

Attendance Sheets

District	Last Name	Present	Absent	Present/Late
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	✓		
District 3 - Town of LaGrange	Borchert	✓		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper	✓		
District 1 - Town of Poughkeepsie	Doxsey	✓		
District 6 - Town of Poughkeepsie	Flesland	✓		
District 18 - City of Beacon	Forman	✓		
District 14 - Town of Wappinger	Goldberg	✓		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn	✓		
District 21 - Town of East Fishkill	Horton	✓		
District 22 - Town of Beekman	Hutchings	✓		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓		
District 10 - City of Poughkeepsie	Jeter-Jackson	✓		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	✓		
District 7 - Town of Hyde Park	Kuffner	✓		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	✓		
District 17 - Town and Village of Fishkill	Miccio	✓		
District 8 - City and Town of Poughkeepsie	Rolison	✓		
District 5 - Town of Poughkeepsie	Roman	✓		
District 4 - Town of Hyde Park	Sadowski, Jr.	✓		
District 24 - Towns of Dover and Union Vale	Surman	✓		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	✓		
District 20 - Town of Red Hook	Traudt	✓		
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓		
District 12 - Town of East Fishkill	Weiss	✓		
District 9 - City of Poughkeepsie	White	✓		
Present: _____	Total:	25	0	
Absent: _____				
Vacant: _____				

Date: 4/11/11

Regular Meeting
of the
Dutchess County Legislature

Monday, April 11, 2011

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

Roll Call by the Clerk of the Legislature

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

ABSENT: 0

PRESENT, LATE:

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag; invocation to be given by Monsignor Joseph Martin of St. Mary's Church in Fishkill; and a moment of silence in memory of Kathryn Filiberti.

Commendations and Proclamations

Commendation: George Siegrist

Presentation

Board of Health Award Recipients:

Miles of Hope

Somos Llave del Futuro

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

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

Chairman Rolison entertained a motion to approve the March 14 minutes.

The March 14, 2011 minutes were adopted.

COMMUNICATIONS RECEIVED FOR THE APRIL, 2011 BOARD MEETING

RECEIVED: Letter received from Citizens Environmental Coalition regarding County Solid Waste Management.

RECEIVED: Resolution received from Board of Supervisors of Fulton County
RE: Urging Governor Cuomo to Reject the 2011 NYS Mandate Relief Redesign Team Report.

RECEIVED: Audits from Comptroller Coughlan:

DUTCHESS COUNTY SOIL AND WATER CONSERVATION
DISTRICT

RESOLUTION NO. 2011077

BOND RESOLUTION DATED MAY 9, 2011.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,530,150 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF COUNTY ROOFS AT BUILDINGS, IN AND FOR SAID COUNTY.

WHEREAS, the County of Dutchess acting as "lead agency", in accordance with the provisions of the State Environmental Quality Review Act ("SEQRA"), has determined that the project hereinafter described is a "Type II Action" which as such will not have any significant effects on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, including expenses in connection therewith; NOW, THEREFORE

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

Section 1. The reconstruction of roofs at County buildings, including original equipment, furnishings, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for said County, is hereby authorized at a maximum estimated cost of \$1,530,150.

Section 2. It is hereby determined that the plan for the financing of the aforesaid class of objects or purposes is by the issuance of \$1,530,150 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 class of objects or purposes is 25 years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the

Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. 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. 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 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.

* * * * *

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 1,515,000

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):

Capital Bond

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: \$14,643

Net County Cost (this year): \$1,515,000

Over Five Years: \$1,436,387

Additional Comments/Explanation:

Anticipated Savings to County: \$14,463 annually; \$325,352 lifetime for rooftop HVAC improvements

Prepared by: Roman Yasiejko, R.A. Director of Physical Facilities

2011 H0429
DPW Roof Replacements & Rooftop HVAC Improvements

APPROPRIATIONS

Increase

H0429.3140.3150	Building Reconstruction	900,000
H0429.3140.3900	Bond Issuing Cost	9,000
H0429.5110.3150	Building Reconstruction	615,000
H0429.5110.3900	Bond Issuing Cost	6,150
		\$1,530,150

REVENUE

Increase

H0429.3140.57100	Serial Bond	909,000
H0429.5110.57100	Serial Bond	621,150
		\$1,530,150

Note: Estimates for individual equipment items are approximate based on current information. Some items may actually come in lower or higher than estimated, however, the cost for all equipment items combined will be within the total funding authorization.

RECONSTRUCTION OF COUNTY ROOFS
\$1,530,150 25 Years at 5.25%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$1,530,150	\$61,206	\$80,333	\$141,539
2	1,468,944	61,206	77,120	138,326
3	1,407,738	61,206	73,906	135,112
4	1,346,532	61,206	70,693	131,899
5	1,285,326	61,206	67,480	128,686
6	1,224,120	61,206	64,266	125,472
7	1,162,914	61,206	61,053	122,259
8	1,101,708	61,206	57,840	119,046
9	1,040,502	61,206	54,626	115,832
10	979,296	61,206	51,413	112,619
11	918,090	61,206	48,200	109,406
12	856,884	61,206	44,986	106,192
13	795,678	61,206	41,773	102,979
14	734,472	61,206	38,560	99,766
15	673,266	61,206	35,346	96,552
16	612,060	61,206	32,133	93,339
17	550,854	61,206	28,920	90,126
18	489,648	61,206	25,707	86,913
19	428,442	61,206	22,493	83,699
20	367,236	61,206	19,280	80,486
21	306,030	61,206	16,067	77,273
22	244,824	61,206	12,853	74,059
23	183,618	61,206	9,640	70,846
24	122,412	61,206	6,427	67,633
25	61,206	<u>61,206</u>	<u>3,213</u>	<u>64,419</u>
TOTAL		<u>\$1,530,150</u>	<u>\$1,044,327</u>	<u>\$2,574,477</u>
AVG. PER YEAR		\$61,206	\$41,773	\$102,979

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$1,530,150
ANTICIPATED INTEREST RATE	5.25%
TOTAL ANTICIPATED FEES	
TERM:25 YEARS INCLUDED:	\$15,150
ANTICIPATED ANNUAL COST (PRIN + INT):	\$102,979
TOTAL PAYBACK (ANNUAL COST x TERMS):	\$2,574,477

ANTICIPATED ANNUAL COST (PRIN + INT): \$40,772.65
TOTAL PAYBACK (ANNUAL COST x TERMS): \$1,019,316.24
PREPARED BY PAMELA BARRACK

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 9, 2011, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 24 ayes and 0 noes, with 1 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 20, 2011, 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 5, 2011

Poughkeepsie Journal

May 5, 2011

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

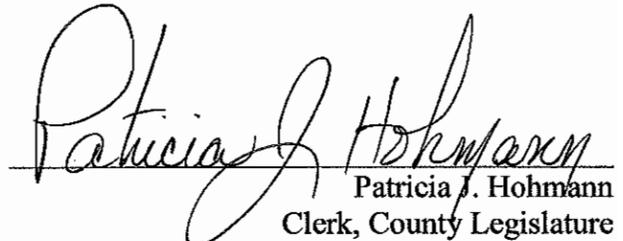
Date of Posting

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

May 5, 2011

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 10th day of May, 2011.




Patricia J. Hohmann
Clerk, County Legislature

APPROVED


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date May 20, 2011

The foregoing Resolution No. 2011077 was offered for discussion only at the Public Works and Capital Projects Committee Meeting held on April 11, 2011 and was considered at the May 9, 2011 Regular Board Meeting.

Roll call vote at that time resulted as follows:

AYES: 24 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White.

NAYS: 0

ABSENT: 1 Goldberg.

Resolution adopted.

Public Works and Capital Projects Roll Call

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

Present: 10 Resolution: X Total: 10 0
 Absent: 2 Motion: _____ Yes No
 Vacant: 0 Abstentions: 0

2011077 A Resolution Authorizing the Issuance of \$1,530,150 Serial Bonds of the County of Dutchess, NY, to Pay the Cost of the Reconstruction of County Roofs at Buildings, in and for said County

Date: 5/5/11

Roll Call Sheets

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

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

2011077 A Resolution Authorizing the Issuance of \$1,530,150 Serial Bonds of the County of Dutchess, NY, to Pay the Cost of the Reconstruction of County Roofs at Buildings, in and for said County

Date: 5/9/11

RESOLUTION NO. 2011078

RE: AMENDING THE 2011 ADOPTED COUNTY BUDGET AS
IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS (A.1620)

LEGISLATORS ROLISON, COOPER, BORCHERT, HUTCHINGS, and MICCIO
offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has confirmed that the Legislature
funded four months of rent expense in the 2011 Adopted County Budget for 170 Washington Street
with the intention of the Administration going through a four month building purchase, and

WHEREAS, this facility presently houses the Records Management Division of the
Department of Central Services and stores critical County records, and

WHEREAS, funding for rent, taxes, insurance and lease allowance for minor repairs
of this property will be depleted in April and an additional month of funding is necessary , and

WHEREAS, it is necessary to amend the 2011 Adopted County Budget to provide
funds to meet these expenses, now therefore, be it

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

APPROPRIATIONS

Increase

A.1620.4571.63	Rental/Lease-Real Property	\$11,963
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Decrease

A.1990.4007	General Contingency	\$11,963
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and be if further

RESOLVED, that the County Executive is requested to enact the policy of the
Legislature approved in the 2011 Budget, to take advantage of recognized and anticipated long
term cost savings, to conclude contract negotiations to purchase 170 Washington Street and to
return to the Legislature for approval a bond resolution solely for the acquisition of 170 Washington
Street.

CA-58-11
CAB/ca/G-0188
3/16/11

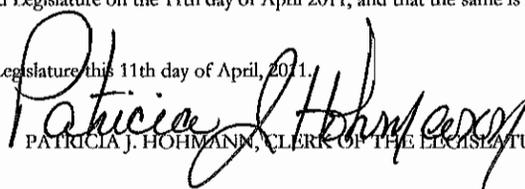
Fiscal Impact: See attached statement/Amended in Public Works 4/7/11 lw
STATE OF NEW YORK

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 11th day of April 2011, and that the same is a
true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE



Dutchess
County
Executive

Dutchess

William R. Steinhaus
County Executive

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2000
Fax (845) 486-2021

Memorandum

To: All Legislators

From: William R. Steinhaus 
Dutchess County Executive

Re: Resolution Number 2011078

Date: April 22, 2011

Pursuant to Resolution # 2011078 adopted April 11, 2011, this county government, the Medical Examiner, law enforcement agencies, the District Attorney, the medical community, local hospitals and the 300,000 residents of this county at large, need, require and should be able to expect and depend upon a safe, fully functional and professional Medical Examiners facility. This is a core legal and charter duty of this government, county and state law.

Resolution # 2010247 to provide that critical facility has been in the county legislature for nine months without action since August, 2010. The administration stands by its previous position and proposal. The Dutchess County Legislature needs to take affirmative action to adopt this legislation to fulfill these fundamental responsibilities of this government.

cc: Patricia Hohmann, Clerk of the Legislature

DUTCHESS COUNTY
LEGISLATURE

22APR'11PM3:08

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		✓
District 6 - Town of Poughkeepsie	Flesland*		✓
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 3 - Town of LaGrange	Borchert		✓
District 4 - Town of Hyde Park	Sadowski (VC)		✓
District 5 - Town of Poughkeepsie	Roman		✓
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 22 - Town of Beekman	Hutchings (C)		✓
Present: <u>12</u>	Resolution: <u>APM</u>	Total : <u>4</u>	<u>8</u>
Absent: <u>0</u>	Motion: <u>X</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u> </u>	

Amendment to Res. 2011078
Delete last "Resolved"

4/7/11

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*		✓
District 7 - Town of Hyde Park	Kuffner*		✓
District 1 - Town of Poughkeepsie	Doxsey		✓
District 3 - Town of LaGrange	Borchert	✓	
District 4 - Town of Hyde Park	Sadowski (VC)	✓	
District 5 - Town of Poughkeepsie	Roman	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	✓	
District 22 - Town of Beekman	Hutchings (C)	✓	

Present: _____
 Absent: _____
 Vacant: _____

Resolution: _____
 Motion: _____

Total : 8 4
 Yes No
 Abstentions: _____

2011078 Amending the 2011 Adopted County Budget as it pertains to the Department of Public Works (A.1620)

Date: 4/7/11

Roll Call Sheets

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

Present:

25

Resolution: —

Total :

7

18

Absent:

0

Motion: X

Yes

No

Vacant:

0

Abstentions: —

Goldberg-Kuffner
Delete last Resolved

2011078

Roll Call Sheets

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

Present: 25 Resolution: X Total: 18 7
 Absent: 0 Motion: Yes No
 Vacant: 0 Abstentions:

2011078 Amending the 2011 Adopted County Budget as it pertains to the Department of Public Works (A.1620)

Date: 4/11/11

Discussion on the foregoing Resolution No. 2011078 resulted as follows:

Legislator Goldberg moved to eliminate the last resolved of the foregoing resolution duly seconded by Legislator Kuffner.

Roll call vote on the foregoing motion resulted as follows:

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

NAYS: 18 Bolner, Borchert, Cooper, Flesland, Forman, Horn, Horton, Hutchings, Incoronato, Kelsey, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Weiss.

ABSENT: 0

Motion defeated.

Roll call vote on the foregoing Resolution No. 2011078 resulted as follows:

AYES: 18 Bolner, Borchert, Cooper, Flesland, Horn, Horton, Hutchings, Incoronato, Kelsey, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Weiss, White.

NAY: 7 Doxsey, Forman, Goldberg, Jeter-Jackson, Kuffner, MacAvery, Tyner.

ABSENT: 0

Resolution adopted.

Pursuant to Section 3.02 (i) of the Dutchess County Charter the foregoing resolution was deemed approved and duly enacted due to the County Executive's failure to act.

RESOLUTION NO. 2011079

RE: AUTHORIZING APPLICATION TO THE FEDERAL TRANSIT
ADMINISTRATION FOR NEW FREEDOMS SECTION 5317
GRANT FUNDS

LEGISLATORS KELSEY, COOPER, and KUFFNER offer the following and
move its adoption:

WHEREAS, the Federal Transit Administration is authorized to make grants for
Mass Transportation projects, and

WHEREAS, a grant application will be filed with the Federal Transit
Administration for eligible activities for New Freedoms Section 5317 grant funding, and

WHEREAS, total federal grant funds in the amount of \$98,481 will be used to
perform flex service transportation for senior citizens and people with disabilities in the northeast
areas of Dutchess County to enhance the limited service there, now therefore, be it

RESOLVED, that the County Executive is authorized on behalf of the County of
Dutchess to sign and file an application with the Federal Transit Administration for Section 5317
New Freedoms funding and to furnish such additional information as the Federal Transit
Administration may require in connection with the application, and be it further

RESOLVED, that the County Executive be and is hereby authorized to execute
such grant agreement arising from such application on behalf of Dutchess County with the
Federal Transit Administration.

CA-54-11
CR/ADR/ca/C-8291-A
3/14/11
Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

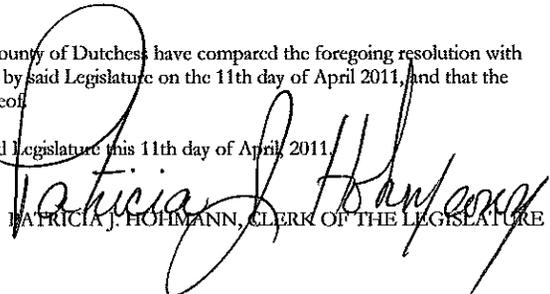
Date April 22, 2011

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 11th day of April 2011, and that the
same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April 2011.



PATRICIA J. HOCHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: \$98,481 _____

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

Additional Comments/Explanation:

This revenue supports the county's operation of flex service and is already included in the 2011 adopted budget revenue line ET.5680.45890.13 Other Transp Federal 5317 Program.

Prepared by: Cynthia Ruiz, Transit Administrator

Public Works and Capital Projects Roll Call

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

Present: 12 **Resolution:** X **Total :** 12 0
Absent: 0 **Motion:** — **Yes** **No**
Vacant: 0 **Abstentions:** 0

2011079 Authorizing application to the Federal Transit Administration
for New Freedoms Section 5317 Grant Funds

Date: 4/7/11

Roll Call Sheets

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

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

2011079 Authorizing application to the Federal Transit Administration for New Freedoms Section 5317 Grant Funds

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011079 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011080

RE: AMENDING RESOLUTION NO. 2010202 ESTABLISHING STANDARD WORK DAY FOR ELECTED OR APPOINTED OFFICIALS

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

WHEREAS, on the 12th day of July 2010, the Dutchess County Legislature adopted Resolution No. 2010202 establishing a standard workday for elected and appointed officials; and

WHEREAS, the Dutchess County Legislature in December of 2010 adopted various Local Laws amending the Dutchess County Charter, which consolidated certain departments and amended and revised titles for certain positions; and

WHEREAS, it is necessary to amend the Standard Workday Resolution to reflect these recent changes in Dutchess County; now, therefore, be it

RESOLVED, that the County of Dutchess hereby establishes the following as a Standard Workdays for Elected or Appointed Officials to reflect changes in personnel and titles to report the following days of the New York State and local employees retirement system based on the record of activities maintained and submitted by these officials to the Clerk of this body:

See Attached Schedule

Amended on floor 4-11-11

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 22, 2011

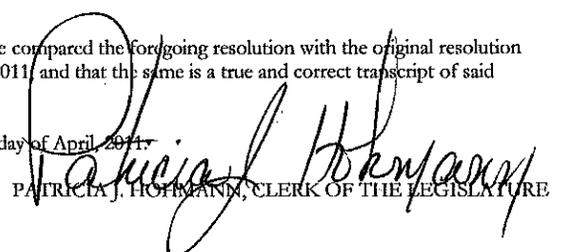
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.



PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Title	Name	Workday Term	Timekeeping System	Days/Month	Tier 1
Elections Commissioner	Erk Haight	7/1/1/11 - 12/31/12	Y	N/A	
Deputy Elections Commissioner	Christopher Bianco	7/1/1/11 - 12/31/12	Y	N/A	
Deputy Commissioner of Finance for RPT Services	Eric Axelsen	7/1/1/11 - 10/1/13	Y	N/A	
Emergency Coordinator	Dana Smith	7/2/1/5/11 - 12/31/11	Y	N/A	
Confidential Administrative Assistant	Laurie Colgan	7/3/7/11 - 12/31/11	Y	N/A	
Commissioner of SAVVY	Lizabeth Brockway	7/1/1/11 - 12/31/11	Y	N/A	
County Attorney	Thomas Dietz	7/1/1/11 - 12/31/11	Y	N/A	
District Attorney	Margaret Walker	7/3/7/11 - 12/31/11	Y	N/A	
Public Defender	Thomas Angell	7/2/4/11 - 12/31/11	Y	N/A	



Office of the New York State Comptroller
Thomas P. DiNapoli

New York State and Local Retirement System

Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

Email: pensionintegrity@osc.state.ny.us

Web: www.osc.state.ny.us/retire

LEGISLATURE

2011 JAN -6 P 12:43

December 31, 2010

Dear Employer:

Because many officials may be starting a new term of office in 2011, we would like to take this opportunity to remind you of the requirements of regulation 315.4 for reporting Elected and Appointed Officials. Participating employers in the New York State and Local Retirement System who have elected and appointed officials, who are active members of the Retirement System and have begun a new term of office on or after August 12, 2009, must submit a Standard Workday and Reporting Resolution (Resolution) and Affidavit of Posting (Affidavit) to the Office of the State Comptroller.

Many employers have submitted resolutions since August 2009. During our review of these documents, we have identified some common issues that often make their submissions unacceptable or cause a delay in the processing of them. Therefore, we are providing you with a list of 10 things to remember when completing the Resolution and Affidavit documents to help ensure your submission is complete and accurate:

1. **The official's complete first and last name, Registration Number and the last four digits of their Social Security Number must be included on the Resolution for identification purposes.** For security purposes, the Registration Number and last four digits of the Social Security Number can be omitted from the publicly posted version.
2. **Only officials who are active members of the Retirement System should be included on the Resolution.** Officials who are collecting a pension from one of the eight New York public pension systems or who are not registered in the Retirement System, do not need to be listed on the Resolution and should not be required to keep a record of activities (ROA).¹ However, you should ensure that a standard workday is established for their positions if future employees in these titles become members of the Retirement System.
3. **Elected and appointed officials are required to be listed on the Standard Workday and Reporting Resolution.** All *elected* officials should be listed on the Resolution; however, only those in appointed positions who exercise the authority of the employer or have discretion in carrying out their duties need to be included. For example, you should list persons in appointed titles who have the authority to establish or interpret policies or procedures such as a Deputy Town Clerk, District Treasurer or Confidential Secretary. You do not need to list appointed titles if the person essentially performs routine, subordinate or directed duties such as a Motor Equipment Operator, Life Guard or Lunch Monitor.

¹ NYS Police and Fire System, NYS Teachers RS, NYC Employees RS, NYC Police Pension Fund, NYC Firefighters Pension fund, NYC Teachers Retirement System and NYC Board of Education Retirement System.

4. **The minimum number of hours that can be established for a standard workday is six, while the maximum is eight.** A standard workday is the denominator to be used for the days worked calculation; it is not necessarily always the number of hours a person works. For example, if a board member is only required to attend one three-hour board meeting per month, you must still establish a standard workday between six and eight hours as the denominator for their days worked calculation.

If an unacceptable standard workday has previously been used, the days per month previously reported for the official will be inaccurate. Therefore, after an acceptable standard workday is established, a review of the days worked previously reported for the affected individuals must be conducted to identify and revise any calculations that were based on the unacceptable standard workday. If the previously reported days worked are incorrect, you must submit the appropriate adjustments.

5. **All officials listed on the Resolution must have a specified Term End date.** Leaving the 'Term Begins/Ends' column blank or listing 'Tenure/At Pleasure' is not acceptable. If the official does not have a designated term, the end date for the official who appointed them to the position should be used.
6. **The 'Participates in the Employer's Time Keeping System' and 'Days/Month (Based on ROA)' columns must be included and clearly indicate whether the official participates in the time keeping system or is required to keep an ROA.** If the official does not participate in the employer's official time keeping system, as indicated by an N (No) in the 'Participates in the Employer's Time Keeping System' column, then they are required to keep an ROA and the 'Days/Month (Based on ROA)' column must list the number of days worked as calculated using the three-month ROA.

If the official does participate in the employer's official time keeping system, as indicated by a Y (Yes) in the Participates in Employer's Time Keeping System column, then they are not required to keep an ROA and the 'Days/Month (Based on ROA)' column should either be left blank or have an indication of N/A (Not Applicable).

7. **For those individuals who keep an ROA, the 'Days/Month (Based on ROA)' column should reflect the actual result of the ROA calculation, not the number of days worked that will be reflected on the monthly report.** For example, if an ROA results in 24.50 days per month and you will be reporting 20 days for a two pay-period month and 30 days for a three pay-period month, you should still list the 24.50 days per month ROA average on the Resolution.
8. **The 'Days/Month (Based on ROA)' column must include the ROA result if you checked "No" in the Participates in the Employer's Time Keeping System column unless the official has not submitted an ROA.** When this column is left blank, we interpret this to mean the official has not submitted their three-month ROA. If an official has not submitted an ROA within the 150-day requirement, the 'Not Submitted' column should be checked, regardless of whether they are being reported by another employer for the same period. If the Retirement System receives such a Resolution, it will contact the official to notify them of the consequences of not submitting an ROA.

9. **If submitting the information in hard copy format, a copy of the affidavit of posting must be submitted with the Standard Workday and Reporting Resolution and it must indicate the length of time the Resolution was posted.** The Resolution must be posted on your public website for at least 30 days or, if a website is not available to the public, on the official sign-board or at the main entrance to the clerk's office.
10. **The information on the Standard Workday and Reporting Resolution and Affidavit of Posting can be submitted online via the Elected & Appointed Officials Reporting (EAOR) program.** EAOR eliminates the need for submitting a hard copy of the Standard Workday and Reporting Resolution and Affidavit of Posting. You can automatically log on to EAOR if you have an existing username and password that is used to submit your monthly report. If you do not have a username and password and would like to obtain one for the EAOR program, please contact our Employer Education Unit at (518) 474-0167 or RTempSer@osc.state.ny.us.

For your convenience, we have enclosed sample forms which you may find helpful when passing the Resolution and completing the Affidavit. Further details explaining this process are available on our website at:

http://www.osc.state.ny.us/retire/employers/elected_appointed_officials/index.php.

Please note, once the Resolution has been passed, the secretary or clerk of the governing board must provide any record of activities results to the person responsible for submitting the monthly report to the Retirement System to ensure that the days worked are reported accurately. In addition, should you need to revise information on a previously submitted Resolution, a new Resolution (which reflects the new information) and Affidavit must be drafted, approved by the board, posted and submitted.

If you have any questions regarding this process, please contact our Employer Education Unit at (518) 474-0167.

Sincerely,



Kristee Iacobucci
Director
Pension Integrity Bureau

Encs.

Budget, Finance, and Personnel Committee Roll Call

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

Present: 12
 Absent: 0
 Vacant: 0

Resolution: X
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2011080 Amending Resolution No. 2010202 establishing standard work day for elected or appointed officials

Date: 4/7/11

Roll Call Sheets

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

Present: _____
 Absent: _____
 Vacant: _____

Resolution: _____
 Motion: _____

Total : _____
 Yes No
 Abstentions: _____

2011080 Amending Resolution No. 2010202 establishing standard work day for elected or appointed officials

Date: 4/11/11

Discussion on the foregoing Resolution No. 2011080 resulted as follows:

Legislator Flesland moved to amend the foregoing attached schedule to add Thomas Angell, Acting Public Defender as follows duly seconded by Legislator Cooper and unanimously carried.

TITLE	NAME	WORKDAY	TERM	TIMEKEEPING	DAYS/MONTH
Acting Public Defender	Thomas Angell	7	2/4/11-12/31/11	Y	N/A

Roll call vote on the foregoing Resolution No. 2011080 as amended resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011081

RE: APPORTIONMENT SURPLUS DOG LICENSE FEES

LEGISLATORS BORCHERT and MICCIO offers the following and moves its adoption:

RESOLVED, that the report of the Commissioner of Finance of receipts and disbursements of dog licenses during the calendar year 2010 be accepted and placed on file and that the apportionments as indicated in said reports be adopted as the apportionments of this Legislature, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to pay to the City Treasurers and the Town Supervisors the amounts payable to the respective cities and towns as set forth on the annexed sheets.

PB/CW/djw
3/3/2011

CA-42-11

Fiscal Impact: NONE

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

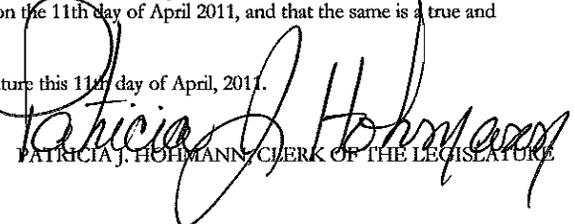
Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

DL 16-1 (REV. 12/91)

NOTE: This report is to be made in the month of January and a copy thereof filed with the Comm. of Agriculture & Markets of the State of NY, 1 Winners Circle, Albany, NY 12235 and the governing body of the county.

COUNTY FINANCIAL OFFICER-DOG LICENSE REPORT

Office of the Financial Officer of the County of DUTCHESS

ADDRESS: 22 Market Street, Poughkeepsie, NY 12601.

March 02, 2011

This report is filed pursuant to SECTION 111 of the Agriculture & Markets Law and covers the moneys remitted and the moneys expended by me under the provisions of Article 7 of the Agriculture and Markets Law for the period 01/01/10 to 12/31/10

	<u>RECEIPTS</u>		
Total balance on hand January 1, 2010	\$	21,371.78	
Dog license fees received	\$	23,563.02	
Tag fees received	\$	546.00	
Damages recovered from dog owners	\$	0.00	
County appropriation	\$	0.00	
Total amount available for the year ending December 31, 2010			\$ <u>45,480.80</u>
	<u>DISBURSEMENTS</u>		
Paid 36% of dog license fees to Dept. of Agriculture and Markets	\$	8,887.59	
Paid tag fees to Dept. of Agric. & Mkts.	\$	570.00	
Paid claims for damages done by dogs	\$	300.00	
Paid for Cty dog control officer services	\$		
Paid for county shelter services	\$	0.00	
Paid to towns and cities 75% of total in 2010 surplus for last reporting period	\$	14,182.90	
Over payment corrected 01/03	\$	0.00	
Total disbursement during the year ending December 31, 2010			\$ <u>23,940.49</u>
Total surplus for the year ending December 31, 2010			\$ <u>21,540.31</u>
			0.00

100% of the above surplus monies amounting to \$ **21,540.31** to be apportioned to cities and towns ratably to the remittance each made. Attached is a list showing the remittance each made and the amount apportioned.


PAMELA BARRACK, COMMISSIONER
DUTCHESS COUNTY COMMISSIONER OF FINANCE

STATEMENT OF AMOUNTS REMITTED AND APPORTIONED

REPORTING PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2010

REMITTING MUNICIPALITY	AMOUNT REMITTED	100% OF SURPLUS APPORTIONED
Amenia	\$ 68.12	\$ 66.38
Beekman	744.94	725.61
Clinton	421.81	410.86
Dover	942.32	917.86
East Fishkill	2,004.52	1,952.49
Fishkill	1,756.86	1,711.26
Hyde Park	2,504.17	2,439.17
LaGrange	2,082.08	2,028.04
Milan	229.09	223.14
North East	438.24	426.87
Pawling	843.62	821.72
Pine Plains	286.68	279.24
Pleasant Valley	1,292.47	1,258.92
Poughkeepsie	1,915.22	1,865.51
Red Hook	854.20	832.03
Rhinebeck	384.21	374.24
Stanford	1,008.12	981.95
Unionvale	870.64	848.04
Wappinger	1,367.68	1,332.18
Washington	430.04	418.88
Beacon c/o Pough.	1,080.57	1,052.52
		21,540.31
Total	\$ 22,114.28	\$ 21,540.31

Budget, Finance, and Personnel Committee Roll Call

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

Present: <u>12</u>	Resolution: <u>X</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>	

2011081 Apportionment Surplus Dog License Fees

Date: 4/7/11

Roll Call Sheets

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

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

2011081 Apportionment Surplus Dog License Fees

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011081 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011082

RE: ERRONEOUS TAXES, TOWN OF EAST FISHKILL
ASSESSED TO: NYS DOT
GRID NUMBER: 132800-6556-01-122880-0000

LEGISLATORS WEISS and HORTON offer the following and move its adoption:

WHEREAS, the Receiver of Taxes for the Town of East Fishkill has returned unpaid to this office Re-levied School taxes based on the 2002 tax roll against grid number 132800-6556-01-122880-0000, and

WHEREAS, it has been determined that the assessment is erroneous due to the property having been acquired by the State of New York on August 2, 2002, subsequent to taxable status date and prior to the levy of taxes and should be exempt, and

WHEREAS, pursuant to Section 558 of the Real Property Tax Law, due to the erroneous assessment the lien of said taxes is rendered unenforceable; now, therefore be it,

RESOLVED, that the Commissioner of Finance be and she is hereby authorized, empowered, and directed to cancel and charge back the erroneous taxes as follows:

A342	Allowance for Uncollect. Taxes	\$212.95
A430.2800	Town of East Fishkill	2.00
A440	Wappinger Central School Dist.	1,724.31
		<hr/>
	Total:	\$1,939.26

PB/CM/djw
CA-41-11
3/2/11

Fiscal Impact: None

APPROVED



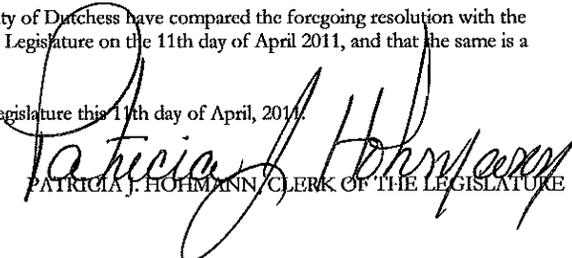
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 22, 2011

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOHMANN, 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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (VC)	✓	
District 3 - Town of LaGrange	Borchert (C)	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 18 - City of Beacon	Forman	✓	
District 22 - Town of Beekman	Hutchings	✓	
District 24 - Towns of Dover and Union Vale	Surman	✓	

Present: <u>12</u>	Resolution: <u>X</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>	

2011082 Erroneous Taxes, Town of East Fishkill Assessed to: NYS
DOT

Date: 4/7/11

Roll Call Sheets

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

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

2011082 Erroneous Taxes, Town of East Fishkill Assessed to: NYS
 DOT

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011082 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011083

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

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

ACCOUNT NO: 133400-6361-03-250436-0000

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

WHEREAS, there is a special district assessment on the assessment roll for the Town of Lagrange for 2009 under the name of Henry G. Page Jr. Development Ltd., Account No: 133400-6361-03-250436-0000, and

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

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of Lagrange has made an unlawful entry 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 unlawful entry does exist, now, therefore, be it

RESOLVED, that the application received February 28, 2011 relating to Account No. 133400-6361-03-250436-0000 for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$7,517.21 and to charge-back the erroneous taxes on next years levy as follows:

A430 Frank Farm Storm W (FFSW2) \$7,517.21
and be it further

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

CA-50-11 MB/EA/ca/G-0194
3/11/11 Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

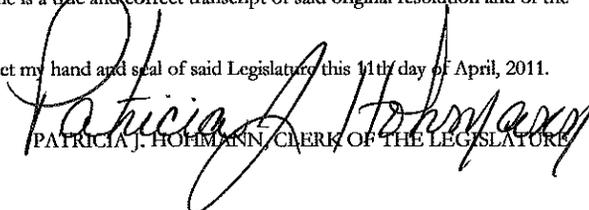
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Legal Description (grid #) 133400-6361-03-250436-0000

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

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Vail Rd.

School District Arlington Central School Dist. Special District Frank Farm Storm W

Total Assessed Value now on roll 533,000 Corrected to Same

Taxable Assessed Value now on roll 533,000 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$82,667.31

Should be \$75,150.10

Tax Bill Paid? yes no

Verified with assessor? yes no

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

- Subdivision 2, Paragraph (clerical error)
- Subdivision 3, Paragraph (error in essential fact)
- Subdivision 7, Paragraph B (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: Parcels were incorrectly placed into the Frank Farm Storm W Special District.

Recommendation **APPROVE APPLICATION** **DENY APPLICATION**

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

A430 Frank Farm Storm W (FFSW2) \$7,517.21

Investigator Margaret Burns

Director Eric Olsen



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

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

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services...

Henry G. Page Jr. Devepmnt Ltd
1a. Name of Owner
360 Manchester Road

Day (845) 452-2111 Evening ()
2. Telephone Number
Vail Road

Poughkeepsie, NY 12603
1b. Mailing Address

T/O LaGrange
3. Parcel Location (if different than 1b.)

1c. E-mail Address (optional)
322 Vacant Land 153.44 Ac. 133400-6361-03-250436-0000

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

5. Account No. 6a. Amount of taxes paid or payable 7,517.21 6b. Date of payment (if paid) 03/01/10
(as appears on tax bill)

7. I hereby request a refund or credit of real property taxes levied for the year(s) 2010 by T/O LaGrange 133400 *
for the following reasons (use additional sheets if necessary): (Tax levying body)

* Insert name of village, county, city, school district, town in Westchester County
2/23/2011 Date Signature of Applicant

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

Date application received: 2/28/11 Date warrant annexed: 12/28/09

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

Recommendation: [X] Approve application* [] Deny Application
3/10/2011 Date Signature of Official

* [] If box is checked, this copy is for assessor and board of assessment review of city/town/village of which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

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

APPLICATION APPROVED (Check reason) [] Clerical error [] Unlawful entry [] Error in essential fact
Amount of taxes paid: \$ Amount of taxes due: \$
Amount of refund or outstanding tax to be credited: \$

APPLICATION DENIED Reason:

Date Signature of Chief Executive Officer or Official Designated by Resolution

Real Property Tax Law, Section 550(2):

A "clerical error" means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

Real Property Tax Law, Section 550(3):

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

Real Property Tax Law, Section 550(7):

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the credited portion of the tax are cancelled.

TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

I, Bernard J. Fountain, Assessor of the Town of LaGrange,

Dutchess County do hereby certify that the real property owned by

Henry G. Page Jr. Devepmnt LTD Grid # 6361-01-250436

Shown on the 2010 Tax Roll of the Town/School District of LaGrange 133400
(year)

and assessed in the amount of \$_____ is correct /incorrect due to clerical error/
unlawful entry in essential fact resulting from: The Assessment is correct. Parcel
was charged for a storm water district which did not exist. An application for a refund of
the special district payment is requested.

**THEREFORE, I hereby do /do not support a recommendation of the Director of Real
Property Tax Service that a new bill or refund be issued for the above said parcel.**

Attached is documentation for the investigation of this report.

February 15, 2011
DATE

Bernard J. Fountain
ASSESSOR



Town of LaGrange
TOWN/CITY

DOCUMENTATION REQUESTED

- | | |
|--|--|
| <input type="checkbox"/> exemption application | <input type="checkbox"/> assessors work book |
| <input type="checkbox"/> property record card | <input type="checkbox"/> verified statement from BAR |
| <input checked="" type="checkbox"/> tax bill | <input type="checkbox"/> paid tax bill |
| <input checked="" type="checkbox"/> other <u>List of overpayment, copy of the tax roll</u> | |

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Fiesland*	✓	
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (VC)	✓	
District 3 - Town of LaGrange	Borchert (C)	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 18 - City of Beacon	Forman	✓	
District 22 - Town of Beekman	Hutchings	✓	
District 24 - Towns of Dover and Union Vale	Surman	✓	

Present: <u>12</u>	Resolution: <u>X</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>	

2011083 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/7/11

Roll Call Sheets

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

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

2011083 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011083 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011084

RE: APPROVAL OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE:
APPLICANT: Henry G. Page Jr. Development Ltd.
360 Manchester Rd.
Poughkeepsie NY 12603
ACCOUNT NO: 133400-6361-01-031667-0000

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

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

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

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of Lagrange has made an unlawful entry 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 unlawful entry does exist, now, therefore, be it

RESOLVED, that the application received February 28, 2011 relating to Account No. 133400-6361-01-031667-0000 for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$2,923.36 and to charge-back the erroneous taxes on next years levy as follows:

A430 Frank Farm Storm W (FFSW2) \$2,923.36
and be it further

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

CA-49-11 MB/EA/ca/G-0194
3/11/11 Fiscal Impact: None

STATE OF NEW YORK
COUNTY OF DUTCHESS

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

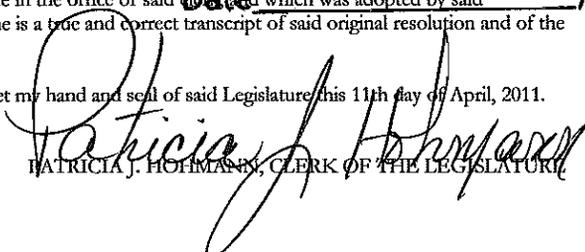
APPROVED



April 23, 2011

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 Date which was adopted by said Legislature on the 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency

COE Investigating Report

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

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

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Overlook Rd.

School District Arlington Central School Dist. Special District Frank Farm Storm W

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

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

Exempt codes and amounts if applicable

Amount Levied \$33,108.96

Should be \$30,185.60

Tax Bill Paid? yes no

Verified with assessor? yes no

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

Subdivision 2, Paragraph (clerical error)

Subdivision 3, Paragraph (error in essential fact)

Subdivision 7, Paragraph B (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: Parcels were incorrectly placed into the Frank Farm Storm W Special District.

Recommendation APPROVE APPLICATION DENY APPLICATION

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

A430 Frank Farm Storm W (FFSW2) \$2,923.36

Investigator

Margaret Burns

Director

Eric Weber



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

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

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services...

Henry G. Page Jr. Devepmnt Ltd
1a. Name of Owner
360 Manchester Road

Day (845) 452-2111 Evening ()
2. Telephone Number
Overlook Road

Poughkeepsie, NY 12603
1b. Mailing Address

T/O LaGrange
3. Parcel Location (if different than 1b.)

1c. E-mail Address (optional)
322 Vacant Land 58.80 Ac.

6361-01-031667

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

5. Account No. 6a. Amount of taxes paid or payable 2,923.36 6b. Date of payment (if paid) 03/01/2010
(as appears on tax bill)

7. I hereby request a refund or credit of real property taxes levied for the year(s) 2010 by T/O LaGrange 133400
for the following reasons (use additional sheets if necessary): (Tax levying body)

* Insert name of village, county, city, school district, town in Westchester County

2/23/2011
Date

Signature of Applicant

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

Date application received: 2/28/11 Date warrant annexed: 12/28/09

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

Recommendation: [X] Approve application* [] Deny Application
3/10/2011 Date Signature of Official

* [] If box is checked, this copy is for assessor and board of assessment review of city/town/village of which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

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

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

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

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

APPLICATION DENIED Reason:

Date

Signature of Chief Executive Officer or Official Designated by Resolution

Real Property Tax Law, Section 550(2):

A "clerical error" means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

Real Property Tax Law, Section 550(3):

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

Real Property Tax Law, Section 550(7):

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the credited portion of the tax are cancelled.

TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

I, Bernard J. Fountain, Assessor of the Town of LaGrange,

Dutchess County do hereby certify that the real property owned by

Henry G. Page Jr. Devepmnt LTD Grid # 6361-01-031667

Shown on the 2010 Tax Roll of the Town/School District of LaGrange 133400
(year)

and assessed in the amount of \$_____ is correct /incorrect due to clerical error/
unlawful entry in essential fact resulting from: The Assessment is correct. Parcel
was charged for a storm water district which did not exist. An application for a refund of
the special district payment is requested.

**THEREFORE, I hereby do /do not support a recommendation of the Director of Real
Property Tax Service that a new bill or refund be issued for the above said parcel.**

Attached is documentation for the investigation of this report.

February 15, 2011
DATE

Bernard J. Fountain
ASSESSOR



Town of LaGrange
TOWN/CITY

DOCUMENTATION REQUESTED

- | | |
|--|--|
| <input type="checkbox"/> exemption application | <input type="checkbox"/> assessors work book |
| <input type="checkbox"/> property record card | <input type="checkbox"/> verified statement from BAR |
| <input checked="" type="checkbox"/> tax bill | <input type="checkbox"/> paid tax bill |
| <input checked="" type="checkbox"/> other <u>List of overpayment, copy of the tax roll</u> | |

Budget, Finance, and Personnel Committee Roll Call

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

Present:	<u>12</u>	Resolution:	<u>X</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>	

2011084 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/7/11

Roll Call Sheets

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

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

2011084 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011084 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011085

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

APPLICANT: Henry G. Page Jr. Development Ltd.
360 Manchester Rd.
Poughkeepsie NY 12603
ACCOUNT NO: 133400-6361-03-250436-0000

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

WHEREAS, there is a special district assessment on the assessment roll for the Town of Lagrange for 2008 under the name of Henry G. Page Jr. Development Ltd., Account No: 133400-6361-03-250436-0000, and

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

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of Lagrange has made an unlawful entry 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 unlawful entry does exist, now, therefore, be it

RESOLVED, that the application received February 28, 2011 relating to Account No. 133400-6361-03-250436-0000 for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$7,517.21 and to charge-back the erroneous taxes on next years levy as follows:

A430 Frank Farm Storm W (FFSW2) \$7,517.21

and be it further

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

CA-48-11 MB/EA/ca/G-0194
3/11/11 Fiscal Impact: None

STATE OF NEW YORK
COUNTY OF DUTCHESS

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

[Handwritten signature of William R. Steinhaus]

APPROVED
April 22, 2011

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 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 11th day of April, 2011.

[Handwritten signature of Patricia J. Hohmann]
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency

COE Investigating Report

Legal Description (grid #) 133400-6361-03-250436-0000

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

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Vail Rd.

School District Arlington Central School Dist. Special District Frank Farm Storm W

Total Assessed Value now on roll 533,000 Corrected to Same

Taxable Assessed Value now on roll 533,000 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$72,529.82

Should be \$65,012.61

Tax Bill Paid? yes no

Verified with assessor? yes no

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

Subdivision 2, Paragraph (clerical error)

Subdivision 3, Paragraph (error in essential fact)

Subdivision 7, Paragraph B (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: Parcels were incorrectly placed into the Frank Farm Storm W Special District.

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: **It is recommended that the application for a partial refund of the 2008/09 Cnty/Town tax bill be approved**

A430 Frank Farm Storm W (FFSW2) \$7,517.21

Investigator Margaret Burns

Director Eric Akben



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

APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES
FOR THE YEAR(S) 20 09

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services...

Henry G. Page Jr. Devepmnt Ltd

1a. Name of Owner
360 Manchester Road

Poughkeepsie, NY 12603

1b. Mailing Address

1c. E-mail Address (optional)

322 Vacant Land 153.44 Ac. 133400-6361-03-250436-0000

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

5. Account No. 6a. Amount of taxes paid or payable 7,517.21 6b. Date of payment (if paid) 03/01/10

7. I hereby request a refund or credit of real property taxes levied for the year(s) 2009 by T/O LaGrange 133400 for the following reasons (use additional sheets if necessary):

* Insert name of village, county, city, school district, town in Westchester County

2/23/2011
Date

Signature of Applicant

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

Date application received: 2/28/11 Date warrant annexed: 12/22/08

Last day for collection of taxes without interest: Paid 2/27/09

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

3/9/2011
Date

Signature of Official

* [] If box is checked, this copy is for assessor and board of assessment review of city/town/village of which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

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

APPLICATION APPROVED (Check reason) [] Clerical error [] Unlawful entry [] Error in essential fact
Amount of taxes paid: \$ Amount of taxes due: \$

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

APPLICATION DENIED Reason:

Date

Signature of Chief Executive Officer or Official Designated by Resolution

Real Property Tax Law, Section 550(2):

A “clerical error” means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

Real Property Tax Law, Section 550(3):

An “error in essential fact” means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

Real Property Tax Law, Section 550(7):

An “unlawful entry” means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the credited portion of the tax are cancelled.

TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

I, Bernard J. Fountain, Assessor of the Town of LaGrange,

Dutchess County do hereby certify that the real property owned by

Henry G. Page Jr. Devepmnt LTD Grid # 6361-01-250436

Shown on the 2009 Tax Roll of the Town/School District of LaGrange 133400
(year)

and assessed in the amount of \$_____ is correct /~~incorrect~~ due to clerical error/
unlawful entry in essential fact resulting from: The Assessment is correct. Parcel
was charged for a storm water district which did not exist. An application for a refund of
the special district payment is requested.

**THEREFORE, I hereby do /do not support a recommendation of the Director of Real
Property Tax Service that a new bill or refund be issued for the above said parcel.**

Attached is documentation for the investigation of this report.

February 15, 2011
DATE

Bernard J. Fountain
ASSESSOR



Town of LaGrange
TOWN/CITY

DOCUMENTATION REQUESTED

- | | |
|--|--|
| <input type="checkbox"/> exemption application | <input type="checkbox"/> assessors work book |
| <input type="checkbox"/> property record card | <input type="checkbox"/> verified statement from BAR |
| <input checked="" type="checkbox"/> tax bill | <input type="checkbox"/> paid tax bill |
| <input checked="" type="checkbox"/> other <u>List of overpayment, copy of the tax roll</u> | |

Budget, Finance, and Personnel Committee Roll Call

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

Present: 12
 Absent: 0
 Vacant: 0

Resolution: X
 Motion: —

Total : 12 0
 Yes No
 Abstentions: 0

2011085 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/7/11

Roll Call Sheets

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

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

2011085 Approval of Application for refund of real property taxes and
 to authorize a charge-back by the Commissioner of Finance:
 Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011085 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011086

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

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

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

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

WHEREAS, there is a special district assessment on the assessment roll for the Town of Lagrange for 2008 under the name of Henry G. Page Jr. Development Ltd., Account No: 133400-6361-01-031667-0000, and

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

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of Lagrange has made an unlawful entry 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 unlawful entry does exist, now, therefore, be it

RESOLVED, that the application received February 28, 2011 relating to Account No. 133400-6361-01-031667-0000 for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$2,923.36 and to charge-back the erroneous taxes on next years levy as follows:

A430 Frank Farm Storm W (FFSW2) \$2,923.36

and be it further

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

CA-47-11 MB/EA/ca/G-0194 3/11/11 Fiscal Impact: None

STATE OF NEW YORK COUNTY OF DUTCHESS

ss:

WILLIAM R. STEINHAUS COUNTY EXECUTIVE

APPROVED April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have herunto set my hand and seal of said Legislature this 11th day of April, 2011.

PATRICIA J. HOHLMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

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

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

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Overlook Rd.

School District Arlington Central School Dist. Special District Frank Farm Storm W

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

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

Exempt codes and amounts if applicable

Amount Levied \$29,076.62

Should be \$26,153.26

Tax Bill Paid? yes no

Verified with assessor? yes no

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

- Subdivision 2, Paragraph ___ (clerical error)
- Subdivision 3, Paragraph ___ (error in essential fact)
- Subdivision 7, Paragraph B (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: Parcels were incorrectly placed into the Frank Farm Storm W Special District.

Recommendation **APPROVE APPLICATION** **DENY APPLICATION**

Details: It is recommended that the application for a partial refund of the 2008/09 Cnty/Town tax bill be approved

A430 Frank Farm Storm W (FFSW2) \$2,923.36

Investigator Margaret Burns

Director Eric [Signature]



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

APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES
FOR THE YEAR(S) 20 09

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services...

Henry G. Page Jr. Devepmnt Ltd
1a. Name of Owner
360 Manchester Road

Day (845) 452-2111 Evening ()
2. Telephone Number
Overlook Road

Poughkeepsie, NY 12603
1b. Mailing Address

T/O LaGrange
3. Parcel Location (if different than 1b.)

1c. E-mail Address (optional)

322 Vacant Land 58.80 Ac. 6361-01-031667

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

5. Account No. 6a. Amount of taxes paid or payable 2,923.36 6b. Date of payment (if paid) 2/27/09
(as appears on tax bill)

7. I hereby request a refund or credit of real property taxes levied for the year(s) 2009 by T/O LaGrange 133400
for the following reasons (use additional sheets if necessary): (Tax levying body) *

* Insert name of village, county, city, school district, town in Westchester County

2/23/2011 Date Signature of Applicant

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

Date application received: 2/28/11 Date warrant annexed: 12/22/08

Last day for collection of taxes without interest: Paid 2/27/09

Recommendation: [X] Approve application* [] Deny Application
3/9/2011 Date Signature of Official

* [] If box is checked, this copy is for assessor and board of assessment review of city/town/village of
which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

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

APPLICATION APPROVED (Check reason) [] Clerical error [] Unlawful entry [] Error in essential fact
Amount of taxes paid: \$ Amount of taxes due: \$
Amount of refund or outstanding tax to be credited: \$

APPLICATION DENIED Reason:

Date Signature of Chief Executive Officer or Official Designated by Resolution

Real Property Tax Law, Section 550(2):

A "clerical error" means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

Real Property Tax Law, Section 550(3):

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

Real Property Tax Law, Section 550(7):

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the credited portion of the tax are cancelled.

TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

I, Bernard J. Fountain, Assessor of the Town of LaGrange,

Dutchess County do hereby certify that the real property owned by

Henry G. Page Jr. Devepmnt LTD Grid # 6361-01-031667

Shown on the 2009 Tax Roll of the Town/School District of LaGrange 133400
(year)

and assessed in the amount of \$_____ is correct /incorrect due to clerical error/
unlawful entry in essential fact resulting from: The Assessment is correct. Parcel
was charged for a storm water district which did not exist. An application for a refund of
the special district payment is requested.

**THEREFORE, I hereby do /do not support a recommendation of the Director of Real
Property Tax Service that a new bill or refund be issued for the above said parcel.**

Attached is documentation for the investigation of this report.

February 15, 2011
DATE

Bernard J. Fountain
ASSESSOR



Town of LaGrange
TOWN/CITY

DOCUMENTATION REQUESTED

- | | |
|--|--|
| <input type="checkbox"/> exemption application | <input type="checkbox"/> assessors work book |
| <input type="checkbox"/> property record card | <input type="checkbox"/> verified statement from BAR |
| <input checked="" type="checkbox"/> tax bill | <input type="checkbox"/> paid tax bill |
| <input checked="" type="checkbox"/> other <u>List of overpayment, copy of the tax roll</u> | |

Roll Call Sheets

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

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

2011086 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011086 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011087

RE: REJECTION OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES

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

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

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

WHEREAS, there is an assessment on the assessment roll for the Town of LaGrange for 2007 under the name of Henry G. Page Jr. Development Ltd., Account No. 133400-6361-01-031667-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a refund of real property taxes on the basis of a unlawful entry, and

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of Real Property Tax Service has investigated this claim, and

WHEREAS, it has been determined and certified by said Director that the application for refund of real property taxes was not made within three years from the annexation of the warrant for such tax as prescribed in Section 556 of the Real Property Tax Law, and

WHEREAS, there is attached hereto the written report of the Director, together with his recommendation that the application be rejected by the County Legislature, and

WHEREAS, the County Legislature has agreed that the application for refund of real property taxes was not made within three years from the annexation of the warrant for such tax, now, therefore, be it

RESOLVED, that the application received February 28, 2011 relating to Account No. 133400-6361-01-031667-0000 for a refund of real property taxes be and it hereby is rejected, and be it further

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

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

CA-45-11 MB/EA/ca-G-0194
3/11/11 Fiscal Impact: None

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency

COE Investigating Report

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

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

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Overlook Rd.

School District Arlington Central School Dist. Special District Frank Farm Storm W

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

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

Exempt codes and amounts if applicable

Amount Levied \$34,651.87 Should be Same

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

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

- Subdivision 2, Paragraph (clerical error)
- Subdivision 3, Paragraph (error in essential fact)
- Subdivision 7, Paragraph (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 partial refund of the 2007/08 Cnty/Town tax bill be denied**

Application was not made within three years of the annexation of the warrant for such tax as prescribed in Section 556 of Real Property Tax Law.

Investigator Margaret Burns Director Eric A. Nelson



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

APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES
FOR THE YEAR(S) 20 08

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services...

Henry G. Page Jr. Devepmnt Ltd
1a. Name of Owner
360 Manchester Road

Day (845) 452-2111 Evening ()
2. Telephone Number
Overlook Road

Poughkeepsie, NY 12603
1b. Mailing Address

T/O LaGrange
3. Parcel Location (if different than 1b.)

1c. E-mail Address (optional)
322 Vacant Land 58.80 Ac.

6361-01-031667

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

5. Account No. 6a. Amount of taxes paid or payable 2,960.6 6b. Date of payment (if paid) 2/29/08
(as appears on tax bill)

7. I hereby request a refund or credit of real property taxes levied for the year(s) 2008 by T/O LaGrange 133400
for the following reasons (use additional sheets if necessary): (Tax levying body)

* Insert name of village, county, city, school district, town in Westchester County

2/23/2011
Date

Signature of Applicant

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

Date application received: 2/28/11 Date warrant annexed: 12/18/07

Last day for collection of taxes without interest: Paid 2/29/08

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

3/10/2011
Date

Signature of Official

* [] If box is checked, this copy is for assessor and board of assessment review of city/town/village of which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

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

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

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

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

APPLICATION DENIED Reason:

Date

Signature of Chief Executive Officer or Official Designated by Resolution

Real Property Tax Law, Section 550(2):

A "clerical error" means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

Real Property Tax Law, Section 550(3):

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

Real Property Tax Law, Section 550(7):

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

 Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the credited portion of the tax are cancelled.

TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

I, Bernard J. Fountain, Assessor of the Town of LaGrange,

Dutchess County do hereby certify that the real property owned by

Henry G. Page Jr. Devepmnt LTD Grid # 6361-01-031667

Shown on the 2008 Tax Roll of the Town/School District of LaGrange 133400
(year)

and assessed in the amount of \$_____ is correct /incorrect due to clerical error/
unlawful entry in essential fact resulting from: The Assessment is correct. Parcel
was charged for a storm water district which did not exist. An application for a refund of
the special district payment is requested.

**THEREFORE, I hereby do /do not support a recommendation of the Director of Real
Property Tax Service that a new bill or refund be issued for the above said parcel.**

Attached is documentation for the investigation of this report.

February 15, 2011
DATE

Bernard J. Fountain
ASSESSOR



Town of LaGrange
TOWN/CITY

DOCUMENTATION REQUESTED

- | | |
|--|--|
| <input type="checkbox"/> exemption application | <input type="checkbox"/> assessors work book |
| <input type="checkbox"/> property record card | <input type="checkbox"/> verified statement from BAR |
| <input checked="" type="checkbox"/> tax bill | <input type="checkbox"/> paid tax bill |
| <input checked="" type="checkbox"/> other <u>List of overpayment, copy of the tax roll</u> | |

Budget, Finance, and Personnel Committee Roll Call

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

Present:	<u>12</u>	Resolution:	<u>X</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>	

2011087 Rejection of Application for refund of real property taxes:
Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/7/11

Roll Call Sheets

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

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

2011087 Rejection of Application for refund of real property taxes:
 Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011087 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011088

RE: REJECTION OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES

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

ACCOUNT NO. 133400-6361-03-250436-0000

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

WHEREAS, there is an assessment on the assessment roll for the Town of LaGrange for 2007 under the name of Henry G. Page Jr. Development Ltd., Account No. 133400-6361-03-250436-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a refund of real property taxes on the basis of a unlawful entry, and

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of Real Property Tax Service has investigated this claim, and

WHEREAS, it has been determined and certified by said Director that the application for refund of real property taxes was not made within three years from the annexation of the warrant for such tax as prescribed in Section 556 of the Real Property Tax Law, and

WHEREAS, there is attached hereto the written report of the Director, together with his recommendation that the application be rejected by the County Legislature, and

WHEREAS, the County Legislature has agreed that the application for refund of real property taxes was not made within three years from the annexation of the warrant for such tax, now, therefore, be it

RESOLVED, that the application received February 28, 2011 relating to Account No. 133400-6361-03-250436-0000 for a refund of real property taxes be and it hereby is rejected, and be it further

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

CA-46-11 MB/EA/ca/G-0194
3/11/11 Fiscal Impact: None


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

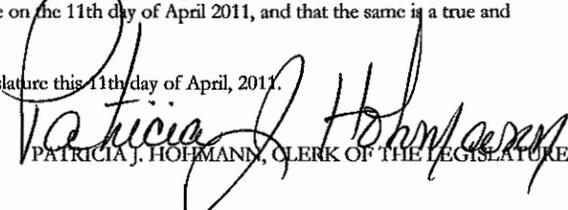
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency

COE Investigating Report

Legal Description (grid #) 133400-6361-03-250436-0000

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

Mailing Address 360 Manchester Rd. Poughkeepsie NY 12603

Property Location Vail Rd.

School District Arlington Central School Dist. Special District Frank Farm Storm W

Total Assessed Value now on roll 533,000 Corrected to Same

Taxable Assessed Value now on roll 533,000 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$87,102.36 Should be Same

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

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

- Subdivision 2, Paragraph (clerical error)
- Subdivision 3, Paragraph (error in essential fact)
- Subdivision 7, Paragraph (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 partial refund of the 2008/09 Cnty/Town tax bill be denied.**

Application was not made within three years of the annexation of the warrant for such tax as prescribed in Section 556 of Real Property Tax Law.

Investigator MB by KM

Director Eric Weber



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

APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES
FOR THE YEAR(S) 20 08

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services...

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

Day (845) 452-2111 Evening (
2. Telephone Number
Vail Road
T/O LaGrange
3. Parcel Location (if different than 1b.)

2011 FEB 28 PM 2:41

1c. E-mail Address (optional)

322 Vacant Land 153.44 Ac. 6361-03-250436

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)
5. Account No. 6a. Amount of taxes paid or payable 7,612.97 6b. Date of payment (if paid) 2/29/08
7. I hereby request a refund or credit of real property taxes levied for the year(s) 2008 by T/O LaGrange 133400
for the following reasons (use additional sheets if necessary): (Tax levying body)

* Insert name of village, county, city, school district; town in Westchester County
2/28/2011 Date
Signature of Applicant

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

Date application received: 2/28/11 Date warrant annexed: 12/18/07
Last day for collection of taxes without interest: Paid 2/29/08
Recommendation: [] Approve application* [X] Deny Application
3/10/2011 Date
Signature of Official

* [] If box is checked, this copy is for assessor and board of assessment review of city/town/village of
which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

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

APPLICATION APPROVED (Check reason) [] Clerical error [] Unlawful entry [] Error in essential fact
Amount of taxes paid: \$ Amount of taxes due: \$
Amount of refund or outstanding tax to be credited: \$

APPLICATION DENIED Reason:
Date
Signature of Chief Executive Officer or Official Designated by Resolution

Real Property Tax Law, Section 550(2):

A "clerical error" means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

Real Property Tax Law, Section 550(3):

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

Real Property Tax Law, Section 550(7):

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the credited portion of the tax are cancelled.

TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

I, Bernard J. Fountain, Assessor of the Town of LaGrange,

Dutchess County do hereby certify that the real property owned by

Henry G. Page Jr. Devepmnt LTD Grid # 6361-01-250436

Shown on the 2008 Tax Roll of the Town/School District of LaGrange 133400
(year)

and assessed in the amount of \$ _____ is correct /incorrect due to clerical error/
unlawful entry in essential fact resulting from: The Assessment is correct. Parcel
was charged for a storm water district which did not exist. An application for a refund of
the special district payment is requested.

**THEREFORE, I hereby do /do not support a recommendation of the Director of Real
Property Tax Service that a new bill or refund be issued for the above said parcel.**

Attached is documentation for the investigation of this report.

February 15, 2011
DATE

Bernard J. Fountain
ASSESSOR



Town of LaGrange
TOWN/CITY

DOCUMENTATION REQUESTED

- | | |
|--|--|
| <input type="checkbox"/> exemption application | <input type="checkbox"/> assessors work book |
| <input type="checkbox"/> property record card | <input type="checkbox"/> verified statement from BAR |
| <input checked="" type="checkbox"/> tax bill | <input type="checkbox"/> paid tax bill |
| <input checked="" type="checkbox"/> other <u>List of overpayment, copy of the tax roll</u> | |

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (VC)	✓	
District 3 - Town of LaGrange	Borchert (C)	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 18 - City of Beacon	Forman	✓	
District 22 - Town of Beekman	Hutchings	✓	
District 24 - Towns of Dover and Union Vale	Surman	✓	

Present: <u>12</u>	Resolution: <u>Y</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>	

2011088 Rejection of Application for refund of real property taxes:
Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/7/11

Roll Call Sheets

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

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

2011088 Rejection of Application for refund of real property taxes:
 Henry G. Page, Jr. Development Ltd., Town of Lagrange

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011088 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011089

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

APPLICANT: Lennar New York LLC
2465 Kusar Rd.
Third Floor
Hamilton NJ 08690

ACCOUNT NO: Multiple - See Attached

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

WHEREAS, there is a special district assessment on the assessment roll for the Town of Lagrange for 2010 under the name of Lennar New York LLC account no: See Attached

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

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of Lagrange has made an unlawful entry 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 unlawful entry does exist, now, therefore, be it

RESOLVED, that the application received February 23, 2011 relating to account no. see attached for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$5,158.87 and to charge-back the erroneous taxes on next years levy as follows:

A430 Sleight Farm Storm W (SFSW2) \$5,158.87
and be it further

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

CA-44-11 MB/EA/ca/G-0194
3/11/11 Fiscal Impact: None

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK
COUNTY OF DUTCHESS

[Handwritten signature]

Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

[Handwritten signature: Patricia J. Hoffmann]
PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Legal Description (grid #) See Attached

Owner's Name Lennar New York LLC

Mailing Address 2465 Kuser Rd. Hamilton NJ 08690

Property Location Phase 3 on White Deer Lane

School District Arlington Central School Dist. Special District Sleight Farm Storm W

Total Assessed Value now on roll See Attached Corrected to Same

Taxable Assessed Value now on roll See Attached Corrected to Same

Exempt codes and amounts if applicable

Amount Levied See attached Should be See Attached

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

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

- Subdivision 2, Paragraph ___ (clerical error)
- Subdivision 3, Paragraph ___ (error in essential fact)
- Subdivision 7, Paragraph B (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: Parcels were incorrectly placed into the Sleight Farm Storm W Special District.

Recommendation **APPROVE APPLICATION** **DENY APPLICATION**

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

A430 (Sleight Farm Storm W SFSW2) \$5,158.87

Investigator Margaret Burns

Director Eric [Signature]



Dutchess County
Real Property
Tax Service Agency

Dutchess

William R. Steinhaus
County Executive

Kathleen Myers
Director

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2140
Fax (845) 486-2093

Refund for Lennar New York LLC

	Grid Number	Original 10/11 Tax Bill	Special Dist Amount	Corrected 10/11 Tax Bill
1	133400-6361-01-203744-0000	1,666.31	210.48	1,455.83
2	133400-6361-01-214738-0000	1,650.81	210.48	1,440.33
3	133400-6361-01-226732-0000	1,658.57	210.48	1,448.09
4	133400-6361-01-226767-0000	2,361.52	294.67	2,066.85
5	133400-6361-01-238724-0000	1,775.74	210.48	1,565.26
6	133400-6361-01-247753-0000	1,848.50	210.48	1,638.02
7	133400-6361-01-248714-0000	1,724.45	210.48	1,513.97
8	133400-6361-01-254704-0000	1,670.18	210.48	1,459.70
9	133400-6361-01-260695-0000	1,697.33	210.48	1,486.85
10	133400-6361-01-260739-0000	1,891.13	210.48	1,680.65
11	133400-6361-01-265684-0000	1,728.32	210.48	1,517.84
12	133400-6361-01-267672-0000	1,670.18	210.48	1,459.70
13	133400-6361-01-269662-0000	1,658.57	210.48	1,448.09
14	133400-6361-01-271728-0000	1,770.96	210.48	1,560.48
15	133400-6361-01-272648-0000	1,747.71	210.48	1,537.23
16	133400-6361-01-274631-0000	1,809.74	210.48	1,599.26
17	133400-6361-01-277615-0000	1,701.20	210.48	1,490.72
18	133400-6361-01-279604-0000	1,712.83	210.48	1,502.35
19	133400-6361-01-280590-0000	1,666.31	210.48	1,455.83
20	133400-6361-01-280714-0000	1,736.08	210.48	1,525.60
21	133400-6361-01-295698-0000	1,832.99	210.48	1,622.51
22	133400-6361-01-299611-0000	1,677.94	210.48	1,467.46
23	133400-6361-01-302598-0000	1,654.68	210.48	1,444.20
24	133400-6361-01-302651-0000	2,089.80	233.64	1,856.16
		42,401.85	5,158.87	37,242.98

Total Refund 5,158.87



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

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

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services...

Form fields for: 1a. Name of Owner (Lennar New York LLC), 1b. Mailing Address (Hamilton, NJ 08690), 1c. E-mail Address (optional), 2. Telephone Number, 3. Parcel Location (Town of LaGrange)

311 Residential Vacant Land. List of twenty four separate lots attached (erroneous stormwater district charge)

Form fields for: 4. Description of real property, 5. Account No., 6a. Amount of taxes paid or payable (5,158.87), 6b. Date of payment (01/31/11), 7. I hereby request a refund or credit of real property taxes...

Signature line for Applicant with date 2/18/11 and signature of applicant.

PART II: For use by COUNTY DIRECTOR, VILLAGE ASSESSOR: Attach written report including documentation and recommendation

Form fields for: Date application received (2/23/11), Date warrant annexed, Last day for collection of taxes without interest (Paid 2/1/31/11), Recommendation (Approve application checked), Signature of Official

* If box is checked, this copy is for assessor and board of assessment review of city/town/village of which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

PART III: For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION

Form fields for: APPLICATION APPROVED (Check reason), Amount of taxes paid, Amount of taxes due, Amount of refund or outstanding tax to be credited

Form fields for: APPLICATION DENIED Reason, Date, Signature of Chief Executive Officer or Official Designated by Resolution

Real Property Tax Law, Section 550(2):

A "clerical error" means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

Real Property Tax Law, Section 550(3):

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

Real Property Tax Law, Section 550(7):

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the credited portion of the tax are cancelled.

2011 FEB 23 PM 12:24
REAL PROPERTY
TAX SERVICES

TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

I, Bernard J. Fountain, Assessor of the Town of LaGrange,

Dutchess County do hereby certify that the real property owned by

Lennar New York LLC Grid # 24 Parcels

Shown on the 2011 Tax Roll of the Town/School District of LaGrange 133400
(year)

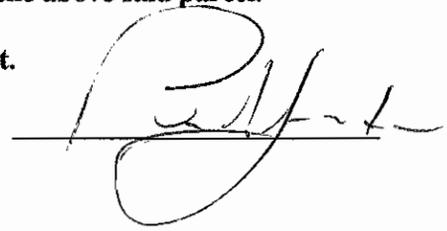
and assessed in the amount of \$_____ is correct /~~incorrect~~ due to clerical error/
unlawful entry in essential fact resulting from: The Assessment is correct, Phase 3 of
the subdivision project was charged for a storm water district which did not exist. An
application for a refund of the special district payment is requested.

**THEREFORE, I hereby do /do not support a recommendation of the Director of Real
Property Tax Service that a new bill or refund be issued for the above said parcel.**

Attached is documentation for the investigation of this report.

February 9, 2011
DATE

Bernard J. Fountain
ASSESSOR



Town of LaGrange
TOWN/CITY

DOCUMENTATION REQUESTED

- | | |
|---|--|
| <input type="checkbox"/> exemption application | <input type="checkbox"/> assessors work book |
| <input type="checkbox"/> property record card | <input type="checkbox"/> verified statement from BAR |
| <input type="checkbox"/> tax bill | <input type="checkbox"/> paid tax bill |
| <input checked="" type="checkbox"/> other <u>List of overpayment and receipts, copy of the tax roll</u> | |

PHASE 3 - 2011

Number	Grid Number	Name	Tax Bill #	Fee Paid
1	6361-01-203744	Lennar	3089	210.48
2	6361-01-214738	Lennar	3090	210.48
3	6361-01-226732	Lennar	3091	210.48
4	6361-01-226767	Lennar	3092	294.67
5	6361-01-238724	Lennar	3093	210.48
6	6361-01-247753	Lennar	3094	210.48
7	6361-01-248714	Lennar	3095	210.48
8	6361-01-254704	Lennar	3096	210.48
9	6361-01-260695	Lennar	3097	210.48
10	6361-01-260739	Lennar	3098	210.48
11	6361-01-265684	Lennar	3099	210.48
12	6361-01-267672	Lennar	3100	210.48
13	6361-01-269662	Lennar	3101	210.48
14	6361-01-271728	Lennar	3102	210.48
15	6361-01-272648	Lennar	3103	210.48
16	6361-01-274631	Lennar	3104	210.48
17	6361-01-277615	Lennar	3105	210.48
18	6361-01-279604	Lennar	3106	210.48
19	6361-01-280590	Lennar	3107	210.48
20	6361-01-280714	Lennar	3108	210.48
21	6361-01-295698	Lennar	3109	210.48
22	6361-01-299611	Lennar	3110	210.48
23	6361-01-302598	Lennar	3111	210.48
24	6361-01-302651	Lennar	3112	233.64
			Total	\$5,158.87

TOWN OF LaGRANGE
 120 STRINGHAM ROAD
 LAGRANGEVILLE, NY 12540
 (845) 452-2644

RECEIPT # 039385

Lennar New York LLC
 800 W Main St
 Freehold, NJ 07728

Received by: Tax Collector
 Tax Year: 2011 Property Tax

REAL PROPERTY TAX RECEIPT

Received of: Lennar New York

Amount: \$ 47,928.55

Payment Date: 01/31/11

Check # 00071370

*****Forty Seven Thousand Nine Hundred Twenty Eight and 55/100**

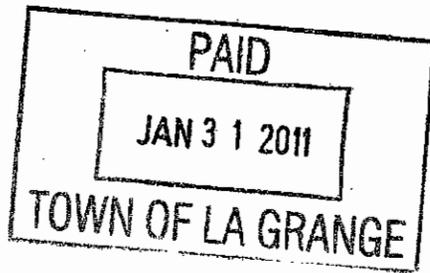
Property Number	Tax Bill #	Tax Paid	Fee Paid	Over/ Short
133400	6361-01-148716-0000	003086	2,151.44	
133400	6361-01-159741-0000	003087	1,681.82	
133400	6361-01-165766-0000	003088	1,693.44	
133400	6361-01-203744-0000	003089	1,666.31	
133400	6361-01-214738-0000	003090	1,650.81	
133400	6361-01-226732-0000	003091	1,658.57	
133400	6361-01-226767-0000	003092	2,361.52	
133400	6361-01-238724-0000	003093	1,775.74	
133400	6361-01-247753-0000	003094	1,848.50	
133400	6361-01-248714-0000	003095	1,724.45	
133400	6361-01-254704-0000	003096	1,670.18	
133400	6361-01-260695-0000	003097	1,697.33	
133400	6361-01-260739-0000	003098	1,891.13	
133400	6361-01-265684-0000	003099	1,728.32	
133400	6361-01-267672-0000	003100	1,670.18	
133400	6361-01-269662-0000	003101	1,658.57	
133400	6361-01-271728-0000	003102	1,770.96	
133400	6361-01-272648-0000	003103	1,747.71	
133400	6361-01-274631-0000	003104	1,809.74	
133400	6361-01-277615-0000	003105	1,701.20	
133400	6361-01-279604-0000	003106	1,712.83	
133400	6361-01-280590-0000	003107	1,666.31	
133400	6361-01-280714-0000	003108	1,736.08	
133400	6361-01-295698-0000	003109	1,832.99	
133400	6361-01-299611-0000	003110	1,677.94	
133400	6361-01-302598-0000	003111	1,654.68	

Receipt # 039385

Property Number	Tax Bill #	Tax Paid	Fee Paid	Over/ Short
133400 6361-01-302651-0000	003112	2,089.80		



Tax Collector



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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (VC)	✓	
District 3 - Town of LaGrange	Borchert (C)	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 18 - City of Beacon	Forman	✓	
District 22 - Town of Beekman	Hutchings	✓	
District 24 - Towns of Dover and Union Vale	Surman	✓	

Present: 12
 Absent: 0
 Vacant: 0

Resolution: X
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2011089 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Lennar New York, LLC, Town of LaGrange

Date: 4/7/11

Roll Call Sheets

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

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

2011089 Approval of Application for refund of real property taxes and
 to authorize a charge-back by the Commissioner of Finance:
 Lennar New York, LLC, Town of LaGrange

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011089 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011090

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

APPLICANT: Lennar New York LLC
2465 Kusar Rd.
Third Floor
Hamilton NJ 08690

ACCOUNT NO: Multiple - See Attached

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

WHEREAS, there is a special district assessment on the assessment roll for the Town of Lagrange for 2009 under the name of Lennar New York LLC account no: See Attached

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

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of Lagrange has made an unlawful entry 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 unlawful entry does exist, now, therefore, be it

RESOLVED, that the application received February 23, 2011 relating to account no. see attached for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$2,652.71 and to charge-back the erroneous taxes on next years levy as follows:

A430 Sleight Farm Storm W (SFSW2) \$2,652.71

and be it further

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

CA-43-11 MB/EA/ca/G-0194
3/11/11 Fiscal Impact: None

STATE OF NEW YORK
COUNTY OF DUTCHESS

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

APPROVED
[Signature]

Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

[Signature]
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Legal Description (grid #) See Attached

Owner's Name Lennar New York LLC

Mailing Address 2465 Kuser Rd. Hamilton NJ 08690

Property Location Phase 3 on White Deer Lane

School District Arlington Central School Dist. Special District Sleight Farm Storm W

Total Assessed Value now on roll See Attached Corrected to Same

Taxable Assessed Value now on roll See Attached Corrected to Same

Exempt codes and amounts if applicable

Amount Levied See attached Should be See Attached

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

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

- Subdivision 2, Paragraph (clerical error)
- Subdivision 3, Paragraph (error in essential fact)
- Subdivision 7, Paragraph B (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: Parcels were incorrectly placed into the Sleight Farm Storm W Special District.

Recommendation APPROVE APPLICATION DENY APPLICATION

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

A430 (Sleight Farm Storm W SFSW2) \$2,652.71

Investigator Margaret Burns

Director Eric C. Baker



**Dutchess County
Real Property
Tax Service Agency**

Dutchess

William R. Steinhaus
County Executive

Kathleen Myers
Director

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2140
Fax (845) 486-2093

Refund for Lennar New York LLC

	Grid Number	Original 09/10 Tax Bill	Special Dist Amount	Corrected 09/10 Tax Bill
1	133400-6361-01-203744-0000	1,503.56	108.23	1,395.33
2	133400-6361-01-214738-0000	1,490.18	108.23	1,381.95
3	133400-6361-01-226732-0000	1,498.63	108.23	1,390.40
4	133400-6361-01-226767-0000	2,135.86	151.52	1,984.34
5	133400-6361-01-238724-0000	1,605.88	108.23	1,497.65
6	133400-6361-01-247753-0000	1,678.37	108.23	1,570.14
7	133400-6361-01-248714-0000	1,560.66	108.23	1,452.43
8	133400-6361-01-254704-0000	1,507.79	108.23	1,399.56
9	133400-6361-01-260695-0000	1,535.99	108.23	1,427.76
10	133400-6361-01-260739-0000	1,720.66	108.23	1,612.43
11	133400-6361-01-265684-0000	1,564.89	108.23	1,456.66
12	133400-6361-01-267672-0000	1,507.79	108.23	1,399.56
13	133400-6361-01-269662-0000	1,498.63	108.23	1,390.40
14	133400-6361-01-271728-0000	1,605.77	108.23	1,497.54
15	133400-6361-01-272648-0000	1,584.62	108.23	1,476.39
16	133400-6361-01-274631-0000	1,641.71	108.23	1,533.48
17	133400-6361-01-277615-0000	1,540.22	108.23	1,431.99
18	133400-6361-01-279604-0000	1,548.68	108.23	1,440.45
19	133400-6361-01-280590-0000	1,503.56	108.23	1,395.33
20	133400-6361-01-280714-0000	1,607.88	108.23	1,499.65
21	133400-6361-01-295698-0000	1,665.69	108.23	1,557.46
22	133400-6361-01-299611-0000	1,516.25	108.23	1,408.02
23	133400-6361-01-302598-0000	1,494.40	108.23	1,386.17
24	133400-6361-01-302651-0000	1,899.17	120.13	1,779.04
		38,416.84	2,652.71	35,764.13

Total Refund 2,652.71



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

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

Part 1: To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services...

Lennar New York LLC
2465 Kuser Road
Hamilton, NJ 08690
1b. Mailing Address
Town of LaGrange
3. Parcel Location (if different than 1b.)

311 Residential Vacant Land. List of twenty four separate lots attached (erroneous stormwater district charge)

4. Description of real property as shown on tax roll or tax bill
5. Account No. 6a. Amount of taxes paid or payable 2,652.71 6b. Date of payment (if paid) 02/01/10
7. I hereby request a refund or credit of real property taxes levied for the year(s) 2010 by 133400 T/O LaGrange

Date 2/18/11
Signature of Applicant

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

Date application received: 2/23/11 Date warrant annexed:
Last day for collection of taxes without interest: Paul 2/1/10
Recommendation: [X] Approve application* [] Deny Application
Date 3/10/2011 Signature of Official Eric [Signature]

* [] If box is checked, this copy is for assessor and board of assessment review of city/town/village of which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

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

APPLICATION APPROVED (Check reason) [] Clerical error [] Unlawful entry [] Error in essential fact
Amount of taxes paid: \$ Amount of taxes due: \$
Amount of refund or outstanding tax to be credited: \$
APPLICATION DENIED Reason:

Date Signature of Chief Executive Officer or Official Designated by Resolution

Real Property Tax Law, Section 550(2):

A "clerical error" means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

Real Property Tax Law, Section 550(3):

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

Real Property Tax Law, Section 550(7):

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the credited portion of the tax are cancelled.

2011 FEB 23 PM 12:24
REAL PROPERTY
TAX SERVICES

TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

I, Bernard J. Fountain, Assessor of the Town of LaGrange,

Dutchess County do hereby certify that the real property owned by

Lennar New York LLC Grid # 24 Parcels

Shown on the 2010 Tax Roll of the Town/School District of LaGrange 133400
(year)

and assessed in the amount of \$ _____ is correct /incorrect due to clerical error/
unlawful entry in essential fact resulting from: The Assessment is correct, Phase 3 of
the subdivision project was charged for a storm water district which did not exist. An
application for a refund of the special district payment is requested.

**THEREFORE, I hereby do /do not support a recommendation of the Director of Real
Property Tax Service that a new bill or refund be issued for the above said parcel.**

Attached is documentation for the investigation of this report.

February 9, 2011
DATE

Bernard J. Fountain
ASSESSOR



Town of LaGrange
TOWN/CITY

DOCUMENTATION REQUESTED

- | | |
|---|--|
| <input type="checkbox"/> exemption application | <input type="checkbox"/> assessors work book |
| <input type="checkbox"/> property record card | <input type="checkbox"/> verified statement from BAR |
| <input type="checkbox"/> tax bill | <input type="checkbox"/> paid tax bill |
| <input checked="" type="checkbox"/> other <u>List of overpayment and receipts, copy of the tax roll</u> | |

PHASE 3 - 2010

Number	Grid Number	Name	Tax Bill #	Fee Paid
1	6361-01-203744	Lennar	30733	\$108.23
2	6361-01-214738	Lennar	3074	108.23
3	6361-01-226732	Lennar	3075	108.23
4	6361-01-226767	Lennar	3076	151.52
5	6361-01-238724	Lennar	3077	108.23
6	6361-01-247753	Lennar	3078	108.23
7	6361-01-248714	Lennar	3079	108.23
8	6361-01-254704	Lennar	3080	108.23
9	6361-01-260695	Lennar	3081	108.23
10	6361-01-260739	Lennar	3082	108.23
11	6361-01-265684	Lennar	3083	108.23
12	6361-01-267672	Lennar	3084	108.23
13	6361-01-269662	Lennar	3085	108.23
14	6361-01-271728	Lennar	3086	108.23
15	6361-01-272648	Lennar	3087	108.23
16	6361-01-274631	Lennar	3088	108.23
17	6361-01-277615	Lennar	3089	108.23
18	6361-01-279604	Lennar	3090	108.23
19	6361-01-280590	Lennar	3091	108.23
20	6361-01-280714	Lennar	3092	108.23
21	6361-01-295698	Lennar	3093	108.23
22	6361-01-299611	Lennar	3094	108.23
23	6361-01-302598	Lennar	3095	108.23
24	6361-01-302651	Lennar	3096	120.13
			Total	\$2,652.71

TOWN OF LaGRANGE
 120 STRINGHAM ROAD
 LAGRANGEVILLE, NY 12540
 (845) 452-2644

RECEIPT # 030192

Lennar New York LLC
 800 W Main St
 Freehold, NJ 07728

Received by: Tax Collector
 Tax Year: 2010 Property Tax

REAL PROPERTY TAX RECEIPT

Received of: Lennar New York

Amount: \$ 43,439.84
 Payment Date: 02/01/10
 Check # 00826401

*****Forty Three Thousand Four Hundred Thirty Nine and 84/100**

Property Number	Tax Bill #	Tax Paid	Stormwater Fee Paid	Over/Short
133400	6361-01-148716-0000 PHASE I	003070	1,970.76	\$ 108.23
133400	6361-01-159741-0000 PHASE I	003071	1,519.07	108.23
133400	6361-01-165766-0000 PHASE I	003072	1,533.17	108.23
1	133400 6361-01-203744-0000	003073	1,503.56	108.23
2	133400 6361-01-214738-0000	003074	1,490.18	108.23
3	133400 6361-01-226732-0000	003075	1,498.63	108.23
4	133400 6361-01-226767-0000	003076	2,135.86	151.52
5	133400 6361-01-238724-0000	003077	1,605.88	108.23
6	133400 6361-01-247753-0000	003078	1,678.37	108.23
7	133400 6361-01-248714-0000	003079	1,560.66	108.23
8	133400 6361-01-254704-0000	003080	1,507.79	108.23
9	133400 6361-01-260695-0000	003081	1,535.99	108.23
10	133400 6361-01-260739-0000	003082	1,720.66	108.23
11	133400 6361-01-265684-0000	003083	1,564.89	108.23
12	133400 6361-01-267672-0000	003084	1,507.79	108.23
13	133400 6361-01-269662-0000	003085	1,498.63	108.23
14	133400 6361-01-271728-0000	003086	1,605.77	108.23
15	133400 6361-01-272648-0000	003087	1,584.62	108.23
16	133400 6361-01-274631-0000	003088	1,641.71	108.23
17	133400 6361-01-277615-0000	003089	1,540.22	108.23
18	133400 6361-01-279604-0000	003090	1,548.68	108.23
19	133400 6361-01-280590-0000	003091	1,503.56	108.23
20	133400 6361-01-280714-0000	003092	1,607.88	108.23
21	133400 6361-01-295698-0000	003093	1,665.69	108.23
22	133400 6361-01-299611-0000	003094	1,516.25	108.23
23	133400 6361-01-302598-0000	003095	1,494.40	108.23

Receipt # 030192

Property Number	Tax Bill #	Tax Paid	Stormwater Fee Paid	Over/ Short
24 133400 6361-01-302651-0000	003096	1,899.17	\$ 120.13	

Tax Collector

Budget, Finance, and Personnel Committee Roll Call

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

Present: 12 Resolution: Y Total : 12 0
 Absent: 0 Motion: Yes No
 Vacant: 0 Abstentions: 0

2011090 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Lennar New York, LLC, Town of LaGrange

Date: 4/7/11

Roll Call Sheets

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

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

2011090 Approval of Application for refund of real property taxes and to authorize a charge-back by the Commissioner of Finance: Lennar New York, LLC, Town of LaGrange

Date: 4/11/11

Roll call vote on the foregoing Resolution No. 2011090 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011091

RE: URGING DUTCHESS COUNTY COMMISSIONER OF FINANCE TO
REFRAIN FROM DEPOSITING ANY MONIES AT OR DOING ANY
BUSINESS WITH BANK OF AMERICA

Legislators TYNER and MAC AVERY offer the following and move its adoption:

WHEREAS, Bank of America received \$45 billion from the federal bailout while funneling its funds into 115 offshore tax havens, paying absolutely no federal income tax whatsoever, and

WHEREAS, over sixty percent of corporations pay no federal income taxes at all, including Bank of America, ExxonMobil, Verizon, Chevron, and many others

WHEREAS, in 2009 Congress passed the Foreign Accounts Tax Compliance Act, but it still doesn't even require the automatic exchange of information from tax havens that European Union law requires as a matter of right, so if a wealthy entity opens a tax account in the Cayman Islands and hides their money there, the Internal Revenue Service isn't told and doesn't know, and

WHEREAS, incredibly, such egregiously unfair corporate welfare continues to exist at the same time there are over 750,000 veterans on the Veterans Administration backlog waiting for their compensation and pension claims to be processed, and

WHEREAS, such corporate welfare exists while massive cuts have been proposed to federal funding for the Low-Income Home Energy Assistance Program, Head Start, and a number of other crucial programs; Dutchess County's seniors are still waiting for their cost-of-living adjustment in their Social Security payments, and

WHEREAS, such corporate welfare exists while too many Dutchess County homeowners and small business owners struggle to make ends meet and pay their taxes, and

WHEREAS, such corporate welfare exists while schools here in Dutchess County have closed their doors and huge budget cuts have been proposed to our schools, libraries, and other valuable institutions, and

WHEREAS, it is a privilege to do business with Dutchess County; the financial institutions entrusted with this privilege must live up to a standard of responsibility of being a good citizen in our community, and

WHEREAS, the Northern Dutchess Alliance's recent "Blueprint for Economic Development" report recently recommended that our government hold local financial institutions publicly to higher standards; Los Angeles, Philadelphia, Portland, and many other communities across the country have done this, and therefore be it

RESOLVED, that the Dutchess County Legislature strongly urges the Finance Commissioner of Dutchess County to refrain from depositing any monies at or doing any business with Bank of America, and be it further

RESOLVED, that a copy of this resolution be sent to Dutchess County Executive William Steinhaus and Dutchess County Finance Commissioner Pamela Barrack.

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

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

Pulled by Sponsor 4-4-11

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

2011091 Urging Dutchess County Commissioner of Finance to refrain from depositing any monies at or doing any business with Bank of America

Date: 4/7/11

The foregoing Resolution No. 2011091 was pulled by the sponsor on April 4, 2011.

RESOLUTION NO. 2011092

RE: REQUESTING DUTCHESS COUNTY OFFICE OF COMPUTER
INFORMATION SYSTEMS TO EVALUATE THE COST AND
FEASIBILITY OF SETTING UP A TIME BANK

Legislators TYNER and MAC AVERY offer the following and move its adoption:

WHEREAS, there are still thousands of Dutchess County residents who are unemployed or under-employed but with valuable skills to help make our communities a better place, if only they could be matched with those able to pay a decent wage for those skills, and

WHEREAS, the roots of Time Banking extend back to the creation of Time Dollars in 1980 when Dr. Edgar S. Cahn, co-founder of the national Legal Services Program, author of "Our Brother's Keeper," and founder of the Antioch School of law, suffered a massive heart attack at 46, and

WHEREAS, recuperating in the hospital and "feeling useless," he dreamed up Time Dollars as a new currency to provide a solution to massive cuts in government spending on social welfare; if there was not going to be enough of the old money to fix all the problems facing our country and our society, Edgar reasoned, why not make a new kind of money to pay people for what needs to be done, and

WHEREAS, Time Dollars value everyone's contributions equally; one equals one service credit; seven years later in 1987 at the London School of Economics, Edgar developed his theoretical explanation for why the currency should work. He came back to the US and started putting service credits (not yet called Time Dollars) into operation, and

WHEREAS, there are now four dozen different Time Dollar Exchanges across the country including the Woodstock Time Bank, with over 300 members including the Woodstock Chamber of Commerce and various local people expert in painting, plumbing, clerical, legal, computer, medical, garden, electrical, education, auto mechanics, carpentry, construction, transportation, child care, cooking, sewing, cleaning, pet-keeping, counseling, nutrition, music lessons, and many more fields, and

WHEREAS, Time Banking is about local individuals helping each other out, one-on-one or with group projects; they help rebuild neighborhood networks and strengthen communities, and

WHEREAS, Time Banking can be as simple as a group of moms getting together to share carpooling kids to activities; it can also include services like child care, grocery shopping, taking care of elderly parents, walking dogs, and helping out with homework; the kinds of services people share in a Time Bank depend entirely on what their group or community needs, and

WHEREAS, many Time Banks start small and add services as they go along, but that's not always the case; in some communities, people have started Time Banks with a particular aim in mind: to create networks of companionship and support for isolated and lonely members of the community-elderly or immigrant groups, for example, and

WHEREAS, the Woodstock Time Bank uses an online system called the Community Weaver software to make it easy for members to go online and record their house, offers and requests on that software; members without computers can use computers at the Library or they can go through a Coordinator to find exchanges and record hours; the Woodstock Time Bank is supported by member donations; individuals are asked to donate \$30 per year, families \$50 per year, and therefore be it

RESOLVED, that the Dutchess County Legislature requests that our county's Office of Computer and Information Systems evaluate the cost and feasibility of setting up a Dutchess County Time Bank to make it easier for our county's unemployed and under-employed to find income to make ends meet, and be it further

RESOLVED, that a copy of this resolution be sent to Dutchess County Executive William Steinhaus and Office of Computer and Information Systems Director Timothy Mahler.

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

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

Present: _____
 Absent: _____
 Vacant: _____

Resolution: _____
 Motion: _____

Total : _____
 Yes No
 Abstentions: _____

*Pulled by
 Sponsor
 4-4-11*

2011092 Requesting Dutchess County Office of Computer Information Systems to evaluate the cost and feasibility of setting up a Time Bank

Date: 4/7/11

The foregoing Resolution No 2011092 was pulled by the sponsor on April 4, 2011.

RESOLUTION NO. 2011093

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

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

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

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County for the operation of FY 2010 TAA funding for the period 10/1/08 through 9/30/11, FY 2010 TAA funding for the period 10/1/09 through 9/30/12, and for the operation of National Emergency Grant , now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized, empowered and directed to accept funding under the above WIA Programs and amend the following accounts:

APPROPRIATIONS

Increase (Decrease)

FY 2009

CD6292.2009.4813 TAA Participant Funding \$ 10,769

FY 2010

CD6292.2010.4813 TAA Participant Funding 22,726

PY2008

CD6292.2008.4819 National Emergency Grant 11,655

\$ 45,150

REVENUES

Increase (Decrease)

FY 2009

CD6292.2009.47910.22 TAA Participant Funding \$ 10,769

FY 2010

CD6292.2010.47910.22 TAA Participant Funding 22,726

PY2008

CD6292.2008.47910.27 National Emergency Grant 11,655

\$ 45,150

APPROVED

CA-56-11

RA/ca/G-1263

3/15/11

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

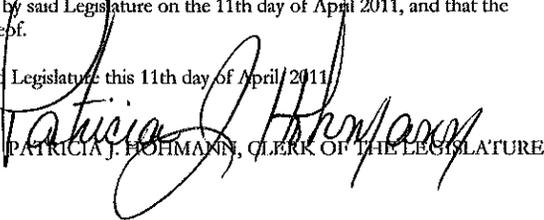


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April 2011



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 45,150

Total Current Year Revenue \$ 45,150
and Source

FEDERAL WIA FUNDS

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

Identify Line Items(s):

SEE ATTACHED

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Richard Altman - Executive Director Dutchess County Workforce Investment Board



New York State Department of Labor
Andrew M. Cuomo, Governor
Colleen C. Gardner, Commissioner

January 28, 2011

Mr. William R. Steinhaus
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Steinhaus:

The Local Workforce Investment Board of Dutchess County has submitted requests for funds to support the individual training plans under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Department of Labor (NYSDOL) Technical Advisory (TA) #04-6 dated May 18, 2004.

The NYSDOL Division of Employment and Workforce Solutions has been reviewing the requests for funding submitted and as a result, is issuing a change to the LWIA's Notice of Obligational Authority (NOA) for the attached list of new individual training plan funds approved and any changes to previously approved awarded individual training plan funds.

The attached NOA(s) along with a complete list of approved individual funding requests by petition number supports these changes. As a reminder, the funds awarded to the LWIA under this training program may be expended only for the training costs identified in the approved training plans for the individuals listed and must be reported to NYSDOL by the LWIA on a monthly basis. In the event training does not occur or the final costs are less than requested, the funds remaining unexpended will be deobligated and are not available for the LWIA's use.

Questions concerning the TAA program can be e-mailed to the NYSDOL at WDTDTAA@labor.state.ny.us. Questions concerning the NOA or reporting of the expenditures should be directed to Sharie FitzGibbon via phone at (518) 457-9060 or via e-mail at Sharie.FitzGibbon@labor.state.ny.us.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment(s)

cc: Ms. Corinna C. Wu
Ms. Carrie Aubertine - State Rep
Mr. Richard Altman
Mr. Joe Lowenstein



NYS Department of Labor

Trade Adjustment Act Report

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

GRANTEE: LWIA: Dutchess

GRANTOR: The Governor of New York through the New York State Department of Labor

This NOA authorizes:

Program Year 2008 funding for the period (10/01/07 through 09/30/10).

Program Year 2009 funding for the period (10/01/08 through 09/30/11).

Program Year 2010 funding for the period (10/01/09 through 09/30/12).

CFDA# 17.245

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
FY08			
Training	\$ 6,704.88	\$ 0.00	\$ 6,704.88
Job Search	\$ 188.46	\$ 0.00	\$ 188.46
FY09			
Training	\$ 743,968.21	\$ 4,037.50	\$ 748,005.71
Job Search	\$ 438.06	\$ 0.00	\$ 438.06
FY10			
Training	\$ 457,647.42	\$ 8,092.19	\$ 465,739.61
Job Search	\$ 211.00	\$ 0.00	\$ 211.00
Relocation	\$ 7,833.85	\$ 0.00	\$ 7,833.85

Approved By:

Karen A. Coleman

Director

Division of Employment and Workforce Solutions

Dated: 1/28/2011



New York State Department of Labor
Andrew M. Cuomo, *Governor*
Colleen C. Gardner, *Commissioner*

February 11, 2011

Mr. William R. Steinhaus
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Steinhaus:

The Local Workforce Investment Board of Dutchess County has submitted requests for funds to support the individual training plans under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Department of Labor (NYSDOL) Technical Advisory (TA) #04-6 dated May 18, 2004.

The NYSDOL Division of Employment and Workforce Solutions has been reviewing the requests for funding submitted and as a result, is issuing a change to the LWIA's Notice of Obligational Authority (NOA) for the attached list of new individual training plan funds approved and any changes to previously approved awarded individual training plan funds.

The attached NOA(s) along with a complete list of approved individual funding requests by petition number supports these changes. As a reminder, the funds awarded to the LWIA under this training program may be expended only for the training costs identified in the approved training plans for the individuals listed and must be reported to NYSDOL by the LWIA on a monthly basis. In the event training does not occur or the final costs are less than requested, the funds remaining unexpended will be deobligated and are not available for the LWIA's use.

Questions concerning the TAA program can be e-mailed to the NYSDOL at WDTDTAA@labor.state.ny.us. Questions concerning the NOA or reporting of the expenditures should be directed to Sharie FitzGibbon via phone at (518) 457-9060 or via e-mail at Sharie.FitzGibbon@labor.state.ny.us.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment(s)

cc: Ms. Corinna C. Wu
Ms. Carrie Aubertine - State Rep
Mr. Richard Altman
Mr. Joe Lowenstein

Phone: (518) 457-0380 Fax: (518) 457-9526
W. Averell Harriman State Office Campus
Building 12, Room 450, Albany, NY 12240
www.labor.ny.gov



NYS Department of Labor

Trade Adjustment Act Report

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

GRANTEE: LWIA: Dutchess

GRANTOR: The Governor of New York through the
New York State Department of Labor

This NOA authorizes:

Program Year 2009 funding for the period (10/01/08 through 09/30/11).

Program Year 2010 funding for the period (10/01/09 through 09/30/12).

CFDA# 17.245

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
FY09			
Training	\$ 748,005.71	\$ 0.00	\$ 748,005.71
Job Search	\$ 438.06	\$ 0.00	\$ 438.06
FY10			
Training	\$ 465,739.61	\$ 14,632.37	\$ 480,371.98
Job Search	\$ 211.00	\$ 0.00	\$ 211.00
Relocation	\$ 7,833.85	\$ 0.00	\$ 7,833.85

Approved By:

Karen A. Coleman

Director

Division of Employment and Workforce Solutions

Dated: 2/11/2011



New York State Department of Labor
Andrew M. Cuomo, Governor
Colleen C. Gardner, Commissioner

February 25, 2011

Mr. William R. Steinhaus
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Steinhaus:

The Local Workforce Investment Board of Dutchess County has submitted requests for funds to support the individual training plans under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Department of Labor (NYSDOL) Technical Advisory (TA) #04-6 dated May 18, 2004.

The NYSDOL Division of Employment and Workforce Solutions has been reviewing the requests for funding submitted and as a result, is issuing a change to the LWIA's Notice of Obligational Authority (NOA) for the attached list of new individual training plan funds approved and any changes to previously approved awarded individual training plan funds.

The attached NOA(s) along with a complete list of approved individual funding requests by petition number supports these changes. As a reminder, the funds awarded to the LWIA under this training program may be expended only for the training costs identified in the approved training plans for the individuals listed and must be reported to NYSDOL by the LWIA on a monthly basis. In the event training does not occur or the final costs are less than requested, the funds remaining unexpended will be deobligated and are not available for the LWIA's use.

Questions concerning the TAA program can be e-mailed to the NYSDOL at WDTDTAA@labor.state.ny.us. Questions concerning the NOA or reporting of the expenditures should be directed to Sharie FitzGibbon via phone at (518) 457-9060 or via e-mail at Sharie.FitzGibbon@labor.state.ny.us.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment(s)

cc: Ms. Corinna C. Wu
Ms. Carrie Aubertine - State Rep
Mr. Richard Altman
Mr. Joe Lowenstein

Phone: (518) 457-0380 Fax: (518) 457-9526
W. Averell Harriman State Office Campus
Building 12, Room 450, Albany, NY 12240
www.labor.ny.gov



NYS Department of Labor

Trade Adjustment Act Report

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 60

GRANTEE: LWIA: Dutchess

GRANTOR: The Governor of New York through the
New York State Department of Labor

This NOA authorizes:

Program Year 2009 funding for the period (10/01/08 through 09/30/11).

Program Year 2010 funding for the period (10/01/09 through 09/30/12).

CFDA# 17,245

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
FY09			
Training	\$ 748,005.71	\$ 6,730.75	\$ 754,736.46
Job Search	\$ 438.06	\$ 0.00	\$ 438.06
FY10			
Training	\$ 480,371.98	\$ 0.00	\$ 480,371.98
Job Search	\$ 211.00	\$ 0.00	\$ 211.00
Relocation	\$ 7,833.85	\$ 0.00	\$ 7,833.85

Approved By:

Karen A. Coleman

Director

Division of Employment and Workforce Solutions

Dated: 2/25/2011



New York State Department of Labor
Andrew M. Cuomo, *Governor*
Colleen C. Gardner, *Commissioner*

March 10, 2011

Mr. William R. Steinhaus
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Steinhaus:

The attached Notice of Obligational Authority, NOA #NEG-1, awards the National Emergency Grant funding to the Local Workforce Investment Area LWIA – Dutchess County, for the period December 12, 2008 through December 31, 2010.

This NOA reimburses the LWIA the incurred costs made using WIA resources to pay for training for workers who were laid off from any of the 31 eligible companies covered under the NEG grant. In order to be eligible for reimbursement, an individual who was placed in training by the LWIA must have been laid off from an eligible company on or after June 1, 2008. Further, the training must have begun on or after December 12, 2008, and be scheduled to be completed by December 31, 2010, (this coincides with the effective dates of the NEG). The LWIA's payment of the training must also have occurred on or after December 12, 2008.

Any questions concerning the reporting of these funds should be directed to your State Representative.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment(s)

cc: Ms. Corinna C. Wu
Ms. Carrie Aubertine - State Rep
Mr. Richard Altman
Mr. Joe Lowenstein

NOTICE OF OBLIGATIONAL AUTHORITY

LMIA# 60

NOA #NEG- 1

LMIA:
Grantee:

Dutchess

GRANTOR: The Governor of New York through
the New York State Department
of Labor

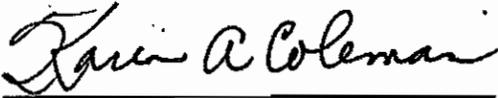
William R. Steinhaus
County Executive, Dutchess County

This NOA authorizes NEG funding for the period (12/12/08
through 12/31/10)

NYSOL Contact: Gene Martinez

	<u>WIA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
CFDA#	17.260	\$0.00	\$11,654.05	\$11,654.05
NEG Grant				

Approved by:



Karen A. Coleman
Director
Division of Employment and Workforce Solutions

03/10/11

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (C)	✓	
District 9 - City of Poughkeepsie	White	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	✓	
District 21 - Town of East Fishkill	Horton	✓	
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (VC)	✓	

Present: <u>12</u>	Resolution: <u>X</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>	

2011093 Authorizing acceptance of funding under the Workforce Investment Act of 1998 and the Trade Adjustment Assistance Act

Date: 4/7/11

Roll Call Sheets

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

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

2011093 Authorizing acceptance of funding under the Workforce Investment Act of 1998 and the Trade Adjustment Assistance Act

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011093 resulted as follows:

AYES: 24 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery,
Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Weiss, White.

NAYS: 1 Tyner.

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011094

RE: AMENDING THE 2011 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE (A.4320.42)

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

WHEREAS, the Commissioner of Mental Hygiene has advised that the New York State Office of Mental Health (OMH) has awarded Dutchess County funding for 15 new Supported Housing Beds to assist in the discharge of long-stay State Psychiatric Center patients, and

WHEREAS, this 100% pass through funding is effective October 1, 2010, and

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

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

APPROPRIATIONS

Increase

A.4320.42.4400.4429	Contract Agency/Gateway	\$ 91,183
A.4320.42.4400.4466	Contract Agency/RSS	<u>104,209</u>
		<u>\$195,392</u>

REVENUES

Increase

A.4320.42.34900.21	Contract Agency/Gateway	\$ 91,183
A.4320.42.34900.20	Contract Agency/RSS	<u>\$104,209</u>
		<u>\$195,392</u>

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

CA-52-11
ca/G-0167
3/11/11
Fiscal Impact: See attached statement

Date April 22, 2011

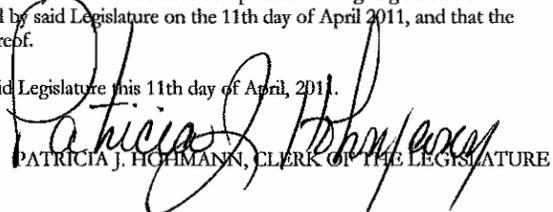
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.



PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 195,392

Total Current Year Revenue \$ 195,392
and Source

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

Identify Line Items(s):

See Attached

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \$ 0

Net County Cost (this year): \$ 0
Over Five Years: \$ 0

Additional Comments/Explanation:

Prepared by: Gerald A. Brisley, II, MBA, Director, Office of Budget and Finance, Department of Mental Hygiene



Hudson River Field Office

4 Jefferson Plaza, Suite 3, Poughkeepsie, New York 12601

(845) 454-8229 Fax (845) 454-8218



September 23, 2010

Marcia L. Fazio
Field Office Director

Kenneth M. Glatt, Ph.D., Commissioner
Dutchess County Department of Mental Hygiene
230 North Road
Poughkeepsie, NY 12601

Dear Dr. Glatt:

Hudson River Field Office has secured new adult supported housing beds to assist in the discharge of *long-stay State Psychiatric Center (SPC) patients*.

The October 2010 State Aid letter for your county will include funding for 15 Supported Housing Beds, for *long-stay State Psychiatric Center patients*. Funding is effective 10/1/10. It is expected that most of this year's funding will be needed for "start-up" cost and all beds should be opened and filled by 4/1/11

The following information is to assist you with the development and awarding of beds within your county:

- 15 - Number of new Supported Housing beds
- 3256 - CY 2010 funding per bed
- 48848 - CY 2010 increase in FC 78 for the new beds
- 13026 - Annualized funding per bed (6050 Rental Assistance and 6060 Community Services)
- 78 - Funding Code.

You will need to be able to track the discharge from the State PC with each of these beds, whether direct/indirect discharge. Complete funding rules can be found at <http://www.omh.state.ny.us/omhweb/spguidelines>.

Under a separate cover you will be asked to identify by agency, the distribution of beds and the track the opening of each bed until all are opened. Field Office County Liaison and Fiscal staff can be reached at (845) 454-8229, if you have any questions.

Sincerely,

Marcia Fazio
Field Office Director

MIF:smm

cc: Francis Barr
Roseann Avella
William Porter

→ FD
cc SC
GB
JW

2010 SEP 28 PM 1:17
COMMISSIONER'S OFFICE
DUTCHESS COUNTY DEPT
OF MENTAL HYGIENE

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
	District 6 - Town of Poughkeepsie	Flesland*	✓	
	District 14 - Town of Wappinger	Goldberg*	✓	
	District 7 - Town of Hyde Park	Kuffner*	✓	
	District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn (C)	✓	
	District 9 - City of Poughkeepsie	White	✓	
	District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
	District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	✓	
	District 21 - Town of East Fishkill	Horton	✓	
	District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	✓	
	District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (VC)	✓	
Present:	<u>12</u>	Resolution:	<u>X</u>	Total :
Absent:	<u>0</u>	Motion:	<u> </u>	<u>12</u>
Vacant:	<u>0</u>			<u>0</u>
				Yes
				No
				Abstentions: <u>0</u>

2011094 Amending the 2011 Adopted County Budget as it pertains to the Department of Mental Hygiene (A4320.42)

Date: 4/7/11

Roll Call Sheets

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

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

2011094 Amending the 2011 Adopted County Budget as it pertains to the Department of Mental Hygiene (A4320.42)

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011094 resulted as follows:

AYES: 24 Bolner, Borchert, Cooper, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery,
Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Tyner, Traudt, Weiss,
White.

NAYS: 1 Doxsey.

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011095

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

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

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

WHEREAS, pursuant to Article 13-A of the CPLR, said funds must be used to enhance
prosecutorial and law enforcement efforts and not to supplement ordinary budgetary expenses, and

WHEREAS, the District Attorney has requested that the sum of \$68,280 be placed in
various District Attorney Asset Forfeiture accounts to be used for law enforcement efforts, now therefore,
be it

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

APPROPRIATIONSIncrease

A.1165.05.2300.05	Motor Vehicles (5 years)	\$ 18,000
A.1165.05.4160	Office Stationery & Supplies	5,610
A.1165.05.4710	Office Equipment (Non Dep.)	34,200
A.1165.05.4119	Education Supplies, Books, Film	870
A.1165.05.4620.72	Employee Travel & Expense	1,500
A.1165.05.4631	Training, Seminars & Conf	8,100
		<u>\$ 68,280</u>

REVENUESIncrease

A.9998.95110.01	State - Reserve	\$ 21,841
A.9998.95110.00	Federal - Reserve	46,439
		<u>\$ 68,280</u>

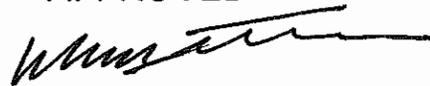
CA-59-11

LDF/ca/G-0135

3/28/11

Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK

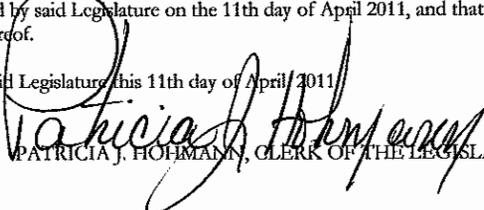
COUNTY OF DUTCHESS

ss:

Date April 22 2011

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 11th day of April 2011, and that the
same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April 2011


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 68,280

Total Current Year Revenue \$ 68,280
and Source

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

Identify Line Item(s):

See attached sheet

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

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

Prepared by: Gina Barry/Deb Patora

Asset Forfeiture Expenditures		
MOTOR VEHICLES (5 YEARS) - 2300.05		Program
Used SUV for Drug Task Force and Drug Dog	18,000.00	Drug Task Force
Total-2300.05:	18,000.00	
OFFICE EQUIPMENT (Non Dep.) - 4710		
2 Replacement DVR's for Recording Video Statements @\$2,300 each	4,600.00	City of Poughkeepsie Police
2 Replacement DVR's for Recording Video Statements @\$2,300 each	4,600.00	Town of Poughkeepsie Police
Extra Equipment to Supplement Grant for Recording of Video Statements	5,000.00	Town of Hyde Park Police
Equipment to Record Video Statements	10,000.00	New York State Police
Purchase of Equipment for Cellebrite for Mobile Phone Forensics and Training	10,000.00	District Attorney's Office
TOTAL -	34,200.00	
4160-Office Stat & Supplies		
Miscellaneous Furniture and Office Supplies	5,000.00	District Attorney's Office
File Pedestal for Desk	140.00	District Attorney's Office
Desk Shell	170.00	District Attorney's Office
Desk Chair	300.00	District Attorney's Office
TOTAL - 4160:	5,610.00	
EDUCATION SUPPLIES, BOOKS, FILM - 4119		
Binders for SAFE Nurse Training	50.00	Family Services
Books for SAFE Nurse Training	600.00	Family Services
DVD for SAFE Nurse Training	20.00	Family Services
Training Program for SAFE Nurse Training	200.00	Family Services
Total - 4119	870.00	Family Services
EMPLOYEE TRAVEL & EXPENSE - 4620.72		
Airfare, hotel and vehicle Rental for Cellbrite Mobile Phone Forensics Seminar	1,500.00	District Attorney's Office
TOTAL - 4620.72	1,500.00	
TRAINING, SEMINARS & CONFERENCES - 4631		
Cellebrite for Mobile Phone Forensics and Training - Training for Two People	3,500.00	District Attorney's Office
Training for SAFE Nurses (5 individuals)	4,600.00	Family Services
TOTAL - 4750:	8,100.00	
TOTAL TO BE APPROPRIATED:	68,280.00	
TOTALS BY PROGRAM		
Family Services	5,470.00	
Town of Poughkeepsie Police Department:	4,600.00	
City of Poughkeepsie Police Department:	4,600.00	
Dutchess County Drug Task Force:	18,000.00	
New York State Police:	10,000.00	
Town of Hyde Park Police Department:	5,000.00	
Dutchess County District Attorney's Office:	20,610.00	
TOTAL TO BE APPROPRIATED:	68,280.00	

THE DISTRICT ATTORNEY OF DUTCHESS COUNTY

236 MAIN STREET
POUGHKEEPSIE, N. Y. 12601
(845) 486-2300
FAX (845) 486-2324

WILLIAM V. GRADY
DISTRICT ATTORNEY

BRIDGET R. STELLER
Chief Assistant District Attorney

BUREAU CHIEFS
Edward F. Whitesell
Marjorie J. Smith
Frank F. Chase
Matthew A. Weishaupt
Edward T. McLoughlin

March 25, 2011

Hon. William Steinhaus
Dutchess County Executive
County Office Building
22 Market Street
Poughkeepsie, NY 12601

Re: Resolution Request

2011 MAR 29 PM 1:37

DUTCHESS COUNTY
DEPUTY CLERK
RECEIVED

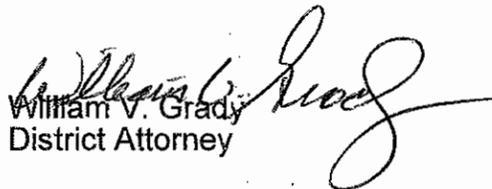
Dear Mr. Steinhaus:

I would like to request that a resolution be prepared which will authorize the expenditure of asset forfeiture monies by my Department. These monies were seized and forfeited pursuant to Federal statutes as set forth in accordance with the United States Code. These funds may be used for law enforcement training, equipment and operations and not to supplement ordinary budgetary expenses. The request being made as part of this resolution complies with this mandate.

My Office has confirmed with the Finance Department that asset forfeiture proceeds are available for appropriation from A9998.95110.00 - Appropriated Reserve-Federal and A9998.95110.01 Appropriated Reserve-State. The attached sheet outlines the distribution of expenditures by program and line item.

Thank you for your consideration.

Very truly yours,


William V. Grady
District Attorney

WVG/gmb

cc: Budget Office
County Attorney's Office.

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Sadowski		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White (VC)		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

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

2011095 Amending the 2011 Adopted County Budget as it pertains to the District Attorney (A.1165.05)

Date: 4/7/11

Roll Call Sheets

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

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

2011095 Amending the 2011 Adopted County Budget as it pertains to the District Attorney (A.1165.05)

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011095 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011096

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

LEGISLATORS FLESLAND, ROMAN, DOXSEY, and HORTON offers the following and moves its adoption:

WHEREAS, the Director of Probation and Community Corrections has advised that additional funding from the STOP-DWI Program is available to support the purchase and utilization of the 80 hour EtG Testing Program, and

WHEREAS, EtG Alcohol/Drug testing has proven to be an effective supervision enhancement assuring compliance with court orders and probation requirements, and

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

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

APPROPRIATIONS

Increase

A.3140.4418 Lab Fees/Chem Analysis \$4,500

REVENUES

Increase

A.3140.15890.13 Other Safety STOP DWI \$4,500

CA-53-11
ca/G-0182-A
3/11/11
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 22, 2011

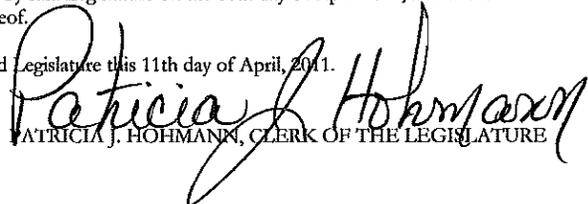
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 4,500

Total Current Year Revenue \$ 4,500
and Source

STOP-DWI FUNDING

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

Identify Line Items(s):

A.3140.4418

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Peggy Milone / William A. Fluck



626 Dutchess Turnpike, Room 103, Poughkeepsie, NY 12603
(845) 486-3648 / Fax (845) 486-3612
E-mail: stopdwi@co.dutchess.ny.us

MEMO:

TO: Mary Ellen Still, Director
William Fluck, Deputy Director
Dutchess County Office of Probation and Community Corrections

DATE: February 28th 2011

FROM: William C. Johnson, STOP-DWI / Traffic Safety Coordinator

RE: ETG Testing Program request for funding

This memo is a follow up to your request for additional funding from the STOP-DWI Program in the 2011 budget cycle to support the purchase and utilization of the 80 hour EGT Testing Program. ETG Alcohol/Drug testing has proven to be an effective supervision enhancement assuring compliance with Court orders and Probation requirements.

The STOP-DWI Board, acknowledging the importance of this critical component has approved funding totaling \$4,500 for current budget cycle. Please let me know the best way to proceed with appropriation of these funds to your department to expedite the contract execution process with the vendor.

As always, on behalf of the Dutchess County STOP-DWI Planning Board we are pleased to be able to offer our support to assist you in the mission we share.

If you have any questions feel free to contact me.

Public Safety Roll Call

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

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

2011096 Amending the 2011 Adopted County Budget as it pertains to the Department of Probation and Community Corrections (A3140)

Date: 4/7/11

Roll Call Sheets

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

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

2011096 Amending the 2011 Adopted County Budget as it pertains to the Department of Probation and Community Corrections (A3140)

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011096 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011097

RE: AUTHORIZING ACCEPTANCE OF A NEW ICE MACHINE
FROM CULINARY INSTITUTE OF AMERICA

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

WHEREAS, the Coordinator of Emergency Response has been advised that the
Culinary Institute of America wishes to donate to the Dutchess County Department of
Emergency Response a new ice machine, and

WHEREAS, the ice machine will be used in support of training programs and
trainees, and

WHEREAS, the Coordinator of Emergency Response requests authorization to
accept the gift of a new ice machine from the Culinary Institute of America, and

WHEREAS, the acceptance of said gift would be in the best interests of the
County, now, therefore it is

RESOLVED, that the acceptance of the gift of a new ice machine from the
Culinary Institute of America is hereby authorized.

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

CA-55-11
ca/G-0148-A
3/14/11
Fiscal Impact: See attached statement

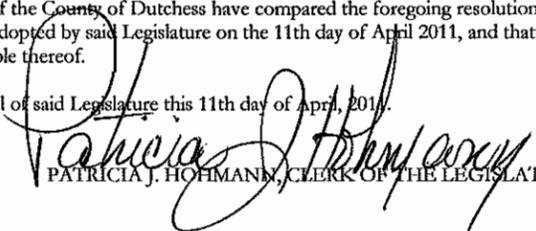
Date April 22, 2011

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 11th day of April 2011, and that the
same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.



PATRICIA J. HOFFMANN, 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 \$ _____
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: \$900

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

The county had budgeted \$900 to split the cost of an ice machine with other associations- this will save \$900 of 2011 budgeted funds.

Prepared by: Laurie Colgan

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Fiesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Sadowski		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White (VC)		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

Present: _____

Resolution: _____

Total : _____

Absent: _____

Motion: _____

Yes No

Vacant: _____

Abstentions: _____

2011097 Authorizing acceptance of a new ice machine from Culinary Institute of America

Date: 4/7/11

Roll Call Sheets

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

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

2011097 Authorizing acceptance of a new ice machine from Culinary Institute of America

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011097 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011098

RE: CONFIRMING NEW APPOINTMENTS AND REAPPOINTMENTS
TO THE TRAFFIC SAFETY BOARD

LEGISLATORS FLESLAND, ROMAN, HORTON, TRAUDT, and DOXSEY
offer the following and move its adoption:

WHEREAS, pursuant to Local Law No. 8 of 1977, a Dutchess County Traffic
Safety Board was established, and

WHEREAS, in accordance with said Local Law, members to the Board shall be
appointed by the County Executive pursuant to Section 3.02(e) of the County Charter, subject to
confirmation of the Legislature, and

WHEREAS, vacancies presently exist on the Board and the terms of Stephen Gill,
John McKinney, James Rapoli, Vince Bellino and Robert Simpson have expired, and

WHEREAS, the County Executive has made reappointments and has appointed
the following individuals to fill vacancies, now, therefore, be it

RESOLVED, that the appointments and reappointments to the Traffic Safety
Board of the following individuals, to serve without compensation, except for reimbursement of
reasonable and necessary expenses incurred in the performance of their duties, is confirmed:

NEW APPOINTMENTS:

William A. Steenbergh
17 Roe Drive
Hyde Park, NY 12538
Two-year term running through 12/31/12

Emily S. Dozier, AICP
47 Collegeview Avenue #1
Poughkeepsie, NY 12603
Two-year term running through 12/31/12

Eileen M. Madden
15 Cozine Avenue
Rhinebeck, NY 12572
Two-year term running through 12/31/12

Paul Bonfiglio
5 Taconic Street
Poughkeepsie, NY 12603
Two-year term running through 12/31/12

REAPPOINTMENTS:

Stephen Gill
626 Dutchess Turnpike
Poughkeepsie, NY 12603

Two-year term running through 12/31/12

John McKinney, Jr.
801 Route 52
Fishkill, NY 12524

Two-year term running through 12/31/12

James Rapolì
47 Willets Dr.
Red Hook, NY 12571

Two-year term running through 12/31/12

Vince Bellino
28 Tom's Way
Lagrangeville, NY 12540

Two-year term running through 12/31/12

Robert W. Simpson
30 Pine Echo Drive
Poughkeepsie, New York 12601

Two-year term running through 12/31/12

CA-51-11
ca/G-202
3/11/11

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

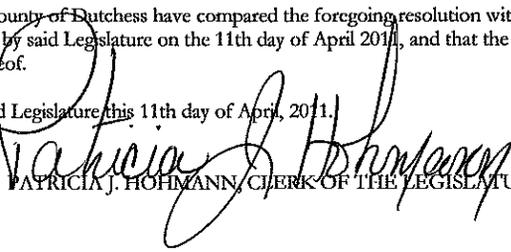
Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

William A. Steenbergh

17 Roe Drive
Hyde Park, NY 12538
(845) 229-0107

CAREER OBJECTIVE:

To continue a productive and rewarding career in Fire & EMS by advancing to higher levels of responsibility.

EMPLOYMENT

Arlington Fire District (Poughkeepsie, NY)

June 1990 - Present

- Captain (9/2008 - Present)
- Lieutenant: (4/2003 - 9/2008)
- Firefighter/Paramedic (1996 - 2003)
- Paramedic (1990 - 1996)
- Incident Commander/Shift Commander: Supervisor of shift of 13-18 people distributed over 4 different stations Incident Commander for incidents within the fire district during shift
- Educator: Conduct ALS, BLS & firematic training of both paid and volunteer staff through Training Bureau & EMS Division
- Fire Prevention Officer: Fire Investigation, Building & Site Plan Review, Building Inspections, Public Education (9/08-Present)
- Awards: District Life Saving Medal (February 2002)

Dutchess Community College (Poughkeepsie, NY)

October 1990 - Present

- Adjunct Faculty: Community Services & Allied Health Departments, instructing in CFR, EMT, Paramedic Programs (both Associate degree & Credit-free programs)

Dutchess County Dept. of Emergency Response (Poughkeepsie, NY)

April 1990 - Jan 2006

- Deputy County Fire Coordinator (both Volunteer & Part-Time)
- Coordinator on-scene at mutual aid incidents; inter-agency liaison and contact. Assist local fire/EMS officers in handling incident-related and/or departmental problems.
- Administrator for EMS training academy: 500 students annually, with 50+ part time faculty (1990 - 1996)
- Educator: Instructor/Coordinator for more than 30 CFR/EMT/EMT-D courses. (1990 - 1996)

Sloper-Willen Community Ambulance (Wappingers Falls, NY)

1985 - 1994

- Shift supervisor: 9 vehicles, radio/dispatch system, scene/incident management, scheduling, staffing, etc.
- Paramedic: Emergency & non-emergency responses for a non-profit paid/volunteer ambulance service
- Training Coordinator: directed the in-service training of all paramedics, & EMTs, (paid & volunteer) Handled orientation of all new members and employees
- Responsible for computer system, all statistical data and reports, frequently worked on community PR projects
- Designed and implemented new dispatch/communications system with Dutchess County Bureau of Fire
- Liaison between service and 7 volunteer fire departments in response area

Saint Francis Hospital (Poughkeepsie, NY)

1985 - 1991

- Emergency Department Tech II: [part-time] Duties included paramedic skills plus other routine ER functions
- Critical Care Transport Team: Joint aeromedical program with NYS Police. Trained in aeromedical care for interfacility transfers & scene response missions, flight operations and safety. Performed both fixed wing & helicopter missions.

Alamo Ambulance Service (Poughkeepsie, NY)

1984 - 1986

- Relief/Weekend supervisor: oversaw daily operations, scheduling transfers, staffing, etc.
- Paramedic: small city/urban setting doing emergency and non-emergency work.

VOLUNTEER EXPERIENCE

Volunteer firefighter & rescue squad member [1979-Present]

Roosevelt Fire District (Hyde Park, NY)

1985 - Present

Chief of Department: 2006 - Present

Assistant Chief: 1997 - 2005

District Training Officer: 2000 - 2001, 2004 - 2005

Captain - Emergency Services Squad (Extrication & Technical Rescue Team) [1988 - 1989]

Captain - Rescue Squad [1989 - 1990]

President - Roosevelt Eng. Co. #1 [1986 - 1989] & Roosevelt Fire Department [1991 - 1997]

(Note: Many junior offices held prior to those referenced above)

EDUCATION

- Marist College (Poughkeepsie, NY)** January 2007
 Bachelor of Science in Business Administration
 emphasis in Human Resources Management
 Emerging Leaders Certificate Program – 2006
- Corning Community College (Corning, NY)** May 1996
 Associates degree in Fire Science Technology
- Fire Dept of the City of New York (FDNY)** October 2003
 1st Line Instructional Program for Supervisors ("FLIPS")
 Received - NYS Fire Officer 1 & 2, NYS Fire Instructor 1, National Fire Academy Fire Service Instructor 1 Cert.
- Westchester County Career Chiefs Academy (Valhalla, NY)** May 1997
 NYS Basic Firefighter Certification
- REMO Academy (Albany, NY)** March 1984
 NYS & National Registry Paramedic Certifications
- Siena College (Albany, NY)** 1981-1983
 Major: Computer Science.
 Attended on full 4 year NROTC Scholarship; attended military training with USMC.
- Coxsackie-Athens Central School (Coxsackie, NY)** June 1981
 Regents diploma in college preparatory program.
 Honor graduate. NROTC Scholarship recipient.

CERTIFICATIONS

- | | |
|---|---|
| <ul style="list-style-type: none"> NYS Career Firefighter NYS Fire Officer 1 & 2 National & NYS Fire Service Instructor 1 NYS Fire Investigator 2 NYS Building Codes Enforcement Officer OSHA Safety Instructor NYS Hazardous Materials 1st Responder Operations EVOC Instructor | <ul style="list-style-type: none"> NYS EMT-Paramedic National Registry of EMT-Paramedics (1984-2006) NYS EMS Instructor/Coordinator (CIC) 1st Aid, CPR & ACLS Provider & Instructor PALS - Provider & Instructor Advanced PHTLS Provider & Instructor Advanced Burn Life Support FEMA - Weapons of Mass Destruction Instructor |
|---|---|

ADDITIONAL EXPERIENCES

- Woodstock '94 Concert – Saugerties, NY – Hudson Valley Ambulance Service
 Served as EMS Command & Dispatch plus ALS care provider during concert with 300,000+ attendees
- Paramedic student preceptor - Dutchess Community College (1984 - Present)
- Dutchess County Terrorism Task Force – member
- Hudson Valley Regional EMS Training Committee - member
- Published in local and national EMS/Fire publications

INTERESTS & MEMBERSHIPS

- Sports, golf, hunting, photography, computers
- B.P.O.E. (Elks) #275, Poughkeepsie, NY
- Crum Elbow Sportsman's Association – Hyde Park, NY
- NFPA, FASNY, NYSAFC, IAFC & other fire - service organizations

FIRE/EMS TRAINING COURSES & CERTIFICATES

Accident Victim Extrication (x2)	Public Fire Education Planning
Initial Fire Attack (x3)	Essentials of Firefighting (x2)
BFIR Fire Reporting	Ambulance Accident Prevention
Intermediate Rope Rescue	Basic High Angle Rope Rescue
Hurst Tool Operator	Incident Command System
Ladder Company Rope Operations	Preparing For Command
Firefighter Safety & Survival	Aircraft Rescue & Firefighting
Bio-Terrorism Awareness	Emergency Vehicle Operator Course (x2)
Public Fire Prevention Education	Hazardous Materials Operations
Ladder Company Operations (x2)	Radiation Safety for Firefighters (x2)
Critical Trauma Care	Fire Behavior & Arson Awareness (x3)
Cause & Origin Determination	Mass Casualty Incident Management
Scott Breathing Apparatus Maintenance	Motor Pump Operator (x2)
Command & Control of Emergency Incidents	Swift Water Rescue Awareness
Incident Management for EMS	12 lead EKG Interpretation
Rescue Operations (x2)	Intersection Accident Avoidance
Emergency Response to Terrorism: Basic Concepts	Confined Space Awareness (x2)
National Fire Academy - Leadership 1, 2 & 3 Series	Officer Development Program
Legal Issues of the Volunteer Fire Service	Hazardous Materials Incident Command
Firefighter Safety & Survival for the Company Officer	Ice Rescue Technician
Public Safety Critical Incident Management	Clandestine Drug Lab Awareness
Emergency Control of Haz Mat Incidents 1	Live Fire Safety Training
Critical Incident Stress Debriefing	On Site Rehabilitation for Emer. Ops
FEMA ICS - 100, 200, 300, 400, 700 & 800	Firefighter Survival
Conducting Live Fire Training Evolutions	Intro to Code Enforcement Practices 1 & 2
Hazardous Materials 1 st Responder Operations (x2)	Electrical Fire Cause Determination 1 & 2
National Fire Academy Health & Safety Officer	Principles of Fire Investigation (x2)
National Fire Academy Incident Safety Officer	School Bus Rescue Skills
Inspection Procedures of Existing Structures	Courage to be Safe
Firefighter Assist & Search Techniques (FAST)	Fire Service Instructor 1
Emer. Response to Biological Incidents: Operations	NFSA - Plan Review Procedures
Managing Company Tactical Operations (Levels 1, 2, 3)	NFSA - Fire Sprinkler Hydraulics
NFA Executive Skills Series: Managing & Leading Change	Fire/Arson Investigation
Fire Investigative Photography	General Construction Principles
Inspection of Childcare Facilities	NFSA - ITM of Water Based Prot. Sys.
Inspection of Motor Vehicle Repair Facilities	NFSA - Pumps for Fire Protection
Sprinkler Protection for Dwellings	NFSA - Standpipe Systems for Fire Prot.
NFSA - Underground Piping Sys. For Fire Prot.	Residential Building Code of NYS
Ethics in Enforcing the NYS Code	Fire & Safety Inspections for Schools
Building Code of NYS	Recognizing Clandestine Drug-Lab Oper.
Rural Water Supply	NFA: Fire Modeling
NFA: Fire Behavior in Single Family Occupancy	NFA: Fire & Life Safety Educator 1

Numerous Additional Fire/EMS In-Service Training Programs Completed
 {Copies for all Certifications & Courses Available Upon Request}

EMILY S. DOZIER, AICP

47 Collegeview Avenue #1, Poughkeepsie NY 12603
edozier@co.dutchess.ny.us (510) 872-1568

EXPERIENCE:

7/08 – present **Poughkeepsie-Dutchess County Transportation Council/Dutchess County Planning Department, Poughkeepsie, NY. *Planner***

- Manages the County Route 93 Corridor Management Plan; responsibilities include managing project consultant, coordinating Advisory Committee, collecting and distributing data, and reviewing work products.
- Oversees annual traffic count program, reviews count data, and coordinates with consultant.
- Develops bicycling and walking resources including a website and interactive maps to encourage non-motorized transportation.
- Assists with MPO's annual work program, Transportation Improvement Program, Transportation Enhancements and other funding programs, and Committee meetings, as well as TMA projects.
- Reviews land use proposals for the Town of Wappinger, NY and prepares response letters outlining issues of Countywide significance.
- Serves on the NYSMPO Association Safety Working Group and Pedestrian/Bicycle Working Group.

8/05 – 6/08 **Fehr & Peers, Walnut Creek, CA. *Transportation Planner/Engineer***

- Managed a variety of transportation projects with responsibilities including budgeting, client relations, presenting data and analysis, and delivery of reports.
- Performed tasks for transportation studies including data collection, field observations, level of service analysis, transit, pedestrian, and bicycle impact analysis, trip generation estimation, trip distribution and assignment, and report writing.
- Analyzed traffic operations and impacts resulting from proposed development using Synchro, SimTraffic, and Traffix software.
- Prepared bicycle plans for several jurisdictions, including analysis of existing bicycle facilities and development of goals, policies, recommended bicycle network, support facilities, safety and education programs, and potential funding sources.
- Assisted in developing traffic impact fee programs for cities and regions to fund the construction of infrastructure necessary to support new development.

9/02 – 5/05 **UC Berkeley Traffic Safety Center, Berkeley, CA. *Graduate Student Researcher***

- Managed data analysis and report to City of Emeryville on pedestrian & bicycle improvements.
- Developed Caltrans-funded proposal for pedestrian and bicycle safety study of San Pablo Avenue.
- Presented San Pablo project to Alameda County Congestion Management Agency and West Contra Costa Transportation Advisory Committee's Technical Advisory Committees.

6/04 – 8/04 **City and County of San Francisco, Department of Parking and Traffic, San Francisco, CA. *Design Trainee II.***

- Completed field analysis and work orders to upgrade signage and striping around fourteen schools.
- Developed Synchro models and signal timing plans for Outer California Street signal sub-system.
- Designed curb and bus bulbs and prepared cost estimates and construction priorities.

6/03 – 6/04 **Urban Ecology, Oakland, CA. *Sustainable Communities Leadership Program (SCLP) Fellow***

- Researched and wrote a "Walkable Streets Toolkit" to educate and inspire Oakland citizens to create more pedestrian-friendly streets (see <http://urbanecology.org/walkable.htm>).
- Facilitated discussion of walkable streets among over fifty people at Urban Ecology's 2003 Members' Meeting.

3/00 – 7/02 **BRIDGE Housing Corporation, San Francisco, CA. *Project Administrator (3/00 – 6/2001), Assistant Project Manager (6/01 – 7/02)***

- Assisted with all aspects of affordable housing development, including funding applications, design, construction management, development team coordination, and communication with funders.

- Analyzed cities' parking requirements and parking lot usage at BRIDGE developments to support reduced minimum parking ratios for affordable housing.
- Led creation of Green Building Committee and served as Chair. Coordinated research on green building strategies, ran regular meetings, and prepared proposals for incorporating green building principles into housing developments.

7/99 – 2/00

City of Oakland Community and Economic Development Agency, Oakland, CA. *Planning Intern*

- Organized and conducted field survey of public payphones, communicated with telephone service providers, presented project to Neighborhood Crime Prevention Councils, and worked with other city agencies on regulation measures as part of Oakland's anti- "Crime and Grime" efforts.
- Worked with City planner to draft Ordinance and Staff Report to City Manager on proposed payphone permit.

EDUCATION:

8/02 – 5/05

University of California at Berkeley, Berkeley, CA.

Dual Masters degrees in City and Regional Planning and Transportation Engineering. Courses include public transit, transportation policy, transportation finance, transportation and land use, urban design, traffic safety, transportation studio, ITS, and transportation operations. Interests include pedestrian and bicycle planning, transit, equity issues, environmental justice, and transit-oriented development.

9/95 – 6/99

Stanford University, Stanford, CA.

BA with Honors, Urban Studies; concentration in planning; Minor in Latin American Studies. Honors thesis explores collaborative neighborhood park planning.

AFFILIATIONS:

- Member, American Institute of Certified Planners (#022652)
- Member, American Planning Association
- Women's Transportation Seminar, Bay Area Chapter Communications Co-Chair (2006-2008)

PUBLICATIONS AND PRESENTATIONS:

- "Walkability and Walking Audits", Guest lecture to City Planning 114/Civil Engineering 154, University of California at Berkeley, August 2007.
- Quarterly presentations to Fehr & Peers' Walnut Creek staff on pedestrian and bicycle issues as representative of the company's Pedestrian and Bicycle Discipline Group (2006-2008).
- "Walkable Streets Toolkit", presentation at the Transportation and Land Use Coalition's (TALC) annual summit, Oakland, CA, April 2006
- *Pedestrian and Bicycle Safety Evaluation for the City of Emeryville at Four Intersections: Powell and Frontage, Powell and Route I-80, Powell and Christie, and Christie and Shellmound* (UC Berkeley Traffic Safety Center, 2005)
- Presentation to Emeryville City Council on report findings and recommendations from Pedestrian and Bicycle Safety Evaluation, May 2005.
- *Walkable Streets: A Toolkit for Oakland* (Urban Ecology, 2004)
- Facilitated discussion of walkable streets, Urban Ecology 2003 Annual Members' Meeting.
- Presentation of San Pablo Avenue Pedestrian and Bicycle Safety Study to Alameda County Congestion Management Agency and West Contra Costa Transportation Advisory Committee's Technical Advisory Committees, Winter 2003.

SKILLS:

Applied research	Presentations	Meeting facilitation	Writing and communication
Reports & Proposals	Microsoft Office	Project Management	
Collaborative and interdisciplinary work		Making technical information accessible to the public	

REFERENCES:

- Eoin Wrafter, Assistant Commissioner, Dutchess County Department of Planning and Development: ewrafter@co.dutchess.ny.us; (845) 486-3600
- Julie Morgan, Principal, Fehr & Peers: j.morgan@fehrandpeers.com; (925) 930-7100
- Jill Cooper, Assistant Director, UC Berkeley Traffic Safety Center: cooperj@berkeley.edu; (510) 643-4259

Resume

Eileen M. Madden
15 Cozine Avenue
Rhinebeck, New York 12572

Home: 845-876-6548
E-mail: emmadden220@aol.com
emadden@saugerties.k12.ny.us

Education

Master of Arts Counseling – Long Island University
Bachelor of Arts – State University of New York at New Paltz

Certification

New York State School Counseling – Provisional (Permanent June 2006)
New York State Elementary K-6 - Permanent

Professional Experience

2001 to Present

Secondary Counselor (9-12)
Saugerties High School, Call Box A, Saugerties, New York

Principal Duties:

- > Teach developmental learning activities in the classrooms.
- > Counsel students with personal-social problems, both individually and in small groups.
- > Consult with parents, teachers, other educators, and various community agencies to help students deal with serious personal and educational issues, both individually and in small groups.
- > Coordinate and collaborate with others who offer mental health-oriented programs, e.g., drug abuse.
- > Coordinate school-wide testing programs; provide interpretations of test results for teachers and parents.
- > Help students achieve academic excellence through appropriate class placements through scheduling.

1998-2001

Middle School Counselor (6-8)
Ellenville Central School District, 28 Maple Avenue, Ellenville, New York 12428

Prior to 1998

Chase Elementary - Monticello School District
K-6 Long-term substitute for teachers on maternity leave

Ellenville Central School District

Per diem substitute in elementary and middle schools

Professional Affiliations

New York State Association of School Counselors
New York State Teachers' Association

References

Mr. Fred Hirsch
Saugerties Assistant HS Principal
845-247-6650

Ms. Gina Kiniry
Saugerties High School Social Worker
845-247-6662

Dr. Peter J. Ferrara
Ellenville CSD Superintendent (Retired)
845-702-3950

Ms. Mary Bishop
Science Department Chair
Saugerties High School
845-247-6660

Paul Bonfiglio
5 Taconic Street, Poughkeepsie, New York, 12603
(845) 471-1148 845 520 1294 Cell
PBONO16@AOL.COM

OBJECTIVE

Appointment to the Dutchess County Traffic Safety Board

SKILLS PROFILE

- Emergency Medical Technician
 - CPR Instructor (AHA)
 - First Aid Instructor (ASHI, National Safety Council)
 - Nationally Certified Child Safety Seat Technician/ Instructor
 - AARP Defensive Driver Instructor
 - CEVO Instructor
 - Certified "Car-Fit" Technician/Instructor (AAA)
 - Ferno Cot Maintenance Course taken 2009
-

EMPLOYMENT HISTORY

Instructor 1997-current

Alamo EMS (Health Quest), Poughkeepsie, New York

- Teach all American Heart Association BLS CPR Classes
- Make site visits to check AED and associated paper work
- Make site visits to generate new contracts

Fire Fighter / EMT 1987- 2007

Village of Pelham, Pelham, New York

- Fire Suppression duties
- First EMT in the Department setup EMS response program
- Municipal Training Officer

Electrician 1977- 1987

Westchester County Department of Parks and Recreation, White Plains, New York

- Rye Playland Ride Maintenance Electrician
 - Department of Parks Maintained Electrical systems in all county parks and golf courses
-

EDUCATION

Diploma

Pelham Memorial High School, Pelham, New York

United States Navy Electricians Mate A School and Damage control School

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Sadowski		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White (VC)		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

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

2011098 Confirming new appointments and reappointments to the Traffic Safety Board

Date: 4/7/11

Roll Call Sheets

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

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

2011098 Confirming new appointments and reappointments to the Traffic Safety Board

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011098 resulted as follows:

AYES: 24 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Goldberg, Horn,
 Horton, Hutchings, Incoronato, Jeter-Jackson, Kuffner, MacAvery,
 Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Tyner, Traudt, Weiss,
 White.

NAYS: 1 Kelsey.

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011099

RE: URGING THE DA AND CRIMINAL AND FAMILY COURT
JUDGES TO WORK TOGETHER TO IMPLEMENT A GPS
MONITORING SYSTEM FOR HIGH-RISK DOMESTIC
VIOLENCE OFFENDERS

Legislators TYNER, GOLDBERG, MACAVERY, and WHITE offer the following and move its adoption:

WHEREAS, the Poughkeepsie Journal reported March 14th that in the past two years, more than 2,800 orders of protection have been issued by Family Court judges in Dutchess County, an increase of more than 30 percent over the previous two years; last year there were more than 1,000 orders of protection in force against City of Poughkeepsie residents alone, and police arrested more than 100 people for violating them, and

WHEREAS, the Dutchess County Legislature's Citizens Advisory Committee on Domestic Violence last October in its System-wide Review and Recommendations made a statement that it "strongly urges the Legislature to direct implementation of a Global Positioning Satellite (GPS) Monitoring and Alert system for high-risk domestic violence offenders, and

WHEREAS, the Dutchess County Legislature's Citizens Advisory Committee on Domestic Violence also made it clear in its report last October that "in contrast to electronic monitoring, GPS monitoring has strengths that can address actual safety concerns for victims in real time," and

WHEREAS, the Dutchess County Legislature's Citizen Advisory Committee on Domestic Violence also stated that "the Committee has reviewed a number of GPS Monitoring Systems that, if implemented in appropriate cases, could provide for timely and meaningful reactions to identifiable risks," and

WHEREAS, Dutchess County Legislature's Citizen Advisory Committee on Domestic Violence also stated that it "notes with significant interest that such a [GPS] system has been operational in Madrid, Spain since 2006; literature reports that there has not been a single attack on a user of the system since that system's inception there," and

WHEREAS, Dutchess County Legislature's Citizen Advisory Committee on Domestic Violence also stated that "when utilized in conjunction with lethality assessment, and as a judicial supplement to the posting of bail for an offender, GPS can provide meaningful assistance to victims...it is the Committee's belief that had such a system been in place and Anthony Riccardulli subject to its monitoring and alerting capabilities, Linda Riccardulli could have been warned of his impending arrival and officers dispatched to the location; this recommendation could have changed the outcome," and

WHEREAS, such GPS monitoring systems have been set up in various jurisdictions across the country at hardly any cost to taxpayers, as high-risk domestic violence offenders often have funded the cost of these systems themselves; GPS monitoring systems can also often end up protecting domestic violence offenders as well from being falsely accused of being places they aren't, and

WHEREAS, there are now at least eighteen states (including Connecticut, Massachusetts, Washington, Indiana, Colorado, Florida, Louisiana, Minnesota, New Hampshire, and Utah) that have all passed legislation for GPS monitoring of high-risk domestic violence offenders, with at least 5,000 domestic abusers being tracked nationwide; in Massachusetts, at least 100 people accused of domestic abuse are monitored by GPS; they are charged \$8 a day for a cellphone-like device that clips to a belt, an ankle bracelet and a home charger; their movements are monitored by three control centers, and if they break an "exclusion zone" around the victim or her children, the police are notified, and

WHEREAS, according to The New York Times quoting Harvard Law School lecturer Diane Rosenfeld in May 2009, "using GPS monitoring to enforce an order of protection makes the order more than just a piece of paper; it's a way of making the criminal justice system treat domestic violence as potentially serious; by detecting any escalation in the behavior of a batterer, GPS can prevent these unnecessary tragedies; Ms. Rosenfeld's research found that about one quarter of women who were killed by their domestic abusers already had restraining orders," and

WHEREAS, Diane Rosenfeld wrote last year in the Hartford Courant that "approximately 75 percent of intimate partner homicides involve a male partner who will not accept a woman's decision to end their relationship and to be free from his violence; strict monitoring of protective orders is crucial as about a quarter of them are violated; approximately one quarter of women killed by their intimate partners had a protective order at the time of their murder," and therefore be it

RESOLVED, that the Dutchess County Legislature strongly urges our county's District Attorney and criminal and family court judges to work together to implement a GPS monitoring system for high-risk domestic violence offenders as quickly as possible, and be it further

RESOLVED, that a copy of this resolution be sent to our county's County Executive, District Attorney, criminal and family court judges, and Universal Response to Domestic Violence Coordinator.

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 14 - Town of Wappinger	Goldberg*		✓
District 7 - Town of Hyde Park	Kuffner*		✓
District 1 - Town of Poughkeepsie	Doxsey		✓
District 4 - Town of Hyde Park	Sadowski	✓	
District 5 - Town of Poughkeepsie	Roman (C)	✓	
District 9 - City of Poughkeepsie	White (VC)		✓
District 20 - Town of Red Hook	Traudt	✓	
District 21 - Town of East Fishkill	Horton	✓	
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	✓	

Present: _____
 Absent: _____
 Vacant: _____

Resolution: _____
 Motion: _____

Total : 8 4
 Yes No
 Abstentions: _____

Motion To Table

4/7/11

2011099

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		
District 6 - Town of Poughkeepsie	Flesland*		
District 14 - Town of Wappinger	Goldberg*		
District 7 - Town of Hyde Park	Kuffner*		
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Sadowski		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White (VC)		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

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

2011099 Urging the DA and criminal and family court judges to work together to implement a GPS monitoring system for high-risk domestic violence offenders

Date: 4/7/11

The foregoing Resolution No 2011099 was tabled in Public Safety Committee on April 7, 2011.

RESOLUTION NO. 2011100

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

LEGISLATORS MICCIO, COOPER, HORTON, and KELSEY 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 Board Members, Jesse Bontecou, David Coon and David Koehler, as of December 31, 2010;
and

WHEREAS, all of the foregoing individuals and Legislators have expressed an interest in
being reappointed to said Board; not therefore, be it

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

REAPPOINTMENT:

TERM:

Legislator James J. Miccio
24 Broad Street
Fishkill, NY 12542

1/1/11 - 12/31/11

Legislator Alison MacAvery
10 Driscoll Road
Fishkill, NY 12542

1/1/11 - 12/31/11

and, be it further

RESOLVED, that the Dutchess County Legislature does hereby reappoint Jesse
Bontecou, David Coon and David Koehler, to the Dutchess County Soil and Water Conservation
Board for the terms specified below:

REAPPOINTMENT:

TERM:

Jesse Bontecou
RD1 Box 132
Millbrook, NY 12545

1-1-11 - 12-31-13

David Coon
373 Separate Road
Amenia, NY 12501

1-1-11 - 12-31-13

David Koehler
483 Route 376
Hopewell Junction, NY 12533

1-1-11 - 12-31-13

APPROVED


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 22, 2011

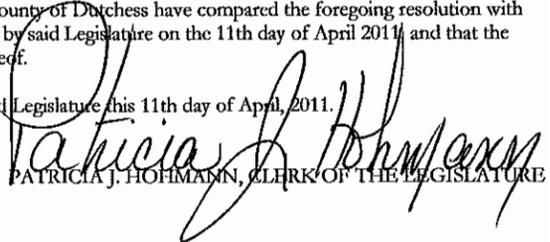
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Environment Committee Roll Call

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

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

2011100 Reappointments to the Dutchess County Soil and Water Conservation Board

Date: 4/7/11

Roll Call Sheets

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

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

2011100 Reappointments to the Dutchess County Soil and Water Conservation Board

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011100 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011101

RE: SETTING A PUBLIC HEARING TO SET LOOP BUS FARES FOR
VETERANS AND ACTIVE MILITARY

LEGISLATORS KELSEY, WEISS, FLESLAND, KUFFNER, MacAVERY , and
INCORONATO offer the following and move its adoption:

WHEREAS, the Dutchess County Division of Mass Transit operates a LOOP public transit service with both a Fixed Route Service and a Demand Response Service such as Dial-A-Ride and Paratransit, which is now known as Flex Service, and

WHEREAS, Dutchess County currently offers a standard fare per zone on the LOOP System of \$1.75 per zone, while offering discounts to: Senior and/or Disabled; Children (5 to 12); and Students, at the rate of \$0.75 per zone, and

WHEREAS, the current standard fare for Dial-A-Ride is \$3.50 one-way and a Senior Citizens fare is offered for \$1.00 one-way; and

WHEREAS, Dutchess County Legislature is considering and recommending a fare for Veterans and Active Military for the LOOP Bus and Dial-A-Ride System, effective September 1, 2011:

LOOP Fare Category	Current Fare	Proposed Fare
Standard Fare	\$1.75 per zone	\$1.75 per zone
Senior and/or Disabled	\$0.75 per zone	\$0.75 per zone
Child (5 to 12 years of age) or Student	\$0.75 per zone	\$0.75 per zone
Veterans/Active Military	\$ N/A	\$0.75 per zone

and,

WHEREAS, Dutchess County Legislature is considering and recommending a fare for Veterans and Active Military for the LOOP Bus, Dial-A-Ride System, effective September 1, 2011:

Dial-A-Ride Fare Category	Current Fare	Proposed Fare
------------------------------	--------------	---------------

Standard Fare	\$3.50 one way	\$3.50 one way
Senior Fare	\$1.00 one way	\$1.00 one way
Veteran/Active Military Fare	\$ N/A	\$1.00 one way

: and

WHEREAS, procedures established in accordance with U.S Department of Transportation Regulations require a Public Hearing be held before any fare changes for LOOP bus services are implemented; now, therefore, be it

RESOLVED, that the Dutchess County Legislature shall conduct a public hearing on June 20, 2011 at 7:00 p.m. in the Legislative Chambers, Dutchess County Office Building, 22 Market Street, Poughkeepsie, New York, to hear public comments of proposed change in LOOP Bus Fares and Loop Bus Fares for Dial-A-Rode. Effective September 1, 2011, as set forth below:

LOOP Fare Category	Current Fare	Proposed Fare
Veterans/Active Military	\$ N/A	\$0.75 per zone
Dial-A-Ride Fare Category	Current Fare	Proposed Fare
Veterans/Active Military	\$ N/A	\$1.00 one way

; and, be it further

RESOLVED, that the Clerk of the Legislature is directed and empowered to give notice of this Public Hearing and to publish notice thereof thirty (30) days prior to the hearing date and as otherwise provided by law.

APPROVED

William R. Steinhaus
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

Patricia J. Hohmann
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Environment Committee Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: X
 Motion:

Total : 11 0
 Yes No
 Abstentions: 0

2011101 Setting a Public Hearing to set loop bus fares for veterans

Date: 4/7/11

Roll Call Sheets

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

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

2011101 Setting a Public Hearing to set loop bus fares for veterans

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011101 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Resolution No. 2011102

RE: DUTCHESS COUNTY LEGISLATURE DECLARES THAT
IT HAS THE POWER TO APPROVE, REJECT, AND/OR
AMEND THE SOLID WASTE MANAGEMENT PLAN
FOR DUTCHESS COUNTY

Legislator TYNER and DOXSEY offer the following and move its adoption:

WHEREAS, ~~the Poughkeepsie Journal recently reported that~~ "the Dutchess County Resource Recovery Agency has the highest per-ton processing cost of 14 trash-burning plants in the region, at 46 percent higher than the average-- with heavy debt, higher costs and no-bid contracts at the agency; the subsidy has grown 250 percent since 2001,"² and

WHEREAS, Dutchess County's Solid Waste Management Plan was due at the New York State Department of Environmental Conservation at the end of last December, and

~~WHEREAS, Mid Atlantic Solid Waste Consultants have already finished drafting half of a Solid Waste Management Plan for Dutchess County and have adequately proven themselves to be more competent than the DCRRA's hired consultants Germano & Cahill, and~~

WHEREAS, unfortunately the Dutchess County Resource Recovery Agency's hired consultants Germano & Cahill have proposed a Solid Waste Management Plan that promotes extending and expanding incineration in Dutchess County indefinitely, and

~~WHEREAS, Clearwater, Sierra Club, NYPIRG, and many other members of the New York State Zero Waste Coalition also strongly recommend an 85% by 2020 recycling rate goal for our state and our county; unfortunately, our county's Resource Recovery Agency and Germano & Cahill propose only a 20% recycling rate goal at most for our county by 2020, and~~

WHEREAS, it is well within the legal right of the Dutchess County Legislature to have the power to vote to approve, reject, and/or amend the Solid Waste Management Plan for Dutchess County; given all the problems at the Dutchess County Resource Recovery Agency ~~exposed in the local press over the last few years~~, anything less than our County Legislature assuming this power is an abdication of the responsibility to properly manage solid waste in Dutchess County, and therefore be it

RESOLVED, that the Dutchess County Legislature ~~hereby declares that it~~ has the power to approve, reject, and/or amend the Solid Waste Management Plan for Dutchess County, and be it further

RESOLVED, that a copy of this resolution be sent to Dutchess County Executive William Steinhaus, Dutchess County Resource Recovery Agency Executive Director William Calogero, and New York State Department of Environmental Conservation Region 3 Director Willie Janeway.

Amended and defeated in Environment Committee 4/7/11 lw

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Environment Committee Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution:
 Motion: X

Total: 10 1
 Yes No
 Abstentions: 0

Amendment to # 2011102

4/7/11

Amended 102

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 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		✓
District 6 - Town of Poughkeepsie	Flesland*		✓
District 14 - Town of Wappinger	Goldberg*	✓	
District 7 - Town of Hyde Park	Kuffner*	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 12 - Town of East Fishkill	Weiss	<i>Absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	✓	
District 17 - Town and Village of Fishkill	Miccio (C)		✓
District 20 - Town of Red Hook	Traudt (VC)		✓
District 24 - Towns of Dover and Union Vale	Surman		✓

Present: <u>11</u>	Resolution: <u>X</u>	Total: <u>5</u>	
Absent: <u>1</u>	Motion: <u>—</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	<u>6</u>

Defeated

2011102 Dutchess County Legislature declares that it has the power to approve, reject, and/or amend the Solid Waste Management Plan for Dutchess County

Date: 4/7/11

The foregoing Resolution No 2011102 was amended and defeated in Environment Committee on April 7, 2011.

RESOLUTION NO. 2011103

RE: HOME RULE REQUEST - PROHIBITING NEPOTISM AT THE BOARD OF ELECTIONS

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

WHEREAS, the Dutchess County Legislature by Local Law No. 7 of 2000, established a Code of Ethics for County Officers and Employees; and

WHEREAS, Local Law No. 7 of 2000, under Section 3, established certain "standards of conduct" and was amended by Local Law No. 5 of 2004, by adding a subsection 3(l) entitled "Nepotism", which stated as follows:

"Nepotism; No relative of any person employed in a department of the County of Dutchess shall be entitled to hold a position of full-time or part-time employment in the same department of the County as their relative if the position applied for is in the direct line of supervision in the subject department. Notwithstanding the definition of relative of Section 2(g) for purposes of this subsection "Relative" shall mean a spouse, child, step-child, parent, step-parent, brother, brother-in-law, sister, sister-in-law, step-brother, step-sister, father-in-law, mother-in-law, or legal guardian of said persons. With respect to prospective employees who have relatives as defined herein in other County departments, the hiring official shall exercise sound discretion in employing such individual in other to avoid the appearance of impropriety which relationship shall be fully disclosed to the Board of Ethics."

WHEREAS, the Dutchess County Board of Elections has maintained that pursuant to the New York State Election Law, a Local Board of Elections is exempt and not subject to any county Ethics Law as the State has evidenced an intent that the New York State Board of Election Law fully occupies and has preempted that field of law; and

WHEREAS, the County Legislature was of the opinion in 2004, that such prohibition on "Nepotism" was necessary and appropriate with respect to all County employees; and

WHEREAS, the County Legislature is of the opinion that the Dutchess County Board of Elections should not be exempt from such an important provision; and

WHEREAS, this Legislature therefore desires to hold the Dutchess County Board of Elections employees to the same standards as other Dutchess County employees; and

WHEREAS, it is necessary to obtain the amendment to the New York State Election Law; and

WHEREAS, New York State Election Law Section 3-300, should be amended to include a provision substantially similar to the following:

“In Dutchess County, no relative of any person employed by the Dutchess County Board of Elections shall be entitled to hold a position of full-time or part-time employment in the Dutchess County Board of Elections if the position applied for is in direct line of supervision in the Board of Elections. Notwithstanding, any other definition to the contrary, for purposes of this section, “relative” shall mean a spouse, child, step-child, parent, step-parent, brother, brother-in-law, sister, sister-in-law, step-brother, step-sister, father-in-law, mother-in-law, or legal guardian of said persons.”

: now, therefore, be it

RESOLVED, that the County of Dutchess Legislature hereby requests that the Legislature, of the State of New York enact appropriate legislation amending the New York State Election Law to provide for an anti-nepotism provision to be applicable to the Dutchess County Board of Elections; and be it further

RESOLVED, that a copy of said Resolution shall be forwarded to State Senator Stephen M. Saland, State Senator Greg Ball, and Assemblyman Joel M. Miller, Assemblyman Steve Katz, Assemblyman Thomas Kirwan, Assemblyman Marcus J. Molinaro and Assemblyman Kevin A. Cahill so that those State Legislators can properly sponsor the appropriate legislation which will make the granting of this Resolution herein possible.

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Government Services and Administration Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution:
 Motion: X

Total : 4 7
 Yes No
 Abstentions:

Table # 2011103

4/7/11

The foregoing Resolution No 2011103 was tabled in Government Services and Administration Committee on April 7, 2011.

RESOLUTION NO. 2011104

RE: DECLARING THE TEN-DAY PERIOD BETWEEN OCTOBER 23RD AND NOVEMBER 1ST TO BE FOREVER KNOWN AS DUTCHESS COUNTY HERITAGE DAYS, AND MAKING KNOWN THE LEGISLATURE'S INTENT TO COMMEMORATE THE 300TH ANNIVERSARY OF THE OCTOBER 23, 1713 DECISION TO BRING DEMOCRACY TO DUTCHESS COUNTY VIA THE ELECTION OF OFFICERS.

Legislators KELSEY, ROLISON, COOPER, FLESLAND, BOLNER, BORCHERT, FORMAN, HORN, HORTON, HUTCHINGS, INCORONATO, MICCIO, ROMAN, SADOWKSI, SURMAN, THOMES, TRAUDT, and WEISS offer the following and move its adoption:

WHEREAS, on November 1, 1683 the Province of New York was divided into twelve counties which were named from the titles of the Dutch royal family including Dutchess [the others being Albany, Cornwall (now in Maine), Dukes (now in Massachusetts), Kings, New York, Orange, Queens, Richmond, Suffolk, Ulster, and Westchester), and

WHEREAS, at the time of its creation on November 1, 1683 Dutchess County also encompassed until 1812 what is today Putnam County and until 1717 the towns of Clermont and Germantown in Columbia County, and

WHEREAS, on October 23, 1713 after Dutchess County increased in population it was deemed "necessary that they should have county officers of their own" and by an act of the Assembly "Dutchy County" was empowered to elect a supervisor, treasurer, assessors and collectors, and

WHEREAS, after dividing Dutchess County into three wards in 1719, elections were held on April 5, 1720 electing Johannes Ter Boss of the South Ward, Henry Van Der Burgh of the Middle Ward, and William Traphagen of the North Ward as supervisors, with the first meeting of this board of supervisors held on January 20, 1721, and the subsequent division of townships, and

WHEREAS, prior to county recognition and election of supervisors the land was utilized by **Native Americans** and later title transferred via patents to private landowners with satisfactory remuneration provided to the **Native Americans** upon land transfers, and

WHEREAS, the initial land patents of Dutchess County included the:

- ROMBOUT PATENT, 1682, (modern day Fishkill, East Fishkill, Beacon, Wappinger, the westerly part of Lagrange, and 9,000 acres within the southern limits of the Town of Poughkeepsie),
- SCHUYLER PATENTS, 1688, (present day Red Hook and a small section of Town of Poughkeepsie north of Wappingers Creek),

- THE NINE PARTNERS PATENT, 1697, (modern day Clinton, Pleasant Valley, Stanford, Washington, portions of Hyde Park, Amenia, and southern Northeast),
- POUGHKEEPSIE PATENT, 1697.
- RHINEBECK PATENT, 1703, (including Rhinebeck and portions of modern day Red Hook),
- BEEKMAN PATENT, 1703, (including present-day Beekman, Unionvale, the easterly portion of Lagrange, Dover and Pawling).
- The LITTLE or UPPER NINE PARTNER'S PATENT, 1706, (comprised of modern-day Milan, Pine Plains, north-half of North East, and small portions of present-day Clinton and Stanford), and
- OBLONG PATENT also known as the Equivalent Land, 1650, (the narrow strip running the eastern border of Dutchess County through Pawling, Dover, Amenia, and North East, and

WHEREAS, the Dutchess County Legislature is desirous of remembering the county's past and marking its milestones, and

WHEREAS, on November 1, 1983 Dutchess County observed the 300th anniversary of its Dutchess County designation, and whereas the 300th anniversary of the October 23, 1713 milestone to elect leadership is fast approaching, now therefore, be it

RESOLVED, that it should be the will of the Dutchess County Legislature that a 2013 celebration and observance shall take place commemorating the October 23rd decision rooted in democratic principles that recognized the county's maturation to elect "officers of their own" to represent them who are elected by the people, and, be it further

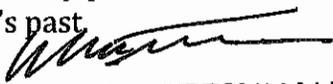
RESOLVED, that the Chairman of the Legislature shall appoint an ad hoc county committee to plan appropriate program activities for the October 23, 2013 celebration and to periodically report to the Legislature on its activities to be composed of fair representation of the various land patents, town historians, and the county historian, and, be it further

RESOLVED, that since recognition of our heritage should not be reserved to centennial observances the Dutchess County Legislature does hereby declare that the ten-day period between October 23rd and November 1st each year shall be forever known as "Dutchess County Heritage Days" with the hopeful expectation that schools, historians and community groups will actively promote and encourage appreciation for the many aspects of Dutchess County's past.

STATE OF NEW YORK

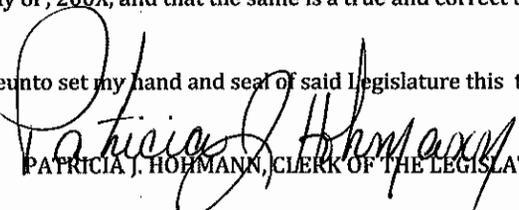
ss:

COUNTY OF DUTCHESS

APPROVED

 WILLIAM R. STEINHAUS
 COUNTY EXECUTIVE

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 th day of, 200X, 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 th day of, 2010.


 PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Government Services and Administration Roll Call

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

Present: 11 Resolution: X Total : 9 2
 Absent: 1 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2011104 Declaring the ten-day period between October 23 and November 1 to be forever known as Dutchess County Heritage Days, and making known the Legislature's intent to commemorate the 300th Anniversary of the October 23, 1713 decision to bring Democracy to Dutchess County via the election of officers

Date: 4/7/11

Roll Call Sheets

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

Present: _____
 Absent: _____
 Vacant: _____

Resolution: _____
 Motion: _____

Total : 18 7
 Yes No
 Abstentions: _____

2011104

Call Question

4-11-11

Roll Call Sheets

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

Present: _____ **Resolution:** _____ **Total :** 22 3
Absent: _____ **Motion:** _____ **Yes** **No**
Vacant: _____ **Abstentions:** _____

2011104 Declaring the ten-day period between October 23 and November 1 to be forever known as Dutchess County Heritage Days, and making known the Legislature's intent to commemorate the 300th Anniversary of the October 23, 1713 decision to bring Democracy to Dutchess County via the election of officers

Date: 4/11/11

Discussion on the foregoing Resolution No 2011104 resulted as follows:

Legislator Miccio moved to "Call the Question" duly seconded by Legislator Cooper.

Roll call vote on the foregoing motion to "Call the Question" resulted as follows:

AYES: 18 Bolner, Borchert, Cooper, Flesland, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Weiss, White.

NAYS: 7 Doxsey, Forman, Goldberg, Kelsey, Kuffner, Traudt, Tyner.

ABSENT: 0

Motion adopted.

Roll call vote on the foregoing Resolution No 2011104 resulted as follows:

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

NAYS: 3 Doxsey, Goldberg, Kuffner.

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2011105

RE: APPOINTMENT OF THOMAS ANGELL AS ACTING PUBLIC DEFENDER

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

WHEREAS, pursuant to Section 3.04 of the Dutchess County Charter, the County Executive appointed Thomas Angell as the Acting Public Defender, and

WHEREAS, the County Executive has requested that Mr. Angell's appointment be extended for a period of time through December 31, 2011, retroactive to March 15, 2011, and

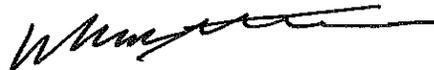
WHEREAS, pursuant to Section 3.04 of the Charter, this Legislature has the authority to extend Mr. Angell's appointment, now therefore, be it

RESOLVED, that Thomas Angell's appointment as Acting Public Defender is extended for a period of time through December 31, 2011, retroactive to March 15, 2011, effective as of the date of this resolution.

CA-61-11
ca/G-0186
4/6/11

Amended in Public Safety 4/7/11 lw

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

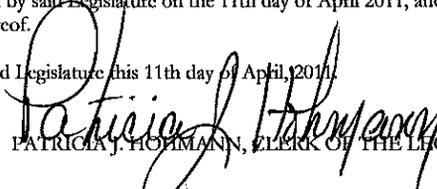
Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.



PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Public Safety Roll Call

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

Present: 12 **Resolution:** X **Total :** 12 0
Absent: 0 **Motion:** — **Yes** **No**
Vacant: 0 **Abstentions:** 0

2011105 Appointment of Thomas Angell as Acting Public Defender

Date: 4/7/11

Roll Call Sheets

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

Present: _____

Resolution: _____

Total : _____

Absent: _____

Motion: _____

Yes No

Vacant: _____

Abstentions: _____

2011105 Appointment of Thomas Angell as Acting Public Defender

Date: 4/11/11

Roll call vote on the foregoing Resolution No 2011105 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

UNANIMOUS CONSENT

RESOLUTION NO. 2011106

RE: AMENDING RESOLUTION NO. 209234 TO EXTEND TERM OF THE INTERMUNICIPAL AGREEMENT BETWEEN COUNTY OF ROCKLAND AND COUNTY OF DUTCHESS

LEGISLATORS FORMAN and HORN offers the following and moves its adoption:

WHEREAS, by Resolution No. 209234 this Legislature authorized an Intermunicipal Agreement between the County of Rockland and the County of Dutchess, and

WHEREAS, the Intermunicipal Agreement outlined the rights and obligations of the Counties to implement a cooperative planning initiative to better deliver health care services and align health care resources in our local communities through HEAL NY Phase 9, Local Health Planning Initiative, and

WHEREAS, Rockland County wishes to extend the term of the agreement through September 30 2011, now therefore, be it

RESOLVED, that this Legislature authorizes the County Executive to enter into an Extension Agreement with the County of Rockland extending the term of the agreement through September 30, 2011 with all the same terms and conditions of the underlying agreement.

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

CA-63-11
CRC/ca/C-7911
4/11/11

Fiscal Impact: See attached statement

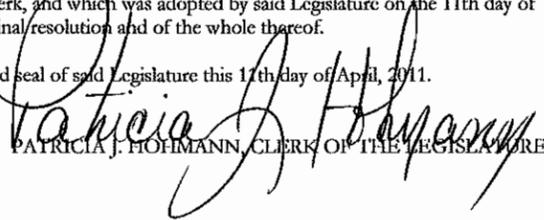
Date April 22, 2011

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 0
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ 0

Nature/Reason:

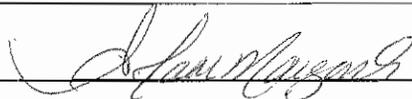
Anticipated Savings to County: \$ 0

Net County Cost (this year): \$ 0
Over Five Years: \$ 0

Additional Comments/Explanation:

The purpose of this Resolution is to accept a No Cost Extension of the existing Resolution No. 209234 authorizing Intermunicipal Agreement between County of Rockland and County of Dutchess. \$100,000 was allocated to Dutchess County for the grant year 3/1/09 - 2/28-2011. Rockland County wishes to extend the term of the contract for March 1, 2011 - September 30, 2011.

Prepared by: _____



Roll call vote on the foregoing Resolution No 2011106 that was offered as unanimous consent by Legislator Cooper and duly seconded resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Commendation: GEORGE SIEGRIST, JR.

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

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

WHEREAS, George Siegrist, Jr., is being recognized for coming to the aid of a child in distress and taking the time to stop and get involved in a very violent situation that by chance and circumstance was brought to Dutchess County, and thereby, saving the child, and

WHEREAS, on February 18, 2011, George Siegrist, Jr. saw a little girl on the sidewalk, very close to the road. Mr. Siegrist stopped and parked his vehicle, walked up to the little girl and a man who appeared to be in distress, to see if he could help them. At that time, Mr. Siegrist realized that the man had a gun and was injured. Mr. Siegrist then picked up the little girl and courageously kept her safe through the horrendous events to follow, and

WHEREAS, if it were not for Mr. Siegrist's observation and genuine concern and sincere caring, the traumatized child would have certainly been put even further in harms way, and

WHEREAS, George Siegrist, Jr., has earned the admiration and esteem of many of Dutchess County residents, including residents of the City of Poughkeepsie, now therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby compliment, commend and thank, George Siegrist, Jr., for his observation, action and genuine concern for mankind and for saving the life of the child, and, be it further

RESOLVED, that the Dutchess County Legislature, honors George Siegrist Jr., for his heroic deed and display of courage.

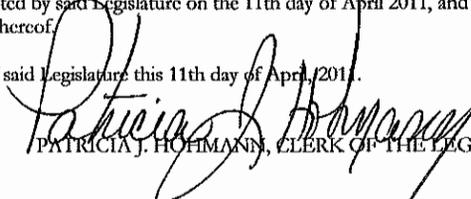
STATE OF NEW YORK

ss: Resolution No. 2011107

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 11th day of April 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of April, 2011.


PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Resolution No. 2011107 entitled, Commendation: George Siegrist, Jr. was unanimously adopted.

6004805

LAI D ON DESKS
4-11-11

RESOLUTION NO. 2011108

RE: AMENDING THE DUTCHESS COUNTY ADMINISTRATIVE CODE
AS IT RELATES TO ARTICLES XXIV AND XXV

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

WHEREAS, Article XXIV, entitled Publication of Local Laws was added to the Administrative Code by Local Law No. 7 of 1983, and

WHEREAS, when this Legislature adopted Local Law No. 6 of 1997, which renumbered the article numbers in the Dutchess County Administrative Code, Article XXIV was inadvertently omitted from the table of contents (a copy of Local Law No. 6 of 1997 is annexed hereto as Exhibit "A"), and

WHEREAS, when this Legislature adopted Local Law No. 4 of 2011, Article XXIV in both the Charter and Code was designated for the new department entitled Department of Services for Aging, Veterans and Youth, and

WHEREAS, the Administrative Code shall now to be renumbered so that Article XXIV is now the Department of Services for Aging, Veterans and Youth and Article XXV is Publication of Local Laws, now therefore be it

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No. 6 of 2011 which has been submitted this day for consideration by said Legislature.

CA-64-11
CAB/ca/G-1522
4/11/11
Fiscal Impact: None

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

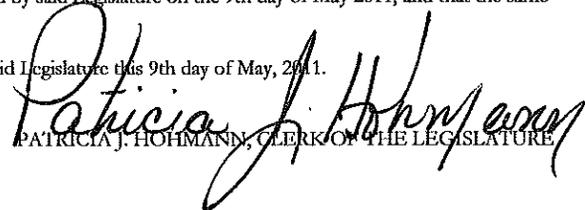
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date May 20, 2011

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of May 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of May, 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 6 of 2011

RE: A LOCAL LAW AMENDING LOCAL LAW NO. 6 OF 1997 ENTITLED A LOCAL LAW AMENDING THE ADMINISTRATIVE CODE AS IT PERTAINS TO ARTICLES I-XXXIV

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

SECTION 1. LEGISLATIVE INTENT. The Legislature determines that certain minor amendments to the numerical designations in the Administrative Code need to be done

SECTION 2. Article XXIV, entitled Publication of Local Laws shall be transferred to Article XXV.

SECTION 3. Local Law No. 4 of 2011 which created the Department of Services of Aging, Veterans and Youth and assigned Article XXIV to this new department is reaffirmed. Article XXIV, in the Administrative Code shall now be entitled Department of Services for Aging, Veterans and Youth.

SECTION 4. 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.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~CITY~~
~~TOWN~~ of DUTCHESS
~~VILLAGE~~

Local Law No. 6 of the year 1997.

A local law AMENDING THE ADMINISTRATIVE CODE AS IT PERTAINS TO ARTICLES

(Short Title)
I-XXXIV

Be it enacted by the COUNTY LEGISLATURE of the
(Name of Legislative Body)

County
~~CITY~~ of DUTCHESS as follows:
~~TOWN~~
~~VILLAGE~~

SECTION 1. LEGISLATIVE INTENT.

The County Legislature has determined that Articles I - XXXIV of the Administrative Code, should be amended inasmuch as, in its present form, it is at variance with the Dutchess County Charter.

SECTION 2. AMENDMENT TO THE DUTCHESS COUNTY ADMINISTRATIVE CODE.

Upon adoption of this Local Law, the numerical designations, titles, and section designations of each article of the Administrative Code are hereby replaced and in place thereof the following numerical designations and titles of each article shall appear, so that the numerical designations and titles of the Administrative Code shall be amended to read as follows:

- Article I Short Title and Definitions
- Article II Legislative Branch
- Article III Executive Branch
- Article IV
- Article V
- Article VI Finance, Department of

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Article VII	Health, Department of
Article VIII	Law, Department of
Article IX	Mental Hygiene, Department of
Article X	
Article XI	Personnel, Department of
Article XII	Planning and Development, Department of
Article XIII	Public Defender, Department of
Article XIV	Public Works, Department of
Article XV	
Article XVI	Social Services, Department of
Article XVII	Solid Waste Management, Department of
Article XVIII	Department of Emergency Response
Article XIX	
Article XX	Comptroller
Article XXI	County Clerk
Article XXII	District Attorney
Article XXIII	Sheriff
Article XXIV	
Article XXV	
Article XXVI	
Article XXVII	
Article XXVIII	Procurement Procedures
Article XXIX	Financial Procedures
Article XXX	Other County Units
Article XXXI	Dutchess Community College
Article XXXII	
Article XXXIII	Service Relationships
Article XXXIV	Code Applications and Transitional Provisions

SECTION 3. AMENDMENT.

All references in the Administrative Code to the Board of Representatives or Clerk of the Board be amended to read County Legislature or Clerk of the County Legislature.

SECTION 4. 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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____⁶ of 19⁹⁷ of the (County)(City)(Town)(Village) of _____ DUTCHESS was duly passed by the DUTCHESS COUNTY LEGISLATURE on JULY 14 19 97, and was (approved)(not approved)(repassed after disapproval) by the COUNTY EXECUTIVE _____ and was deemed duly adopted on AUGUST 14 19 97, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19..... of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on..... 19....., became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19..... of the County of _____ State of New York, having been submitted to the electors at the General Election of November 19....., pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph.....2....., above.



Carolyn Morris
Clerk of the County legislative body, ~~City, Town or Village Clerk~~
~~or officer designated by local legislative body~~
ACTING CLERK OF THE LEGISLATURE

Date: AUGUST 18, 1997

(Certification to be executed by County Attorney, ~~Corporate Counsel, Town Attorney, Village Attorney or~~
~~County Clerk or Secretary of Legislature)~~

STATE OF NEW YORK
COUNTY OF DUTCHESS

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Ian G. MacDonald
Signature
IAN G. MACDONALD
COUNTY ATTORNEY
Title

County
~~City~~ of DUTCHESS
~~Town~~
~~Village~~

Date: AUGUST 18, 1997

The foregoing Resolution No. 2011108, Local Law No. 6 of 2011 was laid on the desk at this time and considered at a Regular Board Meeting on May 9, 2011.

Roll call vote on the foregoing Resolution No. 2011108 resulted as follows:

AYES: 24 Bolner, Borchert, Cooper, Doxsey, Flesland, Forman, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White.

NAYS: 0

ABSENT: 1 Goldberg

Resolution adopted.

The County Executive signed it into law on May 20, 2011. The effective date was May 31, 2011.

Government Services and Administration Roll Call

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

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

2011108 Amending the Dutchess County Administrative Code as it Relates to Articles XXIV and XXV

Date: 5/5/11

Roll Call Sheets

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

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

2011108 Amending the Dutchess County Administrative Code as it Relates to Articles XXIV and XXV

Date: 5/9/11

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

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, New York, spoke in favor of Resolution No. 2011078 entitled, "Amending the 2011 Adopted County Budget as it pertains to the Department of Public Works".

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

On motion by Legislator Cooper, duly seconded by Legislator Flesland and carried, the meeting was adjourned at 8:35 p.m. subject to the call of the Chair by Legislator Bolner in recognition of Sexual Assault Awareness Month. She asked that the Legislature take a moment of silence for those Dutchess County residents that have fell victim to sexual assault over the past year. These acts will not fall silent and that our call to assist in prevention and to help our victims of Dutchess County will always be our mission.