heavy Duty Bucket	6732305	1	\$903.68	\$903.68
--- Bolt-On Cutting Edge, 74"	6718007	1	\$240.53	\$240.53
40" Planer, High Flow	6726632	1	\$15,848.32	\$15,848.32
--- Nozzle Spray Kit for 40" Planer	7113092	1	\$175.87	\$175.87
Quick-Tach Water Kit	6813816	1	\$1,010.45	\$1,010.45
--- Quick-Tach Mounting Kit	7152508	1	\$280.32	\$280.32
SGX 60 Stump Grinder	7112201	1	\$5,428.48	\$5,428.48
HS8 Spreader	7157284	1	\$2,083.20	\$2,083.20
--- Sidewalk Kit (HS8)	7157412	1	\$416.34	\$416.34

Total of Items Quoted	\$56,869.75
Dealer Assembly Charges	\$477.00
Quote Total - US dollars	\$57,346.75

*Prices per the New York Contract# PC64705, Award #21635-PF, Group #40604

Contract Period: 11-08-2009 to 05-31-2014

*Terms Net 30 Days, Credit cards accepted.

*FOB Destination within the 48 Contiguous States.

*Delivery: 90 days from ARO.

*State Sales Taxes apply.

*TID# 38-0425350

*Orders Must be Placed With: Bobcat Company, Govt Sales, PO Box 6000, West Fargo, ND 58078.

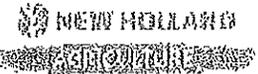
Prices and specifications are subject to change. Please call before placing an order. Applies to factory ordered units only. PO

2012 HD441-501D

BUDGET \$ 50,000
PAID \$ 44,399

WESTCHESTER TRACTOR, INC.

60 INTERNATIONAL BLVD., BREWSTER, NEW YORK 10509
Phone (845) 278-7766 Fax (845) 278-4431
E-Mail: sales@wtractor.com
Website www.wtractor.com



SOLD TO
08320 DUTCHESS COUNTY
HIGHWAY DEPT
626 DUTCHESS TRNPK
POUGHKEEPSIE, NY 12603

SHIP TO
DUTCHESS COUNTY D.P.W
626 DUTCHESS TURNPIK
POUGHKEEPSIE, NY 12603

Sold By: 005 PO: #1 Date: 3/06/13 EQUIPMENT SALE E901094
Ship By: Tax: 14.50/15 Open

Tax	D	Qty	Description	Price	Amount
00000			EQUIPMENT SALE 21566 BANDIT 1590XP WOOD CHIPPER SER#:4FMUS2228DR002672 WAR:12 EXP: 3/11/14 Perkins 142hp w/ NACD OC clutch T3 Imron Bandit yellow paint 40-1490 Drive system for four cylinder engines Lockable aluminum battery box with 1,010 CCA battey 25" wide feed wheels in lieu of standard Single 10,000 pound Torflex axle with electric brakes (2) 235/75R 17.5" tires mounted on heavy-duty gray rim Standard aluminum step tread bolt on fenders 3" pintle hitch (Buyer's Products) ***Hydraulic winch mounted on infeed hopper (Cable) ***Hydraulic lift cylinder for top feed wheel ***Hand crank height adjustable discharge ***Hand crank swivel discharge ***Reversing Auto Feed System Clean out and inspection door on transition. 40 gallon fuel tank in lieu of standard Heavy-duty Lockable filler caps (covers w/padlocks) Gate valve for hydraulic tank 10,000# heavy duty jack with spring pad return Serrated feed wheel teeth in lieu of standard 1 year extended warranty 24 months / 2,000 hours. Extra chipper operators manual Extra engine operators manual Spare tire and rim 235/75R 17.5" EXTRA 10 X 5 1/2 X 5/8 KCH20103-Bandit Drum-Ver18		44399.00

Using Purchase Order # 2013-00000321
reference Contract# RFB-DCP-3-13

Handwritten signature
3-14-13

This payment may not be refundable. All Charge Accounts are Net 30.

THIS IS YOUR INVOICE

** SUBTOTAL 44399.00

x *Handwritten signature*

Charge Sale

Phone: (845) 468-2911

PAY THIS
AMOUNT

\$44399.00

COUNTY OF DUTCHESS
DIVISION OF CENTRAL SERVICES
 27 High St. Poughkeepsie, New York 12601
 (845) 486 - 3670

Ship To Dutchess County Highway Dept.
 626 Dutchess Turnpike
 Poughkeepsie, NY 12603

Bill To Dutchess County Highway Dept.
 626 Dutchess Turnpike
 Poughkeepsie, NY 12603

Purchase Order
 No. 2013-00000321
 Tax Exempt 14740026K
 Date 02/14/2013

VENDOR NO. 9219

Vendor WESTCHESTER TRACTOR INC
 60 INTERNATIONAL BLVD.
 BREWSTER, NY 10509

PURCHASE ORDER NUMBER MUST APPEAR ON
 ALL INVOICES, SHIPPERS, BILL OF LADING AND
 CORRESPONDENCE

Deliver By
 Page 1 of 1
Direct Inquiries To: Public Works - Highway
 (845) 486-2911

The vendor is responsible for reading and understanding the terms and conditions on the back of this order.

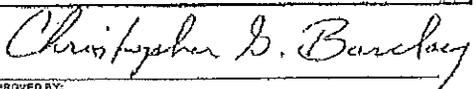
Contract# RFB-DCP-3-13

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1.0000	Each	2013 Bandit tow type brush chipper, model 1590XP, 18"	44,399.0000	\$44,399.00
TOTAL DUE				\$44,399.00

Special Instructions

This Purchase Order is issued as the contract document to provide an 18" Heavy Duty Brush and Tree Chipper, as outlined in our specifications RFB-DCP-3-13

(Terms on Reverse Side)


 APPROVED BY:

2012 HO441.501D

BUDGET \$ 40,000

PAID \$34,525



VEHICLE INVOICE
NYS Facility No. 7098054

Van Bortel Ford, Inc.
71 Marsh Road • East Rochester, NY 14445
Phone (585) 586-4415 • Fax (585) 389-0184
Toll Free 1-888-690-FORD (3673)



Fleet & Government Sales
Phone (585) 586-7705 • Fax (585) 586-7706
Toll Free 1 (888) 826-2678

No. 52082

SOLD TO: DUTCHESS COUNTY HIGHWAY DEPARTMENT
626 DUTCHESS TURNPIKE CO-BUYER
POUGHKEEPSIE NY 12603

DATE 05/30/2013

CUSTOMER NO. 22616

DEAL NO. 92899

SALESPERSON BARBARA A DODSON

YEAR	NEW/USED	MAKE	COLOR	MODEL	STOCK NO.	VIN
2013	NEW	FORD	GY	F-350	F32030	1FDRF3G66DEA93046
KEY CODE		KEYLESS ENTRY CODE		DESCRIPTION		
OPTIONAL EQUIPMENT AND ACCESSORIES				PRICE OF VEHICLE	34525.00	COST
PO: LETTER ✓				OPTIONAL EQUIP. & ACCESSORIES	N/A	
				EXT. SERVICE CONTRACT	N/A	
				DOCUMENT PROCESSING FEE	N/A	
				SALES TAX	N/A	
				LICENSE, TITLE & FEES	N/A	
				NYS TIRE MANAGEMENT/RECYCLE FEE	N/A	
				TOTAL CASH PRICE		
				FINANCING	N/A	
				INSURANCE	N/A	
				TOTAL TIME PRICE	N/A	
				DEPOSIT	N/A	
				CASH ON DELIVERY	N/A	
				REBATE(S)	34525.00	
				AZX / INCENTIVES	N/A	
DESCRIPTION OF TRADE-IN						
YEAR	MAKE	MODEL	MILEAGE	TRADE-IN ALLOWANCE		
BODY	COLOR			LESS LIEN		
VIN				LIENHOLDER		
				PAYMENTS		
If this motor vehicle is classified as a used motor vehicle, the Seller certifies that the entire vehicle is in condition and repair to render under normal use, satisfactory and adequate service upon the public highway at the time of delivery.				1 @ \$	N/A per mo.	
The Seller noted hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of the vehicle except as otherwise provided in writing by Seller in an attachment to this agreement or in a document provided to the Buyer when the vehicle is delivered.				TOTAL	N/A	
MV50 No. 44910228		MILEAGE 53		VALUE OF TRADE-IN(S)		
FINANCE COMPANY: DRAFT AMOUNT				N/A		

VAN BORTEL



6327 Route 96 • Victor, New York 14564
 Phone (585) 924-5230
 Toll Free (800) 724-8872
 NYS Facility Number 7031940

71 Marsh Road • East Rochester, NY 14445
 Phone (585) 586-4415
 Toll Free (888) 690-FORD (3673)
 NYS Facility Number 7090854

NEW VEHICLE CASH PURCHASE AGREEMENT

DUTCHESS COUNTY HIGHWAY DEPARTMENT

PURCHASER'S NAME: 626 DUTCHESS TURNPIKE
 HOME PHONE: POUGHKEEPSIE NY 12603
 BUSINESS PHONE: 05/30/2013
 STREET ADDRESS: _____ CITY / STATE / ZIP: _____ DATE: _____

VEHICLE BEING PURCHASED		BASE PRICE	34525.00
I ORDER AND AGREE TO PURCHASE FROM YOU, BASED UPON THE TERMS SPECIFIED ON BOTH SIDES OF THIS AGREEMENT, THE FOLLOWING VEHICLE:			
YEAR: 2013	<input type="checkbox"/> NEW <input type="checkbox"/> DEMO	MAKE: FORD	
MODEL: 350	BODY TYPE: DUMP		
COLOR: GR	MODEL CODE:		
IDENTIFICATION NUMBER: N10K13002LA93046		PRICING SHOWN INCLUDES PROVISION FOR SERVICE LOANER VEHICLE*	INCLUDED
TO BE DELIVERED ON OR ABOUT: STOCK # 132030		LESS DEALER CASH BACK	N/A
SALESPERSON: BARBARA A DOBSON		SELLING PRICE	34525.00
		ALLOWANCE FOR TRADE: 16.1	N/A
		TAXABLE TOTAL	34525.00
USED VEHICLE TRADE IN		SALES TAX	N/A
YEAR: _____	MAKE: _____	MODEL: _____	
BODY STYLE: _____	COLOR: _____	MILEAGE: _____	
LIENHOLDER INFORMATION		NYS INSPECTION	N/A
ACCT#		DEALER'S OPTIONAL FEE FOR PROCESSING APPLICATION FOR REGISTRATION AND/OR CERTIFICATE OF TITLE. THIS IS NOT A DEALER FEE**	N/A
		REGISTRATION FEE (estimate) ****	N/A
		SUBTOTAL	34525.00
FINANCE INFORMATION		PLUS BALANCE OWED ON TRADE-IN	N/A
NO. OF PAYMENTS: 1	ESTIMATED PAYMENT: N/A	SUBTOTAL	34525.00
* In consideration for your purchase of the vehicle identified in this Purchase Agreement for a total purchase price of \$ 34525.00, Van Bortel Ford hereby agrees that it shall provide you a loaner vehicle for your use during any time period for which you have engaged Van Bortel Ford for repairs to be performed on the vehicle as identified in this Purchase Agreement in all cases where, due to the nature of such repairs, you must leave said vehicle with the Van Bortel Ford Service Department.			
		LESS REBATE	N/A
		LESS DEPOSIT	N/A
		BALANCE DUE ON DELIVERY	34525.00
		FINANCE AMOUNT	N/A
CONSUMER NOTICES			
IF YOU AGREE TO ASSIST ME IN OBTAINING FINANCING FOR ANY PART OF THE PURCHASE PRICE, THIS ORDER SHALL NOT BE BINDING UPON YOU OR ME UNTIL ALL OF THE CREDIT TERMS ARE PRESENTED TO ME IN ACCORDANCE WITH REGULATION "Z" (TRUTH-IN-LENDING) AND ARE ACCEPTED BY ME. IF I DO NOT ACCEPT THE CREDIT TERMS WHEN PRESENTED, I MAY CANCEL THIS ORDER AND MY DEPOSIT WILL BE REFUNDED.		** IF THE NEW MOTOR VEHICLE HAS NOT BEEN DELIVERED IN ACCORDANCE WITH THIS CONTRACT WITHIN 30 DAYS FOLLOWING THE ESTIMATED DELIVERY DATE, THE CONSUMER HAS THE RIGHT TO CANCEL THE CONTRACT AND TO RECEIVE A FULL REFUND, UNLESS THE DELAY IN DELIVERY IS ATTRIBUTABLE TO THE CONSUMER.	
IF THIS MOTOR VEHICLE IS CLASSIFIED AS A USED MOTOR VEHICLE, THE VAN BORTEL LOCATION YOU PURCHASED THE VEHICLE FROM CERTIFIES THAT THE ENTIRE VEHICLE IS IN CONDITION AND REPAIR TO RENDER UNDER NORMAL USE, SATISFACTORY AND ADEQUATE SERVICE UPON THE PUBLIC HIGHWAY AT THE TIME OF DELIVERY.*		FEE DISCLOSURES	
SPECIAL NOTICE TO CONSUMER		*** THE OPTIONAL DEALER REGISTRATION OR TITLE APPLICATION PROCESSING FEE IS NOT A NEW YORK STATE OR DEPARTMENT OF MOTOR VEHICLES FEE. UNLESS A LIEN IS BEING RECORDED OR THE DEALER ISSUED NUMBER PLATES, YOU MAY SUBMIT YOUR OWN APPLICATION FOR REGISTRATION AND/OR CERTIFICATE OF TITLE TO ANY MOTOR VEHICLE ISSUING OFFICE.	
IF, UNDER THE LAW OF THE STATE OF NEW YORK CONTROLLING THE SALE OF USED MOTOR VEHICLES, YOU SHOULD BE ENTITLED TO A REFUND IN CONNECTION WITH THIS TRANSACTION, THE VALUE OF ANY VEHICLE YOU MAY HAVE TRADED-IN (IF THE SELLER CHOOSES NOT TO RETURN IT TO YOU) SHALL NOT BE THE VALUE LISTED IN THIS DOCUMENT, INSTEAD, THE VALUE WILL BE DETERMINED BASED ON THE NATIONAL AUTO DEALERS ASSOCIATION USED CAR GUIDE WHOLESALE VALUE OR OTHER GUIDE APPROVED BY THE COMMISSIONER OF MOTOR VEHICLES, AND ADJUSTED FOR MILEAGE, IMPROVEMENTS AND ANY MAJOR PHYSICAL OR MECHANICAL DEFECTS.		**** THE AMOUNT INDICATED ON THIS SALES CONTRACT OR LEASE AGREEMENT FOR REGISTRATION AND TITLE FEES IS AN ESTIMATE. IN SOME INSTANCES, IT MAY EXCEED THE ACTUAL FEES DUE. THE COMMISSIONER OF MOTOR VEHICLES, THE DEALER WILL AUTOMATICALLY, AND WITHIN 60 DAYS OF SECURING SUCH REGISTRATION AND TITLE, REFUND ANY AMOUNT OVERPAID FOR SUCH FEES.	
CONTRACTUAL DISCLOSURE STATEMENT FOR USED VEHICLE ONLY		PURCHASER'S INITIALS: <i>KRP</i> DATE: 05/30/2013	
THE INFORMATION YOU SEE ON THE WINDOW FORM FOR THIS VEHICLE IS PART OF THIS CONTRACT. INFORMATION ON THE WINDOW FORM OVERRIDES ANY CONTRARY PROVISIONS IN THE CONTRACT OF SALE.*		*PRIOR USE CERTIFICATION (required by Vehicle and Traffic law 417-a if the principal use of the vehicle was as a police vehicle, taxicab, driver education vehicle or rental vehicle). The principal prior use of the vehicle was as a: <input type="checkbox"/> a police vehicle, <input type="checkbox"/> a taxicab, <input type="checkbox"/> a driver education vehicle, or <input type="checkbox"/> a rental vehicle.	
Thank You ... for purchasing your new vehicle from Van Bortel!		This Purchase Agreement is executed between you and the Van Bortel Group business location you purchased the vehicle from. It is understood that any concerns and/or legal issues you may have at any point as a result of this agreement/transaction involve only that business entity, not the entire Van Bortel Group.	

I HAVE READ THE TERMS ON THE FACE AND BACK OF THIS AGREEMENT AND ACCEPT THEM AS STATED.
 BUYER'S SIGNATURE: *[Signature]* DATE: 05/30/2013
 BUYER'S SIGNATURE: _____ DATE: 6/6/13
 SELLER APPROVED BY: _____ DATE: 05/30/2013

THIS AGREEMENT IS NOT BINDING UNLESS SIGNED BY THE SELLER AND THE BUYER. SEE OTHER SIDE FOR ADDITIONAL TERMS

2012

HD441.5010

BUDGET \$ 42,000
PAID \$ 39,065



**Joe Johnson
Equipment Inc.**

Please Remit To:

62 LaGrange Ave.
Rochester, NY 14613
USA

Clean Air. Clean Water. Clean Streets.

Ship To: SAME AS BELOW

Invoice To: COUNTY OF DUTCHESS
27-HIGH-ST. DOW-Highway
POUGHKEEPSIE, NY 12601

Branch 02 - ALBANY		
Date 08/02/2013	Time 13:23:21 (O)	Page 1
Account No. DUTCH002	Phone No. 8454863670	Invoice No. 000045
Ship Via	Purchase Order C. BARCLAY	
Salesperson R JAY BUTTERFIELD	Salesperson ID RBU	
Business # 48-0909070		Dealer # 7088404

EQUIPMENT INVOICE

Description	AMOUNT
Stock #: U001479 Serial #: 1Z9PL1610DR168116	39065.00
ONE (1) 2013 OLD DOMINION BRUSH XTREME VACUUM UNIT - SERIAL NUMBER: 07136255 - VIN NUMBER: 1Z9PL1610DR168116.	

Subtotal: 39065.00
CHARGED ON ACCOUNT: 39065.00

DELIVERY DATE: AUGUST 7, 2013.
PAYMENT TERMS: NET 30 DAYS.

2013 AUG - 7 PM 3:54
DUTCHESS COUNTY
DIV. OF CENTRAL SERVICES
RECEIVED

RECEIVED THE ABOVE IN GOOD CONDITION _____ DATE _____

PRINT NAME _____

Joe Johnson Equipment Inc (JJE) is neither responsible nor liable for any loss, damage or injury, however caused, to trucks, units, contents, cargo or person directly or indirectly related to an installation, use or mechanical failure of a part or product. JJE expressly disclaims and is held harmless from any direct losses or consequential losses that may result from the repair or operation of customer-operated product or installation / use of a part. JJE is held harmless from any direct losses or consequential losses that may result from late delivery of a part, service or product. JJE makes no assurance whatsoever regarding any desired or intended purpose of a part or product. If remittance is by credit card I agree to pay the above total amount according to card issuer agreement (Merchant agreement if credit to card).

ALBANY 518.487.4011 BARRIE 705.733.7700 CALGARY 403.355.3414 CHILE +56 2 429 4190 EDMONTON 780.469.1564 HALIFAX 902.408.7700 MONTREAL 450.253.0805 OTTAWA 613.733.7700 ROCHESTER 585.254.7700 TORONTO 905.532.0227 WINNIPEG 204.398.0556

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER
ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

MEMORANDUM

To: W.F.X. O'Neil, Deputy County Executive

From: Noel H.S. Knille, Commissioner *NHKnille*

Date: March 13, 2014

Re: 2014 Capital Equipment Request

The Department of Public Works is requesting authorization to purchase the following new and replacement trucks and machinery for various County departments and agencies. The equipment is necessary to provide for continued maintenance of transportation infrastructure, park facilities, and to help the County maintain readiness in the event of man-made or natural disasters. Individual items may cost slightly more or less than estimated, but the overall cost of the equipment will not exceed \$1,228,000.

Division	New or Replacement	Qty to purchase	Equipment Description	Unit price	Total Cost
Hwy	Replacement	2	4x6 Sander/Plow Truck	\$295,000.00	\$590,000.00
Hwy	Replacement	1	Telescopic Boom Hydraulic Excavator	\$315,000.00	\$315,000.00
Hwy	Replacement	1	18" HD Brush Chipper	\$110,000.00	\$110,000.00
Hwy	New	1	HD Mower attachments	\$40,000.00	\$40,000.00
Airport	Replacement	2	Zero turn 72" cut mowers	\$11,000.00	\$22,000.00
Parks	New	1	Artificial Turf Groomer	\$26,000.00	\$26,000.00
ER	New	1	Mid-Size Loader / Tractor	\$125,000.00	\$125,000.00
TOTAL:					\$1,228,000.00

Summary of Equipment:

1) 4x6 Sander/Plow Trucks (2):

These trucks will replace two 1989 Oshkosh plow/sander trucks. Both of the trucks have been refurbished once already and they are becoming increasingly unreliable. Each truck has cost approximately \$130,000 in parts and labor over its lifetime. The trucks are constantly in need of service. These two trucks were scheduled to be replaced in 2013 but were removed from the request list due to fiscal constraints. Replacement trucks will serve as front-line plow/sander trucks and will also be used as construction and dump trucks during summer months. Estimated cost \$295,000 ea x 2 = \$590,000.

2) Telescopic Boom Hydraulic Excavator:

This is a heavy excavator that will replace existing Excavator GL-3. The existing machinery is a 1997 Gradall G3WD. It has required significant service in recent years and has been moved to 2nd-line service. It is no longer suitable for 2nd-line service so the Department is seeking to replace this equipment and auction it off. Estimated cost \$315,000.

3) Heavy Duty 18" Brush Chipper:

This is a heavy-duty wood and tree chipper that can receive up to 18" diameter logs. This chipper will replace an existing 2001 Morbark chipper. The existing chipper has a deteriorated frame and chassis and the motor requires regular repair. The existing chipper has approximately 1500 hours and will be auctioned when replaced. Estimated cost \$110,000.

4) Mower attachments:

New mower attachments will be used with DPW's Unimog truck. This truck is designed to operate various attachments in addition to serving as a plow/sander truck during winter operations. With the new mower attachments, the Unimog can be used year-round to perform roadside vegetation management along county highways. Without the attachments, the Unimog truck will remain unused during summer months. Estimated cost \$40,000.

5) Heavy-duty mowers for Airport vegetation management:

Airport staff are responsible for maintaining turf areas adjacent to runways, taxiways and ramps. These areas contain a wide array of navigation lights, signs and other ground-mounted features used to guide aircraft throughout the airport operational surface. Turf management requires smaller mowing equipment to negotiate around the ground-mounted features without causing damage. Two zero-turn mowers are requested to replace the two existing machines. One of the existing machines is no longer operating, and the other is unreliable due to constant repair needs. Both of the existing machines will be sold at auction. Estimated cost \$11,000 ea x 2 = \$22,000.

6) Artificial Turf Maintenance Equipment:

The natural turf at Dutchess Stadium has been replaced with artificial turf. The new artificial turf requires regular maintenance with special grooming and conditioning equipment. The equipment is designed to optimize the performance of the turf and prolong its useful life. Estimated cost \$26,000.

7) Utility tractor for Emergency Response Department:

This new utility tractor will allow the Emergency Response Department to perform maintenance activities such as snow removal, placement or movement of large fire training apparatus, and will allow the Department to handle mobilization of palletized supplies (temporary shelters, water, medical supplies, etc.) during natural or man-made disasters. This equipment will also be used to prepare sites for use by mobile command centers, temporary mobile hospital or morgue facilities during emergencies, and assist with hazardous materials response and fire investigations. Estimated cost \$125,000.

Public Works and Capital Projects Roll Call

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

Present: 8
 Absent: 4
 Vacant: 0

Resolution:
 Motion: ✓

Total: 8 4
 Yes No
 Abstentions: 0

DB/DS

Amend to \$1,114,030

2014087

Roll Call Sheets

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

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total: 24 1
 Yes No
 Abstentions: 0

2014087 A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AGGREGATE \$1,114,030 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF EQUIPMENT AND VEHICLES FOR THE DEPARTMENT OF PUBLIC WORKS, IN AND FOR SAID COUNTY

Date: May 12, 2014

Resolution No. 2014087 was offered for discussion only at the Public Works and Capital Projects Committee Meeting on April 3, 2014, and considered at the May 12, 2014, Board Meeting. Discussion at that time proceeded as follows:

Roll call on the foregoing resolution resulted as follow:

AYES: 24

NAYS: 1 Kelsey

Resolution adopted.

RESOLUTION NO. 2014088

RE: AUTHORIZING PAYMENT OF 2013 UNENCUMBERED
VOUCHERS FROM 2014 FUNDS – HUMAN RESOURCES/
RISK MANAGEMENT (A.1910.12)

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

WHEREAS, the submission of vouchers following the close of the 2013 budget year has shown that there are outstanding 2013 payment invoices in the Department of Human Resources/Risk Management in the sum of \$66,359.00 for services to said department which were not billed until 2014 and there were no 2013 encumbered funds remaining to pay this bill, and

WHEREAS, said charges were proper except that appropriations that were made were left unencumbered at the end of the close out date for submission for 2013, and

WHEREAS, the charges reflected by said vouchers remain unpaid, and

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

RESOLVED, that payment from 2014 funds is hereby approved from the following accounts in the amounts indicated:

<u>Line Item No.</u>		<u>Amount</u>
A.1910.12.4444	Attys/Assgnd Counsel	\$66,359.00

CA-62-14
kh/G-0175-A
3/18/14

Fiscal Impact: Reduction of 2014 appropriations in amounts indicated.
See attached statements

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 66,359

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):

A.1910.12.4444 - Atty/Assigned Counsel

Related Expenses: Amount \$ _____

Nature/Reason:

This resolution is to authorize the use of 2014 funds to pay \$66,359 to Burke, Miele & Golden, LLP for outstanding 2013 invoices.

Anticipated Savings to County: _____

Net County Cost (this year): \$66,359
Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Rachel Armstrong x2018

Budget, Finance, and Personnel Committee Roll Call

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

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

2014088 AUTHORIZING PAYMENT OF 2013 UNENCUMBERED VOUCHERS FROM 2014 FUNDS – HUMAN RESOURCES/RISK MANAGEMENT

Date: April 3, 2014

Roll Call Sheets

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

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

2014088 AUTHORIZING PAYMENT OF 2013 UNENCUMBERED VOUCHERS FROM 2014 FUNDS – HUMAN RESOURCES/RISK MANAGEMENT

Date: April 7, 2014

RESOLUTION NO. 2014089

RE: APPROVAL OF APPLICATION TO CANCEL A TAX BILL
AND TO AUTHORIZE A CHARGE-BACK BY THE
COMMISSIONER OF FINANCE
APPLICANT: Town of Union Vale
Attn.: Town Clerk
2 Duncan Rd.
Lagrangeville NY 12540
ACCOUNT NO. 132200-6759-00-016862-0000

Legislators BORCHERT, HUTCHINGS, SAGLIANO, SURMAN, and FARLEY offer the following and move its adoption:

WHEREAS, there is an assessment on the 2013 assessment roll for the Town of Beekman under the name of Town of Union Vale, Account No. 132200-6759-00-016862-0000, 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 27, 2014 relating to Account No. 132200-6759-00-016862-0000 for a cancellation of said tax bills be, and it hereby is approved and be it further

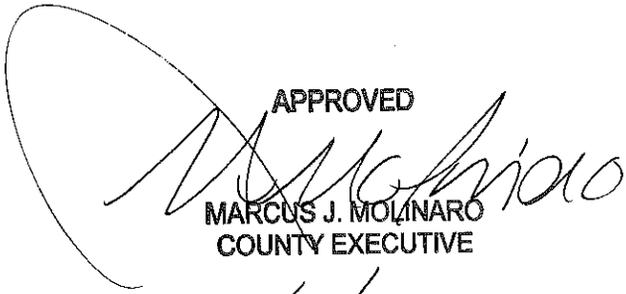
RESOLVED, that the Clerk of the Dutchess County Legislature be and is hereby authorized and directed to send a copy of this resolution to the applicant, the tax collector, and to the Finance Commissioner directing said Finance Commissioner to cancel said tax bill, and be it further

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

RESOLVED, that the Commissioner of Finance be and is hereby authorized, empowered, and directed to charge back the erroneous taxes after settlement with the collector at the end of the warrant as follows:

A430 Town of Beekman	\$530.39
A430 Beekman Library	91.75
A430 Beekman Fire (BF002)	<u>251.62</u>
Total	\$873.76

CA-48-14
MB/ca G-194
3/6/14


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

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Le Description (grid #) 132200-6759-00-016862-0000

Owner's Name Town of Union Vale

Mailing Address Attn Town Clerk 2 Duncan Rd. Lagrangeville NY 12540

Property Location Duncan Rd. Rear

School District Arlington Central School Dist. Special District _____

Total Assessed Value now on roll 330,000 Corrected to Same

Taxable Assessed Value now on roll 330,000 Corrected to 0

Exempt codes and amounts if applicable
Wholly exempt 330,000

Amount Levied \$873.76 Should be \$0

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

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

- Subdivision 2, Paragraph ___ (clerical error)
- division 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 X

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___

Recommendation X APPROVE APPLICATION _____ DENY APPLICATION

Details: It is recommended that the application for a corrected 2013/14 Cnty/Town tax bill be approved.

Investigator Margaret Burns Director Eric [Signature] Date 2/28/2014



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

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20__

2014 FEB 27 AM 10:02
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.

Town of Union Vale Day() Evening ()
1a. Name of Owner 2. Telephone Number

2 Duncan Rd
LaGrangeville NY 12540 Duncan Rd Rear
1b. Mailing Address 3. Parcel Location (if different than 1b.)

6759-00-016862
4. Description of real property as shown on tax roll or tax bill (include tax map designation)

5. Account No. 02016862 6. Amount of taxes currently billed \$873.76

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

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

2-27-2014
Date

Lisette Hiteman
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: 2/27/14 Period of warrant for collection of taxes: 12/16/13
Last day for collection of taxes without interest: 2/28/14

Recommendation: Approve application* Deny Application
2/28/2014 [Signature]
Date Signature of County Director

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

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

APPLICATION APPROVED Amount of taxes currently billed: \$ _____
Notice of approval mailed to applicant on (enter date): _____
Order transmitted to collecting officer on (enter date): _____
Corrected tax: \$ _____

APPLICATION DENIED Reason: _____

Seal of Office _____
Date _____
Signature of Chief Executive Officer or Official Designated by Resolution _____

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

_____ Date

Corrected tax due: \$ _____

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Tax roll corrected:

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

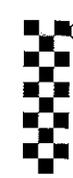
_____ Date

Payment of corrected tax received:

_____ Date

Date

Signature of Collecting Officer



TOWN OF BEEKMAN

**JUDY HYATT
ASSESSOR
4 MAIN STREET
POUGHQUAG NY 12570
PHONE 724-5300 EXT 228 FAX 724-3245**

March 5, 2014

Re: 6759-00-394850, 6759-00-017944, 6759-00-016862, 6759-00-425738 & 6759-00-960870

Dear Mr. Axelsen:

I believe these parcels should have received exempt status on the 2013 roll. The prior Assessor received a copy of the resolution and did not complete the process.

If you need anything else please call me.

Sincerely,

Judy Hyatt



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: 724-5300 • FAX: 724-3245

Barbara A. Zulauf - Supervisor

February 26, 2014

To: Eric Axelson
County Director of Real Property

Dear Mr. Axelson,

On May 17, 2013 Beekman Town Board passed a resolution to remove park land of the Town of Unionvale located in the Town of Beekman to become effective immediately. The parcels that Beekman agreed to exempt were:

6759-00-394850, Lime Mill Road

6759-00-017944, Duncan Road

6759-00-016862, Duncan Road

6759-00-425738, Dorn Road

6759-00-960870, Deforest Lane to the extent permitted by RPTL Sec. 406(2)

The assessor at the time should have submitted proper forms to authorities, but neglected to do so. It was the Town Board's understanding that this had been accomplished. Now with the current tax bill being released, the Town of Unionvale did receive a tax bill, which was not the intent of the Town Board meeting on May 17, 2013. Our current assessor has taken care of this for future tax bills; however we ask that Unionvale is released of this tax burden immediately.

Thank you,

Barbara A. Zulauf

cc: Gerry Hutchings

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: (845) 724-5300 • FAX: (845) 724-3245
email: rachaelrancourt@gmail.com

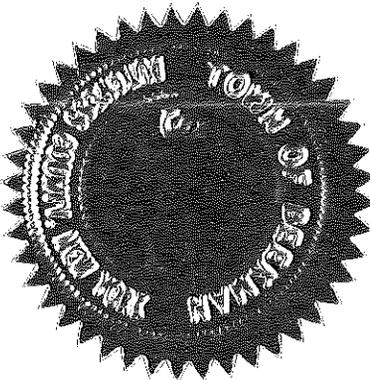
RACHAEL RANCOURT - Town Clerk

CERTIFICATION

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES

STATE OF NEW YORK)
: SS
COUNTY OF DUTCHESS)

I, RACHAEL RANCOURT, being the duly elected Clerk of the Town of Beekman, New York, do hereby certify that the foregoing is a true and exact copy of RESOLUTION NO. 05:15:13-5(73) "To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman" as adopted by the Town Board at their Regular Meeting held on May 15, 2013.



RACHAEL RANCOURT

Dated: February 26, 2014

RESOLUTION NO. 05:15:13 – 5 (73)

To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, certain park lands owned by the Town of Union Vale are situated within the Town of Beekman, and appear on our tax rolls;

WHEREAS, Real Property Tax Law § 406(2) provides that such lands may be exempt from taxation, provided the Town of Beekman so agrees in writing;

WHEREAS, the Town Board of the Town of Union Vale has requested that the Town Board of the Town of Beekman agree to this exemption;

WHEREAS, in furtherance of a cooperative and collegial relationship with the Town of Union Vale, and with the expectation of further dialogue on opportunities for shared services, the Town Board of the Town of Beekman is desirous of granting the requested exemption; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby agree and consent to the removal and exemption from the tax rolls of the following parcels:

- 6759-00-394850, Lime Mill Road;
 - 6759-00-017944, Duncan Road;
 - 6759-00-016862, Duncan Road;
 - 6759-00-425738, Dorn Road; and
 - 6759-00-960870, DeForest Lane,
- to the extent permitted by RPTL § 406(2); and be it further

RESOLVED, that this agreement and consent shall automatically renew and shall apply to each successive year's tax rolls, unless and until the Town Board of the Town of Beekman shall revoke same by resolution adopted no later than January 15th of the year in which it is to be effective; and be it further

RESOLVED, that a copy of this Resolution, duly certified by the Town Clerk of the Town of Beekman, and provided to the Supervisor of the Town of Union Vale, shall serve as the "agreement in writing" contemplated by RPTL § 406(2).

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

- | | |
|-----------------------------|-----|
| Councilman Peter Barton | AYE |
| Councilman Mike Moran | AYE |
| Councilman Ron Mangeri | NO |
| Councilwoman Barbara Zulauf | AYE |
| Supervisor Matt Kennedy | AYE |

Dated: May 15, 2013

2014 FEB 28 PM 1:59
REAL PROPERTY
TAX SERVICES

Collection: Town & County 2014

Fiscal Year Start: 1/1/2014

Fiscal Year End: 12/31/2014

Warrant Date: 12/16/2013

Total Tax Due (minus penalties & interest) \$873.76

\$873.76

Pay Full

Tax Bill #	Tax Map #	Status
004659	6759-00-016862-0000	Unpaid
Address	Municipality	School
Duncan Rd Rear	Town of Beekman	Arlington CSD

Owners

Town Of Union Vale
 Attn: Town Clerk
 Union Vale Town Hall
 2 Duncan Rd
 Lagrangeville, NY 12540

Property Information

Roll Section: 1
Property Class: Municpl park
Lot Size: 22.20

Assessment Information

Full Market Value: 330000.00
Total Assessed Value: 330000.00
Uniform %: 100.00

Description	Tax Levy	Percent Change	Taxable Value	Rate	Tax Amount
NON-HOMESTEAD PARCEL		0.0	0.000	0.00000000	\$0.00
County Tax	107939388	1.9	0.000	3.64963200	\$0.00
Town Tax	2111401	1.9	330000.000	1.60724000	\$530.39
Beekman Library	365223	4.2	330000.000	0.27801900	\$91.75
Beekman Fire	1045280	1.6	330000.000	0.76249900	\$251.62

Total Taxes: \$873.76

FULL PAYMENT OPTION

From:	To:	Tax Amount	Penalty	Notice Fee	Total Due
Jan 01	Feb 28, 2014	\$873.76	\$0.00	\$0.00	\$873.76
Mar 01	Mar 31, 2014	\$873.76	\$17.48	\$0.00	\$891.24
Apr 01	Apr 30, 2014	\$873.76	\$26.21	\$0.00	\$899.97
May 01	Jun 02, 2014	\$873.76	\$34.95	\$2.00	\$910.71

Exemption	Amount
Town O/S L	330000.00

Estimated State Aid - Type	Amount
County	65751778.00
Town	538360.00

Mail Payments To:

Judith Crawford
 Receiver of Taxes
 4 Main Street Poughquag, NY 12570

Budget, Finance, and Personnel Committee Roll Call

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

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

2014089 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 3, 2014

Roll Call Sheets

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

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

2014089 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 7, 2014

RESOLUTION NO. 2014090

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

APPLICANT: Town of Union Vale
Attn.: Town Clerk
2 Duncan Rd.
Lagrangeville NY 12540

ACCOUNT NO. 132200-6759-00-017944-0000

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

WHEREAS, there is an assessment on the 2013 assessment roll for the Town of Beekman under the name of Town of Union Vale, Account No. 132200-6759-00-017944-0000, 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 27, 2014 relating to Account No. 132200-6759-00-017944-0000 for a cancellation of said tax bills be, and it hereby is approved and be it further

RESOLVED, that the Clerk of the Dutchess County Legislature be and is hereby authorized and directed to send a copy of this resolution to the applicant, the tax collector, and to the Finance Commissioner directing said Finance Commissioner to cancel said tax bill, and be it further

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

RESOLVED, that the Commissioner of Finance be and is hereby authorized, empowered, and directed to charge back the erroneous taxes after settlement with the collector at the end of the warrant as follows:

A430 Town of Beekman	\$257.16
A430 Beekman Library	44.48
A430 Beekman Fire (BF002)	<u>122.00</u>
Total	\$423.64

CA-49-14
MB/ca G-194
3/6/14

APPROVED


MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/14/2014

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Le. Description (grid #) 132200-6759-00-017944-0000

Owner's Name Town of Union Vale

Mailing Address Attn Town Clerk 2 Duncan Rd. Lagrangeville NY 12540

Property Location Duncan Rd. Rear

School District Arlington Central School Dist. Special District _____

Total Assessed Value now on roll 160,000 Corrected to Same

Taxable Assessed Value now on roll 160,000 Corrected to 0

Exempt codes and amounts if applicable
Wholly exempt 160,000

Amount Levied \$423.64 Should be \$0

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

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

- Subdivision 2, Paragraph ___ (clerical error)
- division 3, Paragraph ___ (error in essential fact)
- subdivision 7, Paragraph A (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll ___

Exemption amount incorrectly calculated ___

Assessed value on roll does not match assessor's final work product ___

Structure did not exist on taxable status date or was present on another parcel ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application for a corrected 2013/14 Cnty/Town tax bill be approved.

Investigator Margaret Burns Director Eric Rubin Date 7/28/2014



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

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20__

2014 FEB 27 AM 10:02
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.

Town of Union Vale Day() Evening ()
1a. Name of Owner 2. Telephone Number

2 Duncan Rd
Lagrangeville Ny 12540 Duncan Rd Rear
1b. Mailing Address 3. Parcel Location (if different than 1b.)

6759-00-017944
4. Description of real property as shown on tax roll or tax bill (include tax map designation)

5. Account No. 02017944 6. Amount of taxes currently billed \$ 423.64

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

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

2-27-2014 Lisette Hitsman
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: 2/27/14 Period of warrant for collection of taxes: 12/16/13
Last day for collection of taxes without interest: 2/28/14

Recommendation: Approve application* Deny Application
2/28/2014 [Signature]
Date Signature of County Director

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

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

APPLICATION APPROVED Amount of taxes currently billed: \$ _____
Notice of approval mailed to applicant on (enter date): _____
Order transmitted to collecting officer on (enter date): _____
Corrected tax: \$ _____

APPLICATION DENIED Reason: _____

Seal of Office _____
Date _____ Signature of Chief Executive Officer or Official Designated by Resolution

RP-554 (9/04)

Page 2

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

Corrected tax due:	\$ _____
Interest and penalties (if applicable):	\$ _____
Total corrected tax due:	\$ _____

Date

Tax roll corrected:

Tax bill corrected:

Application and Order annexed to tax roll:

Payment of corrected tax received:

Date

Date

Date

Date

Date

Signature of Collecting Officer

TOWN OF BEEKMAN

**JUDY HYATT
ASSESSOR
4 MAIN STREET
POUGHQUAG NY 12570
PHONE 724-5300 EXT 228 FAX 724-3245**

March 5, 2014

Re: 6759-00-394850, 6759-00-017944, 6759-00-016862, 6759-00-425738 & 6759-00-960870

Dear Mr. Axelsen:

I believe these parcels should have received exempt status on the 2013 roll. The prior Assessor received a copy of the resolution and did not complete the process.

If you need anything else please call me.

Sincerely,

Judy Hyatt



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: 724-5300 • FAX: 724-3245

Barbara A. Zulauf - Supervisor

February 26, 2014

To: Eric Axelson
County Director of Real Property

Dear Mr. Axelson,

On May 17, 2013 Beekman Town Board passed a resolution to remove park land of the Town of Unionvale located in the Town of Beekman to become effective immediately.

The parcels that Beekman agreed to exempt were:

6759-00-394850, Lime Mill Road

6759-00-017944, Duncan Road

6759-00-016862, Duncan Road

6759-00-425738, Dorn Road

6759-00-960870, Deforest Lane to the extent permitted by RPTL Sec. 406(2)

The assessor at the time should have submitted proper forms to authorities, but neglected to do so. It was the Town Board's understanding that this had been accomplished. Now with the current tax bill being released, the Town of Unionvale did receive a tax bill, which was not the intent of the Town Board meeting on May 17, 2013. Our current assessor has taken care of this for future tax bills; however we ask that Unionvale is released of this tax burden immediately.

Thank you,

Barbara A. Zulauf

cc: Gerry Hutchings

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: (845) 724-5300 • FAX: (845) 724-3245
email: rachaelrancourt@gmail.com

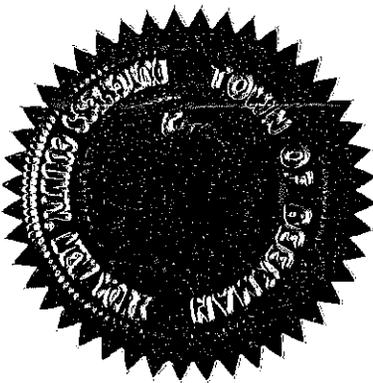
RACHAEL RANCOURT - Town Clerk

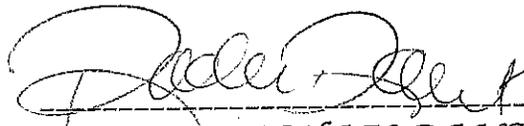
CERTIFICATION

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES

STATE OF NEW YORK)
 : SS
COUNTY OF DUTCHESS)

I, RACHAEL RANCOURT, being the duly elected Clerk of the Town of Beekman, New York, do hereby certify that the foregoing is a true and exact copy of RESOLUTION NO. 05:15:13-5(73) "To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman" as adopted by the Town Board at their Regular Meeting held on May 15, 2013.




RACHAEL RANCOURT

Dated: February 26, 2014

RESOLUTION NO. 05:15:13 – 5 (73)

To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, certain park lands owned by the Town of Union Vale are situated within the Town of Beekman, and appear on our tax rolls;

WHEREAS, Real Property Tax Law § 406(2) provides that such lands may be exempt from taxation, provided the Town of Beekman so agrees in writing;

WHEREAS, the Town Board of the Town of Union Vale has requested that the Town Board of the Town of Beekman agree to this exemption;

WHEREAS, in furtherance of a cooperative and collegial relationship with the Town of Union Vale, and with the expectation of further dialogue on opportunities for shared services, the Town Board of the Town of Beekman is desirous of granting the requested exemption; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby agree and consent to the removal and exemption from the tax rolls of the following parcels:

6759-00-394850, Lime Mill Road;
6759-00-017944, Duncan Road;
6759-00-016862, Duncan Road;
6759-00-425738, Dorn Road; and
6759-00-960870, DeForest Lane,
to the extent permitted by RPTL § 406(2); and be it further

RESOLVED, that this agreement and consent shall automatically renew and shall apply to each successive year's tax rolls, unless and until the Town Board of the Town of Beekman shall revoke same by resolution adopted no later than January 15th of the year in which it is to be effective; and be it further

RESOLVED, that a copy of this Resolution, duly certified by the Town Clerk of the Town of Beekman, and provided to the Supervisor of the Town of Union Vale, shall serve as the "agreement in writing" contemplated by RPTL § 406(2).

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	NO
Councilwoman Barbara Zulauf	AYE
Supervisor Matt Kennedy	AYE

Dated: May 15, 2013

2014 FEB 28 PM 1:59
REAL PROPERTY
TAX SERVICES

Collection: Town & County 2014

Fiscal Year Start: 1/1/2014

Fiscal Year End: 12/31/2014

Warrant Date: 12/16/2013

Total Tax Due (minus penalties & interest) \$423.64

\$423.64

Pay Full

Tax Bill #	Tax Map #	Status
004660	6759-00-017944-0000	Unpaid
Address	Municipality	School
Duncan Rd Rear	Town of Beekman	Arlington CSD

Owners	Property Information	Assessment Information
Town Of Union Vale	Roll Section: 1	Full Market Value: 160000.00
Attn: Town Clerk	Property Class: Municpl park	Total Assessed Value: 160000.00
Union Vale Town Hall	Lot Size: 10.40	Uniform %: 100.00
2 Duncan Rd		
Lagrangeville, NY 12540		

Description	Tax Levy	Percent Change	Taxable Value	Rate	Tax Amount
NON-HOMESTEAD PARCEL		0.0	0.000	0.00000000	\$0.00
County Tax	107939388	1.9	0.000	3.64963200	\$0.00
Town Tax	2111401	1.9	160000.000	1.60724000	\$257.16
Beekman Library	365223	4.2	160000.000	0.27801900	\$44.48
Beekman Fire	1045280	1.6	160000.000	0.76249900	\$122.00

Total Taxes: \$423.64

FULL PAYMENT OPTION

From:	To:	Tax Amount	Penalty	Notice Fee	Total Due
Jan 01	Feb 28, 2014	\$423.64	\$0.00	\$0.00	\$423.64
Mar 01	Mar 31, 2014	\$423.64	\$8.47	\$0.00	\$432.11
Apr 01	Apr 30, 2014	\$423.64	\$12.71	\$0.00	\$436.35
May 01	Jun 02, 2014	\$423.64	\$16.95	\$2.00	\$442.59

Exemption	Amount
Town O/S L	160000.00

Estimated State Aid - Type	Amount
County	65751778.00
Town	538360.00

Mail Payments To:

Judith Crawford
Receiver of Taxes
4 Main Street Poughquag, NY 12570

Budget, Finance, and Personnel Committee Roll Call

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

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2014090 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 3, 2014

Roll Call Sheets

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

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

2014090 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 7, 2014

BUDGET, FINANCE, AND PERSONNEL

RESOLUTION NO. 2014091

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

APPLICANT: Town of Union Vale
Attn.: Town Clerk
2 Duncan Rd.
Lagrangeville NY 12540

ACCOUNT NO. 132200-6759-00-394850-0000

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

WHEREAS, there is an assessment on the 2013 assessment roll for the Town of Beekman under the name of Town of Union Vale, Account No. 132200-6759-00-394850-0000, 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 27, 2014 relating to Account No. 132200-6759-00-394850-0000 for a cancellation of said tax bills be, and it hereby is approved and be it further

RESOLVED, that the Clerk of the Dutchess County Legislature be and is hereby authorized and directed to send a copy of this resolution to the applicant, the tax collector, and to the Finance Commissioner directing said Finance Commissioner to cancel said tax bill, and be it further

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

RESOLVED, that the Commissioner of Finance be and is hereby authorized, empowered, and directed to charge back the erroneous taxes after settlement with the collector at the end of the warrant as follows:

A430 Town of Beekman	\$561.25
A430 Beekman Library	97.08
A430 Beekman Fire (BF002)	<u>266.26</u>
Total	\$924.59

CA-50-14
MB/ca G-194
3/6/14

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Le. Description (grid #) 132200-6759-00-394850-0000

Owner's Name Town of Union Vale

Mailing Address Attn Town Clerk 2 Duncan Rd. Lagrangeville NY 12540

Property Location 51 Lime Mill Rd.

School District Arlington Central School Dist. Special District _____

Total Assessed Value now on roll 349,200 Corrected to Same

Taxable Assessed Value now on roll 349,200 Corrected to 0

Exempt codes and amounts if applicable

Wholly exempt 349,200

Amount Levied \$924.59

Should be \$0

Tax Bill Paid? ___ yes no

Verified with assessor? yes ___ no

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

- Subdivision 2, Paragraph ___ (clerical error)
- division 3, Paragraph ___ (error in essential fact)
- subdivision 7, Paragraph A (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll ___

Exemption amount incorrectly calculated ___

Assessed value on roll does not match assessor's final work product ___

Structure did not exist on taxable status date or was present on another parcel ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application for a corrected 2013/14 Cnty/Town tax bill be approved.

Investigator Margaret Burns Director Eric Nelson Date 2/27/2014



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

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20__

FEB 27 AM 10:02
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.

1a. Name of Owner Town of Union Vale Day() Evening ()
 2. Telephone Number _____
2 Duncan Rd.
 1b) Mailing Address Lagrangeville ny 12540 51 Lime Mill Rd.
 3. Parcel Location (if different than 1b.) _____
6759-00-394850
 4. Description of real property as shown on tax roll or tax bill (Include tax map designation) _____
 5. Account No. 00394850 6. Amount of taxes currently billed \$924.59
 7. I hereby request a correction of tax levied by Beekman
 (county/city/school district; town in Westchester County; non-assessing unit village)

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

2-27-2014 Date
Lisette Hiteman 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: 2/27/14 Period of warrant for collection of taxes: 12/16/13
 Last day for collection of taxes without interest: 2/28/14
 Recommendation: Approve application* Deny Application
2/28/2014 Date Eric Alban 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 _____

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

_____ Date

Corrected tax due: \$ _____

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Tax roll corrected:

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

_____ Date

Payment of corrected tax received:

_____ Date

_____ Date

_____ Signature of Collecting Officer

TOWN OF BEEKMAN

**JUDY HYATT
ASSESSOR
4 MAIN STREET
POUGHQUAG NY 12570
PHONE 724-5300 EXT 228 FAX 724-3245**

March 5, 2014

Re: 6759-00-394850, 6759-00-017944, 6759-00-016862, 6759-00-425738 & 6759-00-960870

Dear Mr. Axelsen:

I believe these parcels should have received exempt status on the 2013 roll. The prior Assessor received a copy of the resolution and did not complete the process.

If you need anything else please call me.

Sincerely,

Judy Hyatt



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: 724-5300 • FAX: 724-3245

Barbara A. Zulauf - Supervisor

February 26, 2014

To: Eric Axelson
County Director of Real Property

Dear Mr. Axelson,

On May 17, 2013 Beekman Town Board passed a resolution to remove park land of the Town of Unionvale located in the Town of Beekman to become effective immediately.

The parcels that Beekman agreed to exempt were:

6759-00-394850, Lime Mill Road

6759-00-017944, Duncan Road

6759-00-016862, Duncan Road

6759-00-425738, Dorn Road

6759-00-960870, Deforest Lane to the extent permitted by RPTL Sec. 406(2)

The assessor at the time should have submitted proper forms to authorities, but neglected to do so. It was the Town Board's understanding that this had been accomplished. Now with the current tax bill being released, the Town of Unionvale did receive a tax bill, which was not the intent of the Town Board meeting on May 17, 2013. Our current assessor has taken care of this for future tax bills; however we ask that Unionvale is released of this tax burden immediately.

Thank you,

Barbara A. Zulauf

cc: Gerry Hutchings

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: (845) 724-5300 • FAX: (845) 724-3245
email: rachaelrancourt@gmail.com

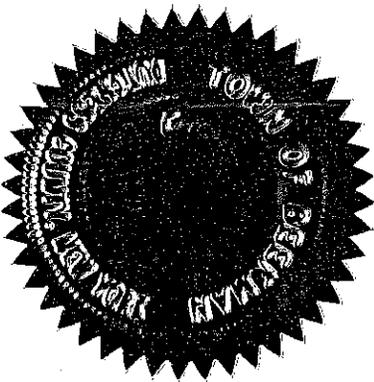
RACHAEL RANCOURT - Town Clerk

CERTIFICATION

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES

STATE OF NEW YORK)
 : SS
COUNTY OF DUTCHESS)

I, RACHAEL RANCOURT, being the duly elected Clerk of the Town of Beekman, New York, do hereby certify that the foregoing is a true and exact copy of RESOLUTION NO. 05:15:13-5(73) "To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman" as adopted by the Town Board at their Regular Meeting held on May 15, 2013.




RACHAEL RANCOURT

Dated: February 26, 2014

RESOLUTION NO. 05:15:13 – 5 (73)

To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, certain park lands owned by the Town of Union Vale are situated within the Town of Beekman, and appear on our tax rolls;

WHEREAS, Real Property Tax Law § 406(2) provides that such lands may be exempt from taxation, provided the Town of Beekman so agrees in writing;

WHEREAS, the Town Board of the Town of Union Vale has requested that the Town Board of the Town of Beekman agree to this exemption;

WHEREAS, in furtherance of a cooperative and collegial relationship with the Town of Union Vale, and with the expectation of further dialogue on opportunities for shared services, the Town Board of the Town of Beekman is desirous of granting the requested exemption; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby agree and consent to the removal and exemption from the tax rolls of the following parcels:

- 6759-00-394850, Lime Mill Road;
 - 6759-00-017944, Duncan Road;
 - 6759-00-016862, Duncan Road;
 - 6759-00-425738, Dorn Road; and
 - 6759-00-960870, DeForest Lane,
- to the extent permitted by RPTL § 406(2); and be it further

RESOLVED, that this agreement and consent shall automatically renew and shall apply to each successive year's tax rolls, unless and until the Town Board of the Town of Beekman shall revoke same by resolution adopted no later than January 15th of the year in which it is to be effective; and be it further

RESOLVED, that a copy of this Resolution, duly certified by the Town Clerk of the Town of Beekman, and provided to the Supervisor of the Town of Union Vale, shall serve as the "agreement in writing" contemplated by RPTL § 406(2).

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

- | | |
|-----------------------------|-----|
| Councilman Peter Barton | AYE |
| Councilman Mike Moran | AYE |
| Councilman Ron Mangeri | NO |
| Councilwoman Barbara Zulauf | AYE |
| Supervisor Matt Kennedy | AYE |

Dated: May 15, 2013

2014 FEB 28 PM 1:59
REAL PROPERTY
TAX SERVICES

Collection: Town & County 2014

Fiscal Year Start: 1/1/2014

Fiscal Year End: 12/31/2014

Warrant Date: 12/16/2013

Total Tax Due (minus penalties & interest) \$924.59

\$924.59

Pay Full

Tax Bill #	Tax Map #	Status
004661	6759-00-394850-0000	Unpaid
Address	Municipality	School
51 Lime Mill Rd	Town of Beekman	Arlington CSD

Owners

Town Of Union Vale
 Attn: Town Clerk
 Union Vale Town Hall
 2 Duncan Rd
 Lagrangeville, NY 12540

Property Information

Roll Section: 1
 Property Class: Municpl park
 Lot Size: 23.20

Assessment Information

Full Market Value: 349200.00
 Total Assessed Value: 349200.00
 Uniform %: 100.00

Description	Tax Levy	Percent Change	Taxable Value	Rate	Tax Amount
NON-HOMESTEAD PARCEL		0.0	0.000	0.00000000	\$0.00
County Tax	107939388	1.9	0.000	3.64963200	\$0.00
Town Tax	2111401	1.9	349200.000	1.60724000	\$561.25
Beekman Library	365223	4.2	349200.000	0.27801900	\$97.08
Beekman Fire	1045280	1.6	349200.000	0.76249900	\$266.26

Total Taxes: \$924.59

FULL PAYMENT OPTION

From:	To:	Tax Amount	Penalty	Notice Fee	Total Due
Jan 01	Feb 28, 2014	\$924.59	\$0.00	\$0.00	\$924.59
Mar 01	Mar 31, 2014	\$924.59	\$18.49	\$0.00	\$943.08
Apr 01	Apr 30, 2014	\$924.59	\$27.74	\$0.00	\$952.33
May 01	Jun 02, 2014	\$924.59	\$36.98	\$2.00	\$963.57

Exemption	Amount
Town O/S L	349200.00

Estimated State Aid - Type	Amount
County	65751778.00
Town	538360.00

Mail Payments To:

Judith Crawford
 Receiver of Taxes
 4 Main Street Poughquag, NY 12570

Budget, Finance, and Personnel Committee Roll Call

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

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

2014091 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 3, 2014

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014091 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 7, 2014

BUDGET, FINANCE, & PERSONNEL

RESOLUTION NO. 2014092

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

APPLICANT: Town of Union Vale
Attn.: Town Clerk
2 Duncan Rd.
Lagrangeville NY 12540

ACCOUNT NO. 132200-6759-00-425738-0000

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

WHEREAS, there is an assessment on the 2013 assessment roll for the Town of Beekman under the name of Town of Union Vale, Account No. 132200-6759-00-425738-0000, 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 27, 2014 relating to Account No. 132200-6759-00-425738-0000 for a cancellation of said tax bills be, and it hereby is approved and be it further

RESOLVED, that the Clerk of the Dutchess County Legislature be and is hereby authorized and directed to send a copy of this resolution to the applicant, the tax collector, and to the Finance Commissioner directing said Finance Commissioner to cancel said tax bill, and be it further

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

RESOLVED, that the Commissioner of Finance be and is hereby authorized, empowered, and directed to charge back the erroneous taxes after settlement with the collector at the end of the warrant as follows:

A430 Town of Beekman	\$ 96.43
A430 Beekman Library	16.68
A430 Beekman Fire (BF002)	<u>45.75</u>
Total	\$158.86

CA-51-14
MB/ca G-194
3/6/14

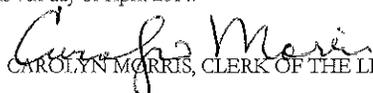
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/4/2014

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Le. Description (grid #) 132200-6759-00-425738-0000

Owner's Name Town of Union Vale

Mailing Address Attn Town Clerk 2 Duncan Rd. Lagrangeville NY 12540

Property Location 177 Dorn Rd.

School District Arlington Central School Dist. Special District _____

Total Assessed Value now on roll 60,000 Corrected to Same

Taxable Assessed Value now on roll 60,000 Corrected to 0

Exempt codes and amounts if applicable
Wholly exempt 60,000

Amount Levied \$158.86 Should be \$0

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

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

- Subdivision 2, Paragraph ___ (clerical error)
- division 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 X

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___

Recommendation X APPROVE APPLICATION _____ DENY APPLICATION

Details: It is recommended that the application for a corrected 2013/14 Cnty/Town tax bill be approved.

Investigator Margaret Burns Director Eric Cohen Date 2/28/2014



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

RP-554 (9/04)

2014 FEB 27 AM 10:02
REAL PROPERTY
TAX SERVICES

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20__

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.

Town of Union Vale Day() Evening()
1a. Name of Owner
attn: Town Clerk 2. Telephone Number
2 Duncan Rd
Lagrangeville ny/12540 3. Parcel Location (if different than 1b.)
177 Dorn Rd
1b. Mailing Address

6759-00-425738
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 \$158.86

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

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

2-27-2014 Date
Risette Hitman 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: 2/27/14 Period of warrant for collection of taxes: 12/16/13

Last day for collection of taxes without interest: 2/28/14

Recommendation: Approve application* Deny Application
2/28/2014 Date Eric Afeher Signature of County Director

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

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

APPLICATION APPROVED Amount of taxes currently billed: \$ _____

Notice of approval mailed to applicant on (enter date): _____
Order transmitted to collecting officer on (enter date): _____
Corrected tax: \$ _____

APPLICATION DENIED Reason: _____

Seal of Office
Date _____ Signature of Chief Executive Officer or Official Designated by Resolution

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

Corrected tax due: \$ _____
Interest and penalties (if applicable): \$ _____
Total corrected tax due: \$ _____

_____ Date

Tax roll corrected:

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

_____ Date

Payment of corrected tax received:

_____ Date

_____ Date

_____ Signature of Collecting Officer

TOWN OF BEEKMAN

**JUDY HYATT
ASSESSOR
4 MAIN STREET
POUGHQUAG NY 12570
PHONE 724-5300 EXT 228 FAX 724-3245**

March 5, 2014

Re: 6759-00-394850, 6759-00-017944, 6759-00-016862, 6759-00-425738 & 6759-00-960870

Dear Mr. Axelsen:

I believe these parcels should have received exempt status on the 2013 roll. The prior Assessor received a copy of the resolution and did not complete the process.

If you need anything else please call me.

Sincerely,

Judy Hyatt



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: 724-5300 • FAX: 724-3245

Barbara A. Zulauf - Supervisor

February 26, 2014

To: Eric Axelson
County Director of Real Property

Dear Mr. Axelson,

On May 17, 2013 Beekman Town Board passed a resolution to remove park land of the Town of Unionvale located in the Town of Beekman to become effective immediately.

The parcels that Beekman agreed to exempt were:

6759-00-394850, Lime Mill Road

6759-00-017944, Duncan Road

6759-00-016862, Duncan Road

6759-00-425738, Dorn Road

6759-00-960870, Deforest Lane to the extent permitted by RPTL Sec. 406(2)

The assessor at the time should have submitted proper forms to authorities, but neglected to do so. It was the Town Board's understanding that this had been accomplished. Now with the current tax bill being released, the Town of Unionvale did receive a tax bill, which was not the intent of the Town Board meeting on May 17, 2013. Our current assessor has taken care of this for future tax bills; however we ask that Unionvale is released of this tax burden immediately.

Thank you,

Barbara A. Zulauf

cc: Gerry Hutchings

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: (845) 724-5300 • FAX: (845) 724-3245
email: rachaelrancourt@gmail.com

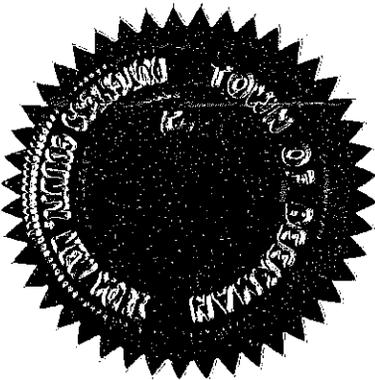
RACHAEL RANCOURT - Town Clerk

CERTIFICATION

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES

STATE OF NEW YORK)
 : SS
COUNTY OF DUTCHESS)

I, RACHAEL RANCOURT, being the duly elected Clerk of the Town of Beekman, New York, do hereby certify that the foregoing is a true and exact copy of RESOLUTION NO. 05:15:13-5(73) "To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman" as adopted by the Town Board at their Regular Meeting held on May 15, 2013.





RACHAEL RANCOURT

Dated: February 26, 2014

RESOLUTION NO. 05:15:13 – 5 (73)

To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, certain park lands owned by the Town of Union Vale are situated within the Town of Beekman, and appear on our tax rolls;

WHEREAS, Real Property Tax Law § 406(2) provides that such lands may be exempt from taxation, provided the Town of Beekman so agrees in writing;

WHEREAS, the Town Board of the Town of Union Vale has requested that the Town Board of the Town of Beekman agree to this exemption;

WHEREAS, in furtherance of a cooperative and collegial relationship with the Town of Union Vale, and with the expectation of further dialogue on opportunities for shared services, the Town Board of the Town of Beekman is desirous of granting the requested exemption; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby agree and consent to the removal and exemption from the tax rolls of the following parcels:

- 6759-00-394850, Lime Mill Road;
 - 6759-00-017944, Duncan Road;
 - 6759-00-016862, Duncan Road;
 - 6759-00-425738, Dorn Road; and
 - 6759-00-960870, DeForest Lane,
- to the extent permitted by RPTL § 406(2); and be it further

RESOLVED, that this agreement and consent shall automatically renew and shall apply to each successive year's tax rolls, unless and until the Town Board of the Town of Beekman shall revoke same by resolution adopted no later than January 15th of the year in which it is to be effective; and be it further

RESOLVED, that a copy of this Resolution, duly certified by the Town Clerk of the Town of Beekman, and provided to the Supervisor of the Town of Union Vale, shall serve as the "agreement in writing" contemplated by RPTL § 406(2).

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

- | | |
|-----------------------------|-----|
| Councilman Peter Barton | AYE |
| Councilman Mike Moran | AYE |
| Councilman Ron Mangeri | NO |
| Councilwoman Barbara Zulauf | AYE |
| Supervisor Matt Kennedy | AYE |

Dated: May 15, 2013

2014 FEB 28 PM 1:59
REAL PROPERTY
TAX SERVICES

Collection: Town & County 2014

Fiscal Year Start: 1/1/2014

Fiscal Year End: 12/31/2014

Warrant Date: 12/16/2013

Total Tax Due (minus penalties & interest) \$158.86

\$158.86

Pay Full

Tax Bill #	Tax Map #	Status
004662	6759-00-425738-0000	Unpaid
Address	Municipality	School
177 Dorn Rd	Town of Beekman	Arlington CSD

Owners

Town Of Union Vale
 Attn: Town Clerk
 Union Vale Town Hall
 2 Duncan Rd
 Lagrangeville, NY 12540

Property Information

Roll Section: 1
 Property Class: Municpl park
 Lot Size: 4.90

Assessment Information

Full Market Value: 60000.00
 Total Assessed Value: 60000.00
 Uniform %: 100.00

Description	Tax Levy	Percent Change	Taxable Value	Rate	Tax Amount
NON-HOMESTEAD PARCEL		0.0	0.000	0.00000000	\$0.00
County Tax	107939388	1.9	0.000	3.64963200	\$0.00
Town Tax	2111401	1.9	60000.000	1.60724000	\$96.43
Beekman Library	365223	4.2	60000.000	0.27801900	\$16.68
Beekman Fire	1045280	1.6	60000.000	0.76249900	\$45.75

Total Taxes: \$158.86

FULL PAYMENT OPTION

From:	To:	Tax Amount	Penalty	Notice Fee	Total Due
Jan 01	Feb 28, 2014	\$158.86	\$0.00	\$0.00	\$158.86
Mar 01	Mar 31, 2014	\$158.86	\$3.18	\$0.00	\$162.04
Apr 01	Apr 30, 2014	\$158.86	\$4.77	\$0.00	\$163.63
May 01	Jun 02, 2014	\$158.86	\$6.35	\$2.00	\$167.21

Exemption	Amount
Town O/S L	60000.00

Estimated State Aid - Type	Amount
County	65751778.00
Town	538360.00

Mail Payments To:

Judith Crawford
 Receiver of Taxes
 4 Main Street Poughquag, NY 12570

Budget, Finance, and Personnel Committee Roll Call

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

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

2014092 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 3, 2014

Roll Call Sheets

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

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

2014092 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 7, 2014

BUDGET, FINANCE, & PERSONNEL

RESOLUTION NO. 2014093

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

APPLICANT: Town of Union Vale
Attn.: Town Clerk
2 Duncan Rd.
Lagrangeville NY 12540

ACCOUNT NO. 132200-6659-00-960870-0000

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

WHEREAS, there is an assessment on the 2013 assessment roll for the Town of Beekman under the name of Town of Union Vale, Account No. 132200-6659-00-960870-0000, 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 27, 2014 relating to Account No. 132200-6659-00-960870-0000 for a cancellation of said tax bills be, and it hereby is approved and be it further

RESOLVED, that the Clerk of the Dutchess County Legislature be and is hereby authorized and directed to send a copy of this resolution to the applicant, the tax collector, and to the Finance Commissioner directing said Finance Commissioner to cancel said tax bill, and be it further

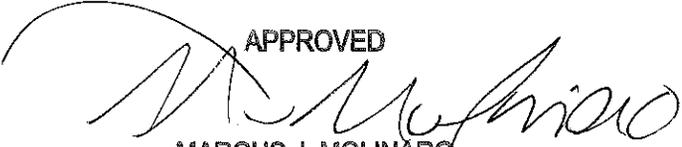
RESOLVED, that the tax collector be instructed to return the unpaid portion as being erroneous when the accounts are settled with the Commissioner of Finance at the expiration of the warrant, and be it further

RESOLVED, that the Commissioner of Finance be and is hereby authorized, empowered, and directed to charge back the erroneous taxes after settlement with the collector at the end of the warrant as follows:

A430 Town of Beekman	\$385.74
A430 Beekman Library	66.72
A430 Beekman Fire (BF002)	<u>183.00</u>
Total	\$635.46

CA-52-14
MB/ca G-194
3/6/14

APPROVED


MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/14/2014

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Le. Description (grid #) 132200-6659-00-960870-0000

Owner's Name Town of Union Vale

Mailing Address Attn Town Clerk 2 Duncan Rd. Lagrangeville NY 12540

Property Location 43 DeForest Lane

School District Arlington Central School Dist. Special District _____

Total Assessed Value now on roll 240,000 Corrected to Same

Taxable Assessed Value now on roll 240,000 Corrected to 0

Exempt codes and amounts if applicable
Wholly exempt 240,000

Amount Levied \$635.46 Should be \$0

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

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

- Subdivision 2, Paragraph ___ (clerical error)
- division 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 X
- Parcel Misclassified as homestead, non-homestead or portions misallocated ___
- Other: ___

Recommendation X APPROVE APPLICATION _____ DENY APPLICATION

Details: It is recommended that the application for a corrected 2013/14 Cnty/Town tax bill be approved.

Investigator Margaret Burns Director Eric Cohen Date 3/27/14



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

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20__

2014 FEB 27 AM 10:02
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.

Town of Union Vale
1a. Name of Owner
Day() Evening()
2. Telephone Number

2 Duncan Rd
La Grangeville ny 12540
1b. Mailing Address
43 DeForest Lane
3. Parcel Location (if different than 1b.)

6659-00-960870
4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 02960870 6. Amount of taxes currently billed \$635.46

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

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

2-27-2014
Date

Lizette Hitzman
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: 2/27/14 Period of warrant for collection of taxes: 12/16/13
Last day for collection of taxes without interest: 2/28/14

Recommendation: Approve application* Deny Application.
2/28/2014 Date [Signature] Signature of County Director

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

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

APPLICATION APPROVED Amount of taxes currently billed: \$ _____
Notice of approval mailed to applicant on (enter date): _____
Order transmitted to collecting officer on (enter date): _____
Corrected tax: \$ _____

APPLICATION DENIED Reason: _____

Seal of Office
Date _____ Signature of Chief Executive Officer or Official Designated by Resolution

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

Order from tax levying body received:

_____ Date

Corrected tax due: \$ _____

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Tax roll corrected;

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

_____ Date

Payment of corrected tax received:

_____ Date

Date

Signature of Collecting Officer

TOWN OF BEEKMAN

**JUDY HYATT
ASSESSOR
4 MAIN STREET
POUGHQUAG NY 12570
PHONE 724-5300 EXT 228 FAX 724-3245**

March 5, 2014

Re: 6759-00-394850, 6759-00-017944, 6759-00-016862, 6759-00-425738 & 6759-00-960870

Dear Mr. Axelsen:

I believe these parcels should have received exempt status on the 2013 roll. The prior Assessor received a copy of the resolution and did not complete the process.

If you need anything else please call me.

Sincerely,

Judy Hyatt



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: 724-5300 • FAX: 724-3245

Barbara A. Zulauf - Supervisor

February 26, 2014

To: Eric Axelson
County Director of Real Property

Dear Mr. Axelson,

On May 17, 2013 Beekman Town Board passed a resolution to remove park land of the Town of Unionvale located in the Town of Beekman to become effective immediately.

The parcels that Beekman agreed to exempt were:

6759-00-394850, Lime Mill Road

6759-00-017944, Duncan Road

6759-00-016862, Duncan Road

6759-00-425738, Dorn Road

6759-00-960870, Deforest Lane to the extent permitted by RPTL Sec. 406(2)

The assessor at the time should have submitted proper forms to authorities, but neglected to do so. It was the Town Board's understanding that this had been accomplished. Now with the current tax bill being released, the Town of Unionvale did receive a tax bill, which was not the intent of the Town Board meeting on May 17, 2013. Our current assessor has taken care of this for future tax bills; however we ask that Unionvale is released of this tax burden immediately.

Thank you,

Barbara A. Zulauf

cc: Gerry Hutchings

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES



TOWN OF BEEKMAN

4 MAIN STREET
POUGHQUAG, NEW YORK 12570-9601
TEL: (845) 724-5300 • FAX: (845) 724-3245
email: rachaelrancourt@gmail.com

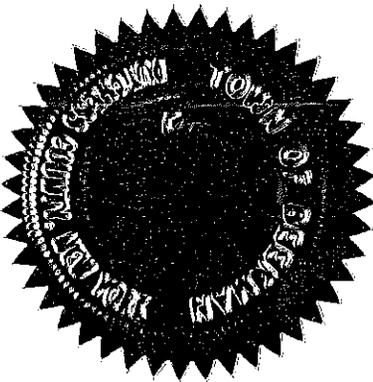
RACHAEL RANCOURT - Town Clerk

CERTIFICATION

2014 FEB 28 PM 1:58
REAL PROPERTY
TAX SERVICES

STATE OF NEW YORK)
 : SS
COUNTY OF DUTCHESS)

I, RACHAEL RANCOURT, being the duly elected Clerk of the Town of Beekman, New York, do hereby certify that the foregoing is a true and exact copy of RESOLUTION NO. 05:15:13-5(73) "To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman" as adopted by the Town Board at their Regular Meeting held on May 15, 2013.




RACHAEL RANCOURT

Dated: February 26, 2014

RESOLUTION NO. 05:15:13 – 5 (73)

To Remove from Town Tax Rolls, Pursuant to RPTL Sec. 406(2), Certain Park Lands within the Town of Beekman

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, certain park lands owned by the Town of Union Vale are situated within the Town of Beekman, and appear on our tax rolls;

WHEREAS, Real Property Tax Law § 406(2) provides that such lands may be exempt from taxation, provided the Town of Beekman so agrees in writing;

WHEREAS, the Town Board of the Town of Union Vale has requested that the Town Board of the Town of Beekman agree to this exemption;

WHEREAS, in furtherance of a cooperative and collegial relationship with the Town of Union Vale, and with the expectation of further dialogue on opportunities for shared services, the Town Board of the Town of Beekman is desirous of granting the requested exemption; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby agree and consent to the removal and exemption from the tax rolls of the following parcels:

6759-00-394850, Lime Mill Road;
6759-00-017944, Duncan Road;
6759-00-016862, Duncan Road;
6759-00-425738, Dorn Road; and
6759-00-960870, DeForest Lane,
to the extent permitted by RPTL § 406(2); and be it further

RESOLVED, that this agreement and consent shall automatically renew and shall apply to each successive year's tax rolls, unless and until the Town Board of the Town of Beekman shall revoke same by resolution adopted no later than January 15th of the year in which it is to be effective; and be it further

RESOLVED, that a copy of this Resolution, duly certified by the Town Clerk of the Town of Beekman, and provided to the Supervisor of the Town of Union Vale, shall serve as the "agreement in writing" contemplated by RPTL § 406(2).

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	NO
Councilwoman Barbara Zulauf	AYE
Supervisor Matt Kennedy	AYE

Dated: May 15, 2013

2014 FEB 28 PM 1:59
REAL PROPERTY
TAX SERVICES

Collection: Town & County 2014

Fiscal Year Start: 1/1/2014

Fiscal Year End: 12/31/2014

Warrant Date: 12/16/2013

Total Tax Due (minus penalties & interest) \$635.46

\$635.46

Pay Full

Tax Bill #	Tax Map #	Status
004657	6659-00-960870-0000	Unpaid
Address	Municipality	School
43 Deforest Ln	Town of Beekman	Arlington CSD

Owners

Town Of Union Vale
 Attn: Town Clerk
 Union Vale Town Hall
 2 Duncan Rd
 Lagrangeville, NY 12540

Property Information

Roll Section: 1
Property Class: Municpl park
Lot Size: 16.20

Assessment Information

Full Market Value: 240000.00
Total Assessed Value: 240000.00
Uniform %: 100.00

Description	Tax Levy	Percent Change	Taxable Value	Rate	Tax Amount
NON-HOMESTEAD PARCEL		0.0	0.000	0.00000000	\$0.00
County Tax	107939388	1.9	0.000	3.64963200	\$0.00
Town Tax	2111401	1.9	240000.000	1.60724000	\$385.74
Beekman Library	365223	4.2	240000.000	0.27801900	\$66.72
Beekman Fire	1045280	1.6	240000.000	0.76249900	\$183.00

Total Taxes: \$635.46

BF002

FULL PAYMENT OPTION

From:	To:	Tax Amount	Penalty	Notice Fee	Total Due
Jan 01	Feb 28, 2014	\$635.46	\$0.00	\$0.00	\$635.46
Mar 01	Mar 31, 2014	\$635.46	\$12.71	\$0.00	\$648.17
Apr 01	Apr 30, 2014	\$635.46	\$19.06	\$0.00	\$654.52
May 01	Jun 02, 2014	\$635.46	\$25.42	\$2.00	\$662.88

Exemption	Amount
Town O/S L	240000.00

Estimated State Aid - Type	Amount
County	65751778.00
Town	538360.00

Mail Payments To:

Judith Crawford
 Receiver of Taxes
 4 Main Street Poughquag, NY 12570

Budget, Finance, and Personnel Committee Roll Call

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

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

2014093 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 3, 2014

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 24 0
 Yes No
 Abstentions: 0

2014093 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE IN THE TOWN OF BEEKMAN

Date: April 7, 2014

BUDGET, FINANCE, & PERSONNEL

RESOLUTION NO. 2014094

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

APPLICANT: Nora Earley Popko LT and Adrienne M. Popko RM
255 N. Mabbettsville Rd.
Millbrook NY 12545

ACCOUNT NO.: 135889-6566-00-355001-0000

Legislators BORCHERT, KELSEY, SAGLIANO, SURMAN, and FARLEY offer the following and move its adoption:

WHEREAS, there is an assessment on the assessment roll for the Town of Washington for 2013 under the name of Nora Earley Popko LT and Adrienne M. Popko RM, Account No. 135889-6566-00-355001-0000, 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 Washington 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 21, 2014, relating to Account No. 135889-6566-00-355001-0000 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	267,800	133,900	133,900	488.69
Town of Washington	267,800	133,900	133,900	200.13
Millbrook Library	267,800	133,900	133,900	11.19
Washington Fire	267,800		267,800	91.60
			TOTAL:	\$791.61

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	\$488.68
----------------------------------------	----------

CA-45-14
MB/ca G-194
2/26/14
Fiscal Impact: None

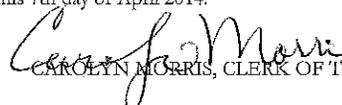
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency

COE Investigating Report

Le. Description (grid #) 135889-6866-00-355001-0000

Owner's Name Nora Earley Popko LT and Adrienne M. Popko RM

Mailing Address 255 N. Mabbettsville Rd. Millbrook NY 12545

Property Location 255 N Mabbettsville Rd.

School District Millbrook Central School Dist. Special District _____

Total Assessed Value now on roll 267,800 Corrected to Same

Taxable Assessed Value now on roll 267,800 Corrected to 133,900

Exempt codes and amounts if applicable

LTD Income Dis 133,900

Amount Levied \$1,280.29

Should be \$791.61

Tax Bill Paid? ___ yes no

Verified with assessor? yes ___ no

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

- Subdivision 2, Paragraph C (clerical error)
- division 3, Paragraph ___ (error in essential fact)
- subdivision 7, Paragraph ___ (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll

Exemption amount incorrectly calculated ___

Assessed value on roll does not match assessor's final work product ___

Structure did not exist on taxable status date or was present on another parcel ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application for a corrected 2013/14 Cnty/Town tax bill be approved.

Investigator Margaret Burns Director Eric Johnson Date 2/24/14

Attn: Maggie

RP-554 (9/04)

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

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20__

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.

Adrienne POPKO
1a. Name of Owner

255 W. Mablethsvill Road
1b. Mailing Address

Millbrook, NY 12545

18066-00-355001 (parcel #)

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

5. Account No. 20355001

6. Amount of taxes currently billed 1,280.24

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

Day () Evening () Same
2. Telephone Number SAME 677-3698

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

2014 FEB 21 AM 10:54
REAL PROPERTY TAX SERVICES

for the following reasons (use additional sheets if necessary): taxes not calculated correctly despite eligibility.

2/21/14 Date
Adrienne POPKO 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: 2/21/14 Period of warrant for collection of taxes: 12/16/13

Last day for collection of taxes without interest: 2/28/14

Recommendation: Approve application* Deny Application

2/29/14 Date Signature of County Director

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of _____ which are to consider attached report and recommendation as equivalent to petition filed pursuant to section 553.

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

APPLICATION APPROVED Amount of taxes currently billed: \$ _____

Notice of approval mailed to applicant on (enter date): _____ Corrected tax: \$ _____

Order transmitted to collecting officer on (enter date): _____

APPLICATION DENIED Reason: _____

Seal of Office _____ Date _____ Signature of Chief Executive Officer or Official Designated by Resolution



ASSESSOR'S OFFICE

Town of Washington

P.O. Box 667, 10 RESERVOIR DRIVE
MILLBROOK, NEW YORK 12545
(845) 677-3949

February 21, 2014

Dutchess County Real Property
22 Market Street
Poughkeepsie, NY 12601

RE: Adreinne Popko
6866-00-355001-0000

Dear Eric:

Adrienne Popko renewed her exemption for disability with limited income and received a reduction for school and town but did not receive exemption for the County portion of her taxes and is requesting a corrected tax bill.

She has submitted the form and the materials needed by FAX .

We have calculated her income to be eligible for the county reduction and should get a corrected bill.

If you have any questions, please feel free to contact me.

Very truly,

W. James Tyger
Assessor

IN PERSON PAYMENT
 Mary Alex, Tax Collector
 10 Reservoir Dr
 P.O. Box 749
 Millbrook, NY 12545
 PH: (845) 677-3419

MAKE CHECKS PAYABLE TO:
 Mary Alex, Tax Collector
 10 Reservoir Drive
 P.O. Box 749
 Millbrook, NY 12545
 PH: (845) 677-3419

STATEMENT OF COUNTY/TOWN TAXES TOWN OF WASHINGTON				
Page No.	Roll Sect.	SWIS Code	Bill No.	Sequence No.
1 of 1	1	135889	1848	1529
Fiscal Year		Warrant Dated	Bank Code	Account No.
1/1/2014 to 12/31/2014		12/16/2013		20355001
Estimated State Aid				
CNTY 65,751,778		TOWN	16,500	

Popko Nora Earley LT
 Popko Adrienne M RM
 255 N Mabbettsville Rd
 Millbrook, NY 12545

FOR YOUR INFORMATION
Last day to pay without penalty: February 28, 2014. After this date see Payment Schedule.

SEE REVERSE SIDE FOR MORE INFORMATION

PROPERTY IDENTIFICATION		The assessor estimates the Full Market Value of this property as of July 1, 2012 was:	
PARCEL ID	135889-6666-00-355001-0000		267,800
LOCATION	255 N Mabbettsville Rd	The Total Assessed Value of this property is:	267,800
ACREAGE	1.90	The Uniform Percentage of Value used to establish assessments was:	100.00
SCHOOL	Millbrook CSD	For an explanation of the grievance process, please contact the local assessor and ask for the booklet entitled 'Contesting Your Assessment'. This booklet is also available from the Dutchess County Real Property Tax Service Agency or the NYS Office of Real Property Services website at http://www.tax.ny.gov/pdf/publications/orpts/grievancebooklet.pdf . Please note that the period for filing complaints on the above assessment has passed.	
PROPERTY CLASS	210 - 1 Family Res		

Exemption	Value	Tax Purpose	Full Value Estimate
LTD INC DI	133,900	TOWN	133,900

Exemption	Value	Tax Purpose	Full Value Estimate
<i>State Income Disabled</i>	<i>133,900</i>	<i>County</i>	

PROPERTY TAXES					
Taxing Purpose	Total Levy	% Change in Levy from Prior Year *	Taxable Assessed Value or Units	Rates per \$1000 or per Units	Tax Amounts
County Tax	107,939,368	1.9	267,800.00	3.649634	977.37
Town Outside Tax	1,471,827	2.9	133,900.00	1.494593	200.13
Millbrook Library	100,000	0.0	133,900.00	.083679	11.19
Washington Fire Prot	407,989	-1.1	267,800.00	.342040	91.60

ATTN: Maggie

* This is the percent of increase or decrease of the current year's tax levy over the previous year's tax levy. This does not represent the total percent of your tax increase or decrease. The tax levy is the total amount to be raised by property taxes.

PENALTY SCHEDULE			
Pay By	Amount	Penalty/Interest	Total Due

TOTAL TAX DUE: \$1,280.29
Due by: 2/28/2014

Budget, Finance, and Personnel Committee Roll Call

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

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2014094 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF WASHINGTON

Date: April 3, 2014

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 24 0
 Yes No
 Abstentions: 0

2014094 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE LOCAL TAX COLLECTOR TO ISSUE A CORRECTED TAX BILL IN THE TOWN OF WASHINGTON

Date: April 7, 2014

RESOLUTION NO. 2014095

RE: APPOINTMENT OF DAVID E. PETROVITS TO THE RESOURCE RECOVERY AGENCY BOARD OF DIRECTORS

Legislators MICCIO, BORCHERT, SAGLIANO, SURMAN, SERINO, HORTON, and FARLEY offer the following and move its adoption:

WHEREAS, there exists a vacancy on the Board of Directors of the Dutchess County Resource Recovery Agency by reason of the resignation of Joshua Mackey, and

WHEREAS, Public Authorities Law Section 2047-c provides for the appointment of one member of the Dutchess County Resource Recovery Agency jointly by the County Executive and the Chairman of the Legislature, subject to the confirmation of the Legislature, and

WHEREAS, the County Executive and the Chairman of the Dutchess County Legislature have jointly appointed David E. Petrovits of Poughkeepsie, New York to fill such unexpired term effective April 8, 2014, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby ratify and confirm the appointment of David E. Petrovits to the Board of Directors of the Dutchess County Resource Recovery Agency for a term to expire on December 31, 2014.

CA-61-14
CAB/kvh G-852-E
3/14/14

APPROVED

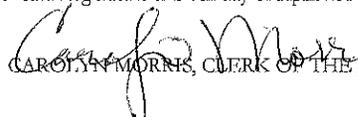
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

DAVID E. PETROVITS

120 Hudson Pointe Drive, Poughkeepsie, N.Y. 12601
Office (845) 471-8700 Home (845) 486-4045
E-Mail: david@petrovits.com

BORN: April 18, 1941

EDUCATION: Wagner College
BS, Business Administration

EXPERIENCE: Spoor Lasher Company, Inc.
1962 to 1971

Founder, Blacktop Maintenance Corp.
1971

President, Blacktop Maintenance Corp.
1971 to Present

President, Route 82 Sand & Gravel, Inc.
1987 to Present

President, Recycling Crushing Technology, Inc.
2000 to Present

COMMUNITY

ACTIVITIES: Member, Riverside Bank, Board of Directors
Chairman, Riverside Bank Loan Committee
LaGrange Lions Club
Vice-President, LaGrange Rural Cemetery
3rd Vice-President, Poughkeepsie Rural Cemetery
Member, DC Chamber of Commerce Liaison Committee

Environment Committee Roll Call

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

2014095 APPOINTMENT OF DAVID E. PETROVITS TO THE RESOURCE RECOVERY AGENCY BOARD OF DIRECTORS

Date: April 3, 2014

Roll Call Sheets

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

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

2014095 APPOINTMENT OF DAVID E. PETROVITS TO THE RESOURCE RECOVERY AGENCY BOARD OF DIRECTORS

Date: April 7, 2014

RESOLUTION NO. 2014096

RE: APPOINTMENTS TO THE DISTRICT 3 FISH AND WILDLIFE MANAGEMENT BOARD

Legislators MICCIO, BORCHERT, BOLNER, SAGLIANO, KELSEY, HORTON, SERINO, FARLEY, and PERKINS offer the following and move its adoption:

WHEREAS, pursuant to Article 11, Section 11-0501 of the Environmental Conservation Law of the State of New York, the Chairman of the Legislature shall appoint members to the District 3 Fish and Wildlife Management Board, subject to confirmation by the County Legislature, and

WHEREAS, the term of Legislator Rob Weiss has expired, and

WHEREAS, Legislator Rob Weiss desires to be appointed to such Board, and the Chairman of the Legislature does hereby appoint Legislator Rob Weiss to said Board, and

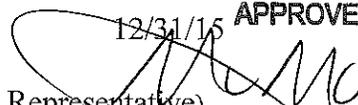
WHEREAS, an opening exists on such board due to the vacancy created by the expiration of the term of Legislator Debra Blalock, and

WHEREAS, Legislator Sue Serino desires to be appointed to such board, and the Chairman of the Legislature does hereby appoint Sue Serino to said Board, now, therefore, be it

RESOLVED, that the following appointment and reappointment to the District 3 Fish and Wildlife Management Board is hereby confirmed by this Legislature for the term indicated:

APPOINTMENTS	TERM ENDING
Rob Weiss 1459 Route 82 Hopewell Junction, NY 12533 (County Legislative Representative - Alternate)	12/31/15

Sue Serino
38 Mansion Drive
Hyde Park, NY 12538 (County Legislative Representative)

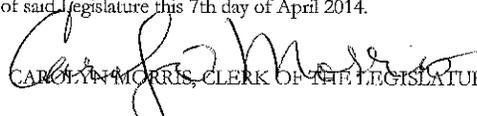
12/31/15 **APPROVED**

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/14/2014

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Environment Committee Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion:

Total : 11 0
 Yes No
 Abstentions: 0

2014096 APPOINTMENT TO THE DISTRICT 3 FISH AND WILDLIFE MANAGEMENT BOARD

Date: April 3, 2014

Roll Call Sheets

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

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

2014096 APPOINTMENT TO THE DISTRICT 3 FISH AND WILDLIFE MANAGEMENT BOARD

Date: April 7, 2014

RESOLUTION NO. 2014097

RE: REAPPOINTMENT AND APPOINTMENT TO THE DUTCHESS COUNTY SOIL AND WATER CONSERVATION BOARD

Legislators BORCHERT, BOLNER, SAGLIANO, KELSEY, SERINO, and FARLEY 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 James J. Miccio and Alison MacAvery; and

WHEREAS, Legislator James J. Miccio has expressed an interest in being reappointed to said Board; and

WHEREAS, Legislator A. Gregg Pulver is currently designated the urban member of the Board, but since his election to the Dutchess County Legislature has expressed his interest in being appointed to said Board as one of the two Legislators on the Board; now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby reappoint James J. Miccio to the Dutchess County Soil and Water Conservation Board for the term specified below; and be it, further

RESOLVED, that the Dutchess County Legislature does hereby appoint A. Gregg Pulver to the Dutchess County Soil and Water Conservation Board for the term specified below.

Reappointment

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

Term Expires

December 31, 2014

Appointment

A. Gregg Pulver
P.O. Box 704
Pine Plains, NY 12567
(Legislator)

Term Expires

APPROVED
December 31, 2014

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/14/2014

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.

Carolyn Morris
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 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (VC)	<i>absent</i>	
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>	

**2014097 REAPPOINTMENT AND APPOINTMENT TO THE DUTCHESS COUNTY
SOIL AND WATER CONSERVATION BOARD**

Date: April 3, 2014

Roll Call Sheets

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

Present:	<u>24</u>	Resolution:	<u>✓</u>	Total:	<u>24</u>	<u>0</u>
Absent:	<u>1</u>	Motion:	<u>—</u>	Yes:		No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2014097 REAPPOINTMENT AND APPOINTMENT TO THE DUTCHESS COUNTY SOIL AND WATER CONSERVATION BOARD

Date: April 7, 2014

RESOLUTION NO. 2014098

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

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

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

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

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

WHEREAS, loan repayments received by the County have exceeded the amount appropriated to date and since the U.S. Department of Housing and Urban Development (HUD) requires that the County expend Program income prior to drawing down new money from the Federal Treasury this Resolution provides for an increase in appropriations that includes an estimate of anticipated revenue, now, therefore, be it

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

APPROPRIATIONS

Increase

CD.8668.2705.4404 Rehab Loans & Grants \$75,000

REVENUES

Increase

CD.8668.21700.01 Community Dev. Sr. Owner \$75,000

CA-53-14
CAB/ca/G-179
3/7/14
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 75,000

Total Current Year Revenue \$ 75,000

and Source
Community Development Block Grant Program

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

Identify Line Items(s):
CD8668.2705.4404

Related Expenses: Amount \$ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$0
Over Five Years: \$0

Additional Comments/Explanation:

Prepared by: Patricia Longbard, Department of Planning and Development

MARCUS J. MOLINARO
COUNTY EXECUTIVE



KEALY SALOMON, AICP
COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

To: William F. O'Neil, Deputy County Executive

From: Eoin Wrafter, Assistant Commissioner of Planning and Development 

Date: February 18, 2014

RE: Legislative Resolution –April 7, 2014
Urban County In House Loan Program

Attached please find a resolution for your review and consideration regarding the authorization of the Finance Department to increase the appropriations for the In-House Loan Program by \$75,000.00.

This resolution request represents a combination of existing and anticipated revenue over the next year. We are requesting an increase to the appropriation line to insure compliance with federal regulations on program income. HUD requires that we expend program income prior to drawing down new money from the Federal Treasury. As we receive monthly repayments and lump sum payoffs we should expend the money we receive each month on the following month's payment requests. To meet this requirement we have developed a process where we have been permitted to include an estimate of anticipated revenue in our appropriations increase requests. We closely track expenditures to insure we do not exceed the monthly revenues.

If you have any questions please contact Anne Saylor, Community Development Administrator, at 486-3600 or asaylor@dutchessny.gov.

EW/pal

Attachments

cc: Dutchess County Attorney's Office

Environment Committee Roll Call

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

Present: <u>12</u>	Resolution: <u>✓</u>	Total: <u>11</u>	<u>0</u>
Absent: <u>0</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2014098 AUTHORIZING THE FINANCE DEPARTMENT TO AMEND
COMMUNITY DEVELOPMENT ACCOUNT FOR URBAN COUNTY IN-HOUSE
LOAN PROGRAM**

Date: April 3, 2014

Roll Call Sheets

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

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

2014098 AUTHORIZING THE FINANCE DEPARTMENT TO AMEND
COMMUNITY DEVELOPMENT ACCOUNT FOR URBAN COUNTY IN-HOUSE
LOAN PROGRAM

Date: April 7, 2014

FAMILY & HUMAN SERVICES

RESOLUTION NO. 2014099

RE: CONFIRMATION OF APPOINTMENT OF DENNIS JOSEPH CHUTE, M.D.
AS MEDICAL EXAMINER OF DUTCHESS COUNTY

Legislators FLESLAND, BOLNER, HUTCHINGS, KELSEY, BORCHERT,
THOMES, SERINO, HORTON, and ROMAN offer the following and move its adoption:

WHEREAS, pursuant to Article XXX, Section 30.01 of the Dutchess County
Charter, the County Executive shall appoint a Medical Examiner subject to confirmation by the
County Legislature, and

WHEREAS, the County Executive has appointed Dennis Joseph Chute, M.D. to
be Acting Medical Examiner for Dutchess County, effective as of March 3, 2014 until such time
as his appointment is confirmed by the Legislature, and has submitted his appointment for
confirmation by this Legislature, and

WHEREAS, this appointment and confirmation are supported by the Dutchess
County Commissioner of Human Resources and the Acting Commissioner of Health, and

WHEREAS, it appears that this candidate has outstanding credentials for the
position of Medical Examiner and should be confirmed, now, therefore, be it

RESOLVED, that the Legislature of the County of Dutchess does hereby confirm
the appointment of Dennis Joseph Chute, M.D. as Medical Examiner of Dutchess County
effective immediately.

CA-55-14
CRC/ca/G-153
3/13/14

APPROVED

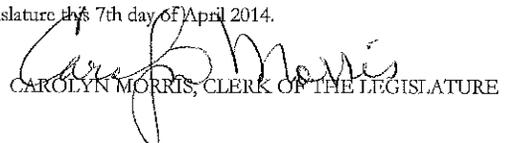
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the
same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

CURRICULUM VITAE

NAME: Dennis Joseph Chute, M.D.
HOME ADDRESS: 12 South Cross Road
LaGrangeville, New York 12540
OFFICE ADDRESS: Office of Medical Examiner
387 Main Street
Poughkeepsie, New York 12601
TELEPHONE: Office: (845) 486-2279
EMAIL: dchute@co.dutchess.ny.us
DATE OF BIRTH: July 23, 1958
CITIZENSHIP: United States of America

EDUCATION

1981 – 1985 Hahnemann University
Broad & Vine Street
Philadelphia, PA
Degree: Medical Doctor
Honors: Elected to Alpha, Omega, Alpha; Medical Staff Award, 1985
1976 – 1980 University of Notre Dame
Notre Dame, IN
Degree: Bachelor of Science
Honors: Elected to Phi, Beta, Kappa; Magna Cum Laude

POST GRADUATE TRAINING

2001 - 2003 Neuropathology Fellow, University of California, Los Angeles,
Department of Pathology and Laboratory Medicine, David Geffen
School of Medicine at UCLA, Los Angeles, CA
1990 – 1991 Intern (PGY-1) in Internal Medicine, Mercy Catholic Medical
Center, Darby, PA
1989 – 1990 Resident in Forensic Pathology, Office of the Chief Medical
Examiner, State of Maryland, Baltimore, MD
1988 – 1989 Chief Resident, Danbury Hospital, Danbury CT

1985 – 1988 Resident in Anatomic and Clinical Pathology, Danbury Hospital,
Danbury, CT

FACULTY POSITIONS & EMPLOYMENT

2005-present Deputy Medical Examiner for Dutchess County, New York

2003 – 2005 Assistant Clinical Professor of Neuropathology, Department of
Pathology and Laboratory Medicine, UCLA Medical Center, Los
Angeles, CA

2002 – 2003 Clinical Instructor, Department of Pathology and Laboratory
Medicine, UCLA Medical Center, Los Angeles, CA

1992 - 2001 Clinical Instructor, Department of Pathology, University of
Maryland, Baltimore, MD

1991 - 2001 Assistant Medical Examiner, Office of the Chief Medical
Examiner, State of Maryland, Baltimore, MD

1998 – 1999 Assistant Director of Residency/Fellowship Training Program,
Office of the Chief Medical Examiner, State of Maryland,
Baltimore, MD

PROFESSIONAL ORGANIZATIONS

Provisional Member of the American Academy of Forensic Sciences

CERTIFICATIONS

Diplomat of the National Board of Medical Examiners, 1986

Diplomat of the American Board of Anatomic and Forensic Pathology, June 4, 1992

Diplomat of the American Board of Neuropathology, September 11, 2003

PUBLICATIONS

1. Kung L, Force M, **Chute DJ**, Roberts RC. Immunocytochemical localization of tyrosine hydroxylase in the human striatum: a postmortem ultrastructural study. J Comp Neurol 1998; 390(1):52-62.

2. Kung L, Conley R, **Chute DJ**, Smialek J, Roberts RC. Synaptic changes in the striatum of schizophrenic cases: a controlled postmortem ultrastructural study. *Synapse*.1998; 28(2):125-39.
3. Levine B, **Chute D**, Caplan, Y. Flecainide intoxication. *J Analytical Tox.* 1990;14:335-36.
4. Roberts R, Conley R, Kung L, Peretti F, **Chute D**. Reduced striatal spine size in schizophrenia: a postmortem ultrastructural study. *NeuroReport*. 1996;7:1214-18.
5. Roberts R, Gaither L, Peretti F, Lapidus B, **Chute D**. The synaptic organization of the human striatum: a post mortem ultrastructural study. *J Comparative Neurol*. 1996; 374:523-34.
6. Pandey GN, Conley RR, Pandey SC, Goel S, Roberts RC, Tamminga CA, **Chute D**, Smialek J. Benzodiazepine receptors in the post-mortem brain of suicide victims and schizophrenic subjects. *Psychiatry Res.* 1997;71(3): 137-149.
6. Morrison A, **Chute D**, Radentz S, Golle M, Troncoso J, Smialek JE. Air bag-associated injury to a child in the front passenger seat. *Am J Forensic Med Pathol*. 1998;17(3): 218-222
7. **Chute DJ**, Smialek JE. Injury patterns in plastic (AR-1) baton fatality. *Am J Forensic Med Pathol* 1998;19(3):226-29
8. Mallak C, **Chute D**, Smialek JE. A penny (or peso) for your thoughts: an unusual intermediate target. *Am J Forensic Med Pathol* 1998;19(3):230-233
9. Chute JP, Clark W, Saini A, **Chute D**, Wells M, Harlan DM. Biologic characterization of human brain endothelial cells which support the expansion and self-renewal of hematopoietic stem cells. *Blood*. 1999;94:3903.
10. Levine B, Jenkins A, **Chute D**, Smialek JE. Perphenazine distribution in a postmortem case. *J Anal Tox* 1999;23:127-129.
11. **Chute DJ**, Grove C, Rajasekhara B., Smialek JE. Schizophrenia and sudden death: a medical examiner case study. *Am J Forensic Med Pathol* 1999;20(2):131-135
12. Beach L, Burke A, **Chute D**, Virmani R. Anomalous origin of 4 coronary ostia from the right sinus of Valsalva in a patient with hypertrophic cardiomyopathy. *Arch Pathol Lab Med*. 2001;125(11):1489-90.

13. **Chute DJ**, Smialek, JE. Pseudo-subarachnoid hemorrhage of the head diagnosed by computerized axial tomography: a postmortem study of ten medical examiner cases. *J Forensic Sci* 2002;47(4):360-65.
14. Chute JP, Saini A, **Chute D**, Wells M, Clark W, Harlan D, Stull M, Civin C, Davis T. Primary human brain endothelial cells plus exogenous cytokines support the expansion of cycling human bone marrow CD34+CD38-progenitor cells capable of engrafting NOD/SCID mice. *Blood*. 2002;100(13):4433-9.
15. **Chute DJ**, Burton EC, Klement IA, Frazee JG, Vinters HV. Primary intramedullary spinal cord germinoma: Case Report. *J Neuro-Oncology*. 2003; 63:69-73.
16. Fu C, **Chute DJ**, Farag ES, Garakian J, Cummings JL, Vinters HV. Co-morbidity in dementia: an autopsy study. *Arch Pathol Lab Med*. 2003;128:32-38.
17. Frigetto L, De Salles AA, Behnke E, Smith ZA, **Chute D**. Image-guided frameless stereotactic biopsy sampling of parasellar lesions. Technical note. *J Neurosurg*. 2003;98:920-925.
18. **Chute DJ**, Fowler DR. Fatal hemothorax due to rupture of an intrathoracic extramedullary hematopoietic nodule. *Am J Forensic Med Pathol*. 2004;25:74-77.
19. Miyata H, **Chute DJ**, Fink J, Villablanca P, Vinters HV. Lissencephaly with agenesis of corpus callosum and rudimentary dysplastic cerebellum: a subtype of lissencephaly with cerebellar hypoplasia. *Acta Neuropathol (Berl)*. 2004;107:69-81.
20. McArthur DL, **Chute DJ**, Villablanca JP. Moderate and severe traumatic brain injury: epidemiologic, imaging and neuropathologic perspectives. *Brain Pathol*. 2004;14:185-194.
21. Johnson JK, Diehl J, Mendez MF, Neuhaus J, Shapira JS, **Chute DJ**, Roberson ED, Pace-Savitsky C, Neumann M, Chow TW, Rosen HJ, Forstl H, Kurz A, Miller BL. Frontotemporal lobar degeneration: demographic characteristics of 353 patients. *Arch Neurol*. 2005;62:925-30.
22. Liao LM, Prins RM, Kiertscher SM, Odesa SK, Kremen TJ, Giovannone AJ, Lin JW, **Chute DJ**, Mischel PS, Cloughesy TF, Roth MD. Dendritic cell vaccination in glioblastoma patients induces systemic and intracranial T-cell responses modulated by the local central nervous system tumor microenvironment. *Clin Cancer Res*. 2005; 11:5515-25.

23. Mellinghoff IK, Wang MY, Vivanco I, Haas-Kogan DA, Zhu S, Dia EQ, Lu KV, Yoshimoto K, Huang JH, **Chute DJ**, Riggs BL, Horvath S, Liau LM, Cavenee WK, Rao PN, Beroukhi R, Peck TC, Lee JC, Sellers WR, Stokoe D, Prados M, Cloughesy TF, Sawyers CL, Mischel PS. Molecular determinants of the response of glioblastomas to EGFR kinase inhibitors. *N Engl J Med*. 2005;353(19):2012-24.
24. Salamon N, Andres M, **Chute DJ**, Nguyen ST, Chang JW, Huynh MN, Chandra PS, Andre VM, Cepeda C, Levine MS, Leite JP, Neder L, Vinters HV, Mathern GW. Contralateral Hemimicroencephaly and Clinical-Pathologic Correlations in Children with Hemimegalencephaly. *Brain*. 2006;129(Pt 2):352-65.
25. Marder V, **Chute D**, Starkman S, Abolian A, Kidwell C, Liebeskind D, Ovbiagele B, Vinuela F, Duckwiler G, Jahan R, Vespa PM, Selco S, Rajajee K, Kim D, Sanossian N, Saver J. Analysis of thrombi retrieved from cerebral arteries of patients with acute ischemic stroke. *Stroke*. 2006;37(8):2086-93.
26. Huang SY, Wolahan SM, Mathern GJ, **Chute DJ**, Akhtari M, Nguyen ST, Huynh MN, Salamon N, Lin YY. Improving MRI differentiation of gray and white matter in epileptogenic lesions based on nonlinear feedback. *Magn Reson Med*. 2006;56(4):776-86.
27. Armah HB, Wang G, Omalu BI, Tesh RB, Gyure KA, **Chute DJ**, Smith RD, Dulai P, Vinters HV, Kleinschmidt-DeMasters BK, Wiley CA. Systemic distribution of West Nile Virus infection: Postmortem immunohistochemical study of six cases. *Brain Pathol*. 2007;17(4):354-62.
28. **Chute DJ**, Reiber K. Three Unusual Neuropathologic-Related Causes of Sudden Death. *J Forensic Sci*. 2008;53(3):734-738.
29. Desai SC, **Chute DJ**, Desai B, Koloski ER. Traumatic dissection and rupture of the abdominal aorta as a complication of the Heimlich maneuver. *J Vasc Surg*. 2008;48:1325-1327.
30. **Chute DJ**, Stasaitis W, Bready RJ. Infantile Perineal Protrusion. *Am J Forensic Med Pathol*. 2009;30(3):287-8.
31. **Chute DJ**, Cox J, Archer ME, Bready RJ, Reiber K. Spontaneous Rupture of Urinary Bladder Associated with Massive Fecal Impaction (Fecaloma). *Am J Forensic Med Pathol*. 2009;30(3):280-3.

32. **Chute DJ**, Rawley J, Cox J, Bready R J, Reiber K. Angiocentric Systemic Granulomatosis. *Am J Forensic Med Pathol.* 2010 Jun;31(2):146-50.
33. Yin NS, Benavides S, Starkman S, Liebeskind DS, Saver JA, Salamon N, Jahan R, Duckwiler GR, Tateshima S, Vinuela F, Vespa PM, **Chute DJ**, Vinters HV. Autopsy findings after intracranial thrombectomy for acute ischemic stroke: a clinicopathologic study of 5 patients. *Stroke.* 2010 May;41(5):938-47.
34. **Chute DJ**, Stasaitis W. Massive Ovarian Cyst and Sudden Death. *Am J Forensic Med Pathol.* 2012 Dec;33(4):300-2.
35. **Chute DJ**, Rawley J, Cox J, Bready R J. Sudden Unexpected Death due to Hemophagocytic Lymphohistiocytosis Syndrome. *J. Forensic Sci.* 2013 Jul;58(4):1080-4.

PRESENTATIONS / EXHIBITS

1. Fowler F, Platt M, **Chute DJ**, Elin R, Niemela J, Smialek JE. Endotoxemia-a possible mechanism of death in blunt force injury to the abdomen. Annual Meeting of the American Academy of Forensic Sciences, 1996.
2. Levine B, **Chute DJ**, Jenkins A, Smialek JE. Identification of sertraline in a postmortem case. 3rd International Congress of Therapeutic Drug Monitoring and Clinical Toxicology, 1993.
3. Rodriguez W, McCormick G, **Chute DJ**, Smialek JE. Use of bio-environmental evidence in the recovery of a skeletal remains-two cases involving bullet recovery. Annual Meeting of the American Academy of Forensic Sciences, 1996.
4. **Chute DJ**, Smialek JE. Pseudo-subarachnoid hemorrhage of the head by computed axial tomography: a port-mortem study of ten medical examiner cases. Annual Meeting of the American Academy of Forensic Sciences, 2001.
5. Fu C, **Chute DJ**, Farag E, Vinters H. Co-morbidity in dementia: an autopsy study. Annual Meeting of the American Association of Neuropathologists, 2002.
6. Medin P, Goss B, **Chute DJ**, DeSalles A. Non-invasive image-guided radiosurgery of lumbar dorsal root ganglia for relief of dermatomal pain: A pilot study in swine. 23rd Annual European Society of Therapeutic Radiation Oncology, Amsterdam, October 2004.

7. Marder V, **Chute DJ**, Starkman S, Abolian A, Kidwell C, Ovbiagele B, Vinuela F, Duckwiler G, Reza J, Selco S, Rajajee K, Saver J. Histology of thrombi retrieved from acute ischemic stroke patients by endovascular embolectomy. International Stroke Conference, 2005.
8. Huang SY, Akhtari M, Mathern G, Vinters HV, **Chute DJ**, Lin Y. MRI contrast enhancement by the butterfly effect and feedback fields. Experimental Nuclear Magnetic Resonance Conference, 2005.
9. **Chute DJ**, Reiber K. Three Unusual Neuropathologic-Related Causes of Sudden Death. Annual Meeting of the American Academy of Forensic Sciences, 2007.
10. **Chute DJ**. Nebulous, novel and necessary: Neuropathology. Fall Conference of the New York State Association of County Coroners and Medical Examiners, 2008.
11. **Chute DJ**, Benjamin ED, Cox J, Bready RJ. Calcific Cerebral Embolism from a Congenital Bicuspid Aortic Valve. Annual Meeting of the National Association of Medical Examiners, 2012.

OTHER ACTIVITIES:

1. College of American Pathologists Team Member/Inspector May 10, 2006 of the Autopsy Services, Electron Microscopy and Neuropathology Laboratories, Bellevue Hospital, New York, N. Y.
2. Invited Speaker for the Fall Meeting of the New York State Association of County Coroners and Medical Examiners, "Nebulous, Novel and Necessary Neuropathology" presented on September 21, 2008, Fishkill, New York.
3. Invited Lecturer to Danbury Hospital Pathology Residency Program, "Sudden natural deaths in Adults" presented on May 19, 2011, Danbury Connecticut.
4. Invited Lecturer to Danbury Hospital Pathology Residency Program, "Blunt force trauma and traumatic head injuries" presented on July 21, 2011, Danbury Connecticut.
5. Invited Lecturer to Danbury Hospital Pathology Residency Program, "Pathology of Brain Tumors – Part 1" presented on September, 27, 2011, Danbury Connecticut.
6. Invited Lecturer to Danbury Hospital Pathology Residency Program, "Pathology of Brain Tumors – Part 2" presented on October 20, 2011, Danbury Connecticut.

7. Invited Lecturer to Danbury Hospital Pathology Residency Program, "Neuropathology of Dementia" presented on January 19, 2012, Danbury Connecticut.

Family and Human Services Committee Roll Call

	<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>		
	District 8 - City and Town of Poughkeepsie	Rolison*	✓			
	District 6 - Town of Poughkeepsie	Flesland*				
	District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *				
	District 10 - City of Poughkeepsie	Jeter-Jackson*				
	District 16 - Town of Fishkill and City of Beacon	MacAvery*				
	District 1 - Town of Poughkeepsie	Nesbitt				
	District 4 - Town of Hyde Park	Serino				
	District 9 - City of Poughkeepsie	Johnson	<i>absent</i>			
	District 20 - Town of Red Hook	Strawinski				
	District 21 - Town of East Fishkill	Horton (VC)				
	District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	<i>absent</i>			
	District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey (C)				
Present:	<u>10</u>	Resolution:	✓	Total :	<u>10</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	—		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2014099 CONFIRMATION OF APPOINTMENT OF DENNIS JOSEPH CHUTE, M.D.
AS MEDICAL EXAMINER OF DUTCHESS COUNTY**

Date: April 3, 2014

Roll Call Sheets

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

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

2014099 CONFIRMATION OF APPOINTMENT OF DENNIS JOSEPH CHUTE, M.D.
AS MEDICAL EXAMINER OF DUTCHESS COUNTY

Date: April 7, 2014

Government Services and Administration

RESOLUTION NO. 2014100

RE: REAPPOINTMENT OF ERIK J. HAIGHT AS COMMISSIONER OF ELECTIONS

Legislators KELSEY, BORCHERT, SAGLIANO, SURMAN, SERINO, HORTON, and PERKINS offer the following and move its adoption:

WHEREAS, the term of Erik J. Haight as Commissioner of Elections will expire on December 31, 2014, and

WHEREAS, pursuant to Section 3-204 of the Election Law, the County Committee of the Republican Party has recommended that Erik J. Haight be reappointed as such Commissioner of Elections, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby reappoint Erik J. Haight to a two-year term as Commissioner of Elections for Dutchess County commencing on the first day of January 2015 and expiring on the 31st day of December 2016.

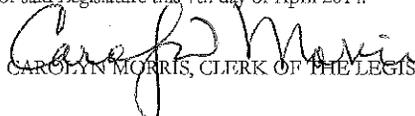
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

STATE OF NEW YORK
STATE BOARD OF ELECTIONS

ELECTION COMMISSIONER CERTIFICATION

To the Clerk of the County (Board)(Legislature), County of DUTCHESS.

I certify that:

At a meeting of the DUTCHESS COUNTY REPUBLICAN County Committee of the County of DUTCHESS, held on the 20TH day of FEBRUARY, 20 14, at POUGHKEEPSIE, New York, under the provisions of the Election Law and rules of the County Committee, a quorum being present,

ERIK J. HAIGHT, residing at

(Name)

12 MOUNTAINVIEW RD, POUGHKEEPSIE, New York, 12603 was
(Address) (Zip Code)

recommended by majority of said committee as a suitable and qualified person for appointment to the office of Commissioner of Elections,

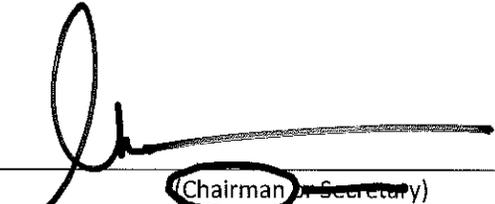
for the term beginning January 1, 20 15

to fill an existing vacancy in said office for the remainder of the current term

and that said designee is a registered voter of the County of DUTCHESS and a duly enrolled member of the REPUBLICAN Party.

Dated at POUGHKEEPSIE, New York

3.5, 20 14
(Date)


(Chairman or Secretary)
MICHAEL MCCORMACK

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 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 12 - Town of East Fishkill	Weiss (VC)		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Strawinski		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	<i>absent</i>	
District 24 - Towns of Dover and Union Vale	Surman (C)		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		
Present:	<u>11</u>	Resolution:	<u>✓</u>
Absent:	<u>1</u>	Motion:	<u>—</u>
Vacant:	<u>0</u>	Total :	<u>11</u> <u>0</u>
		Abstentions:	<u>0</u> <u>0</u>

2014100 REAPPOINTMENT OF ERIK J. HAIGHT AS COMMISSIONER OF ELECTIONS

Date: April 3, 2014

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 23 1
 Yes No
 Abstentions: 0

2014100 REAPPOINTMENT OF ERIK J. HAIGHT AS COMMISSIONER OF ELECTIONS

Date: April 7, 2014

Public Safety

RESOLUTION NO. 2014101

RE: APPOINTMENTS AND REAPPOINTMENT TO THE E-911 MAINTENANCE BOARD

Legislators ROMAN, FLESLAND, SAGLIANO, SURMAN, HORTON, and FARLEY offer the following and move its adoption:

WHEREAS, the E-911 Maintenance Board was created pursuant to Resolution No. 990379; and

WHEREAS, vacancies exist on the E-911 Maintenance Board; now, therefore, be it

RESOLVED, that the following persons be appointed and reappointed to the E-911 Maintenance Board as follows:

APPOINTMENT

TERM

Ellen Nesbitt
7 West Cedar Street
Poughkeepsie, NY 12601
(Majority Appointment)

April 1, 2014 – March 31, 2015

Richard Perkins
1606 Route 9G
Hyde Park, NY 12538
(Minority Appointment)

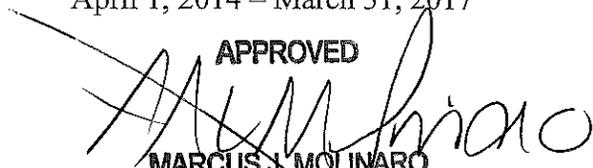
April 1, 2014 – March 31, 2017

REAPPOINTMENT

TERM

David Kelly
Town of Pawling Supervisor
160 Charles Colman Blvd
Pawling, NY 12564
(Supervisors & Mayors Association)

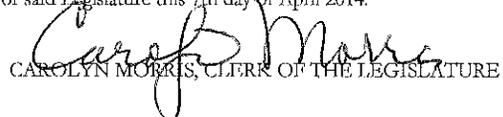
April 1, 2014 – March 31, 2017

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE



Dutchess County Supervisors & Mayors Association

"Working together for solutions, solutions for working together"

President

Lisette Hitsman
Supervisor Town of Union Vale
249 Duncan Road
La Grangeville, NY 12540
845-724-5600

Vice President

Aileen Rohr
Supervisor Town of Hyde Park
4383 Albany Post Road
Hyde Park, NY 12538
845-229-5111

Treasurer

Todd N. Tancredi
Supervisor Town of Poughkeepsie
1 Overocker Road
Poughkeepsie, NY 12603
845-483-3600

Secretary

David Kelly
Supervisor Town of Pawling
160 Charles Coleman Boulevard
Pawling, NY 12564
845-855-4464

March 24, 2014

Rob Rolison
Chairman DC Legislature
Poughkeepsie, NY 12601

Dear Mr. Rolison,

At the January meeting of the Dutchess County Supervisors and Mayors Association David P. Kelly was appointed to the E 911 Oversight Committee to represent the Villages in Dutchess County.

Yours truly,

Lisette Hitsman
President DCS&MA

Towns of:

- Beekmantown
- Clinton
- Dover
- East Fishkill
- Fishkill
- Hyde Park
- LaGrange
- Millbrook
- North East
- Pawling
- Pine Plains
- Pleasant Valley
- Poughkeepsie
- Red Hook
- Rhinebeck
- Stanford
- Union Vale
- Wappinger
- Washington

Villages of:

- Fishkill
- Millbrook
- Millerton
- Pawling
- Red Hook
- Rhinebeck
- Wappingers Falls

Cities of:

- Beacon
- Poughkeepsie

Roll Call Sheets

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

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

2014101 APPOINTMENTS AND REAPPOINTMENT TO THE E-911 MAINTENANCE BOARD

Date: April 7, 2014

NO FURTHER ACTION TAKEN

RESOLUTION NO. 2014102

BOND RESOLUTION DATED MAY 12, 2014.

A RESOLUTION AUTHORIZING THE COST OF THE CONSTRUCTION OF ADDITIONS TO AND RECONSTRUCTION OF THE EMERGENCY RESPONSE EQUIPMENT GARAGE, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$353,500, AND AUTHORIZING THE ISSUANCE OF \$353,500 BONDS TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provision of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing thereof, NOW, THEREFORE,

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

Section 1. The cost of the construction of additions to and reconstruction of the Emergency Response Equipment Garage on Creek Road, in Hyde Park, New York, in and for the County of Dutchess , New York, including original equipment, furnishing, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$353,500.

Section 2. It is hereby determined that the plan for the financing of said specific object or purpose is by the issuance of the \$353,500 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 25 years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

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

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

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

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

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

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

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

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

* * * * *

LEGAL NOTICE OF ESTOPPEL

The following entitled bond resolution, a summary of which is published herewith, has been adopted on May 12, 2014, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Poughkeepsie, New York,

_____, 2014.

Clerk, County Legislature

RESOLUTION NO. _____, 2014

BOND RESOLUTION DATED MAY 12, 2014.

A RESOLUTION AUTHORIZING THE COST OF THE CONSTRUCTION OF ADDITIONS TO AND RECONSTRUCTION OF THE EMERGENCY RESPONSE EQUIPMENT GARAGE, IN AND FOR HE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$353,500, AND AUTHORIZING THE ISSUANCE OF \$353,500 BONDS TO PAY THE COST THEREOF.

Specific object or purpose:	Construction of additions/reconstruction of Emergency Response Equipment Garage
Period of probable usefulness:	25 years
Maximum estimated cost:	\$353,500
Amount of bonds to be issued:	\$353,500 bonds
SEQRA status:	SEQRA compliance materials on file in the Office of the County Legislature where they may be inspected during normal office hours.

**RECONSTRUCTION OF EMERGENCY
RESPONSE EQUIPMENT GARAGE**
\$353,500 at 4.40%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$353,500.00	\$14,140.00	\$15,554.00	\$29,694.00
2	339,360.00	14,140.00	14,931.84	29,071.84
3	325,220.00	14,140.00	14,309.68	28,449.68
4	311,080.00	14,140.00	13,687.52	27,827.52
5	296,940.00	14,140.00	13,065.36	27,205.36
6	282,800.00	14,140.00	12,443.20	26,583.20
7	268,660.00	14,140.00	11,821.04	25,961.04
8	254,520.00	14,140.00	11,198.88	25,338.88
9	240,380.00	14,140.00	10,576.72	24,716.72
10	226,240.00	14,140.00	9,954.56	24,094.56
11	212,100.00	14,140.00	9,332.40	23,472.40
12	197,960.00	14,140.00	8,710.24	22,850.24
13	183,820.00	14,140.00	8,088.08	22,228.08
14	169,680.00	14,140.00	7,465.92	21,605.92
15	155,540.00	14,140.00	6,843.76	20,983.76
16	141,400.00	14,140.00	6,221.60	20,361.60
17	127,260.00	14,140.00	5,599.44	19,739.44
18	113,120.00	14,140.00	4,977.28	19,117.28
19	98,980.00	14,140.00	4,355.12	18,495.12
20	84,840.00	14,140.00	3,732.96	17,872.96
21	70,700.00	14,140.00	3,110.80	17,250.80
22	56,560.00	14,140.00	2,488.64	16,628.64
23	42,420.00	14,140.00	1,866.48	16,006.48
24	28,280.00	14,140.00	1,244.32	15,384.32
25	14,140.00	<u>14,140.00</u>	<u>622.16</u>	<u>14,762.16</u>
TOTAL		<u>\$353,500.00</u>	<u>\$202,202.00</u>	<u>\$555,702.00</u>
AVG. PER YEAR		\$14,140.00	\$8,088.08	\$22,228.08

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$353,500.00
ANTICIPATED INTEREST RATE	4.40%
TERM 25 YEARS. TOTAL ANTICIPATED	\$3,500.00
FEES INCLUDED:	
ANTICIPATED ANNUAL COST (PRIN + INT):	\$22,228.08
TOTAL PAYBACK (ANNUAL COST x TERMS):	\$555,702.00

PREPARED BY PAMELA BARRACK

H0462 - ER Equipment Garage Project

APPROPRIATIONS

Increase

H0462.1620.3150	Building - Reconstruction	\$350,000
H0462.1620.3900	Bond Issuing Costs	\$3,500
		<u>\$353,500</u>

REVENUES

Increase

H0462.1620.57100	Serial Bonds	\$353,500
		<u>\$353,500</u>

**Dutchess County Fire and Safety Advisory Board
392 Creek Rd.
Poughkeepsie, NY 12601**

March 26, 2014

Chairman Rob Rolison:

On behalf of the Dutchess County Fire and Safety Advisory Board, I am writing to express our support for the "Equipment Garage Expansion Project" at the Emergency Response Campus.

The equipment located at 392 Creek Rd. plays a vital role in the County's and local municipalities' ability to respond to various emergencies. Hundreds of thousands of dollars have been spent to purchase this equipment-much of it with federal Homeland Security Grant funding.

Due to the fact that there is no covered/temperature stable storage available this equipment is exposed to the elements. As a result, the equipment is aging prematurely and, in the event of an emergency, might not be serviceable.

We ask that you approve the funding of this expansion so that Dutchess County's valuable assets are preserved.

Thank you,

A handwritten signature in black ink that reads "Steven Shultis" with a small "pc" written below it.

Steven Shultis
Chairman



Fire Chiefs Council of Dutchess County

392 Creek Road, Poughkeepsie, NY, 12601

March 26, 2014

Chairman Robert Rolison:

On behalf of the Fire Chief's Council of Dutchess County, I am writing to express our support for the "Equipment Garage Expansion Project" at the Emergency Response Campus.

The equipment located at 392 Creek Rd. plays a vital role in the County's and local municipalities' ability to respond to various emergencies. Hundreds of thousands of dollars have been spent to purchase this equipment-much of it with federal Homeland Security Grant funding.

Due to the fact that there is no covered/temperature stable storage available, this equipment is exposed to the elements. As a result, the equipment is aging prematurely and, in the event of an emergency, might not be serviceable.

We ask that you approve the funding of this expansion so that Dutchess County's valuable assets are preserved.

Thank you,

Tom Jackson
President

DUTCHESS COUNTY
ENHANCED 911 OVERSIGHT BOARD

392 CREEK ROAD
POUGHKEEPSIE, N.Y. 12601
(845) 486-2080
FAX (845) 486-3998

April 29, 2014

Chairman Rob Rolison:

On behalf of the 911 Oversight Board, I am writing to express our support for the "Equipment Garage Expansion Project" at the Emergency Response Campus.

The equipment located at 392 Creek Rd. plays a vital role in the County's and local municipalities' ability to respond to various emergencies. Hundreds of thousands of dollars have been spent to purchase this equipment-much of it with federal Homeland Security Grant funding.

Due to the fact that there is no covered/temperature stable storage available this equipment is exposed to the elements. As a result, the equipment is aging prematurely and, in the event of an emergency, might not be serviceable.

We ask that you approve the funding of this expansion so that Dutchess County's valuable assets are preserved.

Thank you,



Sandy Williams
Chairman

DUTCHESS COUNTY

LEGISLATURE

MAY 14 PM 4:02

Background
2014102

Association of Fire Districts of Dutchess County
392 Creek Road
Poughkeepsie, New York 12601

March 25, 2014

Dana Smith, Emergency Response Coordinator
Dutchess County Department of Emergency Response
392 Creek Road
Poughkeepsie, New York 12601

Dear Coordinator Smith;

At the March meeting of the Association held in Hughsonville, a motion was made and passed by the membership supporting Phase 4 of the Campus Master Plan of the Capital Projects for the Department of Emergency Response. The \$350,000.00 bond cost for the extension of the vehicle garage is supported by the Fire Districts of the County as it is needed to store and protect the equipment purchased for field work at the Department of Emergency Response.

Sincerely,



Jayne Murphy
Secretary

Resolution No. 2014102 was offered for discussion only at the Public Works and Capital Projects Committee Meeting on April 3, 2014. There was no further action taken on this resolution.

DISCUSSION ONLY 4/7/14
PUBLIC SAFETY
AMENDED IN COMMITTEE 5/8/14
AMENDED ON FLOOR 5/12/14

RESOLUTION NO. 2014103

BOND RESOLUTION DATED MAY 12, 2014

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,495,310 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY CERTAIN PRELIMINARY COSTS INCIDENTAL TO A COMPREHENSIVE APPROACH TO THE CRIMINAL JUSTICE FACILITY WHICH WILL INCORPORATE TEMPORARY POD LOCATIONS AS WELL AS THE ISSUES PRESENTED IN THE RICCI GREENE ASSOCIATES "VALIDATION STUDY" REPORT (DATED MAY 28, 2013) AND THE RECONSTRUCTION OF AND CONSTRUCTION OF ADDITIONS TO THE COUNTY JAIL IN AND FOR SAID COUNTY

WHEREAS, the County Legislature of the County of Dutchess, New York (the "County") has had under consideration a comprehensive approach to the criminal justice system and the construction of a new County Jail or the construction of additions to and reconstruction of the existing County Jail, and

WHEREAS, the County and the New York State Commission on Corrections have entered into a Memorandum of Agreement in connection therewith; and

WHEREAS, the County Legislature has appropriated ONE MILLION TWO HUNDRED AND TWELVE THOUSAND DOLLARS (by Resolution No. 2013182 on June 10, 2013) for planning, design, and cost analysis studies, which are to include a project definition and planning phase for the development of functional designs for a comprehensive approach to the criminal justice facility in the County of Dutchess, including the issues presented in the Ricci Greene Associates "Validation Study" report as to what types of services and number of beds are required in order to address the current or new facility and other needs of the County's criminal

justice system and has determined to undertake those studies in connection with the construction of additions to and reconstruction of the existing jail, and

WHEREAS, the County Legislature has authorized on December 16, 2013 the issuance of \$1,309,327 serial bonds to pay a portion of the cost of the acquisition of real property adjacent to the existing County Jail in connection therewith; and

WHEREAS, it is the intent of this County Legislature to authorize said capital project upon completion of said studies; and

WHEREAS, temporary arrangements for the housing of inmates must be made, secured, studied, evaluated, and tested before completion of the design phase and before such reconstruction and construction can commence; and

WHEREAS, all conditions precedent to the financing of the temporary housing of inmates capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed and SEQRA compliance materials are on file in the Office of the Clerk of the County Legislature where they may be inspected during regular office hours; and

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in a significant environmental effect; and

WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE

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

Section 1. Preliminary costs incidental for functional designs for a comprehensive approach to the criminal justice facility including the reconstruction of and construction of additions to the County Jail, in and for the County of Dutchess, New York, including leasing and installation of temporary inmate housing units, site preparation therefore, programmatic studies relating thereto, and incidental improvements and expenses in connection therewith, pursuant to a Memorandum of Agreement between the County and the New York State Commission on Corrections, are hereby authorized at a maximum estimated cost of \$6,495,310.

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose is by the issuance of \$6,495,310 serial bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 5 years, pursuant to subdivision 89, based upon subdivisions 33(a)(2) and 62(2nd) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined to be the intention of this County Legislature, upon completion of related SEQRA, planning, design and cost estimate studies to authorize the financing of the costs of the reconstruction of and construction of additions to the County Jail, and to provide in the bond resolution therefore for inclusion of the specific object or purpose whose financing is authorized herein as a necessary incidental part of the cost thereof, for housing of inmates during said reconstruction and construction . It is reasonably anticipated that such bond resolution will be authorized expeditiously upon completion of the requisite SEQRA, planning, design and cost estimate studies that will be done during the 2014-2016 fiscal years of the County.

Section 4. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same

respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on May 12, 2014, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 20 ayes and 5 noes, with 0 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on May 23, 2014, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News
Poughkeepsie Journal

May 9, 2014
May 9, 2014

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

Designated Location(s)
of posted notice

Date of Posting

County Office Building, 6th Floor, County Office Building
Poughkeepsie, NY 12601

May 9, 2014

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 13day of May, 2014.



Carlo Morris
Clerk, County Legislature

APPROVED
Marcus J. Molinaro
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 5/13/14

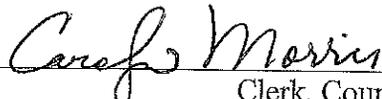
LEGAL NOTICE OF ESTOPPEL

The following bond resolution has been adopted on May 12, 2014, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A copy of this resolution and the documentation regarding the status of the project under the State Environmental Quality Review Act is available for further public inspection during regular business hours at the Office of the Clerk of the Legislature.

Dated: Poughkeepsie, New York,

May 29, 2014


Clerk, County Legislature

RESOLUTION NO. 2014103

BOND RESOLUTION DATED MAY 12, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,495,310 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY CERTAIN PRELIMINARY COSTS INCIDENTAL TO A COMPREHENSIVE APPROACH TO THE CRIMINAL JUSTICE FACILITY WHICH WILL INCORPORATE TEMPORAY POD LOCATIONS AS WELL AS THE ISSUES PRESENTED IN THE RICCI GREENE ASSOCIATES "VALIDATION STUDY" REPORT (DATED MAY 28, 2013) AND THE RECONSTRUCTION OF AND CONSTRUCTION OF ADDITIONS TO THE COUNTY JAIL IN AND FOR SAID COUNTY

WHEREAS, the County Legislature of the County of Dutchess, New York (the "County") has had under consideration a comprehensive approach to the criminal justice system and the construction of a new County Jail or the construction of additions to and reconstruction of the existing County Jail, and

WHEREAS, the County and the New York State Commission on Corrections have entered into a Memorandum of Agreement in connection therewith; and

WHEREAS, the County Legislature has appropriated ONE MILLION TWO HUNDRED AND TWELVE THOUSAND DOLLARS (by Resolution No. 2013182 on June 10, 2013) for planning, design, and cost analysis studies, which are to include a project definition and planning phase for the development of functional designs for a comprehensive approach to the criminal justice facility in the County of Dutchess, including the issues presented in the Ricci Greene Associates "Validation Study" report as to what types of services and number of beds are required in order to address the current or new facility and other needs of the County's criminal justice system and has determined to undertake those studies in connection with the construction of additions to and reconstruction of the existing jail, and

WHEREAS, the County Legislature has authorized on December 16, 2013 the issuance of \$1,309,327 serial bonds to pay a portion of the cost of the acquisition of real property adjacent to the existing County Jail in connection therewith; and

WHEREAS, it is the intent of this County Legislature to authorize said capital project upon completion of said studies; and

WHEREAS, temporary arrangements for the housing of inmates must be made, secured, studied, evaluated, and tested before completion of the design phase and before such reconstruction and construction can commence; and

WHEREAS, all conditions precedent to the financing of the temporary housing of inmates capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed and SEQRA compliance materials are on file in the Office of the Clerk of the County Legislature where they may be inspected during regular office hours; and

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in a significant environmental effect; and

WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE

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

Section 1. Preliminary costs incidental for functional designs for a comprehensive approach to the criminal justice facility including the reconstruction of and construction of additions to the County Jail, in and for the County of Dutchess, New York, including leasing and installation of temporary inmate housing units, site preparation therefore, programmatic studies relating thereto, and incidental improvements and expenses in connection therewith, pursuant to a Memorandum of Agreement between the County and the New York State Commission on Corrections, are hereby authorized at a maximum estimated cost of \$6,495,310.

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose is by the issuance of \$6,495,310 serial bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 5 years, pursuant to subdivision 89, based upon subdivisions 33(a)(2) and 62(2nd) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined to be the intention of this County Legislature, upon completion of related SEQRA, planning, design and cost estimate studies to authorize the financing of the costs of the reconstruction of and construction of additions to the County Jail, and to provide in the bond resolution therefore for inclusion of the specific object or purpose whose financing is

authorized herein as a necessary incidental part of the cost thereof, for housing of inmates during said reconstruction and construction . It is reasonably anticipated that such bond resolution will be authorized expeditiously upon completion of the requisite SEQRA, planning, design and cost estimate studies that will be done during the 2014-2016 fiscal years of the County.

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

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

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

of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

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

Jail Preliminary Construction

\$6,495,310 @

1.50%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$6,495,310	\$1,299,062	\$97,430	\$1,396,492
2	5,196,248	1,299,062	77,944	1,377,006
3	3,897,186	1,299,062	58,458	1,357,520
4	2,598,124	1,299,062	38,972	1,338,034
5	1,299,062	<u>1,299,062</u>	<u>19,486</u>	<u>1,318,548</u>
TOTAL		<u>\$6,495,310</u>	<u>\$292,289</u>	<u>\$6,787,599</u>
AVG. PER YEAR		\$1,299,062	\$58,458	\$1,357,520

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$6,495,310	
ANTICIPATED INTEREST RATE		1.50%
TERM	5 YEARS. TOTAL ANTICIPATED FEES:	\$64,310
ANTICIPATED ANNUAL COST (PRIN + INT):		\$1,357,520
TOTAL PAYBACK (ANNUAL COST x TERMS):		\$6,787,599

PREPARED BY PAMELA BARRACK

H0466 - 2014 Jail PODs Project

APPROPRIATIONS

Increase

H0466.1620.4401.105	Professional Services - Consultants	\$84,000
H0466.1620.4613	Repairs/Alterations to Real Property	\$600,000
H0466.1620.4571.63	Rntl/Lse Real Prop Long T	\$5,747,000
H0466.1620.3900	Bond Issuing Costs	\$64,310
		<u>\$6,495,310</u>

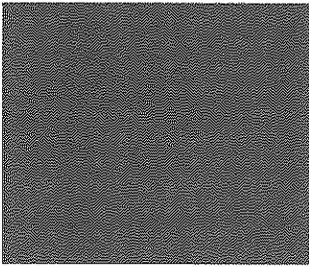
REVENUES

Increase

H0466.1620.57100	Serial Bonds	\$6,495,310
		<u>\$6,495,310</u>

PODs Bond - 3 Year Lease + Extension

Site Prep	\$	684,000
Payment upon Execution	\$	1,228,327
Quarterly Proteus Payment	\$	3,684,982
Extension Payments	\$	833,691
		<hr/>
	\$	6,431,000
Bond Issue Costs	\$	64,310
		<hr/>
Total Amount to Bond	\$	6,495,310



Temporary Housing PODs



April 3, 2014

Background

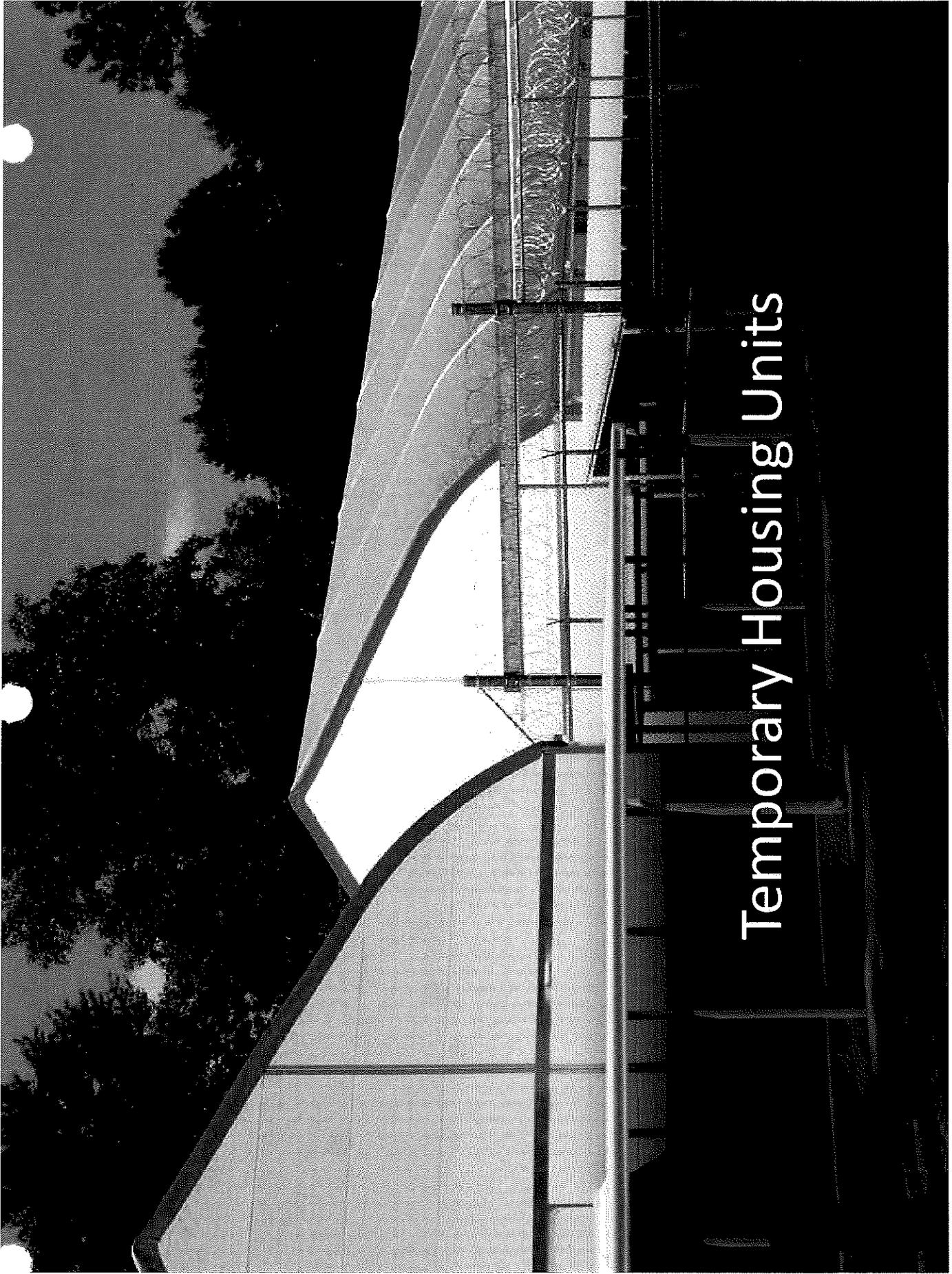
- Project Definition – \$1.2M
- Land Purchase – \$1.4M
- Agreement with Commission on Corrections
- Agreement with Proteus
- Site Preparation Plans
- Timeline

Cost of PODs

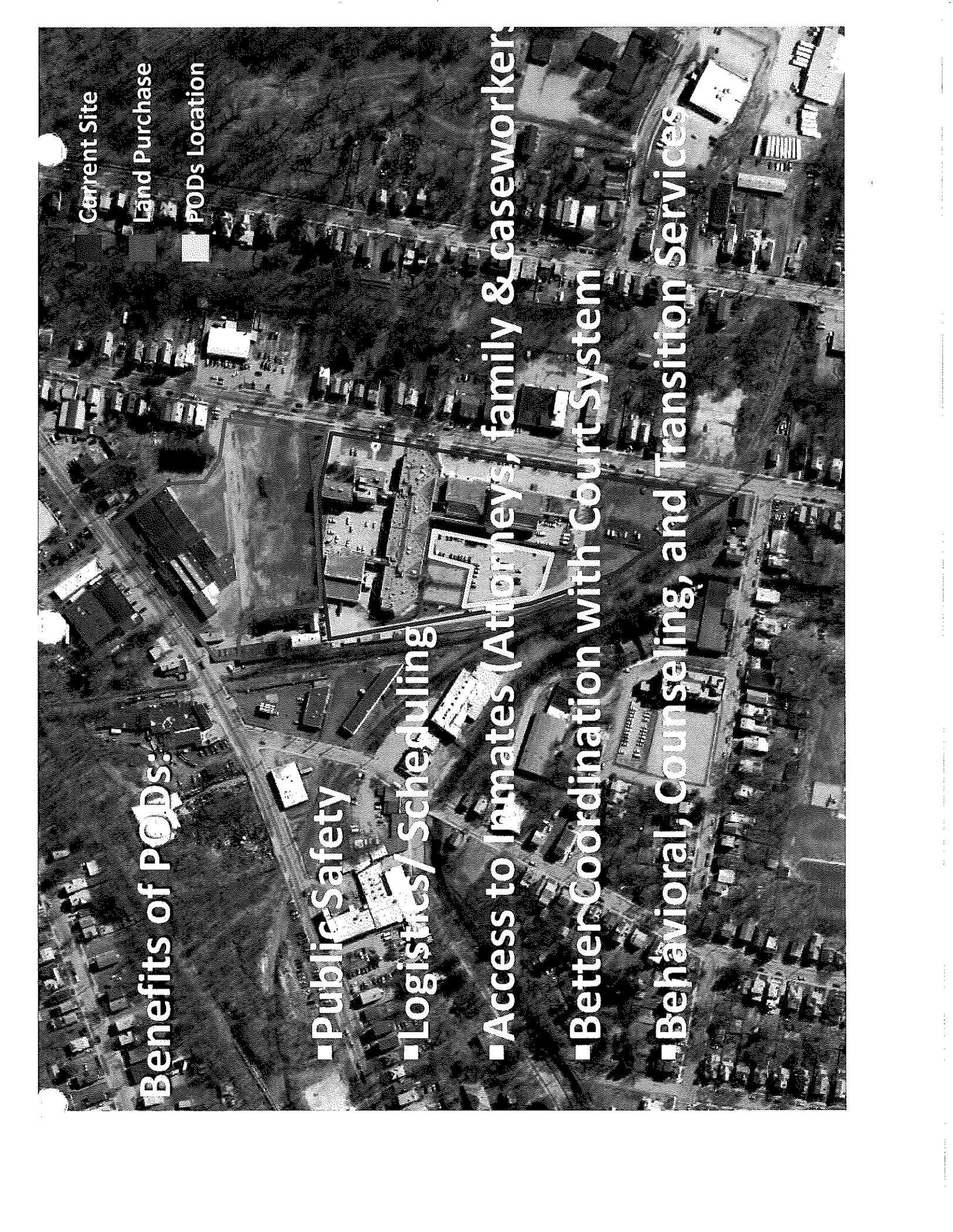
	One-Time Startup Costs	2015	2016	2017	2018	Total
One-time Site Prep/Start-up Costs:	90,000					90,000
Annual Facility Costs:		1,570,000	1,560,000	1,540,000	1,530,000	6,200,000
Annual Inmate Costs:		1,800,000	1,870,000	2,000,000	2,060,000	7,730,000
Annual Staff Costs:		4,030,000	4,150,000	4,270,000	4,400,000	16,850,000
TOTAL COST:	90,000	7,370,000	7,580,000	7,810,000	7,990,000	30,780,000
TOTAL REVENUE:	0	120,000	120,000	120,000	120,000	480,000

Cost of Housing Out

	2015	2016	2017	2018	Total
Housing Out Costs:	8,350,000	8,500,000	8,640,000	8,790,000	34,280,000
TOTAL SAVINGS:	1,070,000	1,040,000	950,000	920,000	3,980,000



Temporary Housing Units



Benefits of PODs:

- Public Safety
- Logistics/ Scheduling
- Access to Immates (Attorneys, family & caseworkers)
- Better Coordination with Court System
- Behavioral, Counseling, and Transition Services

Cost of PODs

	One-Time Startup Costs	2015	2016	2017	2018	Total
One-time Site Prep/Start-up Costs:	90,000					90,000
Annual Facility Costs:		1,570,000	1,560,000	1,540,000	1,530,000	6,200,000
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TOTAL COST:	90,000	7,370,000	7,580,000	7,810,000	7,990,000	30,780,000
TOTAL REVENUE:	0	120,000	120,000	120,000	120,000	480,000

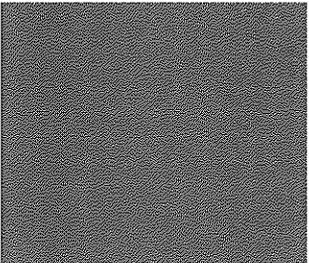
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TOTAL SAVINGS:	1,070,000	1,040,000	950,000	920,000	3,980,000

Budgeted Programming - \$150,000 Annually



Dialogue



MEMORANDUM OF AGREEMENT

BETWEEN THE NEW YORK STATE COMMISSION OF CORRECTION, THE DUTCHESS COUNTY EXECUTIVE AND THE DUTCHESS COUNTY SHERIFF

This Memorandum of Agreement ("MOA") is made and entered into by the New York State Commission of Correction, with its offices located at the Alfred E. Smith State Office Building, 80 South Swan Street, 12th Floor, Albany, New York, 12210 (hereinafter referred to as "SCOC"), the Dutchess County Executive, with offices located at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as "County Executive"), and the Dutchess County Sheriff, with offices located at 150 North Hamilton Street, Poughkeepsie, New York 12601 (hereinafter referred to as "Sheriff").

WHEREAS, SCOC consists of a three member commission established by Article XVII, Section 5 of the New York State Constitution and further enabled in Article 3 of the New York State Correction Law with the duty, among others, to enforce the laws and regulations relating to the management and affairs of correctional facilities; and

WHEREAS, the Dutchess County Jail constitutes a "local correctional facility," as well as a "correctional facility," as those terms are defined by New York State Correction Law §40; and

WHEREAS, the Sheriff, as the Sheriff of Dutchess County, is charged with the custody of all local correctional facilities within Dutchess County pursuant to Correction Law §500-c; and

WHEREAS, the County Executive, as Dutchess County Executive, is mandated under Alternative County Government Law §155 to implement and comply with the Laws of New York State; and

WHEREAS, the County of Dutchess (hereinafter referred to as the "County") is obligated by County Law §217 to maintain a county jail as prescribed by law; and

WHEREAS, pursuant to Part 7040 of Title 9 NYCRR, SCOC is charged with formulating the Maximum Facility Capacity (MFC) for each county correctional facility, a number which represents the greatest number of inmates that may be confined at one time within the facility; and

WHEREAS, as formulated and issued in May of 2009, the MFC of the Dutchess County Jail is currently 292 inmates; and

WHEREAS, the number of inmates committed to the Dutchess County Jail has exceeded the facility's MFC for more than a decade, resulting in the need to avoid overcrowding through the

daily transfer of hundreds of inmates to the jails of other counties, at a significant expense to the County; and

WHEREAS, the County Executive, Sheriff and SCOC individually and collectively acknowledge that it is incumbent upon the County to expeditiously move forward with the planning, financing and construction of new permanent correctional space, either freestanding or as an expansion of the existing facility, that will accommodate the County's current and prospective populations of committed inmates.

NOW, THEREFORE, IT IS MUTALLY UNDERSTOOD AND AGREED TO by and between SCOC, the County Executive and the Sheriff that:

1. The County Executive and the Sheriff will proceed with a plan for the acquisition and installation of a modular housing facility, to be sited in the immediate vicinity of the Dutchess County Jail, for the purpose of housing up to two hundred (200) inmates. The SCOC agrees in principle with the use of such a facility subject to the terms and conditions of this Memorandum of Agreement.
2. Prior to the acquisition or installation of such modular housing facility, the County Executive and Sheriff shall obtain project approval from SCOC pursuant to Correction Law §45(10) and 9 NYCRR Part 7001. Plans and specifications of the modular housing facility, as well as all pertinent policies and procedures for the Sheriff's operation thereof, shall be submitted forty five (45) days in advance of the SCOC's monthly meeting at which approval will be sought. A preliminary, good-faith estimate of the number of additional staff necessary to operate such modular housing facility shall be provided to the Sheriff and the County by the SCOC within forty five (45) days of the delivery of the plans and specifications for approval of the modular housing facility to the SCOC.
3. By design, modular housing facilities lack the durability, structural integrity and fortuity of a traditionally constructed, permanent correctional facility. Consequently, SCOC will not approve construction or improvement pursuant to Correction Law §45(10), or grant a rated capacity pursuant to 9 NYCRR Part 7040, that would allow for the permanent use of modular housing as a local correctional facility.
4. At least forty five (45) days prior to the planned date for inmate occupation of the installed modular housing facility, the Sheriff shall make application to the SCOC, pursuant to the procedures set forth in Part 7050 of Title 9 NYCRR, for a variance to the SCOC's MFC regulations that would allow inmate population of the modular housing facility.
5. Pursuant to 9 NYCRR §7050.2(a)(2), the Sheriff's variance application shall state the specific plans, provisions and timetables for achieving compliance with SCOC's MFC regulations by detailing the schedule of the County's planning, financing and construction of new permanent correctional space. Such schedule shall include the following milestones:

- 5/12/2014- Request for modular housing facility funding submitted to and approved by Dutchess County Legislature.
- 6/1/2014 - Project site selection submitted for SCOC approval
- 7/1/2014 - County hires property developer
- 10/1/2014 - County hires jail consultant and architect
- 4/1/2015 - Completion of "Project Definition" study and report, with a copy provided to SCOC
- 11/1/2015 - Design development plans submitted to SCOC for staff review and comment
- 3/1/2016 - "Bid-ready" architectural plans for the construction of permanent correctional space submitted for SCOC approval
- 6/1/2016 - Project groundbreaking
- 1/1/2019 - Project completion

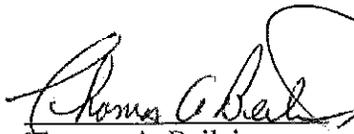
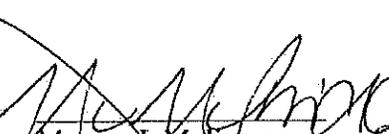
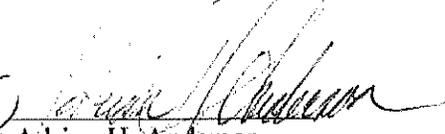
6. Upon receipt of the Sheriff's variance application, SCOC shall conduct an inspection of the installed modular housing units to ensure the provision of safe, secure and habitable inmate accommodations and compliance with all relevant laws and regulations.
7. Upon satisfaction that the installed modular housing units provide safe, secure and habitable inmate accommodations and compliance with all relevant laws and regulations, SCOC shall grant the Sheriff's application for a variance from MFC regulations that would allow the population of the modular housing facility. Pursuant to 9 NYCRR §7050.3(a)(2), the granted variance shall be conditioned upon the County's achievement of the project milestones set forth in the Sheriff's variance application and described in paragraph (5) above. Any such variance may be granted, and thereafter renewed, for time periods which, in the discretion of SCOC, is necessary and convenient to monitor the progress and completion of project milestones.
8. Upon the failure of the County Executive, Sheriff or the County to achieve substantial compliance with the milestones set forth in the Sheriff's variance application, described in paragraph (5) above, SCOC may revoke any variance granted to the Sheriff, requiring the depopulation of inmates from the installed modular housing units. In such an occurrence, the subsequent failure of the Sheriff to depopulate the inmate population

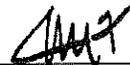
from the installed modular housing units may result in the SCOC seeking judicial enforcement pursuant to the procedures set forth in Article 3 of the Correction Law.

9. The County Executive, Sheriff and the County shall operate and maintain the modular housing units in a manner that provides safe, secure and habitable inmate accommodations and achieves compliance with all relevant laws and regulations. Further, the County Executive, Sheriff and the County shall employ and deploy the number of correction officers and other persons necessary to provide care, custody and control for all prisoners assigned to the modular housing units, such number to be determined by the SCOC as either a condition of the variance or by issuance of a staffing analysis pursuant to Part 7041 of Title 9 NYCRR.
10. Upon the failure of the County Executive, Sheriff or the County to operate and maintain the modular housing units in a manner that provides safe, secure and habitable inmate accommodations and achieves compliance with all relevant laws and regulations, SCOC may revoke any variance granted to the Sheriff, requiring the depopulation of inmates from the installed modular housing units. In such an occurrence, the subsequent failure of the Sheriff to depopulate the inmate population from the installed modular housing units may result in the SCOC seeking judicial enforcement pursuant to the procedures set forth in Article 3 of the Correction Law.
11. Any plan or design for the construction of new permanent correctional space, submitted for SCOC approval by, or on behalf of, the County must depict and propose a facility that will accommodate the County's current and prospective populations of committed inmates.
12. SCOC and its staff shall provide the Sheriff and County Executive with all available advice, assistance, and analysis as may be beneficial in its project planning and construction.
13. Upon the admission of inmates into the project's constructed permanent correctional space, SCOC shall revoke all previously granted variances to its MFC regulations that otherwise allow inmate population of the modular housing facility.
14. This agreement shall not be assigned without the prior written consent of the other parties.
15. This agreement is the complete and exclusive statement of the agreement between the parties and supersedes all prior or contemporaneous, oral or written, proposals, understandings, representations, conditions or covenants between SCOC, the Sheriff, the County Executive and the County relating to the subject matter of this MOA. The parties hereto may amend this MOA only by an instrument in writing signed by all parties hereto.

16. This agreement shall be governed by and construed in accordance with the laws of the State of New York.
17. This agreement shall have no effect or otherwise limit SCOC's constitutional and statutory rights and responsibilities to inspect and regulate any local correctional facility within the County pursuant to Article 3 of the Correction Law.
18. This agreement shall become effective on the date of its execution by all parties and shall remain in effect unless terminated by any party upon written notice to all the other parties.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed as of the date and year as herein subscribed.

		
Thomas A. Beilein	Marcus J. Molinaro	Adrian H. Anderson
Chairman	County Executive	Sheriff
New York State	County of Dutchess	County of Dutchess
Commission of Correction	Date: <u>3/4/2014</u>	Date: <u>3/4/2014</u>
Date: <u>3/18/14</u>		



 James M. Fedorchak
 County Attorney
 County of Dutchess
 Date: 3/4/14



COUNTY OF DUTCHESS
BUDGET OFFICE

Memorandum

TO: William O'Neil, Deputy County Executive

FROM: Valerie Sommerville, Budget Director

DATE: March 18, 2014

RE: Jail PODS Bond Resolution Request

An agreement has been reached between Dutchess County and the NYS Commission of Corrections (COC) giving the County state authorization to move forward with the planned installation of temporary housing PODS at the Jail. It is expected that the formal Memorandum of Agreement (MOA) will be signed by the end of March.

We have had ongoing discussions with the Jail Administration, and they are in agreement the PODS implementation is the critical next step in the overall Jail construction project. Projected expenses provided by the Jail for the operation of the PODS are included in our analysis. Experience with housing our full inmate population of approximately 450 inmates per day here in Dutchess County is essential in order to fully evaluate and plan for the logistical, staffing and programmatic needs that come with building and operating a new, larger and better designed jail facility to house our full inmate population. This knowledge will guide the development of the preliminary studies and sizing analysis required to proceed. We also believe having all inmates located in Dutchess County will have a positive impact on the systemic issues with courts, which could reduce average length of stay and therefore the average daily inmate population.

Once our inmates are returned to Dutchess County and housed in the temporary PODS, we project savings of nearly one million dollars annually while the temporary PODS are in place. Some of this savings will be used for programs to help reduce recidivism. The PODS implementation will proceed in compliance with the MOA with the goal to have Dutchess County's inmates housed in the PODS by January 1, 2015.

The attached bond resolution request for \$6.495 million will fund the site preparation, installation and three year lease costs for the PODS including an extension option during the design and construction phase of the project. Bond counsel has advised the initial amortization period for this authorization to be five years, however, upon adoption of the construction bond resolution anticipated in early 2015, the PODS authorization could be rolled into the 30 year construction bond authorization as an incidental cost of the project.

Thank you.

Attachments

cc: George Krom, Correction Lt Colonel

MARCUS J. MOLINARO
COUNTY EXECUTIVE



WILLIAM F.X. O'NEIL
DEPUTY COUNTY EXECUTIVE
CHIEF OF STAFF

COUNTY OF DUTCHESS

MEMORANDUM

TO: Carolyn Morris, Clerk of the Legislature

FROM: William F.X. O'Neil, Deputy County Executive/Chief of Staff

DATE: April 22, 2014

SUBJECT: Jail Pods

Certain legislators have raised concerns with the implementation of temporary housing PODs at the Dutchess County Jail. There are two points which we believe need to be addressed: The first deals with the projected operational savings and the second concerns the "intangible benefits" as a result of the county installing and populating the temporary housing units.

It is correct that there has been a decrease in the amount of projected savings from December of 2012 to the present. Our current estimate of approximately \$1 million in annual savings has been reduced from the previous projected savings of approximately \$2 million. Jail administration has continued to provide updated information to the budget office regarding expenses for this project and the impact on operating costs over the 4 years of expected use. Changes were made to the estimated facility expenses (bonding costs, site preparation and utilities) and the costs concerning inmates (food, medical and dental), which actually resulted in a decrease. During the preparation of the 2014 budget, jail administration increased the projected staffing costs (including salary, benefits and overtime) which would be allocated to the PODs. **This is a conscious decision to provide conservative estimates to ensure we do not underfund this project or over estimate savings.**

It should also be noted that we decreased the comparative housing-out costs for the 4 years by \$1.5 million. Our current analysis does not account for any increase in the number of inmates over the four years but instead holds the number constant for both models; the status quo and using the temporary PODs. We have also added additional revenue of \$480,000 to the PODs alternative, as jail administration has advised us that the county will receive rebates from the phone usage of the additional inmates. These changes account for approximately 25% of the \$1 million dollar a year difference.

Although the requested bond is for \$6.49 million dollars, we currently pay about that on an annual basis as direct payments to other counties to house our inmates. As we overcome a multi-million dollar gap in our budget while also meeting with the Legislature's Budget, F and Personnel Committee to review department budgets in search of savings, it would be imprudent to abandon this opportunity to save \$1 million.

Secondly, but just as important and critical to the operational savings are the "intangibles." As identified in the CJC Needs Assessment, they include:

1. Families: Jail administration receives regular complaints from inmates and their families about conditions, treatment and inconvenience for visitation. Visits are important for the general well being of the person being incarcerated and there is a link between suicide and lack of visitation.
2. Legal Process Issues: Attorneys for inmates housed in other institutions are not as readily able to see their clients as when inmates are housed locally. Large numbers of pretrial inmates are housed in distant facilities creating productivity issues and additional costs for our Public Defender, District Attorney and Office of Probation.
3. Programming: Perhaps the biggest deficit with the current situation is the lack of effective programs available to those inmates housed in other facilities. Almost all of those individuals in the custody of the Dutchess County Jail will return to their lives in Dutchess County. We need to help rehabilitate these inmates, doing everything we can to address the substance abuse and behavioral issues which often times are the real cause of their criminogenic issues.
4. Liability: The extensive transportation requirements are dangerous and risky. The risk of escape increases exponentially with transports. Correction officers must handle inmate disturbances and medical emergencies without readily available back-up, and there is always the possibility for accidents or breakdowns. There is also the liability we incur by entrusting our Dutchess County inmates to other municipalities.

Furthermore, housing our inmates in temporary housing in Dutchess County will enable us to validate and quantify the suspected impact of housing out on the average length of stay. This will provide valuable input to our sizing decision for the eventual jail expansion.

For all of these reasons above, we strongly recommend approval of the resolutions to continue with the implementation of the temporary housing PODs.

C: All Legislators

Michael Ellison, Assistant County Executive

George Krom, Jail Administrator

Noel Knille, Commissioner of Public Works

**DUTCHESS COUNTY DEPARTMENT OF LAW
JAMES M. FEDORCHAK, COUNTY ATTORNEY**

County Clerk's Office
221
Poughkeepsie
Tel. (845)

MEMORANDUM:

TO: Carolyn Morris, Clerk of the Legislature

FROM: Catherine Avallone, Conf. Secretary to County Attorney

DATE: May 6, 2014

SUBJECT: Changes to Jail Reconstruction Bond - \$6,495,310
Our File No. G-0145

The changes that have been made to this bond are as follows:

- PODs Bond (2014103)
 - Second Whereas in Section 1: changed Memorandum of Understanding to Memorandum of Agreement
 - Amended the third whereas to include the reference to an appropriation of one million two hundred thousand dollars which when approved we stated it would not be spent until we had commitment on the PODs
 - Combined the previously fifth whereas with the third whereas referencing the undertaking of planning, design and cost analysis studies
 - to current seventh Whereas: added temporary housing of inmates & and SEQRA compliance
 - Section 3 final sentence added SEQRA to the list of necessary requisites to complete
 - Section 3 final sentence added -2015 indicating that the studies will span both 2014 and 2015*
 - Section 3 second sentence removed "and commitment"
 - Section 3 final sentence removed "by this County Legislature"; added "that will be done"; *replaced 2015 with "2016"



COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

MEMORANDUM

To: Robert G. Rolison, Chairman, & All Legislators
From: Marcus J. Molinaro, County Executive
Date: May 12, 2014
Re: **Resolution 2014103**

For twenty years, this county has been confronted with the problem of insufficient jail space in order to meet the demand of those remanded to incarceration. We have been shipping our inmates and now over 6 million tax dollars annually to other counties across the state – paying for their jails, providing them revenue, and putting at risk our Correction Officers and the individual inmates, all while weakening our criminal justice system. Housing out our inmates is not a solution and with your support of this resolution today the practice of housing out can finally come to an end.

Resolution 2014103 authorizes the funding necessary to move forward with the placement of temporary housing units. By bringing our inmates home they will more ably qualify for Alternatives to Incarceration (ATI) programs and benefit from easier access to their families and legal representation. Temporary housing of our inmates will conservatively save Dutchess County \$1 million annually and allow us to invest a portion of the savings into programs and transition services designed to reduce the recidivism rate of our inmates.

This resolution, adopted as amended, reaffirms the commitment we made nearly one year ago – once temporary housing units are approved we will build on the Criminal Justice Council (CJC) and Ricci-Greene reports and conduct a comprehensive analysis of the current and future inmate population. This project definition phase will include, but won't be limited to, development of specialized housing and partnership with service providers to assist those with mental illness and addiction, as well as evidenced-based services and facilities for women and youth. This next phase will be thoughtful and deliberate, inclusive and creative. Stakeholders from throughout the system and community, working with professionals in the field will consider state of the art construction techniques, modern services and tested tools to assist with prevention, intervention, diversion and re-entry as part of our design phase. With input and approval from the Legislature, we will develop, propose and build a modern transition center that will achieve our stated objectives:

- **Reduce taxpayer subsidy of the jail complex** – building the lowest cost facility that meets current and future needs while generating significant operational savings

through improved staff ratios (currently 1 Correction Officer for every 1.2 inmates) achieved at other facilities using modern design techniques (our goal is no less than 3 inmates for every 1 Correction Officer as outlined in the Ricci-Greene Report).

- **Enhance public safety and criminal justice system** – to speed up the judicial process, better assist inmate re-entry to the community and integrate all components of the criminal justice system on a campus setting that creates an effective continuum of incarceration. This will include partnership on-site with not-for-profits and services providers, alternative housing options for special populations, and continued expansion of our robust ATI programs.
- **Respect the neighborhood** – with modern construction and campus planning, integrated private sector development and community service organizations that improve the neighborhood, with commercial space, affordable housing options including special population transitional residences, as in other parts of the country.

As has been stated all along, we cannot achieve these objectives nor plan for a new facility until our inmates are brought back. This was a commitment you asked of me and we agreed to last June and again this past December. Having inmates back in Dutchess County will enable to us conduct our analysis with practical experience so we might more accurately study inmate length of stay and identify systemic delays while expanding service delivery to inmates getting no such assistance in other counties.

I commend those legislators who will take the necessary step of adopting resolution 2014103 in our pursuit to address this problem and achieve our goals. In particular, thank you Chairman Rolison for joining me, Sheriff Anderson, and members of the Administration in working with the state Commission on Correction (COC) to get an approved agreement and establish a working partnership. Majority Leader Flesland and Minority Leader Jeter-Jackson, thank you for shepherding the necessary legislation and amendments through your respective caucuses. Thanks to Public Safety Chairman Roman and members of the CJC for your meaningful debate on this topic which has resulted in a better process and comprehensive approach to identifying a solution. And thank you Legislator Johnson for your staunch advocacy and work to create a new vision for the area around the current jail site and push for more services (especially to assist our youth) in and around Poughkeepsie.

Let us also thank all those residents and advocates who have and will comment, question and challenge our assumptions, goals and objectives.

Make no mistake, together we have developed and advanced a bipartisan effort that will strengthen our criminal justice system and save taxpayer dollars. We understand the enormity of the work ahead. We will engage in an extraordinary process seeking to mold consensus, engage the public and develop a model solution and effective transition center.

(This memo is submitted to you as official correspondence for the public record and record of your proceedings. It should be considered as part of our intent when considering resolution 2014103.)

✓
Gwen

maximize the funds

Statement by DC Legislator Gwen Johnson -9th District, City of Poughkeepsie

Our jail presently have, low and high risk offenders. We have the mentally ill, chemically dependent inmates, juvenile offenders, women and special needs inmates.

We paid over a \$50 thousand dollars to have a comprehensive study conducted as well as input from our Criminal Justice Council, which was established over 20 years ago.

Surveys have shown us that more than 80% of our inmates have a history of treatment for substance abuse disorder, a mental health disorder or **both** prior to incarceration. 20% of the inmates receive **psychiatric care**, 15% of our inmates are under 21 years of age, and 10% reflect our **female population**.

Housing out our inmates does not allow them the **family visits and support needed while incarcerated**. Nor do they **get the services our jails provide by having them housed out in other counties**. - Albany City Jail 90 miles ^{each} way, Ulster 21 miles + Ren se lean 85 miles each way
More importantly, our inmates need more accessibility, to their lawyers, to be able to communicate and visit with them more frequently and prepare for their day in court.

However, moving forward with any sought of new jail expansion requires that certain things are put into place. We need structural and processing reforms as well as maximize alternative programming. We can all agree that creating **alternatives to incarceration** can **reduce** the need for future jail beds beyond what is being discussed tonight.

We must immediately **stop the bleeding** of our hard-earned taxpaying dollars, housing out over 200 inmates per day, **will save us \$1 million dollars a year**. It is projected that we will spend in 2015 approximately **8.3 million dollars** and a total of **34.2 million by 2018, housing out inmates**. This report, also forecasted that by 2030 given the rate of growth of the ADP (average daily population) since 1980, Dutchess County Jail would reach an ADP of **540 inmates**. **But, our Jail functional capacity is 257 inmates.**

At our Committee meeting held Wednesday, May 8, the Democratic Caucus submitted amendments that included language from the DDWC (Democratic Women Caucus) as well as Legislator Rich Perkins. These amendments were **voted on and accepted unanimously**, by both political parties working together.

The amendments included in the resolution added, will incorporate the temporary pod locations as well as the questions raised by the Ricci Greene Associates "Validation Study" Report (dated may 28, 2013). In and for said County.

That the County Legislature of the County of Dutchess, has had under consideration the construction of a new County Jail or the construction of the existing County jail with consideration of including a comprehensive approach to the criminal justice system.

For the planning and cost analysis studies, which was passed to include a project definition and planning phase for the development of functional designs for a comprehensive, approach to the criminal justice facility in the County of Dutchess. Including the described placement of temporary modular housing units along with additional issues presented in the Ricci Greene

Associates "Validation Study" report as to what types of services and number of beds are required in order to address the current or new facility and other needs of the County criminal justice system and has determined to undertake those studies in connection with the construction of additions to and reconstruction of the existing jail.

Including functional designs for a comprehensive, approach to the criminal justice facility, including the issues presented in the Ricci Greene Associates "Validation Study" report, including leasing and installation of temporary inmate housing units, site preparation therefore, programmatic studies relating thereto, and incidental improvements and expenses in connection therewith, pursuant to a Memorandum of Agreement between the County and the New York State Commission on Corrections.

It is hereby further determined to be the intention ~~and commitment~~ of this County Legislature, upon completion of related SEQRA, planning, design and cost estimate studies to authorize the financing of the costs of the reconstruction of and construction of additions to the County Jail, Only after due consideration has been given to the issues raised in the Ricci Greene Report to provide in the bond resolution therefore for inclusion of the specific object or purpose whose financing is authorized hereto as a necessary incidental part of the cost thereof, for housing of inmates during said reconstruction and construction. It is reasonably anticipated by the County Legislature that such bond resolution will be authorized expeditiously upon completion of the requisite SEQRA, planning, design and cost estimate studies which should include the agreed upon conclusions from addressing the questions included in the Ricci Greene Report, during the 2014-~~2015~~ fiscal years of the County.

2016

So therefore, I conclude that the aforementioned amendments that were included in resolution #201 4103, which includes the findings and recommendations from the Comprehensive \$50 thousand dollar study from the Ricci Greene Associates.

And includes information provided by our own Criminal Justice Council, which will also ^{be} used to ensure that the women, youth, mentally ill, drug addicted, and low- risk inmates will receive evidence -based practices and needs assessments, alternatives to incarceration, Bed space projections/forecasting, Jail facility considerations, provision of findings and recommendations, and new facility needs and location.

* **And because of these reasons, I will be supporting the creation of the new jail pods.**

These initiatives will support a successful jail- to -community transition and promote reduced recidivism in the long term.

As noted at our public committee meeting, our County Executive had pledged publicly, along with County Legislator Robert Weiss to work with me and other stakeholders to help develop a plan to have a Dutchess County Youth and Senior Center located here in the City of Poughkeepsie. Where the majority of our property tax FREE county buildings, as well as our county Jail is located right here in the Queen City of Poughkeepsie.

I would like to submit my statement into the minutes for public record.

Thank you.

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss		
District 21 - Town of East Fishkill	Horton		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution:
 Motion: ✓

Total: 12 0
 Yes No
 Abstentions: 0

AF / JT
 Call the Question

2014103
 5-8-14

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jefer-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	Johnson		
District 12 - Town of East Fishkill	Weiss		
District 21 - Town of East Fishkill	Horton		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)		

Present: 12 Resolution: Total : 12 0
 Absent: 0 Motion: ✓ Yes No
 Vacant: 0 Abstentions: 0

BJJ - AMAC
 Title
 1st Whereas
 Whereas
 Section 1
 (see attached)

2014103
 5.8.14

RESOLUTION NO. 2014103

BOND RESOLUTION DATED MAY 12, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,495,310 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY CERTAIN PRELIMINARY COSTS INCIDENTAL TO THE RECONSTRUCTION OF AND CONSTRUCTION OF ADDITIONS TO THE COUNTY JAIL, ***WHICH WILL INCLUDE A COMPREHENSIVE APPROACH TO THE CRIMINAL JUSTICE FACILITY AND IN ADDITION WILL INCORPORATE TEMPORARY POD LOCATION AS WELL AS THE QUESTION RAISED BY THE RICCI GREEN ASSOCIATES "VALIDATION STUDY" IN AND FOR SAID COUNTY***

WHEREAS, the County Legislature of the County of Dutchess, New York (the "County") has had under consideration the construction of a new County Jail or the construction of additions to and reconstruction of the existing County Jail ***with consideration of including a comprehensive approach to the criminal justice system***, and

WHEREAS, the County and the New York State Commission on Corrections have entered into a Memorandum of Agreement in connection therewith, and

WHEREAS, the County Legislature has appropriated ONE MILLION TWO HUNDRED AND TWELVE THOUSAND DOLLARS for planning, design, and cost analysis studies, ***which was passed to include a project definition and planning phase for development of functional designs for a comprehensive approach to the criminal justice facility in the County of Dutchess, including the described placement of temporary modular housing units along with additional issues presented in the Ricci Greene Associates "Validation Study" report as to what types of services and number of beds are required in order to address the current or new facility and other***

needs of the County's criminal justice system and has determined to undertake those studies in connection with the construction of additions to and reconstruction of the existing County Jail, and

WHEREAS, the County Legislature has authorized on December 16, 2013 the issuance of \$1,309,327 serial bonds to pay a portion of the cost of the acquisition of real property adjacent to the existing County Jail in connection therewith, and

WHEREAS, it is the intent of this County Legislature to authorize said capital project upon completion of said studies, and

WHEREAS, temporary arrangements for the housing of inmates must be made, secured, studied, evaluated, and tested before completion of the design phase and before such reconstruction and construction can commence, and

WHEREAS, all conditions precedent to the financing of the temporary housing of inmates capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed and SEQRA compliance materials are on file in the Office of the Clerk of the County Legislature where they may be inspected during regular office hours, and

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in a significant environmental effect, and

WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE

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

Section 1. Preliminary costs incidental to the reconstruction of and construction of additions to the County Jail, in and for the County of Dutchess, New York, ***including functional designs for a comprehensive approach to the criminal justice facility, including the issues presented in the RicciGreene Associates "Validation Study" report***, including leasing and installation of temporary inmate housing units, site preparation therefore, programmatic studies relating thereto, and incidental improvements and expenses in connection therewith, pursuant to a Memorandum of Agreement between the County and the New York State Commission on Corrections, are hereby authorized at a maximum estimated cost of \$6,495,310.

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose is by the issuance of \$6,495,310 serial bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 5 years, pursuant to subdivision 89, based upon subdivisions 33(a)(2) and 62(2nd) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined to be the intention and commitment of this County Legislature, upon completion of related SEQRA, planning, design and cost estimate studies to authorize the financing of the costs of the reconstruction of and construction of additions to the County Jail, ***only after due consideration has been given to the issues raised in the RicciGreene Report***, and to provide in the bond resolution therefore for inclusion of the specific object or purpose whose financing is authorized herein as a necessary incidental part of the cost thereof, for housing of inmates during said reconstruction and construction . It is reasonably anticipated by this County Legislature that such bond resolution will be authorized expeditiously upon completion of the

requisite SEQRA, planning, design and cost estimate studies during the 2014-2015 fiscal years of the County.

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

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

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

of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

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

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

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

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

Public Safety Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland*	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson*	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	MacAvery*	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Nesbitt	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman (C)	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Johnson	<input type="checkbox"/>	<input type="checkbox"/>
District 12 - Town of East Fishkill	Weiss	<input type="checkbox"/>	<input type="checkbox"/>
District 21 - Town of East Fishkill	Horton	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Farley	<input type="checkbox"/>	<input type="checkbox"/>
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)	<input type="checkbox"/>	<input type="checkbox"/>

Present: 12
 Absent: 0
 Vacant: 0

Resolution:
 Motion:

Total: 12 0
 Yes No
 Abstentions: 0

MH/RW

Call the question

2014103
 5.8.14

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	1	
District 6 - Town of Poughkeepsie	Flesland*	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	3	
District 10 - City of Poughkeepsie	Jeter-Jackson*	4	
District 16 - Town of Fishkill and City of Beacon	MacAvery*	5	
District 1 - Town of Poughkeepsie	Nesbitt	6	
District 5 - Town of Poughkeepsie	Roman (C)	7	
District 9 - City of Poughkeepsie	Johnson	8	
District 12 - Town of East Fishkill	Weiss	9	
District 21 - Town of East Fishkill	Horton	10	
District 18 - City of Beacon and Town of Fishkill	Farley	11	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (VC)	12	

Present: 12

Resolution:

Total: 12 0

Absent: 0

Motion:

Abstentions: 0 Yes No

Vacant: 0

2014103 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,495,310 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY CERTAIN PRELIMINARY COSTS INCIDENTAL TO THE RECONSTRUCTION OF AND CONSTRUCTION OF ADDITIONS TO THE COUNTY JAIL, IN AND FOR SAID COUNTY

Date: May 8, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	MacAvery	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Nesbitt	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 3 - Town of LaGrange	Borchert	<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 - Towns of Hyde Park and Poughkeepsie	Perkins	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Johnson	<input type="checkbox"/>	<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 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of 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 and Town of Fishkill	Farley	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 21 - Town of East Fishkill	Horton	<input type="checkbox"/>	<input type="checkbox"/>
District 22 - Towns of Beekman and Union Vale	Hutchings	<input type="checkbox"/>	<input type="checkbox"/>
District 23 - Towns 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 - Towns of Amenia, Washington, Pleasant Valley	Kelsey	<input type="checkbox"/>	<input type="checkbox"/>

Present: 25
 Absent: 0
 Vacant: 0

Resolution:
 Motion:

Total: 24 1
 Yes No

Abstentions: 0

MK / AF
amendments attached

2014103
 5-12-14

PROPOSED REVISIONS

DATED 5/12/14 6:54 PM

The changes that have been made to this bond are as follows:

- PODs Bond (2014103)
 - Second Whereas in Section 1: changed Memorandum of Understanding to Memorandum of Agreement
 - Amended the third whereas to include the reference to an appropriation of one million two hundred thousand dollars which when approved we stated it would not be spent until we had commitment on the PODs
 - Combined the previously fifth whereas with the third whereas referencing the undertaking of planning, design and cost analysis studies
 - to current seventh Whereas: added temporary housing of inmates & and SEORA compliance
 - Section 3 final sentence added SEORA to the list of necessary requisites to complete
 - Section 3 second sentence removed “and commitment”
 - Section 3 final sentence removed “by this County Legislature”; added “that will be done”; *replaced 2015 with “2016”

RESOLUTION NO. 2014103

BOND RESOLUTION DATED MAY 12, 2014.

REVISED TITLE
A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,495,310 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY CERTAIN PRELIMINARY COSTS INCIDENTAL TO **A COMPREHENSIVE APPROACH TO THE CRIMINAL JUSTICE FACILITY WHICH WILL INCORPORATE TEMPORAY POD LOCATIONS AS WELL AS THE ISSUES PRESENTED IN THE RICCI GREENE ASSOCIATES “VALIDATION STUDY” REPORT (DATED MAY 28, 2013) AND THE RECONSTRUCTION OF AND CONSTRUCTION OF ADDITIONS TO THE COUNTY JAIL IN AND FOR SAID COUNTY**

REVISED WORDING
^{1st} WHEREAS, the County Legislature of the County of Dutchess, New York (the "County") has had under consideration a comprehensive approach to the criminal justice

system and the construction of a new County Jail or the construction of additions to and reconstruction of the existing County Jail, and

2ND WHEREAS, the County and the New York State Commission on Corrections have entered into a Memorandum of **Agreement** in connection therewith; and

3RD **REVISED WORDING** WHEREAS, the County Legislature has appropriated **ONE MILLION TWO HUNDRED AND TWELVE THOUSAND DOLLARS** (by Resolution No. 2013182 on June 10, 2013) for planning, design, and cost analysis studies, which are to include a project definition and planning phase for the development of functional designs for a comprehensive approach to the criminal justice facility in the County of Dutchess, including the issues presented in the Ricci Greene Associates "Validation Study" report as to what types of services and number of beds are required in order to address the current or new facility and other needs of the County's criminal justice system and has determined to undertake those studies in connection with the construction of additions to and reconstruction of the existing jail, and

4th WHEREAS, the County Legislature has authorized on December 16, 2013 the issuance of \$1,309,327 serial bonds to pay a portion of the cost of the acquisition of real property adjacent to the existing County Jail in connection therewith; and

5th WHEREAS, it is the intent of this County Legislature to authorize said capital project upon completion of said studies; and

6th WHEREAS, temporary arrangements for the housing of inmates must be made, secured, studied, evaluated, and tested before completion of the design phase and before such reconstruction and construction can commence; and

^{7th} WHEREAS, all conditions precedent to the financing of the **temporary housing of inmates** capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed and **SEQRA** compliance materials are on file in the Office of the Clerk of the County Legislature where they may be inspected during regular office hours; and

^{8th} WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the County Legislature has determined will not result in a significant environmental effect; and

^{9th} WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE

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

REVISED WORDING
Section 1. **Preliminary costs incidental for functional designs for a comprehensive approach to the criminal justice facility including the reconstruction of and construction of additions to the County Jail, in and for the County of Dutchess, New York, including leasing and installation of temporary inmate housing units, site preparation therefore, programmatic studies relating thereto, and incidental improvements and expenses in connection therewith, pursuant to a Memorandum of Agreement between the County and the New York State Commission on Corrections, are hereby authorized at a maximum estimated cost of \$6,495,310.**

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose is by the issuance of \$6,495,310 serial bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 5 years, pursuant to subdivision 89, based upon subdivisions 33(a)(2) and 62(2nd) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined to be the intention of this County Legislature, upon completion of related SEQRA, planning, design and cost estimate studies to authorize the financing of the costs of the reconstruction of and construction of additions to the County Jail, and to provide in the bond resolution therefore for inclusion of the specific object or purpose whose financing is authorized herein as a necessary incidental part of the cost thereof, for housing of inmates during said reconstruction and construction . It is reasonably anticipated that such bond resolution will be authorized expeditiously upon completion of the requisite SEQRA, planning, design and cost estimate studies that will be done during the **2014-2016** fiscal years of the County.

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the

Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates,

place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

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

Roll Call Sheets

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

Present: 25
 Absent: 0
 Vacant: 0

Resolution:
 Motion:

Total: _____
 Yes _____
 No _____
 Abstentions: _____

*JT/MS out of order
 amendments attached*

2014103
 5.12.14

**To be added to Section 1 of first
“Resolved”:**

**“with half of these funds to be
dedicated to transitional housing
alternatives to jail incarceration
for women, mentally ill, and youth,
as recommended in the Dutchess
County Criminal Justice Council
and Ricci-Greene reports, seed
funding for transitional housing for
state parole violators, a youth
community center, and 24-hour
mental health drop-in crisis
center.”**

Roll Call Sheets

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

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total: 20 5
 Yes No
 Abstentions: 0

AFI KR

" Move the Question "

2014103
 5.12.14

Roll Call Sheets

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

Present: 25 **Resolution:** ✓ **Total:** 20 5
Absent: 0 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2014103 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,495,310 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY CERTAIN PRELIMINARY COSTS INCIDENTAL TO A COMPREHENSIVE APPROACH TO THE CRIMINAL JUSTICE FACILITY WHICH WILL INCORPORATE TEMPORARY POD LOCATIONS AS WELL AS THE ISSUES PRESENTED IN THE RICCI GREENE ASSOCIATES "VALIDATION STUDY" REPORT (DATED MAY 28, 2013) AND THE RECONSTRUCTION OF AND CONSTRUCTION OF ADDITIONS TO THE COUNTY JAIL IN AND FOR SAID COUNTY

Date: May 12, 2014

Resolution No. 2014103 was offered for discussion only at the Public Works and Capital Projects Committee Meeting on April 3, 2014, and considered at the May 12, 2014, Board Meeting. Discussion at that time proceeded as follows:

Legislator Kelsey, duly seconded by Legislator Flesland, moved to amend the foregoing resolution as highlighted in attached "Proposed Revisions Dated 5/12/14 6:54 pm."

Roll call on the foregoing amendments resulted as follows:

AYES: 24
NAYS: 1 Tyner

The foregoing amendments were adopted.

At this time Legislator Johnson read a statement, attached hereto.

Legislator Tyner, duly seconded by Legislator Strawinski, moved to amend the foregoing resolution to add the following to Section 1 of the first Resolved:

Section 1. Preliminary costs incidental for functional designs for a comprehensive approach to the criminal justice facility including the reconstruction of and construction of additions to the County Jail, in and for the County of Dutchess, New York, including leasing and installation of temporary inmate housing units, site preparation therefore, programmatic studies relating thereto, and incidental improvements and expenses in connection therewith, pursuant to a Memorandum of Agreement between the County and the New York State Commission on Corrections, are hereby authorized at a maximum estimated cost of \$6,495,310, **with half of these funds to be dedicated to transitional housing alternatives to jail incarceration for women, mentally ill, and youth, as recommended in the Dutchess County Criminal Justice Council and Ricci-Greene reports, seed funding for transitional housing for state parole violators, a youth community center, and 24-hour mental health drop-in crisis center.**

Jim Fedorchak, County Attorney, stated that per bond counsel, funds could not be directed for items that were not capital expenses.

Legislator Rolison stated that the foregoing amendment was out of order due to bond counsel's opinion.

Legislator Flesland, duly seconded by Legislator Roman, moved the question.

Roll call on the foregoing motion resulted as follows;

AYES: 20

NAYS: 5 Farley, Tyner, Strawinski, Amparo, Jeter-Jackson

Motion adopted.

Roll call on the foregoing resolution resulted as follows:

AYES: 20

NAYS: 5 Tyner, Strawinski, Perkins, Amparo, Farley,

The foregoing resolution was adopted.

BUDGET, FINANCE, & PERSONNEL

RESOLUTION NO. 2014104

RE: APPOINTMENT TO THE DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Legislators ROLISON, FLESLAND, JETER-JACKSON, and FARLEY offer the following and move its adoption:

WHEREAS, the Dutchess County Industrial Development Agency was created pursuant to Section 925 of the General Municipal Law, and

WHEREAS, Section 856 of the General Municipal Law provides that the members of such agency shall be appointed by the governing board of the municipality and shall serve at the pleasure of such appointing authority, and

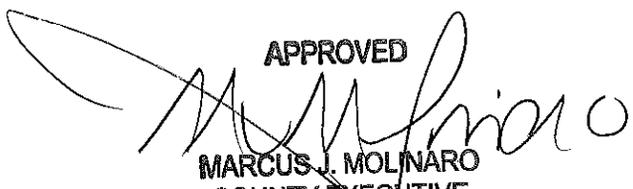
WHEREAS, there is a vacancy on the Dutchess County Industrial Development Agency due to the recent passing of George R. Stoffers, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Edward Summers, as a member of the Dutchess County Industrial Agency to replace George R. Stoffers:

APPOINTMENT

Edward Summers
2 Oakwood Boulevard
Poughkeepsie, NY 12603
(replacing George R. Stoffers)

APPROVED


MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/14/2014

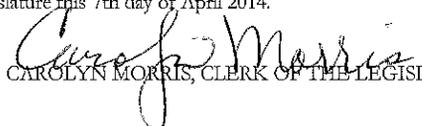
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Edward Summers
2 Oakwood Blvd
Poughkeepsie, New York 12603
Edward.Summers@me.com
518-388-6101 (Office)
845-235-9619 (Cell)

Education:

Ph.D., The New School, Public and Urban Policy

Dissertation: "The Shifting Politics of Economic Development in the City of Beacon and Poughkeepsie: Implications for Small City Economic Development"

M.Phil, The New School, Public and Urban Policy

MPA, Marist College, Public Administration

Thesis: "Open Source Solutions in the Public Sector: The Case of Sakai"

B.A., Marist College, Political Science

Academic Administrative Experience:

10/11- Present

UNION COLLEGE

Schenectady, New York

Chief of Staff – Office of the President

- Oversee the areas of the Office of the President, Institutional Research Campus Diversity, and The Kelly Adirondack Research Center.
- Manage the day-to-day operations of the Office of the President and provide guidance and advice to the President's Senior Staff.
- Provide advice and support to the President.
- Undertake and manage complex projects, assignments and organize and provide information to individuals/groups to achieve project objectives.
- Represent the President through participation on committees and at meetings as assigned, especially those which involve campus-wide initiatives/matters; provide information related to the President's objectives; offer opinions as appropriate; make recommendations in accord with the President's and institutional goals and objectives.
- Serve as the primary researcher for the President related to on-going and emerging issues of importance to the College – gather data and information materials and prepare analysis and briefs.
- Implement and advance institutional strategic initiatives.
- Budget manager for the President's Office budgets - develop, review, and authorize commitment of funds for the President's Responsibility Center.
- Supervise support staff in the President's Office – plan, staffs, evaluates and direct work of the office.
- Serve as an official representative of the College to community, local, state, and federal officials.
- Provide direct advice and guidance to the Office of Corporate, Foundation, and Government Relations.
- Represent the College in an official capacity at external and internal events including conferences, community events, lectures, boards, etc.
- Serve in leadership roles on external community committees, councils, and ad-hoc groups to support effective town-gown relations.
- Serve as a member of the President's Senior Staff.

- Serve as a member of the President's Planning and Priorities Committee.
- Serve as a coordinator for initiatives, programs, and activities that span across the President's Vice Presidents areas of responsibility and ensure that they are effectively implemented with the President's vision in mind.
- Work closely with the President's Senior Staff to facilitate communication and ensure implementation of stated objectives in a timely and efficient manner.
- Serve as a liaison to external legal counsel.
- Serve as a lead administrator supporting the revision of the institutional strategic plan.
- Assist in building and maintaining open and productive relationships with internal and external constituents.
- Work directly with students, parents, faculty and staff to clarify ambiguities/questions about college policies- answering inquiries, make appropriate referrals and resolve problems, which require the interpretation, explanation and justification of administrative policies and procedures.
- Oversee and direct selected college events as well as President's initiatives and special projects, major celebrations, guest speakers, commencement, special receptions/dinners, select student events, lectures, college/community events, etc.
- Identify critical issues and provide confidential advice to the President and Senior Staff.

10/2011- Present

Assistant Secretary of the Board of Trustees – Office of the President

- Assist the president in the stewardship of Trustees, both individually and collectively.
- Serve as the primary communication link for all Trustees' activities with specific administrative responsibility to coordinate and support the trustees in their duties as board members.
- Ensure compliance with Board bylaws, college policies, and organizational decision-making protocols.
- In consultation with the President and the Board Chairperson, plan, administer, and coordinate board meetings, activities, and special events of the Board of Trustees.
- Prepare agendas, written communications (memos, letter, emails), and drafts, edits, and maintain board and committee meeting materials and permanent board documents and records.
- Track, monitor, and follow-up on the progress of projects, action items, and strategies that emanate from the board and its committees. Initiate subsequent follow-up meetings and communication for key stakeholders.
- Anticipate and identify issues for discussion at key management meetings while coordinating with senior administrative team.
- Develops and facilitates orientation of new Board members.

10/2011 – Present

Director of the Kelly Adirondack Research Center

- Provide overall strategic leadership and management for the Center.
- Develop resources to support the research agenda and public programming.
- Provide general marketing advice to the Center's staff.
- Generate research on the state of the Adirondack Park.

- Oversee the general operations of the lecture/concert series, the photo and art exhibition series, the summer research fellows, the faculty fellows, Adirondack Week, the lunch and learn series, and the Adirondack Mini-Term.
- Oversee several strategic advisory councils.

Accomplishments:

- Helped to secure more than \$500,000 in grant and private funding to provide operational support for the Kelly Adirondack Center.
- Co-Chair Middle States Periodic Review Report (PRR) Committee.
- Initiated and chaired a college-wide committee focused on developing a fourth revenue stream.
- Chaired a strategic plan committee that focused on what was missing from the previous strategic plan.
- Serve as the founding director of the Kelly Adirondack Center, an interdisciplinary research center focused on the study of the Adirondack Park.
- Successfully hired and trained staff for the new Kelly Adirondack Center.
- Developed a strategic plan for the Kelly Adirondack Center.
- Created a lecture and concert series focused on the Adirondacks.
- Established a photo and art exhibition series.
- Shaped a faculty-led initiative celebrating a week of the Adirondacks, by organizing seminars, lectures, and a panel discussion on the future of the Adirondack Park.
- Established a Summer Research Fellows program that focused on the tensions between economic development and environmental conservation in the Adirondacks.
- Created curriculum that supports the Kelly Adirondack Center's research agenda.
- Created a strategic plan to implement the President's "Leveraging our Location" initiative.
- Developed a cycle of planning, assessment, and continuous improvement for the President's Responsibility Center.
- Developed policy and protocols for developing institutional policy.
- Successfully developed a protocol that utilizes data from the Office of Institutional Research to make informed decisions at the Senior Staff and institutional level.
- Successfully planned and executed major institutional events such as Founders Day, Convocation, and Commencement.
- Successfully researched and presented a higher education environmental scan to the Board of Trustees.
- Successfully transitioned the Board of Trustees from paper Boardbooks to online Boardbooks and registration forms for meetings and events.
- Developed a working relationship with the city of Schenectady leadership and avoided a PILOT agreement.
- Developed a strategic relationship with Senator Schumer and Senator Gillibrand's offices, Congressman John Lewis and Paul Tonko, and Assemblymember Phil Steck, who have provided significant support for grant applications to federal and state agencies.
- Successfully completed a middle states visit and evaluation of Dickinson College.

8/04-10/11

MARIST COLLEGE

Poughkeepsie, New York

Assistant to the President/Presidential Fellow – Office of the President

- Assisted with the daily administrative functions and operational activities in the Office of the President.
- Staffed and prepared the President for on-campus and community events and meetings with various constituents, including student groups, the Alumni Executive Board, and external businesses, organizations, and governmental officials.
- Conducted background and issues research to prepare the President for meetings with various constituencies.
- Served as the President's liaison for building strategic relationships with students, faculty, staff, alumni, governmental officials, corporate and non-profit organizations and community leaders.
- Assisted in the creation of institutional strategic plans and policy.
- Served as a member of the President's Cabinet and attended Cabinet Meetings, Internal Operating Group (IOG), and all committee and full meetings of the Board of Trustees.
- Served on the Institutional Strategic Plan Committee.
- Served on the NCAA Steering Committee for recertification.
- Served on the Standing Committee for Athletics.
- Served on the Middle States Steering Committee for reaccreditation.
- Served on the Housing and Enrollment Committee.
- Attended and represented the President at major campus and community events.
- Attended events and assisted the Offices of College Advancement and Alumni Affairs with the cultivation of donors, alumni, parents, and corporate partners.
- Served as the Office of the President's liaison to College Advancement and Athletics Department Special Events Committee.
- Helped to maintain and strengthen town-gown relationships.
- Served on multiple search committees for Deans and Vice Presidents.
- Served as an advisor to the Greek and Fraternity Council.
- Served as a mentor and academic advisor to 40 underrepresented students.
- Assisted the Office of International Programs with the expansion of program offerings and strategic partnerships with college and universities office of study abroad and/or international programs.
- Assisted the Office of Admissions with building strategic relationships with high school guidance officers.
- Served as a part-time recruiter for the Office of Admissions and International Programs.
- Served as a member of the Integrated Marketing Committee, which is responsible for all institutional marketing.
- Organized the President's leadership luncheons for several underrepresented student groups and the President's annual "Sun Belt Bash" for students who live west of the Mississippi River.
- Served as an administrator justice for the Office of Judicial Affairs.
- Worked on a variety of confidential projects as assigned by the President.
- Managed assignments delegated to Cabinet members by the President.
- Served as the President's chief representative for the newly created Raymond A. Rich Institute for Leadership Development.

- Served as the President's chief liaison to the Affirmative Action Committee, the Diversity Website Committee, and the Diversity Council.

Accomplishments:

- Developed an annual Southern California Scholarship Luncheon that has provided funds to students from Los Angeles.
- Created the Marist Mosaic Series, which created programs and activities that build a sense of community on-campus for faculty and staff.
- Successfully co-organized the Community Foundation's Garden Party at the Colonel Oliver Hazard Payne Mansion, home of Marist College's Raymond A. Rich Institute for leadership Development for 600 guests.
- Re-invigorated the institution's Affirmative Action Committee and co-created the Diversity Council.
- Helped to secure a \$600,000 NSF S-STEM grant for 12 full scholarships for underrepresented students.
- Helped to secure a \$100,000 endowed Hearst Foundation scholarship for underrepresented students.
- Helped to secure a \$75,000 grant from the New York State Department of State that provided physical improvements to Long View Park.
- Developed partnerships with high schools in New York City and Los Angeles, California, where I provide assistance to a select group of students of color commencing with the initial application phase through the financial aid process. Once students are enrolled at Marist, I provide extensive academic, personal, and career counselling and advising services. This has helped to increase Marist's retention of students of color.
- Helped to increase minority recruitment and retention.
- Secured funds for the Lily R. Ealy SoCal Support Fund for students from Southern California.
- Helped to secure funding for a scholarship established for students who come from modest socio-economic backgrounds.
- Helped to increase the number of underrepresented student's entering the freshman class from 11.3 percent to 15.3 percent.
- Developed a short-term academic service-learning program to South Africa and Ghana.
- Developed programs for the Office of the President to build community relations among various constituents including students, staff, and faculty groups.
- Secured a full-time academic advising position for the Higher Education Opportunity Program (HEOP) to serve non-HEOP students.
- Assisted in planning and organizing conferences for the New York Political Science Association and the New York Association for College Admission Counselling.
- Built a partnership with the Foundation for Excellent Schools (FES) for the Office of Admissions.

1/07-10/11

Program Director, Marist Africa

- Developed the curriculum for short-term academic service-learning experiences to South Africa, Kenya, Tanzania, and Ghana.

- Created marketing and promotional materials that targeted undergraduate and graduate students.
- Managed the programs' budget.
- Built strategic relationships in South Africa, Kenya, Tanzania, and Ghana with scholars, governmental officials, colleges and universities, nonprofits, and business leaders in order to enhance the educational experience of students.
- Completed a documentary with former students entitled "South Africa: The Beacon of Hope," which examines contemporary socio-economic and political issues in South Africa.

Academic Appointments:

MARIST COLLEGE

Adjunct Professor, Political Science, January 2007- October 2011
 Program Director, Marist Africa Programs, January 2007-October 2011
 Adjunct Professor, Public Administration & Policy, August 2006- present

Research and Teaching:

I teach courses in American government, public administration and management, urban and public policy and global issues. My research focuses on the areas of economic development, community development, politics, policy, and governance.

Courses Taught:

Undergraduate

American National Government
 Freshman Forum
 Perspectives on Social Institutions (Hybrid)
 South African Culture, History, and Politics
 Ghana: Politics, Entrepreneurship, and Community Development
 Sophomore Research Seminar: Adirondacks (Spring 2015)

Graduate

Global Issues in Public Administration (Hybrid)
 Introduction to Public Administration (Hybrid)
 Management of Non-Profit Organizations (Hybrid)
 Program, Planning, and Evaluation (Hybrid)
 Organizational Theory and Change (Online)

Books

Forthcoming: *Small City Politics and Economic Development*

Paper Presentations/Invited

Talks/Publications:

"Downtown Poughkeepsie?" *Poughkeepsie Journal*, March 2011

"Access to Higher Education" *Huffington Post*. March 2014

"Using Institutional Research to Enhance Your Role as a Presidential Assistant." National Association of Presidential Assistants in Higher Education 27th Annual National Conference at American Council on Education (ACE). March 2014.

"Managing, Supervising, and Leading Others in the President's Office—Where do I Start?" National Association of Presidential Assistants in Higher Education 27th Annual National Conference at American Council on Education (ACE). March 2014.

"The Online Presidency." National Association of Presidential Assistants in Higher Education 27th Annual National Conference at American Council on Education (ACE). March 2014.

"Embracing Diversity and Avoiding ACRASH by Calling Spades, Progressing Syntaxes, and Affirming Actions" with Ivan Turnipseed and Adriel Hilton in the *International Journal of Community Diversity*. 12: 2: 2013.

"Gun Control? Where are We?" *Huffington Post*. March 2013

"Campus Safety and Cost" *Huffington Post*. February 2013

"Making Campus Safer" *Huffington Post*. January 2013

"Technology in the President's Office." National Association of Presidential Assistants in Higher Education 26th Annual National Conference at American Council on Education (ACE). March 2013.

"Students and the 21st Century: Changes and the need to Provide More" with Adriel Hilton. National Association of Presidential Assistants in Higher Education 25th Annual National Conference at American Council on Education (ACE). March 2012.

"The Shifting Politics of Economic Development in the cities of Beacon and Poughkeepsie: Revisiting Regime Theory." Northeastern Political Science Association Annual Conference. October 2011.

"The Economic Impact of the Arts and Culture in the Hudson Valley." Art, Culture, and Media in our Communities panel discussion at the Cuneen Hackett Culture Center. April 2011.

"The Changing Politics of Economic Development in Beacon and Poughkeepsie, New York: Revisiting Regime Theory." Mid-West Political Science Association Annual National Conference. March 2011.

"Promoting Campus Inclusion as a Presidential Assistant" with Adriel Hilton. National Association of Presidential Assistants in Higher Education 24th Annual Conference. Washington, D.C. March 2011.

"Presidential Assistants: Fostering Change You Can Believe In" with Elisabeth Tarez. National Association of Presidential Assistants in Higher Education 24th Annual Conference at American Council on Education (ACE). Washington D.C. March 2011.

"The Power of Service." The Dutchess Outreach, Inc. Fourth Annual Brunch. Poughkeepsie, New York, September 2010.

"Leadership in the 21st Century: What Young Leaders Need to Know to be Successful in the Global Society." 2010 Rotary Youth Leadership Conference at Mount St. Mary's College, Newburgh, New York, June 2010.

"Local Economic Development in the Hudson Valley." Southern Dutchess Chamber of Commerce and Middle Main Street Revitalization Committees on Revitalizing Main Street, Poughkeepsie, New York, Spring 2010.

"Regimes and Urban Politics." The New School Master's class on The Political Economy of the City, New York, New York, Fall 2009.

“South Africa and the Global Community: Lessons Learned from Four Years of Traveling to South Africa.” Center for Multicultural Affairs-Marist College, Poughkeepsie, New York, Fall 2009.

Moderator, Panel Discussion. *Economic Development in the State of New York*. New York Governor’s College, Marist College, Poughkeepsie, New York July 2009.

“Chimps, Mutts, and Cowards: The Politics of Race in Obama's America” with Ivan B. Turnipseed. 21st Annual Black Graduate Student Conference “Engaged, Empowered, Expect It”. National Black Graduate Student Association, Houston, Texas, March 2009.

Moderator, Panel Discussion, *The Politics and Policies of President-Elect Obama and the Black Community*, the Northeast Regional Conference of the National Black Graduate Student Association (NBGSA). Bloomsburg University: Bloomsburg, Pennsylvania, November 2008.

“Urban Issues and Minorities in Higher Education.” 2008 Frederick Douglas Institute for Academic Excellence Conference on Globalization, Ethnicity, and the Quest for Ancestral Heritage.” Bloomsburg University: Bloomsburg, Pennsylvania, Spring 2008.

“Diversity, Culture Shock and the Rules of Football” with Elisabeth Tavarez. 2008 Emerging Leaders Workshop. Marist College: Poughkeepsie, New York Fall 2007.

“Urban Issues and the Role of Education in Economic Prosperity.” Wadleigh Secondary School Annual College Awareness Day. Wadleigh Secondary School: New York, New York. Fall 2007.

“Open Source Solutions in the Public Sector: The Case of Sakai” with James Melitski. 2006 Teaching of Public Administration (ASPA) Olympia, Washington, Spring 2006.

Fellowships:

Finger Lakes Environmental Film Festival Fellow (FLEFF)

Service:

Union College

- Co-Chair Middle States Periodic Review Report (PRR) Committee 2013-Present
- Co-Chair Committee examining Smoke-Free Policy 2013- Present
- Chair Community Relations Committee 2013-Present
- Chair Government Relations Committee 2011-Present
- Chair Albany Internship Task Force 2013-Present
- Chair Kelly Adirondack Center Internal Advisory Committee 2011-Present
- Chair Institutional Rankings Task Force 2012- Present
- Co-Chair Emergency Preparedness Committee 2011- Present
- Member of the Planning and Priorities Committee 2011 – Present
- Chaired strategic plan committee on “What’s missing?” 2011-2013

Marist College

- Co-Chaired the Diversity Website 2009-2011
- Co-Chaired the Diversity Council 2010-2011
- Member of Middle States Steering Committee 2010-2011

- Member of Standing Committee on NCAA Reaccreditation Team 2009-2010
- Member of the Strategic Planning Committee 2010-2011
- Member of the Housing and Enrollment Committee 2009-2011

Awards:

- Marist College Young Alumnus Distinguished Award
- Tri-State Consortium of Opportunity Programs Distinguished Alumni Award
- 40 Under 40 "Shaker Award" From the Greater Southern Dutchess Chamber of Commerce
- Inducted into the National Society of Leadership and Success
- Who's Who Among Students in American Universities and Colleges
- Marist Alumni Leadership Award

Boards:

- Protect the Dream Youth Programs -2007-Present
- Dutchess Outreach-2009-2011
- Eleanor Roosevelt at Val Kill, 2010-Present, Treasurer-2011-2012
- The HUB-Young Professionals of the Hudson Valley-2009-2011
- Catharine Street Community Center, 2008-Present
- National Association of Presidential Assistants in Higher Education, 2012-Present
- Schenectady Chamber of Commerce, 2011- Present
- Quest, 2013- Present
- The Foundation Board of Living Resources, 2013- Present

Associations:

- Member of American Society for Public Administration
- National Association of Presidential Assistants in Higher Education
- Reviewer for Call & Response-Scholarly Journal for the National Black Graduate Student Association
- Member of American Sociological Association
- Member of Association of Public Policy Analysis and Management
- Member of the New York Metro Graduate Urban Research Network
- Member of Urban Affairs Association
- Member of American Political Science Association
- Member of American Sociological Association
- Member of American Governing Boards (AGB)

Professional References

1. Dennis J. Murray
President
Marist College
3399 North Road
Poughkeepsie, NY 12601
845-575-3600
Dennis.Murray@marist.edu
2. Sean Kaylor
Vice President for Admissions & Enrollment Management
Marist College
3399 North Road
Poughkeepsie, NY 12601
845-575-3226
Sean.Kaylor@marist.edu
3. Diane Blake
Vice President for Administration and Finance
Union College
807 Union Street
Schenectady, NY 12308
518-355-6104
Blaked@union.edu
4. Elisabeth Tavarez
Special Assistant to the President
Marist College
3399 North Road
Poughkeepsie, NY 12601
845-575-3189
Elisabeth.Tavarez@marist.edu
5. Deborah DiCaprio
Vice President for Student Affairs
Marist College
3399 North Road
Poughkeepsie, NY 12601
845-575-3515
Deborah.DiCaprio@marist.edu
6. Gretchel Hathaway
Chief Diversity Officer
Union College
807 Union Street

Schenectady, NY 12308
hathawag@union.edu

Budget, Finance, and Personnel Committee Roll Call

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

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

2014104 APPOINTMENT TO THE DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Date: April 3, 2014

Roll Call Sheets

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

Present: 24 Resolution: ✓ Total: 21 3
 Absent: 1 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2014104 APPOINTMENT TO THE DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Date: April 7, 2014

BUDGET, FINANCE, AND PERSONNEL

RESOLUTION NO. 2014105

RE: APPOINTMENT TO THE DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION

Legislators ROLISON, FLESLAND, JETER-JACKSON, and FARLEY offer the following and move its adoption:

WHEREAS, the Dutchess County Local Development Corporation was created pursuant to Section 1411 of the Not-For-Profit Corporation Law, and

WHEREAS, pursuant to Resolution No. 2010094, the Dutchess County Legislature in addition to authorizing the formation of the Local Development Corporation authorized and approved the Certificate of Incorporation and By-laws of the Local Development Corporation, and

WHEREAS, Article II of the By-laws, provides that Directors shall be elected by a vote of the County Legislature subject to the confirmation of the County Executive, and shall hold office until their successors have been elected or appointed and qualified, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Edward Summers, as a member of the Board of Directors of the Dutchess County Local Development Corporation to replace George R. Stoffers:

APPOINTMENT

Edward Summers
2 Oakwood Boulevard
Poughkeepsie, NY 12603
(replacing George R. Stoffers)

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 4/14/2014

and, be it further

RESOLVED, that this Resolution shall be subject to confirmation by the County Executive.

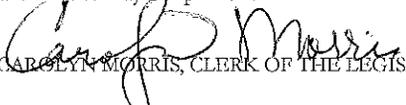
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

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

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

2014105 APPOINTMENT TO THE DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION

Date: April 3, 2014

Roll Call Sheets

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

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

2014105 APPOINTMENT TO THE DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION

Date: April 7, 2014

BUDGET, FINANCE, & PERSONNEL

RESOLUTION NO. 2014106

RE: LEGISLATURE OF THE COUNTY OF DUTCHESS, EXEMPTING RESIDENTIAL ENERGY SOURCES AND SERVICES FROM SALES AND COMPENSATING USE TAXES PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK AND REPEALING RESOLUTION NO. 2013341 OF 2013 WHICH WOULD HAVE REINSTATED THAT EXEMPTION AT A FUTURE DATE

Legislators ROLISON, FLESLAND, BOLNER, BORCHERT, HORTON, HUTCHINGS, INCORONATO, KELSEY, MICCIO, NESBITT, PULVER, ROMAN, SAGLIANO, SERINO, SURMAN, THOMES, WEISS, JETER-JACKSON and JOHNSON offer the following and move its adoption:

BE IT ENACTED by the Legislature of the County of Dutchess, as follows:

SECTION 1. Resolution No. 2013341 of 2013 is hereby REPEALED.

SECTION 2. Section six of Resolution No. 598 of 1975, imposing sales and compensating use taxes, as amended, is amended by adding a new subdivision (h) to read as follows:

(h) Receipts from the sale of energy sources and services and the use of such sources and services shall be exempt from the taxes imposed by this resolution, as authorized by paragraph three of subdivision (a) of section 1210 of the New York Tax Law.

SECTION 3. This act shall take effect June 1, 2014.

APPROVED


MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/8/2014

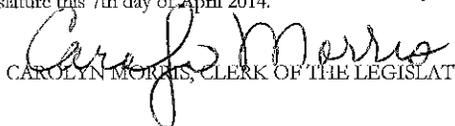
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ -4,508,000
and Source

3.75% Sales tax on residential energy sources and services

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

Identify Line Items(s):

A.1331.11100 Sales & Use Tax

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): -\$4,508,000
Over Five Years: -\$35,420,028

Additional Comments/Explanation:

The loss calculation above is strictly an estimate based on the 2014 budgeted revenue of \$6,440,000 evenly prorated over the 10 month period. There are a number of variables that will impact the above loss figure up or down making a more accurate estimate at this time impossible. The County will have a more accurate projection mid July when the State provides a reconciliation of the 2nd quarter sales tax receipts.

The above amount will be partially offset by State Aid provided to Dutchess County to offset the costs of current County services and programs mandated by the State. The 2014-15 State budget includes a 12 month appropriation of \$4.9M for Dutchess County- with an estimated prorated impact of \$3,675,000 for the 2014 County budget.

Prepared by: Jessica White, Budget Office



COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

MEMORANDUM

To: Robert Rolison, County Legislature Chairman, & All Legislators
From: Marcus Molinaro, County Executive
Date: April 8, 2014
Re: Resolution 2014106

We have made clear that Dutchess County, like nearly every county across the state, needs relief from the burden of state and federal mandates. No other state in the nation imposes so many programs, so much spending and so many obstacles on county governments. With 70% of our budget – nearly \$300 million – going to pay for state and federal programs, the time has come for a wholesale reform from Albany. Because county taxpayers are forced to pay for Federal and State spending, critical local services are being crowded out or even eliminated and local taxes are substantially inflated.

Thanks to state Senator Greg Ball and Assemblywoman Didi Barrett, we have secured partial, one-time relief from increased mental health demands due to the closure of state psychiatric facilities in our county over the last few years. This assistance enables us to repeal the sales tax on residential energy sources.

Becoming the 56th community to impose this sales tax was not our preference but it was our decision, necessary to balance the 2014 county budget, and now it is our decision to repeal it. I thank those who made the tough decisions with us and helped us to facilitate the state aid necessary to eliminate this tax. We have listened to our constituents and now keep our promise to repeal this tax upon receipt of aid from Albany.

However, without annual reoccurring relief from state spending or the revenue from the repeal of this sales tax exemption, we will be forced to cut critical services going into the 2015 budget. As we do so, we will also continue our fight for mandate relief. In the weeks ahead, we will expose the burden, the redundancies, the ridiculous, and the injustices that local governments shoulder because Albany won't take responsibility and pay for those programs and services they mandate us to provide.

With that I return this resolution signed without delay so that we may notify the state Department of Taxation & Finance of our intent to stop collecting this tax on the first possible day available to us, June 1st.

AS DIRECTED
BY NYS.

RESOLUTION NO. 2013341

RE: LEGISLATURE OF THE COUNTY OF DUTCHESS, REPEALING AN EXEMPTION OF RESIDENTIAL ENERGY SOURCES AND SERVICES FROM SALES AND COMPENSATING USE TAXES, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

Be it enacted by the Legislature of the County of Dutchess, as follows:

SECTION 1. Subdivision (h) of section six of Resolution No. 598, of 1975, as amended, is hereby REPEALED.

SECTION 2. This resolution shall take effect March 1, 2014 and shall apply in accordance with applicable transitional provisions of the New York Tax Law and shall expire on February 28, 2017.

SECTION 3. A special meeting of the Dutchess County Legislature will be called to repeal this action upon the passage of mandate relief from the New York State Legislature and Governor that removes the need for this exemption to be repealed.

CA-198-13
JMF/CEN/ca/G-1591
10/11/13

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/16/13

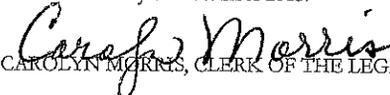
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 5th day of December 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 5th day of December 2013.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

December 8, 1975

conjunction with the performance of the service, plus the cost of transportation of property so transferred and of the tangible personal property upon which the service was performed, except where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser.

SECTION 5. Special rules for computing receipts and considerations.

(a) The retail sales tax imposed under subdivision (a) of Section 2 and the compensating use tax imposed under Section 4, when computed in respect to tangible personal property whenever manufactured, processed or assembled and used by such manufacturer, producer or assembler in the regular course of business within this county, shall be based on the price at which items of the same kind of tangible personal property are offered for sale by him, except to the extent otherwise provided in Section 4 hereof.

(b) Tangible personal property, which has been purchased by a resident of this County outside of this County for use outside of this County and subsequently becomes subject to the compensating use tax imposed under this resolution shall be taxed on the basis of the purchase price of such property, provided, however:

(1) That where a taxpayer affirmatively shows that the property was used outside this County by him for more than six months prior to its use within this County such property shall be taxed on the basis of current market value of the property at the time of its first use within this County. The value of such property, for compensating use tax purposes, may not exceed its cost.

(2) That the compensating use tax on such tangible personal property brought into this County (other than for complete consumption or for incorporation into real property located in this County) and used in the performance of a contract or subcontract within this County by a purchaser or user for a period of less than six months may be based, at the option of the tax payer, on the fair rental value of such property for the period of use within this County.

(c) With respect to property leased, or sold under a contract deferring payments, tax shall be payable at such times and in such amounts as may be prescribed by the state tax commission as provided in Section 1132 of the Tax Law.

(d) If the state tax commission has prescribed or shall prescribe schedules of the amount of tax to be collected upon each gallon of motor fuel and diesel motor fuel sold at retail service stations, and upon each pack of cigarettes, as provided in Section 1111 of the Tax Law, the tax thereon shall be collected as prescribed in such schedules.

SECTION 6. Exemptions from sales and use taxes.

(a) Receipts from the following shall be exempt from the tax on retail sales imposed under subdivision (a) of Section 2 and the compensating use tax imposed under Section 4:

(1) Food, food products, beverages, dietary foods and health supplements, sold for human consumption but not including (i) candy and confectionery, (ii) fruit drinks which contain less than seventy percent of natural fruit juice, (iii) soft drinks, sodas and beverages such as are ordinarily dispensed at soda fountains or in connection therewith (other than coffee, tea or cocoa) and (iv) beer, wine or other alcoholic beverages, all of which shall be subject to the retail sales and compensating use taxes, whether or not the item is sold in liquid form. Nothing herein shall be construed as exempting food or drink from the tax imposed under subdivision (d) of Section 2.

(2) Water, when delivered to the consumer through mains or pipes.

(3) Drugs and medicines intended for use, internally or externally, in the

December 8, 1975

cure, mitigation, treatment or prevention of illnesses or diseases in human beings and products consumed by humans for the preservation of health but not including medical equipment and supplies other than such drugs and medicines, or cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein.

(4) Prosthetic aids, hearing aids, or eyeglasses and artificial devices designed for the use of a particular individual to correct or alleviate physical incapacity.

(5) Newspapers and periodicals.

(6) Tangible personal property, except property incorporated in a building or structure, for the use or consumption directly and predominantly in the production for sale of tangible personal property by farming, including stock, dairy, poultry, fruit, fur bearing animal, and truck farming. The term farming shall also include ranching, operating nurseries, greenhouses or other similar structures used primarily for the raising of agricultural, horticultural or floricultural commodities, and operating orchards.

(7) Tangible personal property sold by a mortician, undertaker or funeral director. However, all tangible personal property sold to a mortician, undertaker or funeral director for use in the conducting of funerals shall not be deemed a sale for resale within the meaning of paragraph (4) of subdivision (b) of Section 1 of this resolution and shall not be exempt from the retail sales tax.

(8) Commercial vessels primarily engaged in interstate or foreign commerce and property used by or purchased for the use of such vessels for fuel, provisions, supplies, maintenance and repairs (other than articles purchased for the original equipping of a new ship).

(9) Fuel sold to an airline for use in its airplanes.

(10) Tangible personal property purchased for use or consumption directly and predominantly in research and development in the experimental or laboratory sense. Such research and development shall not be deemed to include the ordinary testing or inspection of materials or products for quality control, efficiency surveys, management studies, consumer surveys, advertising, promotions or research in connection with literary, historical or similar projects.

(12) Tangible personal property sold through coin-operated vending machines at ten cents or less, provided the retailer is primarily engaged in making such sales and maintains records satisfactory to the state tax commission.

(13) Motor vehicles, as such term is defined in section one hundred twenty-five of the vehicle and traffic law, sold by a husband or wife to his or her spouse, or by a parent to his or her child, or by a child to his or her parent. Provided, however, this exemption shall not apply if the vendor is a dealer as defined in section four hundred fifteen of the vehicle and traffic law.

(14) Tangible personal property sold to a contractor, subcontractor or repairman for use in erecting a structure or building of an organization described in subdivision (a) of section seven, or adding to, altering or improving real property, property or land of such an organization, as the terms real property, property or land are defined in the real property tax law; provided, however, no exemption shall exist under this paragraph unless such tangible personal property is to become an integral component part of such structure, building or real property.

(15) Tangible personal property sold to a contractor, subcontractor or repairman for use in maintaining, servicing or repairing real property, property or land of an organization described in subdivision (a) of section seven, as the terms real property, property or land are defined in the real property tax law; provided, however, no exemption shall exist under this paragraph unless such tangible personal property is to become an integral component part of such structure, building or real property.

December 8, 1975

(16) Tangible personal property sold by a contractor, subcontractor or repairman to a person other than an organization described in subdivision (a) of section seven, for whom he is adding to, or improving real property, property or land by a capital improvement, or for whom he is about to do any of the foregoing, if such tangible personal property is to become an integral component part of such structure, building or real property, provided, however, that if such sale is made pursuant to a contract irrevocably entered into before September first, nineteen hundred sixty-nine, no exemption shall exist under this paragraph.

(17) Tangible personal property sold by a person at his residence provided such person does not engage in such sales for more than three days in a calendar year and such person or any member of this household does not conduct a trade or business in which similar items are sold, and the gross receipts from such sales can reasonably be expected not to exceed two hundred dollars in a calendar year. This exemption shall not apply to sales at a party or a sale held to liquidate an estate. This exemption shall not apply to the sale of boats, snowmobiles or motor vehicles except such sales of motor vehicles within the exemptions of paragraph thirteen of subdivision (a) of this section.

(18) Cartons, containers, and wrapping and packaging materials and supplies, and components thereof for use and consumption by a vendor in packaging or packing tangible personal property for sale, and actually transferred by the vendor to the purchaser.

(b) (i) Telephony and telegraphy and telephone and telegraph service used by newspapers, radio broadcasters and television broadcasters in the collection or dissemination of news shall be exempt from the tax imposed under subdivision (b) of Section 2 if the charge for such services is a toll charge or a charge for mileage services, including the associated station terminal equipment.

(ii) Gas, electricity, refrigeration and steam, and gas, electric, refrigeration and steam service of whatever nature for use or consumption directly and exclusively in research and development in the experimental or laboratory sense shall be exempt from the tax imposed under subdivision (b) of Section 2. Such research and development shall not be deemed to include the ordinary testing or inspection of materials or products for quality control, efficiency surveys, management studies, consumer surveys, advertising, promotions or research in connection with literary, historical or similar projects.

(c) All sales of tangible personal property for use or consumption directly and predominantly in the production of tangible personal property, gas, electricity, refrigeration or steam, for sale, by manufacturing, processing, generating, assembling, refining, mining, extracting, farming, agriculture, horticulture or floriculture, and all sales of telephone central office equipment and station apparatus or comparable telegraph equipment for use directly and predominantly in receiving at destination or in initiating and switching telephone or telegraph communication shall be exempt from the taxes imposed under subdivision (a) and (b) of Section 2.

(d) Services otherwise taxable under paragraph (1), (2) or (3) of subdivision (c) of Section 2 herein shall be exempt from tax under this resolution if the tangible personal property upon which services were performed is delivered to the purchaser outside the County for use outside the County.

(e) Telephone and telegraph service paid for by inserting coins in coin-operated telephones where the charge is ten cents or less shall be exempt from the tax imposed under subdivision (b) of Section 2.

(f) Services rendered by a veterinarian licensed and registered as required by the education law which constitute the practice of veterinary medicine as defined in said law, including hospitalization for which no separate boarding charge is made, shall not be subject to tax under paragraph (3) of subdivision

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PROCEEDINGS OF THE

December 8, 1975

(c) of Section 2, but the exemption allowed by this subdivision shall not apply to other services provided by a veterinarian to pets and other animals, including, but not limited to, boarding, grooming and clipping. Articles of tangible personal property designed for use in some manner relating to domestic animals or poultry, when sold by such veterinarian, shall not be subject to tax under subdivision (a) of Section 2 or under Section 4. However, the sale of any such articles of tangible personal property to a veterinarian shall not be deemed a sale for resale within the meaning of paragraph (4) of subdivision (b) of Section 1 and shall not be exempt from retail sales tax.

(g) Services otherwise taxable under paragraph (3) of subdivision (c) of section two shall be exempt from tax if performed upon prosthetic aids, hearing aids, or eye glasses and artificial devices designed for the use of a particular individual to correct or alleviate physical incapacity.

SECTION 7. Exempt organizations.

(a) Except as otherwise provided in this section, any sale or amusement charge by or to any of the following or any use or occupancy by any of the following shall not be subject to the sales and compensating use taxes imposed under this resolution.

(1) The State of New York, or any of its agencies, instrumentalities, public corporations (including a public corporation created pursuant to agreement or compact with another state or Canada) or political subdivisions where it is the purchaser, user or consumer, or where it is a vendor of services or property of a kind not ordinarily sold by private persons;

(2) The United States of America—and any of its agencies and instrumentalities, insofar as it is immune from taxation where it is the purchaser, user or consumer, or where it sells services or property of a kind not ordinarily sold by private persons;

(3) The United Nations or any international organization of which the United States of America is a member where it is the purchaser, user or consumer, or where it sells services or property of a kind not ordinarily sold by private persons; and

(4) Any corporation, association, trust, or community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying or propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

(5) A post or organization of war veterans, or an auxiliary unit or society of, or a trust or foundation for, any such post or organization:

(A) organized in this state,

(B) at least seventy-five percent of the members of which are war veterans and substantially all of the other members of which are individuals who are veterans (but not war veterans), or are cadets, or are spouses, widows or widowers of war veterans or such individuals, and

(c) no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(b) Nothing in this section shall exempt:

(1) retail sales of tangible personal property by any shop or store operated

Morris, Carolyn

From: Jacqueline Perry [jacqueline.perry42@gmail.com]
ent: Thursday, April 24, 2014 11:42 AM
To: CountyLegislature
Subject: Repeal the Energy Tax NOW

Dear Dutchess County Legislators:

My name is Jacqueline Perry and I'm a homeowner in Dutchess County. I've resided here since 1998 and have raised my children in the county. I'm also a registered voter.

When I first moved to Dutchess county the cost of heating my home was approximately \$180 or so whenever they filled my 250 gallon tank. Now the cost has gone up to \$900 or more! Heating your home is not a privilege, its a necessity especially this past winter. To have tax added to my heating bill is absurd! I'm raising two children on a modest salary and now must add an additional Dutchess County Energy Tax on top of my rising property taxes. This must stop. END THIS TAX NOW.

Sincerely,

Jacqueline Perry

Rudget, Finance, and Personnel Committee Roll Call

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

Present: _____
 Absent: _____
 Vacant: _____

Resolution: _____
 Motion: _____

Total : 11 0
 Yes No
 Abstentions: 0

2014106 LEGISLATURE OF THE COUNTY OF DUTCHESS, EXEMPTING RESIDENTIAL ENERGY SOURCES AND SERVICES FROM SALES AND COMPENSATING USE TAXES PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK AND REPEALING RESOLUTION NO. 2013341 OF 2013 WHICH WOULD HAVE REINSTATED THAT EXEMPTION AT A FUTURE DATE

Date: April 7, 2014

Roll Call Sheets

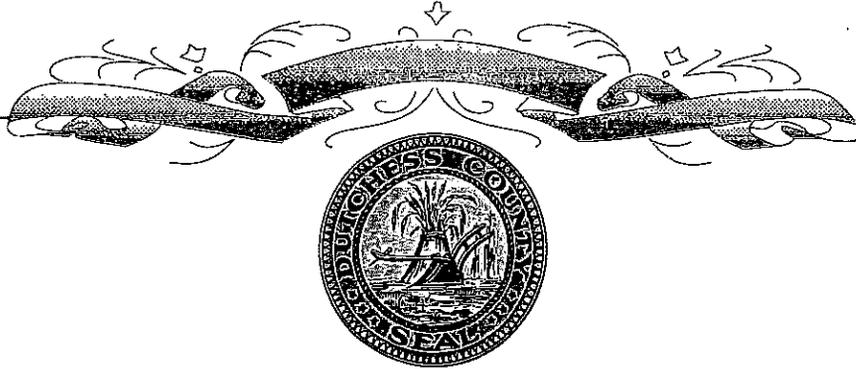
District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery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

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

2014106 LEGISLATURE OF THE COUNTY OF DUTCHESS, EXEMPTING RESIDENTIAL ENERGY SOURCES AND SERVICES FROM SALES AND COMPENSATING USE TAXES PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK AND REPEALING RESOLUTION NO. 2013341 OF 2013 WHICH WOULD HAVE REINSTATED THAT EXEMPTION AT A FUTURE DATE

Date: April 7, 2014

Dutchess County Legislature



Commendation: Kealy Salomon

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

WHEREAS, the Dutchess County Legislature seeks to acknowledge the contributions of individuals who perform public service for Dutchess County, and

WHEREAS, Kealy Salomon began her career with Dutchess County Government in 1982, beginning as Planner following her graduation from Cornell University with a Masters of Regional Planning, and she worked her way up through the Planning Department, serving as Senior Planner, Transportation Program Administrator, and then as Assistant Commissioner, and

WHEREAS, Ms. Salomon was appointed as Commissioner of Planning & Development in 2010, and under her leadership, the Department of Planning & Development has accomplished numerous priorities including the preservation of open space and farmland, affordable housing projects, Community Development Block Grant funding, Greenway Guides, transportation plans, trail mapping, and the Local Solid Waste Management Plan, to name a few, and

WHEREAS, as Commissioner, Ms. Salomon has been responsible for oversight of the Department of Planning and Development and its mission to help maintain and enhance the County's quality of life including countywide planning, coordination of economic development activities, planning assistance to local governments, and comprehensive mapping and geographic information systems (GIS) data, and

WHEREAS, Kealy Salomon will be retiring in April following more than 31 years of dedicated public service to Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all people of Dutchess County, does hereby commend, congratulate, and thank Kealy Salomon for her many years of dedication serving the government and residents of Dutchess County, and be it further

RESOLVED, that the Dutchess County Legislature hereby extends its best wishes to Kealy Salomon in her retirement and offers her best wishes in all her future endeavors.

Resolution N o. 2014107

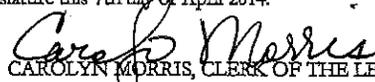
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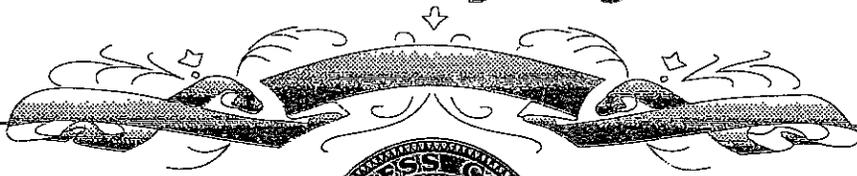
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Commendation: Pamela Barrack

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

WHEREAS, the Dutchess County Legislature seeks to acknowledge the contributions of individuals who perform public service for Dutchess County, and

WHEREAS, Pamela Barrack will be retiring in May following 9 years of dedicated public service as Commissioner of Finance, and

WHEREAS, Pamela Barrack was appointed as Commissioner of Finance in 2005, and prior to her service in Dutchess County Government, Pam operated her own tax service business for nearly twenty years, and prior to that she worked as Revenue Agent with the Internal Revenue Service and as an Auditor at the U.S. Military Academy at West Point, and

WHEREAS, as Commissioner of Finance, Pamela Barrack serves as the Chief Fiscal Officer of the County and is charged with the responsibility of receipt and disbursement of county funds, responsible for enforcement of real property taxes levied for county, town, school district, and village purposes, and is responsible for obtaining borrowing on behalf of the County to finance Operating and Capital Programs, and the issuance of Official Statements as required as well as ensuring all financial records are maintained in accordance with the rules established by the Comptroller of the State of New York and generally accepted accounting standards as prescribed by the Governmental Accounting Standards Board, and

WHEREAS, Pamela Barrack currently serves as a member of the New York State County Treasurers' and Finance Officers' Association, as well as the New York State Government Finance Officers Association, and

WHEREAS, Pamela Barrack is also extensively involved in the local community where she serves as the Recording Secretary for the Melzingah Chapter of the Daughters of the American Revolution (DAR) and is a member of the National Society DAR, Audit Committee, and she also is on the Board of Directors for the Madam Brett Homestead in Beacon, serving as the Recording Secretary, she is the Treasurer for the Highland Pass Society Children of the American Revolution, and has previously served on numerous other boards and committees, including the Dutchess Community College Board of Trustees, Dutchess County Planning Board, Howland Cultural Center Board of Director, and the City of Beacon Board of Assessment Review, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all people of Dutchess County, does hereby commend, congratulate, and thank Pamela Barrack for her many years of dedication serving the government and residents of Dutchess County, and be it further

RESOLVED, that the Dutchess County Legislature hereby extends its best wishes to Pamela Barrack in her retirement and offers their best wishes in all her future endeavors.

STATE OF NEW YORK

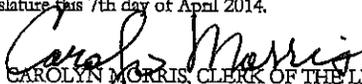
COUNTY OF DUTCHESS

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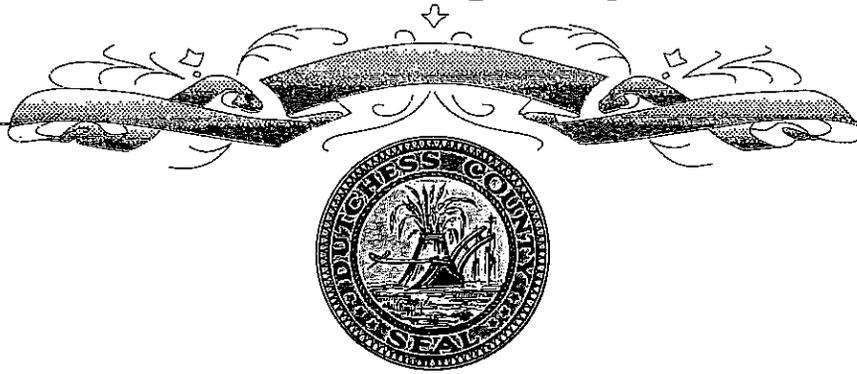
Resolution No. 2014108

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Commendation: Frederick Scanlon

Legislator Borchert offers the following and moves its adoption:

WHEREAS, the Dutchess County Legislature is pleased to recognize the accomplishment of a remarkable young man, Frederick Scanlon, and

WHEREAS, Frederick Scanlon is a member of Boy Scout Troop 50 in LaGrange, New York, and has obtained the rank of Eagle Scout which he will receive at a Court of Honor on June 8, 2014, and

WHEREAS, Frederick Scanlon has demonstrated a commitment to the highest ideals of Scouting and to his community earning the Camping, Citizenship in Community, Citizenship in Nation, Citizenship in World, Communications, Cooking, Emergency Preparedness, Environmental Science, Family Life, First Aid, Personal Fitness, Personal Management, and Swimming Merit Badges required to obtain the rank of Eagle Scout, and

WHEREAS, Eagle Scout Frederick Scanlon held the position of Troop Librarian from September of 2010 through June of 2013 and received the 50 Miler, Arrow of Light, and Historic Trails Award, and

WHEREAS, Eagle Scout Frederick Scanlon also earned the Art, Canoeing, Disability Awareness, Fingerprinting, Fishing, Geology, Moviemaking, Nature, Photography, Skating, Snow Sports, Weather Wilderness Survival, and Wood Carving Merit Badges, and

WHEREAS, Frederick's Eagle Scout Project was performed at the NYSARC group home at 71 Hillcrest Drive in LaGrange where he performed landscape clean up around the house and built a new concrete barbeque grill pad and 2 raised vegetable garden planters, and

WHEREAS, Frederick is an avid skier, and plays basketball and soccer, and graduated from Arlington High School where he was the 2012 Homecoming King and the Class of 2013 Senior Prom King, and is a post-graduate member of the Environmental Club and Mission AHS and he also works part-time at a local nursing home and catering hall, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Eagle Frederick Scanlon, and, be it further

RESOLVED, that the Dutchess County Legislature does hereby extend to Eagle Scout Frederick Scanlon its best wishes in all of his future endeavors.

Resolution No. 2014109

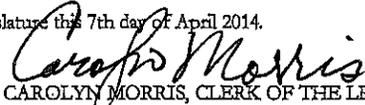
STATE OF NEW YORK

ss:

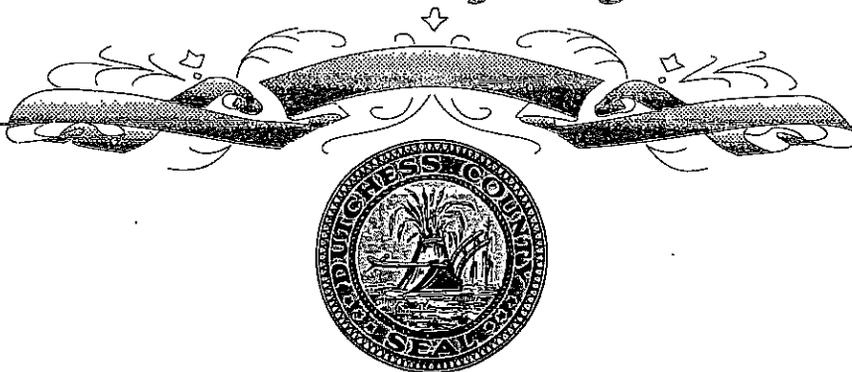
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Commendation: William S. Augerson, M.D.

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

WHEREAS, William S. Augerson, M. D. is an internist who has lived in Millbrook, New York, for 16 years, he has been a member of the Dutchess County Board of Health since 2002 and has been President for over 2 years, a member of the County Medical Reserve Corps, which he helped organize and develop, and is a member of the County Medical Society, and

WHEREAS, William S. Augerson in 1945 joined the U.S. Navy to serve as an electronics technician and the next year entered Bowdoin College where he majored in physics and English, where he graduated with honors in 1949, he then continued his education at Cornell University where he earned his M.D. in 1955, and

WHEREAS, Dr. Augerson then entered active duty in the U.S. Army, interning at Brooke Army Hospital in San Antonio, Texas, his other posts included Division Surgeon for the 4th Infantry in 1957-58 and Army Liaison Officer for Bioastronautics Research at the U.S. Air Force Aeromedical Laboratory at Wright-Patterson Air Force Base in 1958, when he retired from the Army he had obtained the rank of general, and

WHEREAS, Dr. Augerson was a Vice President of Environmental Health and Safety at Arthur D. Little, Inc. in Cambridge, Massachusetts, for 10 years, and after his retirement has worked for a variety of government agencies, corporations, insurance firms, peer review organizations, and spent 6 years as a consultant with RAND corporation, and

WHEREAS, Dr. Augerson is the author of some 20 peer reviewed journal articles, 9 peer reviewed monographs on protocols to treat chemical, biological and heat casualties, and one peer reviewed small book related to Gulf War illnesses, in addition to many technical reports, and

WHEREAS, Dr. Augerson received many military awards including the Distinguished Service Medal, Silver Star, Defense Superior Service Medal, and the Legion of Merit, and he was awarded the Combat Medical Badge, Parachute and Special Forces Free-Fall Parachute wings, and is a Master Flight Surgeon, and

WHEREAS, Dr. Augerson has been awarded the Fellow Aerospace Medical Association, Outstanding Service Medal from the Uniformed Services University of Health Sciences for his work as a faculty member in the Department of Military Medicine and on the Board of Regents, Lovelace Award from the Society of NASA Flight Surgeons, and the Strughold Award from the Space Medicine Society, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate the Dr. William S. Augerson, for his years of dedication to the County of Dutchess and his service to our Country, and does hereby extend to Dr. William S. Augerson, its best wishes in all of his future endeavors.
STATE OF NEW YORK

COUNTY OF DUTCHESS ss: Resolution No. 2014110

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Commendation: Town of Pleasant Valley and
Town of Pleasant Valley Open Space Committee

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

WHEREAS, the 2013 Pleasant Valley Open Space and Farmland Plan was developed by the Town of Pleasant Valley Open Space Committee consisting of Sandra Larkin, Ross Hartlipp, Meta Plotnick, Rebecca Seaman, and Teddi Southworth over a six year period with assistance from AKRF, Inc. and Taconic Site Design & Landscape Architecture, and adopted by the Town Board of the Town of Pleasant Valley in December of 2013, and

WHEREAS, the Town of Pleasant Valley has been recognized with the 2014 Henry Heissenbuttel Award for Excellence in Land Use Planning by the New York Planning Federation, and

WHEREAS, the New York Planning Federation is a statewide, membership supported not-for-profit organization that was formed in 1937 to promote sound planning, land use and zoning practices in New York State which fosters orderly growth and development balanced with the protection of natural resources, and

WHEREAS, the Plan is an effort by the Town of Pleasant Valley to protect Pleasant Valley's most significant open space and farmland resources by providing information regarding the importance of those resources, offering a guide to the various voluntary land protection and financing options, providing short term and long term recommendations and to contribute to the protection of the environmental and economic health of the Town of Pleasant Valley, and

WHEREAS, the Dutchess County Department of Planning and Development noted that "the Plan builds upon recommendations from the Comprehensive and Recreational Plans and inventories existing resources, outlines priority conservation areas and describes preservation techniques, with the aim of encouraging resource protection on a voluntary basis," and

WHEREAS, the New York Planning Federation award honors Henry Heissenbuttel, the innovative Director of the Dutchess County Planning Department from 1961 to 1978, and is given by the Federation for outstanding accomplishments in the planning field and/or consistent support of their mission to promote sound planning practice across New York State, and

WHEREAS, the award was presented to the Town of Pleasant Valley on March 31, 2014, at this year's New York Planning Federation's Annual Conference that was held in Saratoga Springs, New York, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all people of Dutchess County, does hereby congratulate, compliment, and commend the Town of Pleasant Valley and the Town of Pleasant Valley Open Space Committee upon the adoption and recognition of the 2013 Pleasant Valley Open Space and Farmland Plan for its accomplishment in being recognized by the New York Planning Federation.

STATE OF NEW YORK

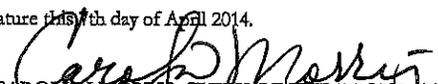
ss:

Resolution No. 2014111

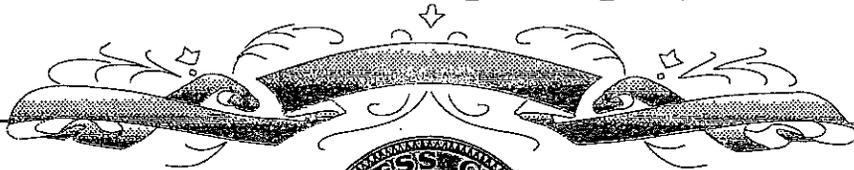
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Commendation: Stanford Grange #808

Legislator Pulver offers the following and moves its adoption:

WHEREAS, the Stanford Grange is located at the Stanford Grange Hall, 6043 Route 82, Stanfordville, New York and was organized on January 23, 1896, and

WHEREAS, Margaret Plantier is Master/President, Dorothy Burdick is Lecturer/Program Chairman, and Ryan Orton is Secretary to the Stanford Grange #808, and

WHEREAS, the Stanford Grange is hosting its Distinguished Grange Award and Grange Week Open House on Sunday, April 27, 2014, at 2:00 p.m. at the Stanford Grange Hall, and

WHEREAS, at the 2013 National Grange Convention in Manchester, New Hampshire, the National Grange Master/President announced that Stanford Grange #808 was selected as a Distinguished Grange for the fourth year in a row, and

WHEREAS, the Stanford Grange was among a select few Granges in the entire United States, and the only Grange in New York, to receive this top national honor four years straight, and

WHEREAS, the New York State Grange Master/President, Stephen C. Coye of Albany County, will present the Distinguished Grange Award to the Stanford Grange #808, as well as Membership Awards to the following Stanford Grange members: 40 years – Gary K. Cooper, Jean M. Jicha, Irene G. Genovese and Diane Mueller; 60 years – John O. Boadle, Jr., now, therefore be it

RESOLVED, that the Dutchess County Legislature, on behalf of all people of Dutchess County, does hereby congratulate, compliment, and commend the Stanford Grange for its accomplishment, and be it further

RESOLVED, that the Dutchess County Legislature hereby congratulates the Stanford Grange on receiving such a distinguished award.

STATE OF NEW YORK

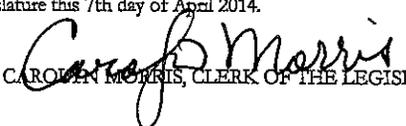
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Resolution No. 2014112

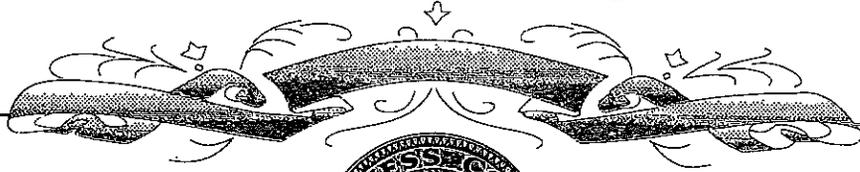
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



PROCLAMATION: AUTISM AWARENESS MONTH

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

WHEREAS, autism is a misunderstood disorder and public awareness is necessary to promote understanding and compassion to allow those with the disorder to maximize their potential and to live more harmoniously in society, and

WHEREAS, autism appears to have its roots in very early brain development, but the most obvious signs of autism and symptoms of autism tend to emerge between 2 and 3 years of age, and more funding is needed for research on effective methods for earlier diagnosis, as early intervention with proven behavior therapies can improve outcomes, and increasing autism awareness is a key aspect of this work and one in which our family and volunteers play an invaluable role, and

WHEREAS, autism statistics from the U.S. Centers for Disease Control and Prevention identify about 1 in 110 American children are on the autism spectrum, a 600 percent increase in prevalence over the past two decades, and careful research shows that this increase is only partly explained by improved diagnosis and awareness, and studies also show that autism is three to four times more common among boys than girls, and an estimated 1 out of 70 boys is diagnosed with autism in the United States, and

WHEREAS, more children will be diagnosed with autism this year than with childhood cancer, juvenile diabetes, or pediatric AIDS combined, and autism spectrum disorder affects an estimated 3 million individuals in the U.S. and tens of millions worldwide, moreover, government autism statistics suggest that prevalence rates have increased 10 to 17 percent annually in recent years, and

WHEREAS, the Autism Society of the Hudson Valley will be holding their 13th Annual Autism Walk and Expo of the Hudson Valley on April 27, 2014, at the Dutchess County Fairgrounds in Rhinebeck, now, therefore, be it

RESOLVED, that the Dutchess County Legislature proclaims April to be Autism Awareness Month in Dutchess County, and recognizes and commends the work of the Autism Society of the Hudson Valley and the 13th Annual Autism Walk and Expo of the Hudson Valley.

Resolution No. 2014113

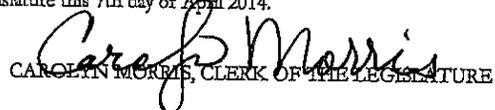
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLIN MORRIS, CLERK OF THE LEGISLATURE

LAID ON DESKS 4-7-14

NO FURTHER ACTION TAKEN

RESOLUTION NO. 2014114

RE: LOCAL LAW NO. OF 2014, A LOCAL LAW AUTHORIZING PESTICIDE
NEIGHBOR NOTIFICATION

Legislators TYNER, FARLEY, and STRAWINSKI offer the following and move its
adoption:

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. of
2014, which has been submitted this day for consideration by said Legislature.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of May 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of May 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. OF 2014

RE: A LOCAL LAW AUTHORIZING PESTICIDE NEIGHBOR NOTIFICATION

BE IT ENACTED by the County Legislature of the County of Dutchess as follows:

§ Legislative Intent.

This Board finds that individuals and their personal property are, or can be, unwittingly exposed to pesticides applied on their neighbor's property from commercial and residential lawn applications. This Board further finds that pesticides may pose health and safety risks to people, particularly children, pregnant women, the elderly, and people with infirmities. The intent of this local law is to provide information to county residents about certain pesticide applications to which they may be exposed, so that they can take steps to minimize such exposure to themselves, their families, pets, crops, livestock, backyard wildlife, and property.

Accordingly, this Board hereby adopts the special notice requirements for commercial and residential lawn applications of pesticides as set forth in Section 33-1004 of the New York Environmental Conservation Law. It is intended that this local law be read and applied consistently with that section and all other applicable provisions of the Environmental Conservation Law and regulations promulgated there under.

This law shall be known as the Dutchess County Neighbor Notification Law for Pesticides.

§ Definitions.

All terms used herein shall be as defined in Article 33 of the New York Environmental Conservation Law:

a. "Abutting property" means any property which has any boundary point in common with the property on which the pesticide is to be applied.

b. "Agency" means any state agency; municipal corporation; public authority; college, as that term is defined in the educational law; railroad, as that term is defined in the railroad law; or telegraph, telephone, telegraph and telephone, pipeline, gas, electric, or gas and electric corporation as those terms are defined in the transportation corporations law, which applies pesticides.

c. "Commercial lawn application" means the applications of pesticides to ground, trees, or shrubs on public or private outdoor property. For the purposes of this Local Law the following shall not be considered commercial lawn application:

(1) the application of pesticide for the purpose of producing an agricultural commodity;

(2) residential application of pesticides;

(3) the application of pesticides around or near the foundation of a building for the purpose of indoor pest control;

(4) the application of pesticides by or on behalf of agencies except that agencies shall be subject to visual notification requirements pursuant to section 33-1003 of the environmental conservation law where such application is within one hundred feet of a dwelling, multiple dwelling, public building or

public park; and

(5) the application of pesticides on golf courses or turf farms.

d. "Commissioner" means the Commissioner of the New York State Department of Environmental Conservation.

e. "Dwelling" means any building or structure or portion thereof which is occupied in whole or in part as the home, residence or sleeping place for one or two families.

f. "General use pesticide" means a pesticide which does not meet the state criteria for a restricted pesticide as established under authority of section 33-0303 of the New York Environmental Conservation Law.

g. "Multiple dwelling" means any dwelling which is to be occupied by or is occupied as the residence or home of three or more families living independently of each other.

h. "Pesticide" means:

(1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest; and

(2) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

i. "Premises" means land and improvements or appurtenances or any part thereof.

j. "Residential lawn application" means the application of general use pesticides to ground, trees, or shrubs on property owned by or leased to the individual making such application. For the purpose of this Local Law the following shall not be considered residential lawn application:

(1) the application of pesticides for the purpose of producing an agricultural commodity;

(2) the application of pesticides around or near the foundation of a building for purpose of indoor pest control;

(3) the application of pesticides by or on behalf of agencies shall be subject to visual notification requirements pursuant to section 33-1003 of the New York Environmental Conservation Law where such application is within one hundred feet of a dwelling, multiple dwelling, public building or public park; and

(4) the application of pesticides on golf courses or turf farms.

§ Notification Requirements for Commercial and Residential Lawn Applications.

The provisions in this section are adopted in their entirety and without exception, pursuant to section 33-1004 of the New York Environmental Conservation law.

a. Retail Consumer Information Sign.

(1) All retail establishments that sell general use pesticides for commercial or residential lawn application shall display a sign meeting standards, established by the Commissioner pursuant to

subdivision one of section 33-1005 of the Environmental Conservation law, in a conspicuous place, and such sign shall be placed as close as possible to the place where such pesticides are displayed.

b. Prior Notification of Commercial Lawn Applications.

(1) At least forty-eight hours prior to any commercial lawn application of a pesticide, the person or business making such application shall supply written notice, as defined in subdivision three of section 33-1005 of the Environmental Conservation law, to:

A. occupants of all dwellings on abutting property with a boundary that is within one hundred fifty feet of the site of such application; and to

B. owners, owners' agents, or other persons in a position of authority for all other types of premises that are on abutting property with a boundary that is within one hundred fifty feet of the site of such application. Owners or owners' agents of multiple family dwellings and for all other types of premises, owners, owners' agents or other persons in a position of authority shall post such written notice in a manner specified by the Commissioner.

(2) Such prior notification provisions shall not apply to the following:

A. the application of anti-microbial pesticides and anti-microbial products as defined by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) in 7 U.S.C. Section 136 (mm) and 136 q (h) (2);

B. the use of an aerosol product with a directed spray, in containers of eighteen fluid ounces or less, when used to protect individuals from an imminent threat from stinging and biting insects, including venomous spiders, bees, wasps and hornets. This section shall not exempt from notification the use of any fogger product or aerosol product that discharges to a wide area;

C. the use of non-volatile insect or rodent bait in a tamper resistant container;

D. the application of a pesticide classified by the United States Environmental Protection Agency as an exempt material under 40 CFR Part 152.25;

E. the application of a pesticide which the United States Environmental Protection Agency has determined satisfies its reduced risk criteria, including a biopesticide;

F. the use of boric acid and disodium octaborate tetrahydrate;

G. the use of horticultural soap and oils that do not contain synthetic pesticides or synergists;

H. the application of a granular pesticide, where granular pesticide means any ground applied solid pesticide that is not a dust or powder;

I. the application of a pesticide by direct injection into a plant or the ground;

J. the spot application of a pesticide, where spot application means the application of pesticide in a manually pressurized or non-pressurized container of thirty-two fluid ounces or less to an area of ground less than nine square feet;

K. the application of a pesticide to the ground or turf of any cemetery; and

L. an emergency application of a pesticide when necessary to protect against an imminent threat to human health, provided, however, that prior to any such emergency application, the person providing such application shall make a good faith effort to supply the written notice required pursuant to this title. Upon making an emergency application, the person making such application shall notify the Commissioner of the New York State Department of Health, using a form developed by such commissioner for such purposes that shall include minimally the name of the person making such application, the pesticide business registration number or certified applicator number of the person making such application, the location of such application, the date of such application, the product name and United State Environmental Protection Agency registration number of the pesticide applied and the reason for such application.

c. Posting of Residential Lawn Applications.

(1) All persons performing residential lawn applications treating an area more than one hundred square feet shall affix markers to be placed within or along the perimeter of the area where pesticides will be applied. Markers are to be placed so as to be clearly visible to persons immediately outside the perimeter of such property. Such markers shall be posted at least twelve inches above the ground and shall be at least four inches by five inches in size.

(2) Such markers shall be in place on the day during which the pesticide is being applied and shall instruct persons not to enter the property and not to remove the signs for a period of at least twenty-four hours. Such instruction shall be printed boldly in letters at least three-eighths of an inch in height.

§ Enforcement.

Pursuant to section 33-1004 of the New York Environmental Conservation Law, the Dutchess County Department of Health and Department of Consumer Affairs shall enforce the provisions of this local law administratively, provided that all sanctions, which shall be assessed after providing a hearing or opportunity to be heard, shall be as specified in the Penalties provision herein of this law and shall be payable to and deposited with Dutchess County. In particular, the Department of Health shall be responsible for neighbor and applicator provisions and the Department of Consumer Affairs shall be responsible for retail establishment provisions.

§ Penalties.

a. Administrative Sanctions.

(1) A person providing a commercial lawn application who violates any provision of this local law shall be liable for a civil penalty not to exceed five thousand dollars for a first violation, and not to exceed ten thousand dollars for a subsequent offense.

(2) An owner or owner's agent of a multiple dwelling or owner, owner's agent or a person in a position of authority for all other types of premises, who violates any rule or regulation pursuant to the Section on Prior Notification of Commercial Lawn Applications, and a person who violates any provision the subdivision Posting of Residential Lawn Applications, shall for a first such violation, in lieu of penalty, be issued a written warning and shall also be issued educational materials prepared by the Commissioner pursuant to subdivision two of section 33-1005 of the New York Environmental Conservation Law. Such person shall, however, for a second violation, be liable for a civil penalty not to exceed one hundred dollars, and not to exceed two hundred fifty dollars for any subsequent violation.

(3) A person who violates the provisions of the section on Retail Consumer Information Sign shall be issued a warning for the first violation and shall be provided seven days to correct such violation; and shall be liable for a civil penalty not to exceed one hundred dollars for a second violation, and not to exceed two hundred fifty dollars for a subsequent violation.

b. Criminal Sanctions for Persons Providing Commercial Lawn Applications.

(1) Any person providing a commercial lawn application and having the culpable mental states defined in subdivision one or two of section 15.05 of the New York Penal Law who violates any provision of this local law, except an offense relating to the application of a general use pesticide, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed five thousand dollars for each day during which such violation continues or by imprisonment for a term of not more than one year, or by both such fine and imprisonment. If the conviction is for a subsequent offense committed after a first conviction of such person under this subdivision, punishment shall be by a fine not to exceed ten thousand dollars for each day during which such violation continues or by imprisonment for a term of not more than one year, or by both such fine and imprisonment.

(2) Any person providing a commercial lawn application who violates any provision of this local law relating to the use of a general use pesticide shall be guilty of a violation and, upon conviction thereof, shall be punished by a fine not to exceed twenty-five hundred dollars. If the conviction is for a subsequent offense committed after the first such conviction of such person under this subdivision, punishment shall be a fine not to exceed five thousand dollars.

§ Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to an person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ Effective Date and Filing.

This law shall take effect on the first day of January after it shall have been adopted and filed with the office of Secretary of State.

Within twenty days after adoption of this law, the Clerk of the County Legislature shall forward one certified copy thereof to the Commissioner of the New York State Department of Environmental Conservation and one to the New York State Department of Environmental Conservation and one to the New York State Attorney General.

PESTICIDE NOTIFICATION LAW



No Fiscal Impact

FISCAL IMPACT STATEMENT

APPROPRIATION RESOLUTIONS

Total Current Year Cost

\$

[not being implemented next year]

Total Current Year Revenue
and Source:

\$

Source of County Funds (check one): Existing Appropriations

Contingency

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

A. 6100.4458

Identify Line Item (s):

Related Expenses:

p-321 Medicaid - subject \$5000 from

Nature of Expenses:

→ to publicize/enforce law (help homeowners, applicators, retailers)

Anticipated Savings to County:

[eventually - from protecting public health]

Net county Cost (this year):

\$

0

(over five years):

\$

0

Additional Comments:

★ ALLOCATE \$5000 to:

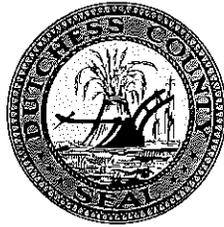
(p-199)

A. 4010.29

Health Dept. (Environmental Health)
[materials/publicity]

[money saved in Medicaid - less illness in county from pesticides!]

CAROLYN MORRIS
CLERK



LEIGH WAGER
DEPUTY CLERK

DUTCHESS COUNTY LEGISLATURE

MEMORANDUM

TO: Legislators Tyner, Strawinski, and Farley

FROM: Carolyn Morris, Clerk 

RE: RESOLUTION - A LOCAL LAW AUTHORIZING PESTICIDE
NEIGHBOR NOTIFICATION

DATE: April 30, 2014

During the Committee Chairmen meeting, please note that the resolution submitted entitled, "A LOCAL LAW AUTHORIZING PESTICIDE NEIGHBOR NOTIFICATION" will not be placed on the May Committee agenda.

For this resolution to be considered a resolution would have to be introduced and adopted amending the 2014 Adopted County Budget reducing budget lines you have identified in the attached fiscal impact statement.

Thank you.

The foregoing local law Resolution No. 2014114 was laid on desks on April 7, 2014. There was no further action taken on this resolution.

NO FURTHER ACTION TAKEN

RESOLUTION NO. 2014115

RE: LOCAL LAW NO. OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS,
NEW YORK KNOWN AS THE PAY-TO-PLAY LOCAL LAW

Legislators TYNER, FARLEY, and AMPARO offer the following and move its
adoption:

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. of
2014, which has been submitted this day for consideration by said Legislature.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of May 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of May 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. OF 2014

RE: A LOCAL LAW OF THE COUNTY OF DUTCHESS, NEW YORK KNOWN AS THE
PAY-TO-PLAY LOCAL LAW

BE IT ENACTED by the County Legislature of the County of Dutchess as follows:

WHEREAS, large political contributions from those seeking or currently performing business with the County (“Pay-to-Play”), may raise concerns on the part of taxpayers and residents as to their trust in government contracts; and

WHEREAS, it has become common for some individuals or entities to make substantial political contributions to those holding elective County office who are ultimately responsible for awarding contracts for County business; and

WHEREAS, it is important to foster public confidence in governmental operations by preventing any actual, or even any perception of, corruption; and

WHEREAS, the Dutchess County Legislature sets forth a policy to set maximum dollar amounts that professional business entities may contribute politically, beyond which they become ineligible to receive a public contract from the County of Dutchess.

NOW THEREFORE, BE IT ENACTED, by the Legislature of Dutchess County, New York, as follows:

Section 1. Title.

This Local Law shall be known by and may be cited as the “Pay-to-Play Local Law”.

Section 2. Definitions.

The terms listed below shall have the following meanings for purposes of this local law:

(a) “County” means the County of Dutchess or any department, board, executive division, institution, office, branch, bureau, commission, agency, legislature or other division or part thereof.

(b) “County elected official” means the County Executive, a County Legislator, the County Clerk, the District Attorney or the Sheriff.

(c) “Contract” for purposes of this local law means any agreement or contract, including any amendment or modification thereto, excluding Project Labor Agreements, with the County of Dutchess as defined in this Section 2 (a) for:

(i) the rendition of any services or work; the sale or lease of any land or building except
for

real property acquired by the County via a tax sale or tax foreclosure procedure pursuant to Article 10 or Article 11 of the New York State Real Property Tax Law;

(iii) a grant, loan or loan guarantee;

(d) "Professional Business Entity" means an individual including the individual's spouse, if any, and any child living at home; person: firm; corporation, professional corporation, partnership, organization, union, or association in the rendering of any work contracted through the County. The definition of a professional business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, officers in the aggregate, as well as any subsidiaries directly controlled by the Professional Business Entity.

(e) "In-kind contributions" shall include

Goods and services offered free of charge;
Goods and services offered at less than the usual and normal charge;
Payments by a third party for goods and services rendered to a candidate or political committee.

The value of a particular in-kind gift is determined as follows:

Goods: (such as equipment supplies, facilities and mailing lists) are valued at their normal purchase or rental price.

Services (such as advertising, printing or consulting) are valued at the prevailing commercial rate at the time the services are rendered (i.e., the amount that was paid or would have been paid for the services).

Discounts are valued at the amount discounted (i.e. the difference between the usual and normal charge and the amount paid)

Section 3. Campaign Contribution Limits.

A. No professional business entity who contracts with the County of Orange or its boards shall make a monetary or in-kind contribution in excess of \$250.00 per annum to:

a) An individual holding the position of Dutchess County Legislator or is a candidate for said position if that contract must be approved or voted on by such individual; or

A committee controlled by such individual.

B. No professional business entity who contracts with the County of Dutchess or its boards shall make a monetary or in-kind contribution in excess of \$1,000.00 per annum to:

a) An individual holding the position of Dutchess County Executive, Dutchess County Clerk, Dutchess County District Attorney or Dutchess County Sheriff or is a candidate for said position if that contract must be approved or voted on by such individual; or

A committee controlled by such individual.

Section 4. Campaign Contributions Made prior to the Effective Date.

No contribution or money or any other thing of value, including in-kind contributions, made by a professional business entity to those individuals or entities set forth in Section 3 shall be deemed a violation of this section, be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this local law. The disclosure requirements shall not apply to contracts awarded subsequent to the effective date if the Request for Proposal process was initiated prior to the effective date.

Section 5. Contribution Statement by Professional Business Entity.

Prior to the awarding of a Contract, the Dutchess County Department of Central Services shall receive a sworn statement from the professional business entity under penalty of perjury that the entity has not made a campaign contribution in violation of Section 3 of this local law during the four (4) years preceding such sworn statement.

The professional business entity under penalty of perjury will make the statement that it has not knowingly made a contribution in violation of the local law hereof, during the four (4) years preceding such sworn statement, and has not made or solicited contributions through intermediaries, third parties, immediate relatives for the purpose of concealing the source of the contribution during that same four (4) year time period.

Section 6. Review of NYS Board of Elections Disclosure Statements.

Sixty days prior to awarding a Contract, the Commissioner of General Services shall review the New York State Disclosure Statements filed by County Elected Officials, and candidates for such offices, for the past four (4) years to determine whether the business entity has contributed to such individual's campaign in an amount in excess of the campaign contribution limits set forth in Section 3 of this local law. In the event it is found that such professional business entity has exceeded the threshold campaign contribution limits, the Commissioner of Central Services shall notify the business professional entity that it has exceeded the campaign contribution limits as provided for in this local law. The professional business entity will have thirty (30) days to cure the defect by requesting that the excess contributions be returned immediately. Proof of receipt of the return of such excess contributions must be submitted to the Commissioner of General Services at least five business days prior to the awarding of the Contract. In the event, that proof of return of the excess contributions funds are not submitted by the professional business entity within the timeframes set forth herein, then the professional business entity proposal or applications will be rejected by the Commissioner of Central Services.

Section 7. Individual or Entity "Doing Business with the County of Dutchess" Database.

The County Executive's office shall, on a bi-annual basis, in January and July, compile a list of names, based on the County's records, listing those professional business entities doing business with the County of Dutchess, as of those months, with this list being made available for public viewing in the office of the Dutchess County Commissioner of Central Services.

Section 8. Exemption.

The contribution limitations specified in this Local Law do not apply to contracts that must be awarded to the lowest bidder pursuant to New York State Law, to sole source providers, or to those contracts awarded as emergency contracts when the public exigency requires the immediate emergency services as determined by an Executive Order or Resolution of the Dutchess County Legislature.

Section 9. Violations/Penalty.

(a) A professional business entity that files a false sworn Contributions Statement will have its Contract with Dutchess County declared null and void and will be disqualified from being awarded any contract with the County for a period of four years from the date of the filing of the false sworn Contributions Statement and the matter shall be referred to the Dutchess County District Attorney for prosecution.

(b) The professional business entity shall have a continuing duty to report any violations of this law that may occur during the negotiation, proposal process or duration of a contract. Any professional business entity who violates Section 3 of this local law shall be in material breach of the terms of the Contract, and the County Attorney shall seek damages against the professional business entity as provided for in said Contract.

(c) Any professional business entity who violates Section 3 of this local law shall be disqualified from eligibility for the submission of proposals or applications for future Contracts for a period of four calendar years from the date of such violation.

Section 10. Incorporation by Reference.

The regulatory and penalty provisions of this local law shall be incorporated by reference into the Dutchess County Procurement Policy and all Dutchess County Contracts as defined in Section 2 (c) of this local law.

Section 11. Severability

If any provision of this Local Law is held invalid, such invalidity shall not affect the remaining provisions of the Local Law which shall remain effective absent the invalid provision, and to this end, the provisions of the Local Law are declared to be severable.

Section 12. Effective Date.

This Local Law shall take effect on January 1, 2015.

PAY TO PLAY LAW

No Fiscal Impact

FISCAL IMPACT STATEMENT

APPROPRIATION RESOLUTIONS

Total Current Year Cost \$ 0

Total Current Year Revenue
and Source: \$ 0

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

Identify Line Item (s):
Related Expenses:

Nature of Expenses:

Anticipated Savings to County:

Net county Cost (this year): \$ 0

(over five years): \$ 0

Additional Comments:

(Orange County passed
this same law last October.)

CAROLYN MORRIS
CLERK



LEIGH WAGER
DEPUTY CLERK

DUTCHESS COUNTY LEGISLATURE

MEMORANDUM

TO: Legislators Tyner, Farley, and Amparo

FROM: Carolyn Morris, Clerk 

RE: A LOCAL LAW OF THE COUNTY OF DUTCHESS, NEW YORK KNOWN
AS THE PAY-TO-PLAY LOCAL LAW

DATE: May 2, 2014

During the Committee Chairmen meeting, please note that the resolution submitted entitled, "A LOCAL LAW OF THE COUNTY OF DUTCHESS, NEW YORK KNOWN AS THE PAY-TO-PLAY LOCAL LAW" will not be placed on the May Committee agenda.

Please see Legislative Attorney's comments attached. Thank you.



Dutchess County Legislature

Scott L. Volkman
Legislative Counsel

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

MEMORANDUM

TO: Legislators Tyner, Farley and Amparo

FROM: Scott L. Volkman, Legislative Counsel

DATE: May 1, 2014

SUBJECT: A LOCAL LAW OF THE COUNTY OF DUTCHESS, NEW YORK KNOWN AS THE PAY-TO-PLAY LOCAL LAW

I have given consideration to the proposed local law. As has been customary, if it is my opinion that a proposed law is not valid or legal then I would recommend to the Chair that it not be allowed on the agenda.

I have done that repeatedly in this past with this proposed law or earlier variations thereof. My opinion on the preemption issue has remained unchanged. However, I have spoken with Orange County in light of their recent action. I am not prepared to agree or disagree with their rationale, but in light of that and some recent court decisions that may influence my position, I have been researching this further. That does not mean that I concur or will concur with Orange County, it simply means that it warrants further review. My research was not sufficiently complete (I was not consulted prior to this being laid on the desk) to make a determination in time to have this matter on the May Committee agenda.

There is no point in discussing it before I am prepared to offer an opinion on the subject. I will finish my research and make a recommendation to the Chair in time for the June meeting cycle. For the foregoing reasons, it is my recommendation that this matter not appear on the May Committee agenda.

The foregoing local law Resolution No. 2014115 was laid on desks on April 7, 2014. There was no further action taken on this resolution.

NO FURTHER ACTION TAKEN

RESOLUTION NO. 2014116

RE: LOCAL LAW NO. OF 2014, A LOCAL LAW FOR WELL TESTING TO PROTECT PROPERTY BUYERS, TENANTS, AND CUSTOMERS OF COMMERCIAL ESTABLISHMENTS IN DUTCHESS COUNTY FROM DRINKING CONTAMINATED WATER

Legislators TYNER, FARLEY, and STRAWINSKI offer the following and move its adoption:

WHEREAS, the County Attorney has stated that the Water Regulations issued by the Dutchess County Board of Health were not enforceable, and

WHEREAS, the County Attorney and County Executive have stated that mandating the testing of private wells can only be done through the legislative branch, and

WHEREAS, it is imperative to ensure that when people buy homes in Dutchess County that they know the status of the water quality of the well serving their home, and

WHEREAS, the Water Regulations also include provisions for well testing by landlords in order to protect renters, and also includes provisions for employers with private wells to comply with well testing to protect employees and customers, and

WHEREAS, it is important to have a water standard for both public and private water sources across the County to ensure public safety, and

WHEREAS, additionally, the information obtained by having private wells tested will help track the path of contamination and alert homeowners of possible water problems, now, therefore, be it

RESOLVED, that the Legislature of the County of Dutchess adopts Local Law No. of 2014, which has been submitted this day for consideration by said Legislature, and, be it further

RESOLVED, that a copy of this resolution with its attachment be forwarded to the Department of Health Interim Commissioner Kari Reiber and members of the Board of Health

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of May 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of May 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. OF 2014

RE: A LOCAL LAW FOR WELL TESTING TO PROTECT PROPERTY BUYERS, TENANTS, AND CUSTOMERS OF COMMERCIAL ESTABLISHMENTS IN DUTCHESS COUNTY FROM DRINKING CONTAMINATED WATER

BE IT ENACTED by the County Legislature of the County of Dutchess as follows:

Section 1: Title.

The Title of this Local Law shall be, "Private Water Supplies".

Section 2: Legislative Finding, Intent, and Purpose.

The Dutchess County Legislature enacts this Local Law for purposes of providing mandatory private well testing on all properties that rely upon a private water supply that is utilized for purposes of human consumption in the County of Dutchess. The intent of this law is to provide a water quality standard for both public and private water sources across the County to ensure the public's safety against contaminated water sources. Towards that end, this local law will ensure that when people buy residential homes in Dutchess County that they know the status of the water quality of the well serving their home, and that all residential rental properties in Dutchess County that fail the test for water quality compliance provide corrective action for the benefit of tenants. This local law also will provide the same assurances of water quality for employees, tenants, and the public at commercial establishments.

Section 3: Definitions.

A. The term "private water supply" shall mean any water supply utilized for the purposes of human consumption not identified as a public water supply by Article 5 of this Code or by Part 5 of the New York State Sanitary Code.

B. The term "residential rental property" shall mean any "dwelling" or "dwelling unit" [as those terms are defined in Article 21 of the Dutchess County Sanitary Code at Section 21.1(G) and 21.1(H) which is occupied by other than an owner thereof and for use or occupation of which rent or consideration is periodically paid to the owner.

C. The term "commercial building" shall mean any structure which is wholly or partially used or intended to be used for commercial purposes, including, but not limited to, office buildings, stores, markets, shops, malls, marinas, restaurants, clubs, gas stations, or car dealerships.

D. The term "commercial rental property" shall mean any "commercial building or commercial unit which is occupied by other than an owner thereof and for use or occupation of which rent or consideration is periodically paid to the owner.

Section 4: Periodic Well Testing and Maximum Contaminant Levels.

A. That the test parameters and associated maximum contaminant levels for private water supplies shall be New York State Sanitary Code Part 5 parameters for public water supplies as modified and specifically targeted by this Local Law in Section 9 for the needs of the County's private water supplies.

B. The Dutchess County Commissioner of Health will make available to the public within Dutchess County, the private water supply test parameters and associated maximum contaminant levels.

Section 5: Residential Rental Property Well Permit.

Within six months of the passage of this local law every owner of residential rental property with a private well in Dutchess County, which serves a residential rental property's water supply, shall be required to possess a valid residential rental property permit issued by the Dutchess County Commissioner of Health, or appointed designee.

Private wells in operation as of February 1, 2014, shall be deemed to possess such permit, however, such grandfathered permits for existing wells shall not signify that such wells have been tested or are in compliance with current Health Department parameters and such permits shall expire February 1, 2015.

Owners of residential rental property serviced by private wells put into operation subsequent to February 1, 2014, shall be required to apply for a valid residential rental property permit, which shall expire six years from issuance. The issuance of such permit shall be conditioned upon demonstration that the water supply has been tested and falls within the acceptable test parameter limits established by the Dutchess County Commissioner of Health, which shall have been performed within one year prior to issuance or renewal of the permit.

Water sample analysis shall be performed by a laboratory as per Section 9. Water sample collection shall be conducted in a manner approved by the Dutchess County Commissioner of Health. All test results must be filed with the Department of Health by the laboratory. In the event that test results indicate that tenants' drinking water is not in compliance with current approved Health Department parameters, the Department of Health will immediately notify the Department of Environmental Conservation.

In the event that test results of residential rental properties indicate that tenants' drinking water is not in compliance with current approved Health Department parameters, tenants shall be so notified in writing by the Landlord within seven days. In addition, if the Department of Conservation is not taking investigative action and/or remediation after thirty days of notification by the Department of Health, then, enforcement action will be taken by the Dutchess County Department of Health pursuant to Dutchess County Sanitary Code Article 4 to compel corrective action by Landlord.

Corrective action may include, but is not limited to, requiring the Landlord to install a filtration system to bring water quality into compliance and/or requiring the Landlord to provide an alternative source of potable water to tenants.

Failure to provide proof of remediation within thirty days of enforcement taken by the Department of Health will result in the Department of Health levying a \$1,000 fine. For each succeeding thirty day periods, where no proof of corrective action has been provided, an additional \$1,000 fine will be levied by the Department of Health for each additional thirty day period. **If the property owner can prove beyond doubt that they have made a good-faith effort to contact a firm to test the well water there, the Department of Health will take this into consideration and no fine will be levied.**

Residential Rental Property Wells currently being tested as though they were on a public water supply are exempt from this local law as long as the wells are being tested to the same standards as public water supplies.

Section 6. Dwelling Well Permit Requirement: Permit non-transferable.

Within six months of the passage of this local law and contingent upon the Dutchess County Legislature providing sufficient resources to enable the Dutchess County Health Department to provide for enforcement of this regulation, every owner of a private well in Dutchess County, which serves a private water supply, shall be required to possess a valid permit issued by the Dutchess County Commissioner of health, or appointed designee. Private wells in operation as of February 1, 2014 shall be deemed to possess such permit and shall be deemed grandfathered to possess such permit until such time that title to the real property for which the private well provides water for human consumption is transferred at which time the existing well shall be tested by the seller before the closing to determine if it is in compliance with currently approved Health Department parameters as per Section 4. The approved laboratory doing the water testing shall be directed by the seller to provide the full test results to the seller and to file the results with the Department of Health. Full test results must be given to the buyer and the Department of Health prior to the closing.

If a well test meeting the Department of Health collection specifications has been done within three years of the home's sale and if those results are on file with the Department of Health and have been given to the buyer, another full test will not be required, except for testing of bacteria, e-coli, nitrates, nitrites and POC (Principal Organic Chemicals); the exceptions should be done within six months.

If the test results are satisfactory, the Department of Health will then issue the appropriate well permit prior to closing.

If the test results do not meet the required standards, it will be the responsibility of the buyer and seller to agree on appropriate action before the closing of the sale and issuance of the well permit.

Owners of new private wells put into operation subsequent to February 1, 2014 shall be required to meet the standards set in Section 4, before being granted a valid permit. Water sample analysis shall be performed by a laboratory as per Section 9. Water sample collection shall be conducted in a manner approved by the Dutchess County Commissioner of Health.

If the property owner can prove beyond doubt that they have made a good-faith effort to contact a firm to test the well water there, the Department of Health will take this into consideration and no fine will be levied.

Section 7: Commercial Property Well Permit.

Within six months of the passage of this local law every commercial business property with a private well in Dutchess County, where said water from that well is used for consumption by employees and/or the public, that commercial property shall be required to possess a valid permit for such well issued by the Dutchess County Commissioner of Health, or appointed designee.

Private wells in operation as of February 1, 2014, shall be deemed to possess such permit, however, such grandfathered permits for existing wells shall not signify that such wells have been tested or are in compliance with current Health Department parameters, and such permits shall expire February 1, 2014.

Owners of commercial property serviced by private wells put into operation subsequent to February 1, 2014 shall be required to apply for a valid commercial property permit, which shall expire six years from issuance. The issuance of such permit shall be conditioned upon demonstration that the water supply has been tested and falls within the acceptable test parameter limits established by the Dutchess County Commissioner of Health, which shall have been performed within one year prior to issuance of renewal of the permit.

Water sample analysis shall be performed by a laboratory as per Section 9. Water sample collection shall be conducted in a manner approved by the Dutchess County Commissioner of Health. All test results must be filed with the Department of Health by the laboratory. In the event that test results indicate that the drinking water is not in compliance with current approved Health Department parameters, the Department of Health will immediately notify the Department of Environmental Conservation.

In the event that test results of such properties indicate that the drinking water is not in compliance with current approved Health Department parameters, commercial property owners will post in a visible location within seven days the test results.

In addition if the Department of Conservation is not taking investigative action and/or remediation after thirty days of notification by the Department of Health, then enforcement action will be taken by the Dutchess County Department of Health pursuant to Dutchess County Sanitary Code Article 4 to compel corrective action by the owner. Corrective action may include, but is not limited to, requiring Owner to install a filtration system to bring water quality into compliance and/or requiring the Owner to provide an alternative source of potable water to employees and/or the public.

Failure to provide proof of remediation within thirty days of enforcement taken by the Department of Health will result in the Department of Health levying a \$1,000 fine. For each succeeding thirty day periods, where no proof of corrective action has been provided, an additional \$1,000 fine will be levied by the Department of Health for each additional thirty day period. **If the property owner can prove beyond doubt that they have made a good-faith effort to contact a firm to test the well water there, the Department of Health will take this into consideration and no fine will be levied.**

Commercial Property Wells currently being tested as though they were on a public water supply are exempt from this local law as long as the wells are being tested to the same standards as public water supplies.

Section 8: Commercial Rental Property Well Permit

Within six months of the passage of this local law every owner of commercial rental property with a private well in Dutchess County, which serves a commercial rental property's water supply, shall be required to possess a valid commercial rental property permit issued by the Dutchess County Commissioner of Health, or appointed designee.

Private wells in operation as of February 1, 2014, shall be deemed to possess such permit, however, such grandfathered permits for existing wells shall not signify that such wells have been tested or are in compliance with current Health Department parameters and such permits shall expire February 1 2015.

Owners of commercial rental property serviced by private wells put into operation subsequent to February 1, 2014, shall be required to apply for a valid residential rental property permit, which shall expire six years from issuance. The issuance of such permit shall be conditioned upon

demonstration that the water supply has been tested and falls within the acceptable test parameter limits established by the Dutchess County Commissioner of Health, which shall have been performed within one year prior to issuance or renewal of the permit.

Water sample analysis shall be performed by a laboratory as per Section 9. Water sample collection shall be conducted in a manner approved by the Dutchess County Commissioner of Health. All test results must be filed with the Department of Health by the laboratory. In the event that test results indicate that the drinking water is not in compliance with current approved Health Department parameters, the Department of Health will immediately notify the Department of Environmental Conservation.

In the event that test results of commercial rental properties indicate that the drinking water is not in compliance with current approved Health Department parameters, commercial property owners will notify tenants in writing and have posted in a visible location within seven days the test results. In addition, if the Department of Conservation is not taking investigative action and/or remediation after thirty days of notification by the Department of Health, then enforcement action will be taken by the Dutchess County Department of Health pursuant to Dutchess County Sanitary Code Article 4 to compel corrective action by Landlord. Corrective action may include, but is not limited to, requiring the Landlord to install a filtration system to bring water quality into compliance and/or requiring the Landlord to provide an alternative source of potable water to tenants, employees, and/or the public.

Failure to provide proof of remediation within thirty days of enforcement taken by the Department of Health will result in the Department of Health levying a \$1,000 fine. For each succeeding thirty day periods, where no proof of corrective action has been provided, an additional \$1,000 fine will be levied by the Department of Health for each additional thirty day period.

Commercial Rental Property Wells currently being tested as though they were on a public water supply are exempt from this local law as long as the wells are being tested to the same standards as public water supplies.

Section 9: Testing Requirement, Procedures, and Minimum Parameters.

Laboratory requirements

All analysis shall be performed by a Laboratory approved by the New York State Department of Health, "Environmental Laboratory Approval Program".

Collection Requirements and Testing Procedures

Water Samples shall be collected either by a Laboratory approved by the New York State Department of Health, "Environmental Laboratory Approval Program", a Certified Home Inspector or a Licensed Water Treatment Plant Operator.

New Wells- The well should be pumped clear and disinfected with chlorine. The sample shall be collected after the disinfectant has cleared from the system.

Existing Wells- Samples should be taken of the raw water after any existing treatment has been bypassed.

Additional testing at point of use may be necessary to determine the efficacy of any installed treatment systems

Minimum Parameters

The following list of substances and conditions shall be included in the water well test:

Fluoride, Total coliform/E. coli, Antimony, Arsenic, Barium, Chloride, Hardness, Iron, Lead, Manganese, Mercury, Nitrate, Nitrite, pH, Sodium, Sulfate, Turbidity, Principal Organic Chemicals (including MTBE), and zinc

The substances and conditions were selected based on the possibility of their presence in Dutchess County and could present a health hazard if found to be higher than specified parameters.

The Department of Health shall determine the recommended parameter for each substance. This may vary from each location as deemed appropriate by the Department of Health based on conditions and exposures for a particular locality.

Section 10: Fees

The Department of Health is authorized to charge up to \$100 for a well permit and/or well certification.

Section 11: Waiver from Testing for Specific Parameters.

The Dutchess County Commissioner of Health may grant a waiver from testing for a specific test parameter or parameters established by this article, provided that prior to the granting of any such waiver the applicant shall establish that:

- (a) testing for a specific parameter or parameters is not necessary for the protection of the health of the consumers of the drinking water and that such testing would not be cost effective for the applicant; or
- (b) other factors which would render testing for a complete regimen of established parameters unreasonable.

Section 12: Water Test Results Data.

It shall be the responsibility of the Dutchess County Commissioner of Health to make available to the public, a general compilation of water test results data, arranged or identified by municipality, locations, or appropriate geographic areas. Such general compilation shall not include the names of specific property owners or their particular numerical street address, although street names in general and identification by tax map number shall be permissible.

Section 13 Severability.

If any part or provision of this Local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Dutchess County Legislature hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 14: Supercession.

This Local Law is enacted under the authority of the Municipal Home Rule Law Section 10(1) subparagraphs (i) and (ii)(a)(12), and Municipal Home Rule Law Section 22. To the extent that Sections of the Dutchess County Sanitary Code are inconsistent with this Local law, it is the intent of the Dutchess County Legislature to supersede these Sections by virtue of this Local Law.

Section 15: Effective Date.

This local law shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation, and following the filing with the Secretary of State.

WELL-TESTING LAW

No Fiscal Impact

FISCAL IMPACT STATEMENT

APPROPRIATION RESOLUTIONS

Total Current Year Cost \$ [not being implemented for next year]
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 Item (s): → P. 189 Medical Examiner \$100,000 from A. 1185
Related Expenses: P. 369 Tourism \$100,000 from A. 8020 4400.4422

Nature of Expenses: to help enforce law and beef up staffing & PCOON for law

Anticipated Savings to County: [eventually - from protecting public health]

Net county Cost (this year): \$ 0

(over five years): \$ 0

Additional Comments:

★ ALLOCATE \$200,000 TO:
CP. 199) A. 4010.29 Health Dept. (Environmental Health)
[staffing/materials]

[money saved on Tourism/Medical Examiner from cleaner water in county!]

CAROLYN MORRIS
CLERK



LEIGH WAGER
DEPUTY CLERK

DUTCHESS COUNTY LEGISLATURE

MEMORANDUM

TO: Legislators Tyner, Strawinski, and Farley

FROM: Carolyn Morris, Clerk 

RE: RESOLUTION - A LOCAL LAW FOR WELL TESTING TO PROTECT PROPERTY BUYERS, TENANTS, AND CUSTOMERS OF COMMERCIAL ESTABLISHMENTS IN DUTCHESS COUNTY FROM DRINKING CONTAMINATED WATER

DATE: April 30, 2014

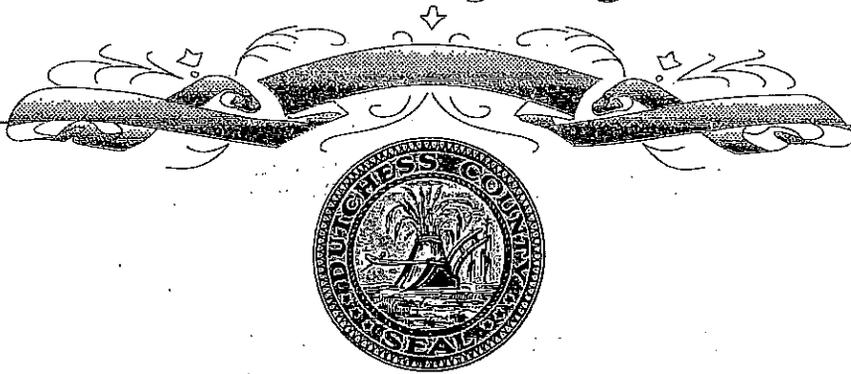
During the Committee Chairmen meeting, please note that the resolution submitted entitled, "A LOCAL LAW FOR WELL TESTING TO PROTECT PROPERTY BUYERS, TENANTS, AND CUSTOMERS OF COMMERCIAL ESTABLISHMENTS IN DUTCHESS COUNTY FROM DRINKING CONTAMINATED WATER" will not be placed on the May Committee agenda.

For this resolution to be considered a resolution would have to be introduced and adopted amending the 2014 Adopted County Budget reducing budget lines you have identified in the attached fiscal impact statement.

Thank you.

The foregoing local law Resolution No. 2014116 was laid on desks on April 7, 2014. There was no further action taken on this resolution.

Dutchess County Legislature



Condolence: Gerard J. McCluskey

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 Gerard J. McCluskey, on March 13, 2014, at the age of 75, and

WHEREAS, Gerard J. McCluskey was born on February 22, 1939, in Brooklyn, New York, and moved with his family to the Hudson Valley as a young child, he graduated from Wappingers Central School in 1959 and graduated from Pace University in 1978, and

WHEREAS, Gerard J. McCluskey worked for the Wappingers Central School District in the transportation department and previously owned and operated Party World in Hyde Park and a number of retail businesses, and

WHEREAS, Gerard J. McCluskey was a former member of the Dutchess County Legislature, member of the Town Board of the Town of Wappinger, a former Trustee of the Village of Wappingers Falls, former Chairman of the Planning Board for the Village of Wappingers Falls, member of the Town of Wappinger Board of Assessment Review, a member of the Dutchess County Fire Advisory Board and a Vice President of the Mid-Hudson Intercounty Council, and

WHEREAS, Gerard J. McCluskey was a longtime member of the Town of Wappinger and Dutchess County Republican Committees, member of Protection Engine Company Fishkill, a volunteer with Sloper-Willen Ambulance Service in Wappingers Falls, member and office holder of the Beekman Fire Company, a charter member and former officer of Beekman Rescue Squad, and a life member of the W.T. Garner Engine Company in Wappingers Falls and former holder of line in civil offices, and

WHEREAS, Gerard J. McCluskey was a longtime third and fourth degree member of the Knights of Columbus, Wappingers Falls, a Trustee and past President of the Hudson Valley Railroad Society, Hyde Park and was previously associated with the Wappingers Falls Lions Club, Wappingers Falls Girls' Softball League, James Evans School PTA, the Boy Scouts, and the March of Dimes, and

WHEREAS, he is survived by his wife, Sandra Burns McCluskey, his children, grandchildren, and great grandchildren, and

WHEREAS, Gerard's passing will be mourned by his family, friends, and colleagues throughout Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Gerard J. McCluskey, and be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Gerard J. McCluskey.

Resolution No. 2014117

STATE OF NEW YORK

ss:

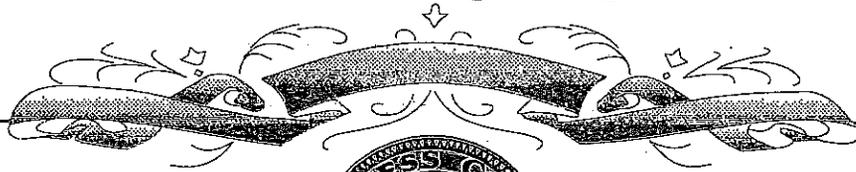
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Condolence: George R. Stoffers

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 George R. Stoffers, on March 18, 2014, at the age of 86, and

WHEREAS, George R. Stoffers was born on January 8, 1928 in Cincinnati, Ohio, and

WHEREAS, George R. Stoffers was a 1946 graduate of Sellersville - Perkasie High School in Bucks County, Pennsylvania, and went on to graduate from Drexel University in Philadelphia in 1952, and

WHEREAS, George R. Stoffers proudly served in the United States Army from 1946 to 1947 under Gen. Douglas MacArthur, and

WHEREAS, George R. Stoffers married Alicia Hoffman on May 21, 1955, in Perkasie, Pennsylvania, she survives at home and is also survived by his two sons, Steven Stoffers of Thailand, and Brian Stoffers of Massachusetts and two grandsons, Tyler and Brandon, and

WHEREAS, George R. Stoffers began his career in the insurance field as a fire underwriter in 1952 covering the states of Pennsylvania and Delaware and in 1959 he joined Continental Insurance Co. in the Mid-Hudson Valley area of New York working as an independent agent and broker for 50 years and from 1964 to 1978 he was with Marshall and Sterling where he managed the Arlington Office, and

WHEREAS, George R. Stoffers served as Chairman of the Town of Poughkeepsie Republican Committee from 1975 - 1977 and as a Board Member of both the Dutchess County Industrial Development Agency (since 2006) and the Dutchess County Local Development Corp. (since 2010), and

WHEREAS, George's passing will be mourned by his family, friends, and colleagues throughout Dutchess County; now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late George R. Stoffers, and be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late George R. Stoffers.

Resolution No. 2014118

STATE OF NEW YORK

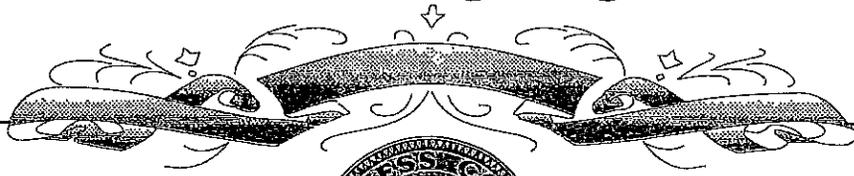
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Condolence: Dr. E. Mark Stern

Legislator KELSEY offers the following and moves its adoption:

WHEREAS, the Dutchess County Legislature has learned with sadness and regret of the recent death of Dr. E. Mark Stern, on March 11, 2014, at the age of 84, and

WHEREAS, Dr. E. Mark Stern was born on December 5, 1929, in New York City and is survived by his wife Virginia Fraser Stern, his children, and grandchildren, and

WHEREAS, for nearly 50 years, Dr. Stern, a board-certified clinical psychologist, was in private practice in New York City. He was also Professor Emeritus of the Graduate Faculty of Arts and Sciences of Iona College, New Rochelle; Editor Emeritus of the Journal of Pastoral Counseling and of VOICES: The Journal of the American Academy of Psychotherapists; and Founding Editor of the Psychotherapy Patient Monograph Series. Dr. Stern was Professor of Psychology and Philosophy at the Center for Humanistic Studies, Seton Hall University; Visiting Professor, The National Catholic University (Australia); Adjunct Professor of Psychology, Fordham University; and adjunct clinical supervisor, Ferkauf Graduate School of the Albert Einstein College of Medicine and Psychoanalysis. He was a Fellow of the American Psychological Association and the Association for Psychological Science and a Diplomat in Clinical Psychology of the American Board of Professional Psychology, and

WHEREAS, Dr. E. Mark Stern was a member of Psi Chi the National Honor Society in Psychology and Phi Delta Kappa, a professional fraternity in education and he served as a member of the Council of Representatives of the American Psychological Association, as well as president of two divisions: the Psychology of Religion and Humanistic Psychology and this year he is posthumously receiving an award from the American Psychological Association for Lifetime Contributions to Humanistic Psychology, and

WHEREAS, in Dr. E. Mark Stern's semi-retirement he was a member of the Dutchess County Mental Hygiene Commission and a member of the Executive Board of the Dutchess County Democratic Committee, 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 Dr. E. Mark Stern, and, be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Dr. E. Mark Stern.

Resolution No. 2014119

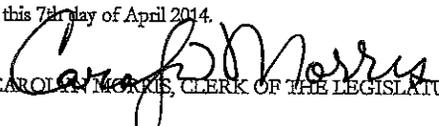
STATE OF NEW YORK

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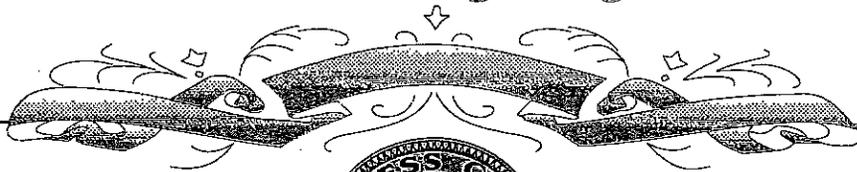
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Condolence: Esther Higgins

Legislator STRAWINSKI offers the following and moves its adoption:

WHEREAS, the Dutchess County Legislature has learned with sadness and regret of the recent death of Esther Higgins, on March 22, 2014, after battling a chronic heart problem with grace, unshakeable faith, and humor at Columbia Presybertarian Hospital in New York City at the age of 80, and

WHEREAS, Esther Higgins was born on November 1, 1933, in Queens, New York, to Patrick and Margaret Kavanagh who came to the United States from Scotland, and

WHEREAS, Esther Higgins married the love of her life Martin Higgins on September 7, 1957, at St. Bartholomew Church in Elmhurst, New York who survives her along with her children and grandchildren, and

WHEREAS, Esther Higgins worked for many years as a teacher's aide at the Linden Avenue School in the Red Hook School District and her second career found her at the customer service desk at the Hudson Valley Mall in Kingston, and

WHEREAS, Esther Higgins was a faithful communicant of St. Christopher's Church in Red Hook and was a member of the Alter Rosary Society and volunteered as a school budget election inspection for several years in the Red Hook Central School District, and

WHEREAS, her passing will be mourned by her 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 Esther Higgins, and, be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Esther Higgins.

Resolution No. 2014120
STATE OF NEW YORK

ss:

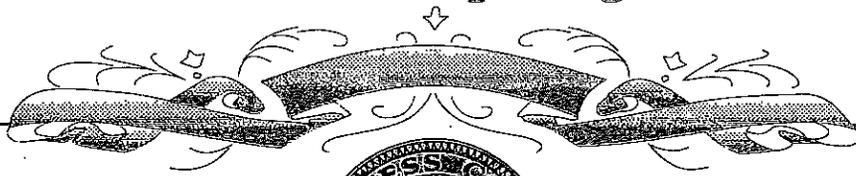
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Condolence: Viola York-Lockman

Legislator Thomes offers the following and moves its adoption:

WHEREAS, the Dutchess County Legislature has learned with sadness and regret of the recent death of Viola York-Lockman, on February 25, 2014, at the age of 84, and

WHEREAS, Viola York-Lockman was born in New York City on July 25, 1929, she was the daughter of Andrew and Audrey (Washington) Pinkard, and

WHEREAS, Viola York-Lockman received her Master's Degree in Special Education from Fordham University in 1975 and has been a resident of Wingdale since 1975, and

WHEREAS, Viola York-Lockman was a special education teacher with the Dover Free Union School District, having been the first African American teacher hired by the District, prior to which she taught in Harlem and in the Bronx, and

WHEREAS, Viola York-Lockman was a literacy volunteer and spent many summers working at sleep away camps, she also volunteered as a den mother and was a foster parent to several children, and

WHEREAS, Viola York-Lockman was an artist and enjoyed painting crocheting and calligraphy and she worked on the Board of the Division for Youth in Wingdale, and was a member of the NY Mission Society, and

WHEREAS, Viola York-Lockman is survived by her five children, grandchildren, and great grandchildren, and

WHEREAS, Viola York-Lockman's passing will be mourned by her 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 Viola York-Lockman, and be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Viola York-Lockman.

Resolution No. 2014121

STATE OF NEW YORK

ss:

JUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7th day of April 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of April 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

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

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke regarding the revitalization of the City of Poughkeepsie and JP Morgan Chase setting aside money in grants to renovate or demolish abandon or dilapidated homes in the City of Poughkeepsie and Dutchess County.

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

There being no further business, the Chairman adjourned the meeting at 9:07 p.m. in memory of Gerard J. McCluskey, George Stoffers, Dr. E. Mark Stern, Esther Higgins, Viola York-Lockman.