Regular Meeting
of the
Dutchess County Legislature

Monday, April 12, 2010

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

Roll Call by the Clerk of the Legislature


ABSENT: 0

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag.

The invocation was given by Pastor Paul Lent of Freedom Plains Presbyterian Church LaGrangeville, New York followed by a moment of silent meditation.

COMMENDATIONS: Daniel W. Hitsman

Steven Velardo, Jr., American Legion State Oratorical Contest Third Place Finalist

M. Philip Amodeo

Proclamation: Naming the Hudson Valley 40th Anniversary Earth Day Celebration at the Dutchess County Fairgrounds as Official Earth Day Event of Dutchess County

Without objection, the Chairman changed the Regular Order of Business to conduct the public hearing prior to Privilege of the Floor.

The Clerk read the notice of public hearing in Connection with the establishment of Part County Sewer District No. 6 located in the Village and Town of Red Hook.
The Chairman declared the public hearing open.

The following people spoke in favor of Resolution Nos. 2010106 entitled, “Reconfirming the adoption of Negative Declaration in connection with the Establishment of Part County Sewer District No. 6 in the Village and Town of Red Hook” and Resolution No. 2010107 entitled, “Reaffirming Resolution No. 2010030 that established Part County Sewer District No. 6 in the Village and Town of Red Hook.”

Bill O’Neill, Red Hook, New York
Brent Kovalchik, Village of Red Hook Trustee

Bridget Barclay, Director, Dutchess County Water & Wastewater Authority, stated that she was aware that a letter was submitted to the Legislature regarding the Red Hook Sewer Project. (Attached and made a part of these minutes.) She added that she wanted to speak on two points raised in this letter. She added that she would first speak on the SEQR review of this project. She added that there were two sequential findings for the State SEQR review for this project. She added that the first completed State SEQR process made a finding of no environmental impact. She added that then there was a subsequent positive change to the project, the funding. She added that they were able to obtain additional funding that allowed them to fund, as a portion of the public project, installation of adding lateral pipes to individual properties and installation of a grinder pump. She further stated that this changed the physical scope and the area that would be impacted. The SEQR was reviewed again to incorporate this change and a finding of no significant impact was made. A long Environmental Impact Statement was completed. She added that there was no public hearing held for this SEQR process and there was not a requirement that this be done. The second point that was made in the letter was the projected first year total cost for the project. She added that under state law when the Legislature considers a resolution to establish a sewer district part of the information that had to be available to the legislature and the public was a full explanation of the projected first year cost of the project for a typical property, including hook up charges. This information was in the map plan and report that had been made available to this body and was on the Authority’s website and the Village and Town of Red Hook’s website. She concluded by stating that that there had been full and accurate disclosure should the district go forward.

There being no one else wishing to be heard the Chairman declared the public hearing closed.

The Chairman entertained a motion from the floor, duly seconded and unanimously adopted, to suspend the regular order of business to allow the public to address the Legislature on agenda items.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, New York, questioned who would be responsible for setting up the pilot program for Resolution No. 2010094 entitled, “Authorizing the County Legislature of Dutchess County, New York to form a Local Development Corporation to Promote and Conduct Local Development Activities in Dutchess County, New York”.

Fred Bunnel, Poughkeepsie, New York, urged the Legislature to table Resolution No. 2010111 entitled, "Amendment of Resolution No. 61 of 1993 creating the Dutchess County Criminal Justice Council".

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

Chairman Rolison entertained a motion to approve the minutes of March 8, 2010.

On motion by Legislator Flesland duly seconded by Legislator Cooper the March 8, 2010 minutes were approved.
April 9, 2010

To the Honorable D.C. Legislative Chairman Rolison, D.C. Legislator Ben Traudt, all Legislators and D.C. Legislative Clerk Hohmann:

RE: New Public Hearing 4-12-10, Part County Red Hook Sewer District No. 6 Project

Thank you for rescheduling a new hearing for the proposed Red Hook Sewer District. We applaud Legislator Ben Traudt for his openness, information, paperwork and representing the people. We also thank Legislator James Doxey for voicing his concern over our first letter; he not only fully represents his district but represents the people even beyond his district and into the northern part of our County.

We wish to place into the record local concerns regarding the procedural development of this project and its future outcomes:

Legislature Voting Next Day: As noted and confirmed by this Legislature, it was wrong to vote the next day, Feb. 11, 2010, on this issue in order to facilitate the time line for acquiring the grants for this project without due consideration of the public’s proper notification and input, especially those directly impacted by the installation of a sewer system.

10-15-08 DCWWA Board minutes “Bridget said the ITF (Intermunicipal Task Force) is working toward a public information meeting on the sewer district. They will host a meeting open to the public at large, but with invitations sent to all the property owners in the district.”

The affected property owners never received mailings describing the project or inviting them to any public meetings, rather selected individuals were approached and/or intimate small group meetings were held.

Lead Agency Confusion: The project’s “lead” agency status has been a source of confusion to the public in general. The Authority filed a SEQR Negative Declaration Notice more than once.

*4-15-09 CT Male Dec. 2009 Report: Type I action was determined and a negative declaration was issued and signed by the Bridget Barclay of the DCWWA.

*5-27-09 NYSDEC Environmental News Bulletin: DCWWA, lead agency, Type I Negative Declaration on the Red Hook Sewer Proposal.

*2-10-10 NYSDEC Environmental News Bulletin submitted by Bridget Barclay, DCWWA, Type I Negative Declaration. (This was done prior to the proposed 2-10-10 Legislature meeting that was cancelled and held on 2-11-10)

*Negative Declarations cannot be filed without a public hearing.
properties are generally larger parcels with functioning septic systems and should not be sharing equally in the cost.

**Projected First Year total Costs:** On page 14 of CT Male’s 2009 report, it states that the projected first year total costs would be $765 per benefit unit (BU), made up of $410 for 1 BU and $355 for Operations and Maintenance. This is not correct as it does not include the owner’s costs for the electrical and plumbing for the hook-up to the grinder pump and the $300 inspection fee. SEQR requires the public notice to include accurate first year costs.

In one intimate ITF/DCWWA group meeting, it was mentioned that the homeowner would have to fill-in their present septic system, at their cost, so as to make it non-useable. That would leave no alternative back-up in case of a long term disaster emergency whereby there was no electricity for more than a week. Much of the related information for this project was not presented in written materials. The information had to be asked directly to the DCWWA at these private meetings.

**Increased Rental Fees:** Based on the proposed sewer related fees imposed on the property owners, the present affordable rental units will need to be increased substantially for the present tenants to offset the businesses’ costs. This contradicts the purpose of the Town’s proposed Centers and Greenspace initiatives to provide affordable housing for the local residents. This may cause a social upheaval in the dynamics of the community at large. Volunteerism in our fire departments, churches and non-profits may suffer the most.

**Incentivizing Participation:** The southern properties should be offered a variant form of the County’s 485b program which offers a 10 year-pro-rated tax deduction. This will help ease the economic burden to those properties with multiple “benefit units” which are actually “taxing units”. The present poor economic condition may take ten years to truly recover. An economic incentive might make participation in the southern sector more palatable and assist in stabilizing the sale of properties in foreclosure. There is nothing worst for a business than to have adjoining properties closed up.

**Septic Systems Educational Outreach:** An educational outreach should be implemented to teach local residences about the proper maintenance and pumping recommendations for their septic systems. Properly maintained systems can recycle water necessary to maintain the aquifer’s volume. Extracting sewerage, chlorinating it then allowing it to enter streams changes the nature of the stream and can negatively affect the biodiversity within the stream.

Additionally, in July of last year, we set a record of 9.5 inches of rain. The designed system may fail due to extremes in weather conditions (global warming effects). Larger volumes of treated discharge can cause increased erosion and flooding potentially affecting property values.


**DCWWA Rates:** A recent analysis of the 12 systems (7 water and 3 sewers) run by the DCWWA shows inconsistencies between systems in costs for water and wastewater delivery
no fee attached if the pipes pass by an included property. In Hyde Park, one does not pay a base fee for a water pipe to pass by a non-user property.

The Catskill Watershed Corporation not only offers free classes on septic system operation and maintenance but also authorizes resolutions to cover septic replacements and rehabilitation programs under $20,000.

**Conclusion:**

1. We oppose the forced participation in a sewage system whose primary purpose is not to protect the environment but rather to increase building development on the fringes of the proposed sewer district.

2. We oppose the marginalization of tenants by the economic necessity to increase rents.

3. We support the need for a sewer system for the Village of Red Hook.

4. We support a 485b type of tax abatement for the southern businesses and households and/or the elimination of the base rate whether or not one hooks up to the system.

5. We support an educational outreach to all property owners regarding the proper maintenance of their septic systems.

6. We support the public’s representation in the operation and oversight of this proposed facility.

Sincerely,

Thomas R. Mollica
South Broadway
Red Hook, NY 12571
914-456-4242

Cc: County Executive William Steinhaus
COMMUNICATIONS RECEIVED FOR THE APRIL, 2010 BOARD MEETING

RECEIVED: Received from Valerie J. Sommerville, Budget Director, a memo stating that as of April 8, 2010, the General Contingency-A1990.4007 reflected a balance of $1,474,361.

RECEIVED: Received from Kathleen Myers, Director of Real Property Tax Services, monthly counts of ownership transfers and subdivisions for January and February 2010.

RECEIVED: Received from Putnam County Legislature Clerk M. Chris Marrone, Resolution No. 86 entitled, Authorization/Submission of Local Government Efficiency Grant Application/New York State Department of State/Implementation of Hudson Valley Local Government Cooperative Purchasing Project.
RESOLUTION NO. 2010080

RE: AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE TRADE ADJUSTMENT ASSISTANCE ACT

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

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

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County for the operation of FY 2009 TAA funding for the period 10/01/08 through 9/30/11, now, therefore, be it

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

APPROPRIATIONS

Increase  (Decrease)
FY 2009

Invest 6292.2009.4813  TAA Participant Funding  $374,636

REVENUES

Increase  (Decrease)
FY 2009

Invest 6292.2009.47910.22  TAA Participant Funding  $374,636

CA-52-10
CRC/ca/G-1263
3/15/10
Fiscal Impact: See attached statement

STATE OF NEW YORK
COUNTY OF DUTCHESS

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOBOMANN, CLERK OF THE LEGISLATURE
FISCAL IMPACT STATEMENT

□ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

<table>
<thead>
<tr>
<th>Total Current Year Cost</th>
<th>$ 374,636</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Current Year Revenue</td>
<td>$ 374,636</td>
</tr>
</tbody>
</table>

and Source

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

Identify Line Items(s):

Related Expenses: Amount $ ________________
Nature/Reason:

Anticipated Savings to County:

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

Additional Comments/Explanation:

Prepared by: Richard Altman -- Executive Director Dutchess County Workforce Investment Board
February 10, 2010

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 Workforce Development and Training Division 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 WDTDTDAA@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
New Funding Requests Approved:

FY 2008
  TRAINING
  None

Changes to Previously Approved Funding Requests:

FY 2008
  TRAINING
  None

New Funding Requests Approved:

FY 2007
  TRAINING
  None

Changes to Previously Approved Funding Requests:

FY 2007
  TRAINING
  None
NOTICE OF OBLIGATIONAL AUTHORITY  LWIA# 60    NOA #FY09-11

LWIA: Dutchess County
Grantee: William R. Steinhaus
         County Executive, Dutchess County

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).

NYSDOL Contact: Carrie Aubertine

<table>
<thead>
<tr>
<th>TAA GRANT</th>
<th>PRIOR LEVEL</th>
<th>CHANGE THIS NOA</th>
<th>NEW LEVEL</th>
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<tr>
<td>Training</td>
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<td>Job Relocation</td>
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<tr>
<td>Job Search</td>
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<td>$0.00</td>
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Approved by:

Karen A. Coleman
Director
Division of Employment and Workforce Solutions

02/10/10
Roll call vote on the foregoing Resolution No. 2010080 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010081

RE: APPPOINTMENTS AND REAPPOINTMENTS TO THE MENTAL HYGIENE BOARD

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

WHEREAS, Article 41 of the Mental Hygiene Law, Section 9.03 of the Dutchess County Charter, and Section 9.03 of the Dutchess County Administrative Code provide for the Creation of an Advisory Mental Hygiene Board whose members are appointed by the Legislature, and

WHEREAS, Section 41.11 of the Mental Hygiene Law provides that each member shall be appointed for a four-year term; that vacancies shall be filled for unexpired terms and that no member may serve more than two consecutive terms, and

WHEREAS, there presently exists vacancies on said Board, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint and reappoint the following to the Dutchess County Advisory Mental Hygiene Board:

<table>
<thead>
<tr>
<th>APPOINTMENTS</th>
<th>TERM ENDING</th>
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</thead>
<tbody>
<tr>
<td>Jennifer L. Rowe, Ph.D (1st Term)</td>
<td></td>
</tr>
<tr>
<td>56 Temby Drive</td>
<td></td>
</tr>
<tr>
<td>Dover Plains, NY 12522</td>
<td>12/31/13</td>
</tr>
<tr>
<td>Ronald Rosen Ed.D</td>
<td>12/31/13</td>
</tr>
<tr>
<td>6 Mulberry Lane</td>
<td></td>
</tr>
<tr>
<td>Poughkeepsie, NY 12603</td>
<td></td>
</tr>
<tr>
<td>(Replacing James Warner)</td>
<td></td>
</tr>
<tr>
<td>Shirley A. Adams</td>
<td>12/31/13</td>
</tr>
<tr>
<td>19 Catherine Street</td>
<td></td>
</tr>
<tr>
<td>Poughkeepsie, NY 12601</td>
<td></td>
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<tr>
<td>(Replacing Frank J. Falanga)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>REAPPOINTMENTS</th>
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</tr>
</thead>
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<tr>
<td>FaLisia Cotton LCSW (2nd Term)</td>
<td></td>
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<tr>
<td>8 Alladin Court</td>
<td></td>
</tr>
<tr>
<td>Wappingers Falls, NY 12590</td>
<td>12/31/13</td>
</tr>
</tbody>
</table>
STATE OF NEW YORK  
COUNTY OF DUTCHESS  

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN  
CLERK OF THE LEGISLATURE
Ronald Rosen, Ed.D.
6 Mulberry Lane
Poughkeepsie, New York 12603

Work Phone: 845-373-8557, Ex. 269
Home Phone and Fax: 845-452-1563
e-mail: adm4pps@aol.com

EDUCATION

Ed.D.  Education Administration, SUNY at Albany
M.A.   School Psychology, Hofstra University
B.A.   General Psychology, Hofstra University

CERTIFICATION

School District Administrator, New York State, Permanent
School Psychologist, New York State, Permanent
Mental Health Administrator, AMHA
School Leader I and II, School Psychologist, Delaware
Superintendent, Director, Principal, Pennsylvania

EXPERIENCE

Assistant Headmaster for Instruction 2004-Pre
Maplebrook School

Responsible for oversight of curriculum and assessment for
private boarding and day school serving students in grades
6 through 12 and post-secondary school. Completely revised
academic curriculum and education plan. Major role with
organizational and staff development.

Director, Pupil Personnel Services 2000-2004
Hastings Central Schools
Lakeland Central Schools
Greater Amsterdam City Schools
Ronald Rosen, Ed.D.

Central office administrator responsible for all school professional and support personnel serving both special needs and regular education students Pre K-12—guidance, social work, school psychology, occupational therapy, physical therapy and nursing services. District CSE and 504 Chair. 2,400 to 5,000 students. At Amsterdam also responsible for K thru 9 remedial reading and math.

Superintendent of Schools 1996-2000
Rhinecliff Union Free School District

Chief executive for Special Act public school district which served very challenging students in grades 6-12. 50% with mental health diagnoses. Served as Principal for two years. Program closed.

Director, Pupil Personnel Services 1990-1996
Rondout Valley Central Schools

Tenured central office administrator responsible for all school professional and support personnel serving both special and regular education students Pre K-12. Also responsible for all remedial reading and math education for grades 2 thru 9 and alternative education. 3,000 student district.

Director, Program Operations 1986-1990
Harlem Valley Psychiatric Center
Wingdale, New York

Executive responsible for the development, implementation and evaluation of all educational, habilitative and rehabilitative programs operated through the Office of Mental Health—serving some 1,200 individuals. Principal for facility and community school programs. Extensive experience with MICA patients and dually diagnosed.
Ronald Rosen, Ed.D.

Superintendent, Facilities and Schools  1974-1986
Monson Regional Developmental Center
Monson, Massachusetts

Chief executive officer of total program and fiscal
operation for all facilities and services for developmentally
disabled and mentally ill children and adults. Managed an
operating budget of some $36,000,000 and a staff of 1600.
Supervised four (4) public school principals and (15) line
managers. Facilities now fully decentralized.

Director, Staff Development  1971-1974
Wassaic State School
Wassaic, New York

Administrator responsible for the planning, organization
and delivery of wide-ranging staff development programs
involving 1200 personnel---across disciplines and at all
professional levels.

Associate Psychologist  1968-1971
Wassaic State School
Wassaic, New York

Performed comprehensive psychological evaluations and
developed intervention plans for support of client
consumers in residential settings.

COLLEGE TEACHING

Adjunct Professor  1986-1997
Marist College
Poughkeepsie, New York

Responsible for both graduate and undergraduate courses
within the Divisions of Public Administration and Social
and Behavioral Sciences.
Ronald Rosen, Ed.D.

Adjunct Professor 1982-1984
Nichols College
Dudley, Massachusetts

Responsible for undergraduate courses in personnel management and leadership.

CONSULTING ACTIVITY 2003-2007

SLS Health
Brewster, New York

Consulting educator for private residential program.

COMMUNITY ORGANIZATIONS

Member, Dutchess County Developmental Disabilities Committee.

OTHER ORGANIZATIONS

School Administrators Association of New York State

Workshop Presentation October, 2007: "Initiating and Maintaining Leadership in Vacuums of Our Own Making"

Council on Exceptional Children

Workshop selected for presentation October, 2009: "Why Parents of Special Needs Students Must Change"

Workshop Presentation November 2008: "The Primacy of Social Competencies in Workplace Success for all Students"

Workshop Presentation November, 2006: "Raising the Bar: Academic Program versus Social Skills Training"

INTERESTS

Ronald Rosen, Ed.D.

REFERENCES

Telephone and written references provided upon request and which include:

1. One present and a former Ulster BOCES Superintendent
2. One former Dutchess BOCES Superintendent
3. Three former school district superintendents
4. Five Principals from Elementary through High School
5. Teachers within several school districts
6. Board of Education members and parents
7. CEO of private mental health treatment program
8. Dutchess County government executive level personnel
March 17, 2010

To: Mr. Mike Ellison

Please find attached my Bio, submitted to you in consideration for a seat on the D.C. Mental Hygiene Board.

Sincerely,

[Signature]

Shirley A. Adams
Shirley A. Adams

BIOGRAPHICAL SUMMARY

Shirley A. Adams became the Executive Director of Catharine Street Community Center in 1996. Located in the City of Poughkeepsie, NY., Catharine St. provides Pre-Kindergarten & After School Enrichment Skills as well as HIV/AIDS Support Services to low-income individuals, children and families.

Before Catharine St., Shirley had the distinguished honor to have served in management positions in NY City under the leadership of Mayor Edward Koch. She was appointed by Mayor David Dinkins, and re-appointed by Mayor Rudolph Giuliani to the position of First Deputy Commissioner of NYC Department of Youth & Community Development Agency (YCD). At YCD, Shirley was responsible for the assessment of need, selection of service providers as well as the distribution and monitoring of more than 10 million dollars annually to community based organizations throughout NYC.

Shirley’s many honors and awards include the Crystal Apple Award as Outstanding Woman of the Year in New York City Government and the 1998 Distinguished Service Award from the New York State Department of Health - AIDS Institute. Shirley was one of the first to receive the Girl Scout of D.C Seat of Honor Award in 2000. In 2006, Shirley received the Citizen of the Year Award from the Omega Psi Phi Fraternity and the Distinguished Leadership Dutchess Alumni Award from the Greater Southern Dutchess Chamber of Commerce. In 2007, she also received the Brotherhood Award from the Martin Luther King, Jr. Cultural Center, Beacon, NY. Shirley was honored at the NYS Capitol – where she was named one of NYS's 2007 - Women of Distinction. Shirley, was selected for this award by NYS Senator Stephen Saland. In 2008, she received the Volunteer of the Year Award from the Alpha Phi Alpha Fraternity.

Shirley supports her community. She was appointed by former Governor George Pataki to the NYS Governor’s Advisory Council to Advocate for Persons with Disabilities. She was appointed by County Executive William Steinhauser to the D.C. HIV/AIDS Planning Council in 1998 and served as Chair from 1999 to 2004. In 2003, County Executive Steinhauser appointed her to the Dutchess County Criminal Justice Coordinating Council. From 2003-2006, she served on the Board of the D.C. Regional Chamber of Commerce. Shirley currently serves on the Board of Poughkeepsie Rural Cemetery, D.C. Children’s Council and the D.C. Mental Hygiene, Chemical Dependency Subcommittee. She is also a Board Member and Past President of the Poughkeepsie Rotary Club. In 2004, Shirley was appointed by Mayor Colette Lafuente to the Board of the City of Poughkeepsie Housing Authority and in 2008 was reappointed to the Housing Board by Mayor John Tkazylik, where she currently serves as Board Chair.

Shirley has a BA in Psychology and Special Education from Bennett College, Greensboro, NC, and an MA in Public Administration from NYU. She resides with her family in the City of Poughkeepsie.

19 CATHERINE STREET
POUGHKEEPSIE NY 12601
473-2272
Jennifer L. Rowe, PhD

56 Temby Drive • Dover Plains, NY 12522
JLR540@optonline.net • (914) 213.7584

EDUCATION
2004 – 2006  Fellow, Geriatric Psychiatry
Weill Medical College of Cornell University
NY Presbyterian Hospital
White Plains, NY

2003 – 2006  Fellow, Geriatric Psychiatry
University of Rochester Medical Center
Rochester, NY

1999 – 2003  Ph.D., Clinical Health Psychology
Yeshiva University and Albert Einstein College of Medicine
Bronx, NY

1997 – 1999  M.A., Clinical Health Psychology
Yeshiva University and Albert Einstein College of Medicine
Bronx, NY

1994 – 1997  B.A., Psychology
Fordham University
New York, NY

PROFESSIONAL EXPERIENCE
Certification:  Licensure, Clinical Psychologist, New York, # 016579-1, Issued 11/2005

CLINICAL
2007 –
Clinical Psychologist
CHE Senior Psychological Services, PC
Dutchess Center for Rehabilitation and Healthcare, Pawling, NY

2006 – 2007  Clinical Psychologist
RG Psychological Services, PC
The Osborn, a senior living community, Rye, NY
• Provide psychological assessment and psychotherapy services to older adults with various functional and cognitive abilities. Work with treatment team and family to provide optimal care.

2004 – 2006  Postdoctoral Fellow of Psychology in Psychiatry
Weill Medical College of Cornell University, Department of Psychiatry
• Provided assessments and individual supportive and cognitive behavioral therapy to older adult home health care utilizers.

2005 – 2006  Consultant
Westchester County Department of Senior Program and Services
• Conducted mental health assessments of older adults in home delivered meals program.

Sub OK
2003 – 2006  Postdoctoral Fellow – Geriatric Psychiatry
Center for the Study and Prevention of Suicide, Department of Psychiatry
University of Rochester Medical Center
- Participated in diagnostic evaluations of older adult inpatients with various medical and psychiatric disorders.

SUPERVISED
2001 – 2002  Predoctoral Clinical Psychology Intern
St. Charles Hospital and Rehabilitation Center,
Department of Psychology, Port Jefferson, NY
- Provided assessment and treatment of inpatients and outpatients with various medical and psychological disorders including trauma-related neurological conditions and substance use disorders.
- Conducted individual and group psychotherapy utilizing a variety of therapeutic techniques (e.g., cognitive behavioral, interpersonal, and brief psychodynamic therapy).
- Conducted comprehensive neuropsychological evaluations of children, adolescents, and adults.

2000 – 2001  Psychology Extern
The Mount Sinai Medical Center, Department of Psychiatry, NY
- Conducted diagnostic interviews, neuropsychological evaluations, personality assessments, and provided individual therapy for inpatients and outpatients.

1999 – 2000  Psychology Extern
Albert Einstein College of Medicine, Fisher-Landau Center for the Treatment of Learning Disabilities, NY
- Provided psychoeducational training to adults with severe learning disabilities.

1998 – 2000  Psychology Assistant
Albert Einstein College of Medicine, Department of Neurology, NY
- Conducted clinical interviews, administered formal neuropsychological tests, and experimental memory tests with older adult study participants.
- Group therapist for older adults with mood disorders.

1998 – 1999  Therapist
Albert Einstein College of Medicine, Barnes Psychology Clinic, NY
- Provided individual supportive and cognitive behavioral therapy to adults in an outpatient mental health clinic.

1996 – 1997  Occupational Therapy Assistant
St. Vincent’s Hospital and Medical Center of New York,
Adolescent Psychiatry Unit
- Assisted occupational therapist and nursing staff implement therapeutic activities for adolescent psychiatric inpatients.
1995 – 1996  Therapy Assistant to Special Education Teachers
Karen Horney Clinic, Therapeutic Nursery School, NY
  • Assisted early childhood special education teachers implement a
    psychodynamic program to treat pre-schoolers with developmental and
    psychiatric disorders.

RESEARCH
2004 – 2006  Postdoctoral Fellow of Psychology in Psychiatry
Institute of Geriatric Psychiatry
Weill Medical College of Cornell University, White Plains, NY

2003 – 2006  Postdoctoral Fellow – Geriatric Psychiatry
Center for the Study and Prevention of Suicide,
University of Rochester Medical Center, Rochester, NY

2002 – 2003  Clinical Researcher
Ruttenberg Cancer Center, Mount Sinai School of Medicine, NY

2001 – 2002  Predoctoral Clinical Psychology Intern
St. Charles Hospital and Rehabilitation Center, Port Jefferson, NY

1998 – 2001  Research Associate
Ruttenberg Cancer Center, Mount Sinai Medical Center, NY

1998 – 2000  Research Associate
Albert Einstein College of Medicine, NY

1996 – 1997  Research Associate
Fordham University, NY

HONORS
2004 Selected Participant, NIMH Summer Research Institute in Suicide Prevention
2004 Selected Participant, NIMH Summer Research Institute in Geriatric Psychiatry
2003 Recipient, NIMH National Research Service Award (NRSA) Fellowship

PROFESSIONAL MEMBERSHIPS
American Psychological Association
Gerontological Society of America
American Association for Geriatric Psychiatry
American Foundation for Suicide Prevention
PUBLICATIONS
Rowe JL, Bruce ML, Conwell Y: Correlates of suicide among home health care utilizers who died by suicide and community controls. Suicide and Life-Threatening Behavior 2006; 36(1):65-75.

SELECT PRESENTATIONS
Impact of Objective and Subjective Social Support on Suicidal Ideation in Older Adult Home Health Care Utilizers, Gerontological Society of America (GSA) annual scientific conference, Orlando, FL, November 2005.


Correlates of Suicide Among Home Health Care Utilizers Who Died by Suicide and Community Controls, Gerontological Society of America (GSA) conference, Washington DC, November 2004.

Home Health Care Utilization Among Older Adults Who Died by Suicide and Community Controls, American Association of Suicidology (AAS) conference, Miami, FL, April 2004.

RESEARCH SUPPORT
Pilot Grant: An examination of the characteristics of older adult home health care utilizers at high-risk for suicidal behaviors

National Research Service Award Fellowship (NIMH T32-MH20061)
PI: Y. Conwell 8/1/03 – 7/31/06 Role: Postdoctoral Research Fellow

Home Care Intervention and Practice Research Infrastructure Program (IP-RISP) (NIMH-R24)
PI: ML. Bruce, PhD, MPH Role: Postdoctoral Research Fellow
Department of Psychiatry, Weill Medical College of Cornell University, White Plains, NY
Roll call vote on the foregoing Resolution No. 2010081 resulted as follows:


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

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010082

RE: Requesting Dutchess County Youth Bureau work with high school student governments to create a Youth Leadership summit

Legislators TYNER, Jeter-Jackson, MacAvery, White, Rolison, and Traudt offer the following and move its adoption:

WHEREAS, it's important to make sure the young people of Dutchess County learn how our county government works, and

WHEREAS, it's also important to develop leadership and public speaking skills, self-confidence, and knowledge of issues, and

WHEREAS, there are many challenges facing the Dutchess County Legislature on many different levels and on many different issues, and

WHEREAS, it would be helpful to have new ideas and suggestions from Dutchess County's student leaders on how to make our county a better place, and

RESOLVED, that the Dutchess County Legislature requests that our county's Youth Bureau work with high school student governments across our county to create a Youth Leadership Summit to hold non-binding votes on County Legislature issues and develop innovative ways to make Dutchess County better, and be it further

RESOLVED, that a copy of this resolution be sent to our County Executive, our county's Youth Bureau, and the student governments at Dutchess County's high schools.

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
Resolution No. 2010082 entitled, “Requesting Dutchess County Youth Bureau work with high school student governments to create a Youth Leadership summit” was tabled in Family & Human Services Committee on April 8, 2010.
RESOLUTION NO. 2010083

RE: AUTHORIZING GRANT AGREEMENT WITH U. S. DEPARTMENT OF ENERGY AS PART OF AMERICAN RECOVERY REINVESTMENT ACT (ARRA) AND AMENDING THE 2010 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS - (CAPITAL PROJECT ACCOUNT H0416.1620)

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

WHEREAS, the Commissioner of Public Works has advised that as part of the American Recovery and Reinvestment Act (ARRA) of 2009, the United States Department of Energy (DOE) has awarded a direct formula grant to Dutchess County to implement energy savings projects under the Energy Efficiency and Conservation Block Grant (EECBG) Program in the amount of $2,328,800, and

WHEREAS, Dutchess County’s grant submittal to the Department of Energy outlines energy savings projects including comprehensive building system assessments and energy improvement analyses at twenty-three (23) Dutchess County building sites, and

WHEREAS, the resultant analyses will recommend and prioritize physical improvements for implementing energy conservation measures, and

WHEREAS, it is necessary for this Legislature to authorize the acceptance of the federal grant and to amend the 2010 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant award from the United States Department of Energy in connection with the above project and further authorizes and empowers the County Executive to execute any grant agreements on behalf of the County of Dutchess, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2010 Adopted County Budget as follows:

<table>
<thead>
<tr>
<th>APPROPRIATIONS</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase</td>
<td></td>
</tr>
<tr>
<td>H0416.1620.3150 Building Reconstruction</td>
<td>$1,737,800</td>
</tr>
<tr>
<td>H0416.1620.4401.107 Professional Services Non-Capitalized</td>
<td>$591,000</td>
</tr>
<tr>
<td></td>
<td>$2,328,800</td>
</tr>
</tbody>
</table>

Page 1 of 2
REVENUES
Increase
H0416.1620.40890.95 Other Federal Aid ARRA General Gov't Grant $2,328,800

CA-51-10
CAB/ca/C-8089
3/15/10
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA L. HOFFMANN, CLERK OF THE LEGISLATURE
FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost $ 2,328,800

Total Current Year Revenue $ 2,328,800

and Source

ARRA Federal Grant

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: $2,328,800

Net County Cost (this year): __________________________________________

Over Five Years: _____________________________________________________

Additional Comments/Explanation:

As part of the American Recovery and Reinvestment Act (ARRA) of 2009, the United States Department of Energy (DOE) has awarded a direct formula grant to Dutchess County to implement energy savings projects under the Energy Efficiency and Conservation Block Grant (EECBG) program in the amount of $2,328,800. Dutchess County’s EECBG submittal to the DOE outlines energy savings projects and includes comprehensive building system assessments and energy improvement studies at twenty-three (23) Dutchess County building sites.

This resolution request is for Legislative acceptance of the Federal grant in the amount of $2,328,800. 

Prepared by: Roman Yasiejko, RA
# ASSISTANCE AGREEMENT

1. **Award No.**
   - DE-EE0000695

2. **Modification No.**
   - Not specified

3. **Effective Date**
   - 08/10/2009

4. **CFDA No.**
   - 81.128

5. **Awarded To**
   - DUTCHESS, COUNTY OF (INC)
     - Attn: BRAD BARCLAY
     - 22 MARKET STREET
     - POUGHKEEPSIE NY 126013235

6. **Sponsoring Office**
   - Golden Field Office
   - U.S. Department of Energy
   - 1617 Cole Blvd.
   - Golden CO 80401

7. **Period of Performance**
   - 08/10/2009 through 08/09/2012

8. **Type of Agreement**
   - ☑ Grant
   - ☐ Cooperative Agreement
   - ☐ Other

9. **Authority**
   - PL 110-140, EISA 2007
   - PL 111-5, recovery Act 2009

10. **Purchase Request or Funding Document No.**
    - 09EE003537

11. **Remittance Address**
    - DUTCHESS, COUNTY OF (INC)
      - Attn: BRAD BARCLAY
      - 22 MARKET STREET
      - POUGHKEEPSIE NY 126013235

12. **Total Amount**
    - Govt. Share: $2,328,800.00
    - Cost Share: $0.00
    - Total: $2,328,800.00

13. **Funds Obligated**
    - This action: $2,328,800.00
    - Total: $2,328,800.00

14. **Principal Investigator**
    - Charles Traver
    - 845-486-2121

15. **Program Manager**
    - Jason Randall
    - Phone: 303-275-4847

16. **Administrator**
    - Golden Field Office
    - U.S. Department of Energy
    - 1617 Cole Blvd.
    - Golden CO 80401-3393

17. **Submit Payment Requests To**

18. **Paying Office**

19. **Submit Reports To**
    - See Attachment #2

20. **Accounting and Appropriation Data**
    - EE CBG

21. **Research Title and/or Description of Project**
    - RECOVERY ACT: ENERGY EFFICIENCY AND CONSERVATION PROGRAM

<table>
<thead>
<tr>
<th>For the Recipient</th>
<th>For the United States of America</th>
</tr>
</thead>
<tbody>
<tr>
<td>22. Signature of Person Authorized to Sign</td>
<td>26. Signature of Grants/Agreements Officer</td>
</tr>
<tr>
<td>23. Name and Title</td>
<td>24. Date Signed</td>
</tr>
<tr>
<td>25. Name of Officer</td>
<td>27. Date Signed</td>
</tr>
</tbody>
</table>

27. **Date Signed**
   - Melissa Y. Wise
   - 08/14/2009
MEMORANDUM

To: Charles E. Traver, Commissioner of Public Works
From: Roman Yasiejko, RA, Director of Physical Facilities
Date: 08 March 2010
Re: ARRA Federal Grant Acceptance

As part of the American Recovery and Reinvestment Act (ARRA) of 2009, the United States Department of Energy (DOE) has awarded a direct formula grant to Dutchess County to implement energy savings projects under the Energy Efficiency and Conservation Block Grant (EECBG) program in the amount of $2,328,800. Dutchess County’s EECBG submittal to the DOE outlines energy savings projects including comprehensive building system assessments and energy improvement analyses at twenty-three (23) Dutchess County building sites.

The resultant analyses will recommend and prioritize physical improvements for implementing energy conservation measures based on:

- projected energy savings in terms of usage and dollars;
- component first cost estimates and project budgets;
- anticipated return on investment (ROI);
- life-cycle cost analysis;
- order of magnitude timelines and durations for implementation;
- other pertinent items as required.

Please forward this resolution request to the Legislature for its approval and acceptance of the Federal grant in the amount of $2,328,800 in time for the April board meeting. Thank you.
Roll call vote on the foregoing Resolution No. 2010083 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010084

RE: ACCEPTANCE OF ADDITIONAL RIGHT-OF-WAY, CR 29, CARPENTER ROAD, TOWN OF EAST FISHKILL FROM LYNNE D’APICE f/k/a LYNNE PARSONS

LEGISLATORS Hutchings, Horton, Flesland, Kelsey, and Weiss offer the following and move its adoption:

WHEREAS, as part of the review of an application of the Parsons Subdivision to subdivide a parcel of land on CR 29, Carpenter Road, in the Town of East Fishkill, the Town of East Fishkill Planning Board determined that a survey of the parcel indicated that a portion of the property extended into what is typically assumed to be the highway right-of-way, and

WHEREAS, the Town of East Fishkill has requested that Lynne D’Apice f/k/a Lynne Parsons formally dedicate any land located within the assumed highway right-of-way of CR 29, within 25 feet of the existing centerline, to the County, thereby providing for a legally defined right-of-way, and

WHEREAS, the Department of Public Works has prepared and reviewed a short environmental assessment form and has determined that the proposed right-of-way (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, a true copy of the short environmental assessment form and the Negative Declaration reflecting the finding of non-significance are annexed hereto and made a part hereof, now therefore, be it

WHEREAS, it is necessary for this Legislature to approved the acceptance of the dedication of this additional right-of-way, now therefore, be it

RESOLVED, that this Legislature hereby adopts and confirms the Short Environmental Assessment Form and Negative Declaration, concluding acceptance of the dedication of this additional right-of-way will not have a significant effect on the environment, and be it further

RESOLVED, that this Legislature approves the acceptance of the dedication of additional right-of-way, CR 29, Carpenter Road, Town of East Fishkill, from Lynne D’Apice f/k/a Lynne Parsons.

CA-50-10 CAB/ca/R-0881 3/15/10 Fiscal Impact: See attached statement

WILLIAM R. STEINHAUS COUNTY EXECUTIVE

Date April 16, 2010

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA A. ROTH, CLERK OF THE LEGISLATURE
FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost  $ 0

Total Current Year Revenue  $ 0

and Source

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

Identify Line Items(s):

Related Expenses:  Amount $ ______________

Nature/Reason:

Anticipated Savings to County: ______________

Net County Cost (this year): ______________

Over Five Years: ______________

Additional Comments/Explanation:

Prepared by: D. Bartles, Right of Way Engineer, DC DPW
## PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1. APPLICANT/SPONSOR</td>
<td>2. PROJECT NAME</td>
</tr>
<tr>
<td>DUTCHESS COUNTY</td>
<td>PARSONS RIGHT OF WAY DEDICATION</td>
</tr>
<tr>
<td>3. PROJECT LOCATION:</td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>County</td>
</tr>
<tr>
<td>EAST FISHKILL</td>
<td>DUTCHESS</td>
</tr>
<tr>
<td>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)</td>
<td></td>
</tr>
<tr>
<td>5. PROPOSED ACTION IS:</td>
<td></td>
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<tr>
<td>New</td>
<td>Expansion</td>
</tr>
<tr>
<td>6. DESCRIBE PROJECT BRIEFLY:</td>
<td></td>
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<tr>
<td>TO ACCEPT THE DEDICATION OF 0.06 ACRES FROM LYNNE F. D’APICE f/k/a LYNNE F. PARSONS ALONG A PORTION OF CR 29.</td>
<td></td>
</tr>
<tr>
<td>7. AMOUNT OF LAND AFFECTED:</td>
<td></td>
</tr>
<tr>
<td>Initially</td>
<td>0.06 ACRES</td>
</tr>
<tr>
<td>Ultimately</td>
<td>0.06 ACRES</td>
</tr>
<tr>
<td>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Industrial</td>
</tr>
<tr>
<td>Describe:</td>
<td></td>
</tr>
<tr>
<td>10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
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</table>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: DUTCHESS COUNTY DPW

Date: 3/12/10

Signature: 

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.
PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

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

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

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
   C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
       NO
   C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
       NO
   C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
       NO
   C4. A community’s existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
       NO
   C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
       NO
   C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
       NO
   C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
       NONE

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

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

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

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

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

DUTCHESS COUNTY DPW

Name of Lead Agency

CHARLES E. TRAVER
Print or Type Name of Responsible Officer in Lead Agency

3/12/10
Date

COMMISSIONER OF PUBLIC WORKS
Title of Responsible Officer

D. BARTLES, ROW ENGINEER
Signature of Preparer (if different from responsible officer)
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number
Date: 3/12/10

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

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

Name of Action:
PARSONS RIGHT OF WAY DEDICATION

SEQR Status:          Type 1  
                      Unlisted  
Conditioned Negative Declaration:  Yes  
                       No

Description of Action:
TO ACCEPT THE DEDICATION OF 0.05 ACRES OF ADDITIONAL RIGHT OF WAY BY LYNNE F. A'PICE ALONG A PORTION OF CR 29, CARPENTER ROAD IN THE TOWN OF EAST FISHKILL.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)
THE EAST SIDE OF CR 29 TO THE SOUTH OF THE METRO NORTH RAIL ROAD CROSSING
Reasons Supporting This Determination:
(See 617.7(a)-(c) for requirements of this determination; see 617.7(d) for Conditioned Negative Declaration)

A REVIEW OF BOTH PART 1 AND PART 2 OF THE ATTACHED SHORT FORM EAF INDICATES THAT THERE WILL BE NO ADVERSE ENVIRONMENTAL IMPACTS ASSOCIATED WITH THIS ACTION.

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

For Further Information:

Contact Person: DONALD BARTLES, RIGHT OF WAY ENGINEER

Address: 626 DUTCHESS TURNPIKE, POUGHKEEPSIE, NY 12603

Telephone Number: 845-486-2925

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

Chief Executive Officer, Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

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

To: Charles Traver, Commissioner of Public Works

CC: Gregory Bentley Director of Engineering

From: Don Bartles, Right of Way Engineer

Date: 3/12/10

Re: Resolution Request for the acceptance of additional right of way

Accompanying this memo is a Resolution Request asking for Legislative approval to accept 0.06 acres of additional right of way along CR 29, Carpenter Road in the Town of East Fishkill from Lynne D’Apice. This parcel of land represents that portion of the lands of D’Apice that lies within 25 feet of the centerline of CR 29.

Also included with the Resolution Request are a Short Form EAF indicating that no significant impacts were discovered in our environmental review, a Fiscal Impact Statement indicating no fiscal impacts are related to this resolution and 2 exhibits; apportion of the Filed Map indicating the location and dimensions of the parcel in question and a portion of a copy of the deed offering this parcel to the County.

Please review and if satisfactory sign the EAF as responsible officer, sign the Resolution Request the forward the information to the County Executive for approval to present to the Legislature.
SHARED AREA TO BE DEDICATED TO DUTCHESS COUNTY
(25' FROM THE CENTERLINE OF CARPENTER ROAD)
(SEE R.O.W. DEDICATION DETAIL, HEREIN)

REPLACE EXISTING DRAWAY
CULVERT WITH 26 LF.
18" DIA @ 2.0%
INV. IN=305.5'
INV. OUT=306.0'
PROVISE 4.5' MIN. COVER

PROPOSED 30' WIDE
SHARED DRAINAGE EASEMENT
LOT 2 AREA = 0.046 AC (1,842 SQ. FT.)
LOT 3 AREA = 0.246 AC (10,341 SQ. FT.)
TOTAL AREA = 0.292 AC (12,183 SQ. FT.)

EXHIBIT A
BEING A REDUCED COPY OF A PORTION OF FILED
MAP 12260
THIS INDENTURE, made the 29th day of September, 2009

BETWEEN  LYNNE F. D'APICE f/k/a  LYNNE F. PARSONS, residing at 223 Carpenter Road, Hopewell Junction, New York 12533,

party of the first part,

and  COUNTY OF DUTCHESS, having a principal place of business located at 22 Market Street, Poughkeepsie, New York 12601

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN and NO/100 -----------------($10.00)------------------------------- Dollars, lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of East Fishkill, County of Dutchess and the State of New York.

BEGINNING at a point along the easterly line of Carpenter Road and said point being the southwesterly corner of the lands of Parsons, thence in a northerly direction along the easterly line of Carpenter Road the following courses and distances, North 17-57-15 East 125.01 feet to a point, thence North 22-26-55 East 135.56 feet to a point, thence in a westerly direction over and through the lands of Parsons, South 17-17-01 West 261.85 feet to a point along the southerly line of Parsons, thence in a westerly direction along the southerly line of Parsons, North 65-05-00 West 13.79 feet to the point of beginning. Containing 0.06 acres of land more or less.

Subject to the rights of public utilities of record.

BEING a portion of the same premises conveyed by Joseph Kenneth Parsons and Lynne F. Parsons, husband and wife to Lynne F. Parsons by Deed dated August 22, 2005 and recorded in the Offices of the Dutchess County Clerk on September 9, 2005 as Document Number 02 2005 7972.
PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR
   DUTCHESS COUNTY

2. PROJECT NAME
   PARSONS RIGHT OF WAY DEDICATION

3. PROJECT LOCATION:
   Municipality EAST FISHKILL
   County DUTCHESS

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
   COUNTY ROUTE 29, CARPENTER ROAD IMMEDIATELY TO THE SOUTH OF THE INTERSECTION OF CR 29 WITH
   THE METRO NORTH RAIL LINE. ALSO BEING LOCATED ON THE EAST SIDE OF CR 29.

5. PROPOSED ACTION IS:
   - [ ] New
   - [ ] Expansion
   - [ ] Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
   TO ACCEPT THE DEDICATION OF 0.06 ACRES FROM LYNNE F. D'APICE &/or LYNNE F. PARSONS ALONG A PORTION
   OF CR 29.

7. AMOUNT OF LAND AFFECTED:
   Initially 0.06 ACRES ___ acres  Ultimately 0.06 ACRES ___ acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
   - [ ] Yes
   - [ ] No
   If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
   - [ ] Residential
   - [ ] Industrial
   - [ ] Commercial
   - [ ] Agriculture
   - [ ] Park/Forest/Open Space
   - [ ] Other
   Describe:

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

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

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
    - [ ] Yes
    - [ ] No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name:  DUTCHESS COUNTY DPW  Date:  3/12/10

Signature:  

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.
### PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

**A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.47?**

If yes, coordinate the review process and use the FULL EAF.

- [ ] Yes
- [x] No

**B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?**

If No, a negative declaration may be superseded by another involved agency.

- [ ] Yes
- [x] No

**C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:**

(Answers may be handwritten, if legible)

- **C1.** Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
  - [ ] No

- **C2.** Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
  - [ ] No

- **C3.** Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
  - [ ] No

- **C4.** A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
  - [ ] No

- **C5.** Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
  - [ ] No

- **C6.** Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
  - [ ] No

- **C7.** Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
  - [ ] None

**D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?**

- [ ] Yes
- [x] No

If Yes, explain briefly:

**E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?**

- [ ] Yes
- [x] No

If Yes, explain briefly:

---

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

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

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

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

**DUTCHESS COUNTY DPW**

Name of Lead Agency: 

3/12/10

Date

**CHARLES E. TRAVER**

Print or Type Name of Responsible Officer in Lead Agency

COMMISSIONER OF PUBLIC WORKS

Title of Responsible Officer

**D. BARTLES, ROW ENGINEER**

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number

Date: 3/12/10

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

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

Name of Action:
PARSONS RIGHT OF WAY DEDICATION

SEQR Status:

Type 1
Unlisted ✓

Conditioned Negative Declaration:

Yes
No ✓

Description of Action:
TO ACCEPT THE DEDICATION OF 0.06 ACRES OF ADDITIONAL RIGHT OF WAY BY LYNNE F. A'PIECE ALONG A PORTION OF CR 29, CARPENTER ROAD IN THE TOWN OF EAST FISHKILL.

Location:

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

THE EAST SIDE OF CR 29 TO THE SOUTH OF THE METRO NORTH RAIL ROAD CROSSING
Reasons Supporting This Determination:
(See 617.7(a)-(c) for requirements of this determination; see 617.7(d) for Conditioned Negative Declaration)

A REVIEW OF BOTH PART 1 AND PART 2 OF THE ATTACHED SHORT FORM EAF INDICATES THAT THERE WILL BE NO ADVERSE ENVIRONMENTAL IMPACTS ASSOCIATED WITH THIS ACTION.

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

For Further Information:
Contact Person: DONALD BARTLES, RIGHT OF WAY ENGINEER
Address: 626 DUTCHESS TURNPIKE, POUGHKEEPSIE, NY 12603
Telephone Number: 845-486-2925

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:
Chief Executive Officer, Town / City / Village of
Other involved agencies (If any)
Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)
Roll call vote on the foregoing Resolution No. 2010084 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010085

RE: INCREASE IN PETTY CASH FOR DEPARTMENT OF PUBLIC WORKS - PARKS DIVISION

LEGISLATORS Hutchings and Cooper offer the following and move its adoption:

WHEREAS, a petty cash fund currently exists for the Department of Public Works - Parks Division at Wilcox Park in the sum of $50.00, and

WHEREAS, the fund is used at Wilcox Park to make change at the front gate, for the boat rentals and mini golf concession, and

WHEREAS, with the implementation of fees being charged to all participants who enter the park, except overnight campers, from Memorial Day to Labor Day additional funds are necessary to be properly prepared to have enough change on hand to meet projected demand, and

WHEREAS, the Commissioner of Public Works requests that the petty cash fund for the Department of Public Works - Parks Division at Wilcox Park be increased from $50.00 to $200.00, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized, empowered, and directed to issue a petty cash check for $150.00 to increase the Petty Cash Fund of the Department of Public Works - Parks Division at Wilcox Park to $200.00 and to charge General Ledger Account A210.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOMBURG, CLERK OF THE LEGISLATURE
FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost $ ____________________________

Total Current Year Revenue $ ____________________________

and Source

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

Identify Line Items(s):

Related Expenses: Amount $ ____________________________
Nature/Reason:

Anticipated Savings to County: ____________________________

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

Additional Comments/Explanation:

Prepared by: Steven J. Olsen
Roll call vote on the foregoing Resolution No. 2010085 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
PUBLIC WORKS

RESOLUTION NO. 2010086

RE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE (PIN 8757.22)

Legislators Hutchings, Cooper, and Surman offer the following and move its adoption:

WHEREAS, a project for Bridge Replacement of Dogtail Corners Road (CR 22) over Ten Mile River (BIN 3342980) in the Town of Dover, Dutchess County, identified as PIN 8757.22 (the Project) is eligible for funding under Title 23, U.S. Code, as amended, that calls for the appropriation of the costs for such project to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Dutchess County desires to advance the project by making a commitment of 100% of the non-federal share of the costs of Construction, Construction Inspection, and Construction Supervision work of the project or portions thereof, now, therefore, be it

RESOLVED, that Dutchess County approves of the above subject project, and it is further

RESOLVED, that this Legislature hereby authorizes Dutchess County to pay in the first instance 100% of the federal and non-federal share of the cost for Construction, Construction Inspection and Construction Supervision work of the project or portions thereof, and it is further

RESOLVED, that the sum of $1,583,000 is hereby appropriated and made available under Capital Project H 0289.5120.3450.213 - 2000 Bridges (ISTEA/TEA21) to cover the cost of participation in the Construction, Construction Inspection, and Construction Supervision phase of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, this Legislature will convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive thereof, and it is further

RESOLVED, that the County Executive be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County with the New York State Department of Transportation in connection with the advancement or approval of the Project providing for the administration of the Project and the County’s first instance funding of project costs and
permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

CA-44-10
CAB/ca/C-6846
3/9/10
Fiscal Impact: See attached statement.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date   April 16, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Page 2 of 2
FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

<table>
<thead>
<tr>
<th>Total Current Year Cost</th>
<th>$ 1,583,000</th>
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</thead>
<tbody>
<tr>
<td>Total Current Year Revenue</td>
<td>$ 1,503,850</td>
</tr>
</tbody>
</table>

and Source

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

Identify Line Items(s):
H0289.5120.3450.213

Related Expenses:  Amount $ ______________
Nature/Reason:

Anticipated Savings to County:  $1,503,850

Net County Cost (this year):  $79,150
Over Five Years:  

Additional Comments/Explanation:
This F.I.S. is related to the Resolution Request to accept the Master Agreement funding from the NYSDOT for Construction and Construction Inspection phase of PIN 8757.22 Bridge Replacement on Dog Tail Corners Rd. over Ten Mile River, in the Town of Dover.

Prepared by:  Rosanne M. Hall, Contract Specialist
Memo

To: Charles E. Traver, Commissioner of Public Works
From: Gregory V. Bentley, PE, Director of Engineering
Date: February 23, 2010
RE: PIN 8757.22 BRIDGE REPLACEMENT OF DOGTAIL CORNERS RD. (CR 22) OVER TEN MILE RIVER, TOWN OF DOVER

The attached Resolution Request and Fiscal Impact Statement are submitted for the referenced project. The purpose of this resolution is to have the Dutchess County Executive sign the attached project Master Agreement which will allow Dutchess County to receive reimbursement from the Federal Government and the State of New York for the Construction and Construction Inspection phase. Project funding was previously allocated under Capital Project H 0289.5120.3450.213 - 2000 Bridges (ISTEA/TEA21). All funds expended under this Master Agreement are eligible for 80% Federal reimbursement and 15% Marchiselli-Match Funding. The remaining 5% will be paid by the County.

While this resolution request is for the full amount of $1,583,000 as indicated by the NYSDOT in paragraph 3 of their letter, the Master Agreement is only for $850,000. When the additional funds come available only the schedule A will need to be revised. No further legislature action will be required.

This project involved replacement of the existing structure on the existing alignment with a cost-effective, low maintenance new structure with a 30-year design life. Construction was completed in 2008.
Roll call vote on the foregoing Resolution No. 2010086 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010087

RE: ECONOMIC RECOVERY PROJECTS
MUNICIPAL/SPONSOR RESOLUTION
IN CONNECTION WITH THE REPLACEMENT OF CRUM
ELBOW ROAD (CR 41) OVER FALLKILL CREEK (PIN 8755.81)

Legislators Hutchings, Cooper and Sadowski offer the following and move its adoption:

WHEREAS, the Replacement of Crum Elbow Road (CR 41) over Fallkill Creek Identified as PIN 8755.81, an Economic Recovery Project (hereinafter “the Project”) in the Town of Hyde Park, in Dutchess County (hereinafter “the Municipality/Sponsor”), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds, and

WHEREAS, Resolution No. 209179 approved by Dutchess County Legislature on June 8, 2009 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection work, and

WHEREAS, it was subsequently found necessary to undertake additional construction and construction inspection work not contemplated in the original agreement authorized by the previous Agreement, and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional construction and construction inspection work for the project, and

WHEREAS, the Municipality/Sponsor desires to advance the Project by making a commitment of 100% of the non-federal share (if any) of the costs of the additional construction and construction inspection work for the Project or portions thereof,

NOW, THEREFORE, the Municipality/Sponsor’s Legislature duly convened does hereby:

RESOLVE, that the Municipality/Sponsor’s Legislature hereby approves the Project; and it is hereby further

RESOLVED, that the Municipality/Sponsor agrees to advance the Project through the Municipality/Sponsor’s resources and agrees that the Municipal/Sponsor’s Legislature hereby authorizes the Municipal/Sponsor to pay in the first instance the full federal and full non-federal costs of any and all phases(s) or portions thereof, and it is hereby further
RESOLVED, that the Municipality/Sponsor's Legislature makes a 100% commitment of the non-federal share (if any) of the costs of Construction/Construction Inspection phases(s) of work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to the State/Local Agreement; and it is hereby further

RESOLVED, that the sum of $210,520 ($1,110,520 minus previous $900,000) is hereby appropriated from an ARRA Stimulus Capital Project Account (Resolution No. 209117) and made available to cover the cost of participation to complete the Project including all phase(s) or portions thereof; and it is hereby further

RESOLVED, that upon the completion of the construction of the Project, or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project, or fully usable portion thereof, at their sole cost and expense; and it is hereby further

RESOLVED, that in the event the full federal and non-federal share of the Projects exceeds the amount appropriated above, the Municipality/Sponsor Legislature shall convene as soon as possible to appropriate said excess amount immediately; and it is hereby further

RESOLVED, that the County Executive is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the Municipal/Sponsor Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality/Sponsor's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOLMANN, CLERK OF THE LEGISLATURE
FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

<table>
<thead>
<tr>
<th>Source of County Funds (check one):</th>
<th>☑ Existing Appropriations, ☐ Contingency, ☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other (explain):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify Line Items(s):</td>
<td>H0410.5120.3450</td>
</tr>
<tr>
<td>Related Expenses:</td>
<td>Amount $</td>
</tr>
<tr>
<td>Nature/Reason:</td>
<td></td>
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<tr>
<td>Anticipated Savings to County:</td>
<td>$210,520</td>
</tr>
<tr>
<td>Net County Cost (this year):</td>
<td></td>
</tr>
<tr>
<td>Over Five Years:</td>
<td></td>
</tr>
</tbody>
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Additional Comments/Explanation:
This F.I.S. is related to the Resolution Request to accept Supplemental Agreement to increase the Construction & Construction Inspection phase of PIN 8755.81 Crum Elbow Rd. (CR 41) over Fallkill Creek (Bridge H-20). Construction & Construction Inspection are 100% reimbursable under the ARRA Stimulus Project.

Prepared by: Rosanne M. Hall, Contract Specialist
Memo

To: Charlie E. Traver, Commissioner of Public Works

From: Gregory V. Bentley, PE, Director of Engineering

Date: February 23, 2010

RE: ARRA STIMULUS PROJECT
PIN 8755.81 REPLACEMENT OF BRIDGE H-20; CRUM ELBOW RD. (CR 41) OVER FALLKILL CREEK (BIN 3343170) IN THE TOWN OF HYDE PARK

The attached Resolution Request and Fiscal Impact Statement are submitted for the referenced project. The purpose of this resolution is to have the Dutchess County Executive sign the attached project Supplemental Agreement #3 which increases the funding from which Dutchess County will receive Federal reimbursement for the Construction and Inspection phase. Project funding was previously allocated under Capital Project H0410.5120.3450 (Stimulus Funds). All funds for Construction and Inspection expended under this Supplemental Master Agreement will be eligible for 100% Federal reimbursement by the American Recovery & Reinvestment Act (ARRA). There is no local share.

This project involves replacing the existing bridge with appropriate approach highway work, pavement striping, signs and bridge and approach railing.
Roll call vote on the foregoing Resolution No. 2010087 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
Public Works

RESOLUTION NO. 2010088

RE: ECONOMIC RECOVERY PROJECTS
MUNICIPAL/SPONSOR RESOLUTION
IN CONNECTION WITH THE REHABILITATION OF LIME KILN ROAD OVER TEN MILE RIVER (PIN 8757.25)

Legislators Hutchings, Cooper, Kelsey, and Surman offer the following and move its adoption:

WHEREAS, the Rehabilitation of Lime Kiln Road over Ten Mile River Identified as PIN 8757.25, an Economic Recovery Project (hereinafter “the Project”) in the Town of Dover, in Dutchess County (hereinafter the Municipality/Sponsor), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds, and

WHEREAS, Resolution No. 209180 approved by Dutchess County on June 8, 2009 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection work, and

WHEREAS, it was subsequently found necessary to undertake additional construction and construction inspection work not contemplated in the original agreement authorized by the previous agreement, and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional construction and construction inspection work for the project, and

WHEREAS, the Municipality/sponsor desires to advance the Project by making a commitment of 100% of the non-federal share (if any) of the costs of the additional construction and construction inspection work for the Project or portions thereon,

NOW, THEREFORE, the Municipality/Sponsor’s Legislature duly convened does hereby,

RESOLVE, that the Municipality/Sponsor’s Legislature hereby approves the Project; and it is hereby further

RESOLVED, that the Municipality/Sponsor agrees to advance the Project through the Municipality/Sponsor’s resources and agrees that the Municipal/Sponsor’s Legislature hereby authorizes the Municipal/Sponsor to pay in the first instance the full federal and full non-federal costs of any and all phases(s) or portions thereof; and it is hereby further
RESOLVED, that the Municipality/Sponsor’s Legislature makes a 100% commitment of the non-federal share (if any) of the additional costs of Construction/Construction Inspection phases(s) of work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to the State/Local Agreement; and it is hereby further,

RESOLVED, that the sum of $645,100 ($1,610,100 minus previous $965,000) is hereby appropriated from an ARRA Stimulus Capital Project Account (Resolution No. 209117) and made available to cover the cost of participation to complete the Project including all phase(s) or portions thereof; and it is hereby further

RESOLVED, that upon the completion of the construction of the Project, or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project, or fully usable portion thereof, at their sole cost and expense; and it is hereby further

RESOLVED, that in the event the full federal and non-federal share of the Projects exceeds the amount appropriated above, the Municipality/Sponsor Legislature shall convene as soon as possible to appropriate said excess amount immediately; and it is hereby further

RESOLVED, that the County Executive is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the Municipal/Sponsor Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality/Sponsor’s first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

Fiscal Impact: See attached statement

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. TOMMANN, CLERK OF THE LEGISLATURE
FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

<table>
<thead>
<tr>
<th>Total Current Year Cost</th>
<th>$ 645,100</th>
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<tr>
<td>Total Current Year Revenue</td>
<td>$645,100</td>
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and Source

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

Identify Line Items(s):
H0410.5120.3450

Related Expenses: Amount $ __________________
Nature/Reason:

Anticipated Savings to County: $645,100

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

Additional Comments/Explanation:
This F.I.S. is related to the Resolution Request to accept Supplemental Agreement to increase the Construction & Construction Inspection phase of PIN 8757.25 Lime Kiln Rd. over Ten Mile River (Bridge D-13). Construction & Construction Inspection are 100% reimbursable under the ARRA Stimulus Program.

Prepared by: Rosanne M. Hall, Contract Specialist
Memo

To: Charlie E. Traver, Commissioner of Public Works
From: Gregory V. Bentley, PE, Director of Engineering
Date: February 23, 2010
RE: ARRA STIMULUS PROJECT
PIN 8757.25 REHABILITATION OF BRIDGE D-13; LIME KILN RD. OVER TEN MILE RIVER, IN THE TOWN OF DOVER

The attached Resolution Request and Fiscal Impact Statement are submitted for the referenced project. The purpose of this resolution is to have the Dutchess County Executive sign the attached project Supplemental Agreement #4 which increases the funding from which Dutchess County will receive Federal reimbursement for the Construction and Inspection phase. Project funding was previously allocated under Capital Project H0410.5120.3450 (Stimulus Funds). All funds for Construction and Inspection expended under this Supplemental Master Agreement will be eligible for 100% Federal reimbursement by the American Recovery & Reinvestment Act (ARRA). There is no local share.

This project involves rehabilitating the existing bridge on, the existing alignment, with appropriate approach highway work, pavement striping, signs and bridge and approach railing.
Roll call vote on the foregoing Resolution No. 2010088 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, Thomas, Traudt, Tyner, Weiss, White.

**NAYS:** 0

**ABSENT:** 0

Resolution adopted.
RE: REQUESTING NEW YORK STATE LEGISLATURE ENACT LEGISLATION REQUIRING THE METROPOLITAN TRANSPORTATION AUTHORITY TO UTILIZE RECENT WINDFALL FUNDS FROM FEDERAL STIMULUS ACT TO ELIMINATE "MOBILITY PAYROLL TAX" ON DUTCHESS COUNTY

Legislators BORCHERT, COOPER, FLESLAND, BOLNER, HORTON, HUTCHINGS, INCORONATO, MICCIO, ROLISON, ROMAN, and WEISS offer the following and move its adoption:

WHEREAS, the United States Government passed legislation that would allow the Metropolitan Transportation Authority to utilize ten per cent of their Federal Stimulus Aid funds for operating expenses to prevent service cuts and lay-offs; and

WHEREAS, this Federal Stimulus Act's funding authorized for use by the Metropolitan Transportation Authority is currently 1.22 billion dollars in federal Transportation aid; and

WHEREAS, the amount of dollars that now can be used for the Metropolitan Transportation Authority for non-capital projects (operating expenses) would amount to 122 million dollars; and

WHEREAS, it has been estimated that the Mobility Tax will cost Dutchess, Putnam, Orange and Rockland County employers an estimated 70 million dollars; Therefore, due to the lack of full representation by the four northern counties of the MTA and the substantial adverse impact on jobs, cut-backs and lay-offs and viability of businesses in those counties because of the Mobility Tax, it is most desirable and highly equitable for the State Legislature to mandate that the Metropolitan Transportation Authority must use the 10 percent of the U.S. Federal Stimulus money to eliminate the Mobility Tax on Dutchess, Orange, Putnam and Rockland Counties; and

WHEREAS, the only justification for the Mobility Tax was the alleged lack of funding available from other sources that allegedly justified the imposition of a Mobility Tax, it is therefore essential that the authorization from the Federal government to use 10 percent of the Stimulus funds for non-capital projects be followed and that the State eliminate the Mobility Tax on the four counties stated above; now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby requests that the New York State Legislature to enact legislation requiring the Metropolitan Transportation Authority to utilize recent windfall of funds made available to the agency through federal legislation (Stimulus Act) and use same to eliminate the recently enacted "Mobility Payroll Tax" on Dutchess, Orange, Putnam and Rockland counties' employers; and be it further
RESOLVED, given the many public instances of fiscal mismanagement by the Metropolitan Transportation Authority that are direct examples of abuse, waste and fraud of taxpayer monies, we, members of the Dutchess County Legislature, ask that the New York State Comptroller conduct a forensic audit of the authority as quickly as possible with the findings be made public so that overdue reforms and fiduciary controls can be enacted by the mass transit agency in an ongoing effort to restore accountability and transparency; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to send a copy of this resolution to Governor David A. Paterson, New York State Senators Vincent L. Leibell and Stephen M. Saland, New York State Assemblymen Greg Ball, Frank Skartados, Kevin Cahill, Joel M. Miller and Marcus Molinaro, the President Pro Tem of New York State Senate, the Speaker of the New York State Assembly and the Legislative Chairs of Orange, Putnam and Rockland Counties.

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOBMANN, CLERK OF THE LEGISLATURE
Roll call vote on the foregoing Resolution No. 2010089 resulted as follows:


NAYS: 0

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. 2010090, 2010

BOND RESOLUTION DATED APRIL 12, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE OF $740,835 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF MOTOR VEHICLES AND MOTORIZED EQUIPMENT FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY.

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

Section 1. The pay the cost of the purchase of motor vehicles and motorized equipment for various departments, including in each case incidental equipment and expenses in connection therewith, there are hereby authorized to be issued $740,835 serial bonds of the County of Dutchess, New York pursuant to the provisions of the Local Finance Law, apportioned as follows:

a) the purchase of vehicles for law enforcement purposes to replace those in service at least 1 year, at a maximum estimated cost of $391,880, being a class or objects or purposes, having a period of probable usefulness of three years, pursuant to subdivision 77(1st) of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued $391,880 serial bonds of the $740,835 serial bonds of the County of Dutchess, New York, herein authorized;

b) for the purchase of vehicles and equipment for construction, maintenance and/or for snow removal purposes, being pick-up trucks, the cost of each item of which is $30,000 or over, at a maximum estimated cost of $65,650, being a class of objects or purposes, having a period of probable usefulness of fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued $65,650
serial bonds of the $740,835 serial bonds of the County of Dutchess, New York, herein authorized;
c) for the purchase of passenger vehicles for various departments with seating capacity of ten or more persons each, at a maximum estimated cost of $47,470, being a class of objects or purposes, having a period of probable usefulness of five years, pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued $47,470 serial bonds of the $740,835 serial bonds of the County of Dutchess, New York, herein authorized; and
d) for the purchase of other passenger vehicles and combination passenger-cargo vans for various departments, at a maximum estimated cost of $235,835, being a class of objects or purposes, having a period of probable usefulness of five years, pursuant to subdivision 77(1st) of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued $235,835 serial bonds of the $740,835 serial bonds of the County of Dutchess, New York, herein authorized.

Section 2. It is hereby determined that the aggregate maximum estimated cost of the aforesaid classes of objects or purposes described in Section 1 hereof is $740,835, and that the plan for the financing thereof by the issuance of the $740,835 serial bonds herein authorized to be issued pursuant to the provisions of the Local Finance Law therefore apportioned to each such class of objects or purposes in accordance with the maximum estimated cost of each specified in Section 1 hereof.

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

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

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

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

Section 7. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service
and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

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

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

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

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution, which takes effect immediately, shall be published in 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.

* * * * *
## 2010 COUNTY VEHICLES
$740,835 at 1.90%

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<tr>
<th>Year</th>
<th>PRIN O/S</th>
<th>PRIN PAYMENT</th>
<th>INTEREST</th>
<th>TOTAL</th>
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<td>$191,663</td>
<td>$12,964</td>
<td>$204,627</td>
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<td>191,663</td>
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<td>61,038</td>
<td>3,670</td>
<td>64,708</td>
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<td>104,804</td>
<td>61,038</td>
<td>2,623</td>
<td>63,660</td>
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<td>43,767</td>
<td>4,377</td>
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<td>1,418</td>
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<td>5,637</td>
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<td>1,103</td>
<td>5,480</td>
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<td>4,692</td>
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<td>15</td>
<td>4,377</td>
<td>4,377</td>
<td>158</td>
<td>4,534</td>
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**TOTAL**  
$740,835  
$44,556  
$785,388

**AVG. PER YEAR**  
$49,389  
$2,970  
$52,359

## FISCAL IMPACT STATEMENT

**TOTAL PRINCIPAL**  
$740,835

**ANTICIPATED INTEREST RATE**  
2.00%

**TERM**  
15 YEARS. **TOTAL ANTICIPATED FEES:**  
7,335

**ANTICIPATED ANNUAL COST (PRIN + INT):**  
52,359

**TOTAL PAYBACK (ANNUAL COST x TERMS):**  
$785,388

**PREPARED BY PAMELA BARRACK**
CERTIFICATION FORM

STATE OF NEW YORK )
COUNTY OF DUTCHESS )

) ss.: )

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on April 12, 2010, 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 18 ayes and 7 noes, with 0 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on April 16, 2010, 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:
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:

<table>
<thead>
<tr>
<th>Designated Location(s) of posted notice</th>
<th>Date of Posting</th>
</tr>
</thead>
<tbody>
<tr>
<td>22 Market, Street, 6th Floor, County Office Building, Poughkeepsie, New York</td>
<td>April 9, 2010</td>
</tr>
</tbody>
</table>

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 13th day of April, 2010.

[Signature]

PATRICIA J. HAHN
Clerk, County Legislature

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 14, 2010
MEMORANDUM:

TO: Patricia J. Hohmann, Clerk, Legislature
FROM: Catherine Avallone, Conf. Secretary to County Attorney
DATE: April 9, 2010
SUBJECT: Bond Resolution $740,835
        Our File No. G-0145


These documents were inadvertently omitted by this office when the original Bond Resolution was delivered to your office on March 17, 2010.
### 2010 Vehicle Replacements

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<tr>
<th>#</th>
<th>Dept</th>
<th>Replace</th>
<th>Year</th>
<th>Miles Now</th>
<th>Miles</th>
<th>Age, miles, condition</th>
<th>Reason</th>
<th>Veh Type</th>
<th>Est Price</th>
<th>1%</th>
<th>Alt Fuel</th>
<th>Reimb</th>
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<td>4785</td>
<td>2002</td>
<td>107,708</td>
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<td>Flex</td>
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<tr>
<td>2</td>
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<td>Age, miles, condition</td>
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<td>5045</td>
<td>2004</td>
<td>101,834</td>
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<td>Age, miles, condition</td>
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<td>300</td>
<td>Flex</td>
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<td>4</td>
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<td>98,443</td>
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<td>Age, miles, condition</td>
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<td>2006</td>
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<td>Miles</td>
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<td>285</td>
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<td>Probation</td>
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<td>Age, miles, condition</td>
<td>Full Size Sedan Police Pkg</td>
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<td>Flex</td>
<td>11%</td>
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**Total 3 Year Vehicles 2000.03**

- Sheriff: 308,000
- Highway: 30,000

**Total 15 Year Vehicles 2000.15**

- MH: 65,000

**Sub-Total 5 Year Vehicles 2000.05**

- MH: 47,000

**Sub-Total 5 Year Vehicles 2000.05**

- Auto Ctr: 233,500

**Total 5 Year Vehicles 2000.05**

- 733,500

---

3/17/2010

2010 Vehicle replacements by Group.xls
MEMORANDUM

TO: William R. Steinhaus, County Executive
FROM: Don Miller, Director
SUBJECT: Resolution Request – Automotive Service Center
DATE: March 17, 2010

Enclosed for your review and consideration is a resolution request to bond and procure twenty-nine vehicles detailed in the 2010 capital improvement program. All vehicles are replacements only. The attached detail and letter to Chairman Rolison summarizes this request.

Thank you for your consideration.
MEMORANDUM

TO: ROBERT ROLISON, CHAIRMAN, D. C. LEGISLATURE

FROM: DON MILLER, DIRECTOR

DATE: MARCH 17, 2010

SUBJECT: BONDING REQUEST - VEHICLES, 2010

attached for your review is the detail of twenty-nine vehicles included in the 2010 Capital Improvement Program. These requests are for replacement of currently assigned vehicles. These vehicles include fourteen marked and unmarked Sheriff vehicles, nine Human Services department vehicles and six vehicles for other county departments as outlined in the attached detail. The vehicles in question will be reimbursed up to $104,380 over their useful life. Identification of non-traditional vehicles has been included based on the results of the NYSERDA study which evaluated the make-up of the entire ASC fleet for current and future needs.

The accompanying spreadsheet will give you the detail of the vehicles included in this request. The total anticipated cost for all vehicles is $740,835.

If additional information is required, please advise.

cc: Chairman, Planning and Capital Projects Committee
    Budget
    County Attorney w/o attachments
    Finance w/o attachments
    P. Hohmann
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<td>Motor Vehicles - 3 Year</td>
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<td>H0417.1640.2400.15</td>
<td>Highway &amp; Street Equipment - 15 Year</td>
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<td>Motor Vehicles - 5 Year</td>
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<td>Serial Bonds</td>
</tr>
</tbody>
</table>
Discussion on Resolution No. 2010090 resulted as follows:

Legislator Goldberg moved to amend the foregoing Resolution No. 2010090 duly seconded by Legislator Kuffner as follows:

c) for the purchase of (2 hybrid) passenger vehicles for various departments with seating capacity of ten or more persons each, at a maximum estimated cost of $47,470, being a class of objects or purposes, having a period of probable usefulness of five years, pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued $47,470 serial bonds of the $740,835 serial bonds of the County of Dutchess, New York, herein authorized; and

d) for the purchase of (11) other passenger vehicles and combination passenger-cargo vans for various departments, (of which no less than 2 be hybrid vehicles) at a maximum estimated cost of $235,835, being a class of objects or purposes, having a period of probable usefulness of five years, pursuant to subdivision 77(1st) of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued $235,835 serial bonds of the $740,835 serial bonds of the County of Dutchess, New York, herein authorized.

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

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


ABSENT: 0

Amendment defeated.

Legislator Incoronato moved to amend the foregoing Resolution No. 2010090 by removing the 2010 Vehicle Replacement numbers 17, 19, 20, 22, 25, and 29 from the attached list of vehicles duly seconded by Legislator MacAvery.

Legislator Horn called the question on the amendment duly seconded by Legislator Cooper and unanimously carried.

Roll call vote on the foregoing amendment resulted as follows:

AYES: 9 Goldberg, Kufner, Doxsey, Jeter-Jackson, Tyner, Incoronato, MacAvery, Horton, Surman.

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

ABSENT: 0

Amendment defeated.

Legislator Goldberg moved to table the foregoing resolution duly seconded by Legislator Kufner.

Roll call vote on the foregoing motion to “Table” resulted as follows:

AYES: 10 Goldberg, Kufner, Doxsey, White, Jeter-Jackson, Tyner, Incoronato, MacAvery, Horton, Thomes.

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

ABSENT: 0
Motion defeated.
Legislator Flesland called a five minute Republican Caucus.
Roll call vote on the foregoing Resolution No. 2010090 resulted as follows:

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

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

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010091

RE: AUTHORIZING PAYMENT OF 2009 UNENCUMBERED VOUCHERS FROM 2010 FUNDS – FOR WEBCASTING LEGISLATIVE MEETINGS ON OCTOBER 8TH AND 13TH, 2009

Legislators Cooper and Flesland offer the following and move its adoption:

WHEREAS, the submission of vouchers following the close of the 2009 budget year has shown that there are outstanding payment invoices for the Dutchess County Legislature, in the sum of $710 for webcasting of Legislative meeting on October 8th and October 13th, 2009 for which appropriations were made but for which funds were not encumbered before the close out date for voucher submission, and

WHEREAS, said charges were proper except that appropriations that were made were left unencumbered at the end of the close out date for submission for 2009, and

WHEREAS, the charges reflected by said vouchers remain unpaid, and

WHEREAS, the State Comptroller has, pursuant to County Law Section 362, expressed the opinion that claims for services rendered to a county in an earlier year may be paid in a later year if the contracts were valid when made and if there are moneys legally available to be used for such purposes (Opinion 69-686), now, therefore, be it

RESOLVED, that payment from 2010 funds is hereby approved from the following accounts in the amounts indicated:

<table>
<thead>
<tr>
<th>Line Item No.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1010.4401.105</td>
<td>$710</td>
</tr>
</tbody>
</table>

Fiscal Impact: None. Reduction of 2010 appropriations in amounts indicated.

See attached statements

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFMANN, CLERK OF THE LEGISLATURE
Total Webcasting Inc.
PO Box 665
New Paltz, N.Y. 12561-0665

Dutchess County Legislature
22 Market St.
Poughkeepsie, NY 12601

<table>
<thead>
<tr>
<th>P.O. No.</th>
<th>Terms</th>
<th>Project</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Description</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Webcasting on 20091008</td>
<td>355.00</td>
<td>355.00</td>
</tr>
<tr>
<td>1</td>
<td>Webcasting on 20091013</td>
<td>355.00</td>
<td>355.00</td>
</tr>
</tbody>
</table>

Total

$710.00
□ No Fiscal Impact

FISCAL IMPACT STATEMENT

APPROPRIATION RESOLUTIONS

Total Current Year Cost $ 710

Total Current Year Revenue and Source: $ 0

Source of County Funds (check one): X Existing Appropriations

□ Contingency
□ Transfer of Existing Appropriations
□ Additional Appropriations
□ Other (explain)

Identify Line Item (s): A1010.4401.105 PROFESSIONAL SERVICES - CONSULTANTS

Related Expenses: ____________________________________________________________

Nature of Expenses: _________________________________________________________

Anticipated Savings to County: ______________________________________________

Net county Cost (this year): $ 710

(over five years): $ __________________________

Prepared by: Carolyn Morris
Roll call vote on the foregoing Resolution No. 2010091 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010092

RE: AUTHORIZING PAYMENT OF 2009 UNENCUMBERED VOUCHERS FROM 2010 FUNDS – FOR THE PAYMENT OF A 2009 BILL FOR LEGAL SERVICES RENDERED IN DEFENSE OF LEGISLATOR DANIEL KUFFNER

Legislators KUFFNER and GOLDBERG offer the following and move its adoption:

WHEREAS, the submission of vouchers following the close of the 2009 budget year has shown that there are outstanding payment invoices for the Dutchess County Legislature, in the sum of $2,187.50 for representation of Legislator Daniel Kuffner who was a party to an action commenced in Supreme Court Dutchess County entitled, “The Matter of Michael J. Tomkovitch, Chairman of the Dutchess County Industrial Development Agency vs. The Dutchess County Legislature, William R. Steinhaus, as County Executive of Dutchess County, Paul P. Calogeras, Patrick J. McVeich, Jr., Reinaldo Diaz, Jonathan B. Smith, Charles Daniels, III, Henry Killian, Phylis Distaci Keenan, David R. Tetor and Daniel Kuffner” for which appropriations were made but for which funds were not encumbered before the close out date for voucher submission, and

WHEREAS, the charges were proper except that appropriations that were made were left unencumbered at the end of the close out date for submission for 2009, and

WHEREAS, the charges reflected by said vouchers remain unpaid, and

WHEREAS, the State Comptroller has, pursuant to County Law Section 362, expressed the opinion that claims for services rendered to a county in an earlier year may be paid in a later year if the contracts were valid when made and if there are moneys legally available to be used for such purposes (Opinion 69-686), now, therefore, be it

RESOLVED, that payment from 2010 funds is hereby approved from the following accounts in the amounts indicated:

<table>
<thead>
<tr>
<th>Line Item No.</th>
<th>PROFESSIONAL SERVICES - CONSULTANTS</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A101.4401.105</td>
<td></td>
<td>$2,187.50</td>
</tr>
</tbody>
</table>

Fiscal Impact: None. Reduction of 2010 appropriations in amounts indicated.

See attached statements

STATE OF NEW YORK  ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of May, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of May, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
Dan Kuffner being duly sworn deposes and says;

1. I am a duly elected member of the Dutchess County Legislature from District 7, Hyde Park.

2. I was a former member of the Dutchess County Industrial Development Agency (DCIDA) Board of Directors as the Legislative appointment, from February 2008 to September 2009 when said board position was vacated by the Court for failure to file an oath of office within the appropriate time period. Said vacancy determination was rendered by NYS Supreme Court Justice James V. Brands as the result of a lawsuit initiated by the DCIDA.

3. Prior to the filing of the lawsuit, discussions took place with the DCIDA counsel, Donald Cappillino, and the entire Board of Directors, where I was advised to discuss legal representation by the Dutchess County Attorney’s office.

4. On or about a date during the first week of September, 2009, I met with then County Attorney Ronald Wozniak to discuss his office representing me in this lawsuit since I was at the time a sitting member of the Dutchess County Legislature. I was told by Mr. Wozniak during said meeting that the Dutchess County Attorney’s Office would be and did represent the County. I was told by Mr. Wozniak his office would not, could not provide representation for me as well. He further suggested I seek private counsel in this matter.

5. As a result of this meeting and reliance thereon, I sought and then did receive legal representation from Mr. Gary Levine of the Law firm Gary Levine and Susan Htoo PC, 290 Hooker Ave., Poughkeepsie NY in this lawsuit.

6. The bill for services rendered is attached hereto and made apart hereof.

7. That upon information and belief the Charter of Dutchess County provides for the payment of legal services rendered under circumstances provided herein.
## TIME SHEET - Tomkovich v. Daniel Kuffner, et al.

<table>
<thead>
<tr>
<th>DATE</th>
<th>TIME</th>
<th>BILLING</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/6/09</td>
<td>1 hour</td>
<td>Received and reviewed file</td>
</tr>
<tr>
<td>9/8/09</td>
<td>1 hour</td>
<td>Court time</td>
</tr>
<tr>
<td>9/8/09</td>
<td>.50 hour</td>
<td>Consult with client</td>
</tr>
<tr>
<td>9/9/09</td>
<td>2 hours</td>
<td>Research and review</td>
</tr>
<tr>
<td>9/10/09</td>
<td>2 hours</td>
<td>Research</td>
</tr>
<tr>
<td>9/11/09</td>
<td>2.50 hours</td>
<td>Preparation of draft answer</td>
</tr>
<tr>
<td>9/12/09</td>
<td>3.50 hours</td>
<td>Research and redraft of answer</td>
</tr>
<tr>
<td>9/12/09</td>
<td>.50 hour</td>
<td>Preparation of affirmation</td>
</tr>
<tr>
<td>9/13/09</td>
<td>3 hours</td>
<td>Review and redraft of pleadings, add'l research, consult w/ client</td>
</tr>
<tr>
<td>9/15/09</td>
<td>.50 hours</td>
<td>Filed papers with court</td>
</tr>
<tr>
<td>9/16/09</td>
<td>1 hour</td>
<td>Court appearance and argument</td>
</tr>
</tbody>
</table>

TOTAL 17.50 hours @ $125/hr = $2187.50

Amount Due $2187.50
No Fiscal Impact

FISCAL IMPACT STATEMENT

APPROPRIATION RESOLUTIONS

Total Current Year Cost $2,187.50

Total Current Year Revenue and Source: $0

Source of County Funds (check one): X Existing Appropriations

☐ Contingency
☐ Transfer of Existing Appropriations
☐ Additional Appropriations
☐ Other (explain)

Identify Line Item(s): A1010.4401.105 PROFESSIONAL SERVICES - CONSULTANTS

Related Expenses: ____________________________________________________________

Nature of Expenses: __________________________________________________________

Anticipated Savings to County: ______________________________________________

Net county Cost (this year): $2,187.50

(over five years): $____________

Prepared by: Carolyn Morris
Resolution No. 2010092 entitled, "Authorizing Payment of 2009 Unencumbered Vouchers from 2010 Funds – for the Payment of a 2009 Bill for Legal Services Rendered in Defense of Legislator Daniel Kuffner" was pulled by sponsor on April 8, 2010 and then was defeated on May 6, 2010 in Budget, Finance, and Personnel Committee.
Resolution No. 2010093

RE: DUTCHESS COUNTY LEGISLATURE CONDUCT PUBLIC JOBS SUMMIT

Legislators TYNER, Jeter-Jackson, MacAvery, and White offer the following and move its adoption:

WHEREAS, the Poughkeepsie Journal reported March 5th that "Dutchess County's unemployment rate hit 8.4 percent in January according to the New York State Department of Labor

WHEREAS, Dutchess County's unemployment rate was 7.7 percent in December; 8.4 percent is the highest rate for our county since 1994, and

WHEREAS, there are now well over 10,000 Dutchess County residents officially on unemployment, and

WHEREAS, people without jobs can't pay taxes, and

WHEREAS, people without jobs can't purchase products and services to turn our local economy around, and

WHEREAS, many good ideas on how to turn our local economy around have been suggested by various members of the private sector, unions, local colleges, and local taxpayers, and therefore be it

RESOLVED, that the Dutchess County Legislature will hold a public Jobs Summit in the next sixty days, to hear input from Dutchess County taxpayers as well as expert advice from business leaders in the private sector, labor representatives, local academia, et. al., with the County Executive invited as well to participate in this, and be it further

RESOLVED, that a copy of this resolution be sent to the Dutchess County Executive, Dutchess County Economic Development Corporation, Dutchess County Industrial Development Corporation, Dutchess County Regional Chamber of Commerce, Southern Dutchess Chamber of Commerce, Rhinebeck, Hyde Park, and Red Hook Chambers of Commerce, Dutchess County Central Labor Council, Hudson Valley Area Labor Federation, Bard College, Dutchess Community College, Marist College, and Vassar College.

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 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
Resolution No. 2010093 entitled, “Dutchess County Legislature Conduct Public Jobs Summit” was tabled in Budget, Finance, and Personnel Committee on April 8, 2010.
RESOLUTION NO. 2010094

RE: AUTHORIZING THE COUNTY LEGISLATURE OF DUTCHESS COUNTY, NEW YORK TO FORM A LOCAL DEVELOPMENT CORPORATION TO PROMOTE AND CONDUCT LOCAL DEVELOPMENT ACTIVITIES IN DUTCHESS COUNTY, NEW YORK

Legislators BORCHERT, COOPER, FLESLAND, ROLISON, HORTON, MICCIO, WEISS, INCORONATO, SURMAN, HUTCHINGS, SADOWSKI, HORN, KELSEY, TRAUDT, THOMES, BLONER, and FORMAN offer the following and move its adoption:

WHEREAS, the County Legislature of Dutchess County, New York (the “County”) has determined that it is in the best interests of the County for such County to form a local development corporation to promote and conduct economic development activities in the County; and

WHEREAS, the Dutchess County Local Development Corporation (the “Corporation”) will be formed as a local development corporation under Section 1411 of the New York Not-for-Profit Corporation Law (the “N-PCL”); and

WHEREAS, the powers and purposes of the Corporation will serve to complement the powers of the Dutchess County Industrial Development Agency (the “IDA”), including, but not limited to, the power to finance facilities for not-for-profit corporations, acquire, improve, maintain, equip and furnish projects, to lease such projects and collect rent; to sell and convey any and all of its property whenever the board of directors shall find such action to be in furtherance of the purposes for which it was organized; thus enabling the Corporation to finance transactions that the IDA currently cannot under its enabling legislation; and

WHEREAS, under Internal Revenue Service (“IRS”) guidance, the Corporation must meet certain requirements in order for it to qualify as an entity eligible to issue tax-exempt bonds on behalf of the County which include: (1) the Corporation is formed only after the governing body of the County has given its formal approval to the creation of the Corporation and to the form of Certificate of Incorporation; (2) the Board of Directors of the Corporation is elected by the County Legislature of the County subject to confirmation of the County Executive and serves without compensation; (3) the Corporation’s corporate powers include the power to acquire, improve, maintain, equip and furnish projects, to lease such projects and collect rent; to sell and convey any and all of its property whenever the Board of Directors shall find such action to be in furtherance of the purposes for which it was organized; and to issue bonds for the purpose of carrying out any of its powers; (4) all bonds are payable solely out of revenues and receipts derived from the leasing or sale by the Corporation of its projects, or from loans made by the Corporation; (5)
the County is not liable for the payment of principal or interest on any of the bonds of the Corporation; (6) the Corporation is exempt from all state taxation, and interest on bonds issued by the Corporation is exempt from state taxes; (7) the Corporation is a nonprofit corporation and no part of its net earnings may inure to the benefit of any private person; and (8) upon dissolution of the Corporation, the title to all property owned by it shall vest in and become the property of the County in accordance with applicable law; and

WHEREAS, Section 1411(c) of the N-PCL provides local development corporations with authority to issue bonds to carry out their purposes and Section 1411(f) of the N-PCL provides that the income and operations of such corporations are exempt from state taxation; and

WHEREAS, the Corporation shall be formed under the N-PCL and shall be subject to all the provisions of the N-PCL as modified by Section 1411 and the Corporation shall be formed with the specific purposes as follows: “The Corporation is formed and shall be operated exclusively for the charitable and public purposes of benefiting and furthering the activities of the County, more specifically, the Corporation shall act as a local development corporation for the County by conducting activities that will relieve and reduce unemployment; promote and provide for additional and maximum employment; better and maintain job opportunities; instruct or train individuals to improve or develop their capabilities for such jobs; carry on scientific research for the purpose of aiding the County by attracting new industry to the County; or by encouraging the development of, or retention of, an industry in the County; and lessening the burdens of government and acting in the public interest”; now, therefore, be it

RESOLVED, that the County approves the formation of the Corporation under N-PCL as a local development corporation and the County will be the sole member of the Corporation; and be it further

RESOLVED, that the Corporation shall be the Dutchess County Local Development Corporation; and be it further

RESOLVED, that the Corporation shall have no less than three (3) Directors nor more than seven (7) Directors; and be it further

RESOLVED, that the following are duly nominated and elected as the initial members of the Corporation’s Board of Directors, to serve until their successors are elected and have been qualified:

Michael J. Tomkovitch
Charles Daniels, III
Angela Flesland
George R. Stoffers
David R. Tetor
Phyllis DiStasi Keenan
Henry Killian; and be it further
RESOLVED, that the Board of Directors are hereby empowered, authorized and directed to take all actions as may be required in furtherance of the designation of the Corporation; and be it further

RESOLVED, that the Board of Directors be encouraged to direct the originators of the projects to incorporate the use of the local labor force wherever possible, and be it further

RESOLVED, that the Certificate of Incorporation and By-Laws, in substantially the form attached to these resolutions, are hereby approved and adopted; and be it further

RESOLVED, that this Legislature, hereby finds and determines that the Dutchess County Clerk is authorized to take such actions and execute such documents as he/she deems necessary or appropriate to carry out these resolutions.

CA-57-10
ADR/ca/G-1406
3/24/10
Fiscal Impact: See attached statement
Amended in Budget, Finance, and Personnel 4/8/10

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOLMANN, CLERK OF THE LEGISLATURE
RESOLVED, that the Board of Directors are hereby empowered, authorized and directed to take all actions as may be required in furtherance of the designation of the Corporation; and be it further

RESOLVED, that the Board of Directors be encouraged to direct the originators of the projects to incorporate the use of the local labor force wherever possible, and be it further

RESOLVED, that the Certificate of Incorporation and By-Laws, in substantially the form attached to these resolutions, are hereby approved and adopted; and be it further

RESOLVED, that this Legislature, hereby finds and determines that the Dutchess County Clerk is authorized to take such actions and execute such documents as he/she deems necessary or appropriate to carry out these resolutions.

CA-57-10
ADR/ca/G-1406
3/24/10
Fiscal Impact: See attached statement
Amended in Budget, Finance, and Personnel 4/8/10 lw

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA Y. HOFMANN, CLERK OF THE LEGISLATURE
BY-LAWS
OF
DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION

ARTICLE I - THE CORPORATION

Section 1. Name. The name of the Corporation shall be as provided in its Certificate of Incorporation and is currently the Dutchess County Local Development Corporation.

Section 2. Seal. The Corporation’s seal shall be in the form of a circle and shall bear the name of the Corporation and the year of its organization

Section 3. Office. The office of the Corporation shall be located at Poughkeepsie, New York, or such other address as the Corporation may designate, from time to time, by resolution.

ARTICLE II - MEMBER

Dutchess County, New York (the “County”) acting through the County Legislature and the County Executive shall be the sole Member of the Corporation.

ARTICLE III - BOARD

Section 1. Power of the Board and Qualification of Directors. The Corporation shall be overseen and governed by its Board who shall exercise oversight and control over the officers and staff of the Corporation. Each Director shall be at least eighteen years of age. The Board shall have all powers conferred on Boards of public benefit corporations and local public authorities pursuant to New York State law, including, without limitation, the New York Not-for-Profit Corporation Law (“N-PCL”), the Public Authorities Accountability Act of 2005, as amended (the “PAAA”), and any other New York State Law that is applicable to the Corporation.

Section 2. Number of Directors and Term of Office. (a) The Board of Directors shall consist of not less than three (3) nor more than seven (7) Directors. Directors shall be elected by the County Legislature subject to the approval of the County Executive. Each Director shall serve as a Director and continue to hold office until his or her successor is appointed and has been elected and qualified. As used in this Article III, “entire Board” means the total number of Directors entitled to vote which the Corporation would have if there were no vacancies.

(b) No Director, including the Chair, shall serve as the Corporation’s Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Comptroller, or hold any other equivalent executive position or office while also serving as a Director.

(c) As soon as practicable and in compliance with Section 2825 of the New York Public Authorities Law, the majority of the Directors of the Board shall be Independent Directors, as such term is defined in paragraph (d) below.
(d) Independence. For the purposes of these By-Laws, an Independent Director is one who:

(i) is not, and in the past two (2) years has not been, employed by the Corporation or another corporate body having the same ownership and control of the Corporation in an executive capacity;

(ii) is not, and in the past two (2) years has not been, employed by an entity that received remuneration valued at more than fifteen thousand dollars ($15,000.00) for goods and services provided to the Corporation or received any other form of financial assistance valued at more than fifteen thousand dollars ($15,000.00) from the Corporation;

(iii) is not a relative of an executive officer or employee in an executive position of the Corporation or another corporate body having the same ownership and control of the Corporation; and

(iv) is not, and in the past two (2) years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or any other similar actions of the Corporation or another corporate body having the same ownership and control of the Corporation.

(e) Each Director shall have one vote.

Section 3. Organization. At each meeting of the Board, the Chair, or, in the absence of the Chair, a Vice Chair shall preside, or in the absence of either of such officers, a chair chosen by a majority of the Directors present shall preside. The Secretary shall act as secretary of the Board. In the event the Secretary shall be absent from any meeting of the Board, an Assistant Secretary shall act as the secretary for such meeting.

Section 4. Resignations and Removal of Directors.

(a) Any Director of the Corporation may resign at any time by giving written notice to the Chair or to the Secretary. Such resignation shall take effect at the time specified therein or, if no time be specified, then on delivery.

(b) Any or all of the Directors may be removed with or without cause by vote of the County Legislature subject to the approval of the County Executive.

Section 5. Newly Created Directorships and Vacancies. Newly created Directorships resulting from an increase in the number of Directors and vacancies occurring in the Board of Directors for any reason shall be filled by vote of the County Legislature subject to the confirmation of the County Executive. Directors elected to fill newly created Directorships shall hold office until their successors have been elected or appointed and qualified. Directors elected to fill vacancies shall serve for the remaining term of the Director for whom they are replacing, and until their successors are elected and have qualified.
Section 6. **Action by the Board.** Except as otherwise provided by law or in these By-Laws, the act of the Board means action taken at a meeting of the Board by vote of a majority of the Directors present at the time of the vote, if a quorum is present at such time.

Section 7. **Place of Meeting.** The Board may hold its meetings at its principal place of business, or at such place or places within the State of New York as the Board may from time to time by resolution determine.

Section 8. **Annual Meetings.** Except in case of the Annual Meeting in calendar year 2010, the annual meeting of the Corporation shall be held in January in each calendar year at the regular meeting place of the Corporation as described in Section 7 of this Article III. Such 2010 annual meeting may be held at such other time or location as approved by the chairman of the Corporation; and if it is held at another time, notice shall be given as hereinafter provided for special meetings of the Board.

Section 9. **Regular Meetings.** Regular meetings of the Board may be held at such times as may be fixed from time to time by resolution of the Board. Notice of such meetings shall be given in accordance with the New York State Open Meetings Law. All meetings shall be conducted in accordance with the New York State Open Meetings Law.

Section 10. **Special Meetings.** Special meetings of the Board shall be held whenever called by the Chair or in the absence of the Chair by a Vice Chair, or by any two (2) of the Directors. Notice shall be given orally, by telefax, by e-mail, or by mail and shall state the purposes, time and place of the meeting. If notice is given orally, in person or by telephone, it shall be given not less than two (2) days before the meeting; if it is given by telefax, by e-mail or by mail, it shall be given not less than three (3) days before the meeting. At such special meeting no business shall be considered other than that designated in the notice.

Section 11. **Waivers of Notice.** Notice of a meeting need not be given to any Director who submits a signed waiver of notice whether before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, the lack of notice to him or her.

Section 12. **Quorum.**

(a) A majority of the entire Board of Directors shall constitute a quorum for the transaction of business.

(b) A majority of the Directors present, whether or not a quorum is present, may adjourn any meeting to another time and place without notice to any Director.

Section 13. **Compensation.** Directors shall receive no compensation for their services but may be reimbursed for the expenses reasonably incurred by them in the performance of their duties.

Section 14. **Annual Independent Audit.** The Board of Directors shall present to the Member the annual independent audit report performed in accordance with the requirements of
the PAAA and generally accepted government auditing standards certified by a firm of independent public accountants selected by the Board. The certified independent public accounting firm that performs the annual independent audit shall report the following:

(i) the assets and liabilities, including the status of reserve, depreciation, special or other funds including the receipts and payments of such funds, of the Corporation as of the end of the fiscal year;

(ii) the principal changes in assets and liabilities, including trust funds, during said fiscal period;

(iii) the revenue or receipts of the Corporation, both unrestricted and restricted to particular purposes during said fiscal period;

(iv) the expenses or disbursements of the Corporation for both general and restricted purposes, during said fiscal period; and

(v) a schedule of the bonds and notes of the Corporation outstanding during said fiscal period, including all refinancings, calls, refundings, defeasements, and interest rate exchange or other such agreements, and for any debt issued during the fiscal period, together with a statement of the amounts redeemed and incurred during such fiscal period as a part of a schedule of debt issuance that include the date of issuance, term, amount, interest rate, means of repayment and cost of issuance.

Furthermore, the certified independent public accounting firm that performs the annual independent audit shall report to the Board or designated Board committee the following:

(i) all critical accounting policies and practices to be used;

(ii) all alternative treatments of financial information within generally accepted accounting principals that have been discussed with the management of the Corporation, ramifications of the use of such alternative disclosures and treatments, and the treatment preferred by the certified independent public accounting firm;

(iii) other material written communications between the certified independent public accounting firm and the management of the Corporation, such as the management letter along with management’s response or plan of corrective action, material corrections identified or schedule of unadjusted differences, where applicable.

Section 15. **Annual Budget.** The Board of Directors shall present to the Member the annual budget prepared in accordance with the requirements of the PAAA.
ARTICLE IV - COMMITTEES

Section 1. Audit Committee. There shall be an Audit Committee consisting entirely of Independent Directors, who shall be elected by the Directors at each Annual Meeting and shall serve until the next Annual Meeting. To the extent practicable, members of the Audit Committee should be familiar with corporate financial and accounting practices. The Audit Committee shall recommend to the Board the hiring of a certified independent accounting firm in compliance with the Public Authorities Law of New York State to conduct the annual independent audit, establish the compensation to be paid to the accounting firm and provide direct oversight of the performance of the annual independent audit.

Section 2. Governance Committee. There shall be a Governance Committee consisting entirely of Independent Directors, who shall be elected by the Directors at each Annual Meeting and shall serve until the next Annual Meeting. The Governance Committee shall keep the Board informed of current best governance practices, review corporate governance trends, update the Corporation's governance principles, and advise the Board on the skills and experience required of potential Directors.

Section 3. Finance Committee. There shall be a Finance Committee consisting entirely of Independent Directors, who shall be elected by the Directors at each Annual Meeting and shall serve until the next Annual Meeting. The Finance Committee shall keep the Board informed of current best financial practices, review debt to be issued by the Corporation, update the Corporation’s financial principles, and advise the Board on the skills and experience required of potential Directors.

Section 4. Other Standing Committees. The Board of Directors, by resolution adopted by a majority of the entire Board, may designate from among its members other standing committees consisting of three (3) or more Directors, which can make recommendations to the entire Board. The standing committees shall have such authority as the Board shall by resolution provide, except that no such committee shall have authority as to the following matters:

(a) the submission to the Member of any action requiring Member approval under the law;

(b) the filling of vacancies in the Board or in any committee;

(c) the amendment or repeal of the By laws, or the adoption of new By laws;

or

(d) the amendment or repeal of any resolution of the Board which by its terms, shall not be so amendable or repealable.

Section 5. Special Committees. The Board of Directors may designate special committees, each of which shall consist of such persons and shall have such authority as is provided in the resolution designating the committee.
Section 6. **Meetings.** Meetings of committees shall be held at such time and place as shall be fixed by the Chair of the Board or the chair of such committee or by vote of a majority of all the members of the committee. Notice of such meetings shall be given in accordance with the New York State Open Meetings Law. All meetings shall be conducted in accordance with the New York State Open Meetings Law.

Section 7. **Quorum and Manner of Acting.** Unless otherwise provided by resolution of the Board, a majority of all of the members of a committee shall constitute a quorum for the transaction of business and the vote of a majority of all of the members of the committee shall be the act of the committee.

The procedures and manner of acting of the committees of the Board shall be subject at all times to the direction of the Board.

Section 8. **Tenure of Members of Committees of the Board.** Each committee of the Board and every member thereof shall serve at the pleasure of the Board.

Section 9. **Alternate Members.** The Board may designate one (1) or more members as alternate members of any standing committee of the Board, who may replace any absent member or members at any meeting of such committee.

**ARTICLE V - BOARD OFFICERS**

Section 1. **Officers.** The Officers of the Corporation’s Board shall be a Chair, one (1) or more Vice Chairs, a Treasurer, a Secretary and/or such other officers as the Board may in its discretion determine. Any two (2) or more offices may be held by the same person, except the offices of Chair and Secretary.

Section 2. **Term of Office and Qualifications.** Those officers whose titles are specifically mentioned in Section 1 of this Article V shall be elected by the Board at its Annual Meeting. Unless a shorter term is provided in the resolution of the Board electing such officer, the term of office of each officer shall extend to the next Annual Meeting and until the officer’s successor is elected and qualified.

Section 3. **Additional Officers.** Additional officers may be elected for such period, have such authority and perform such duties, either in an administrative or subordinate capacity, as the Board may from time to time determine.

Section 4. **Removal of Officers.** Any officer may be removed by the Board with or without cause at any time.

Section 5. **Resignation.** Any officer may resign his or her position as an officer at any time by giving written notice to the Board, to the Chair or to the Secretary. Any such resignation shall take effect at the time specified therein, or, if no time be specified, then upon delivery.

Section 6. **Vacancies.** A vacancy in any office shall be filled by the Board.
Section 7. **Chair.** The Chair shall preside at all meetings of the Board at which the Chair is present. In the absence or incapacity of the Chief Executive Officer of the Corporation or the Chief Financial Officer, and except as otherwise authorized by resolution of the Board, the Chair shall execute all agreements, contracts, deeds, and any other instruments of the Corporation. At each meeting, the Chair shall submit recommendations and information as he or she may consider proper concerning the business, affairs, the bonds, the notes, the loans, the projects and facilities of the Corporation, the economic benefits to be conferred on project applicants and occupants, and the policies of the Corporation. Nothing in this provision shall be construed as granting the Chair the exclusive right to bring matters before the Corporation for consideration.

Section 8. **Vice Chairs.** In the absence or incapacity to act of the Chair, or if the office of Chair be vacant, the Vice Chair or, if there be more than one Vice Chair, the Vice Chairs in order of seniority as determined by the Board, shall preside at all meetings of the Board, and shall perform the duties and exercise the powers of the Chair, subject to the right of the Board from time to time to extend or confine such powers and duties or to assign them to others. Each Vice Chair shall have such powers and shall perform such other duties as may be assigned by the Board or the Chair.

Section 9. **Treasurer.** The Treasurer shall, if required by the Board, obtain a bond for the faithful discharge of his or her duties, in such sum and with such sureties as the Board shall require. The Treasurer shall oversee the Chief Financial Officer of the Corporation and shall review all the books and accounts of the Corporation and shall advise the Chief Financial Officer of the Corporation with respect to the charge, custody and investment of all funds and securities of the Corporation, and the Treasurer shall ensure the proper deposit by the Chief Financial Officer of the Corporation all such funds in the name of and to the credit of the Corporation in such banks, trust companies, or other depositories as shall be selected by the Board. The Treasurer shall also perform all other duties customarily incident to the office of Treasurer and such other duties as from time to time may be assigned by the Board.

Section 10. **Assistant Treasurer.** The Assistant Treasurer shall carry out the duties of the Treasurer in the absence of the Treasurer.

Section 11. **Secretary.** It shall be the duty of the Secretary to act as secretary of all meetings of the Board, and to keep the minutes of all such meetings in a proper book or books to be provided for that purpose; the Secretary shall see that all notices required to be given by the Corporation are duly given and served; the Secretary shall keep a current list of the Directors and officers of the Corporation's Board and their residence addresses; the Secretary shall be custodian of the seal of the Corporation and shall affix the seal, or cause it to be affixed, to all agreements, documents and other papers requiring the same. The Secretary shall have custody of the minute book containing the minutes of all meetings of Directors, the Audit Committee, the Governance Committee, the Finance Committee and any other committees which may keep minutes, and of all other contracts and documents which are not in the custody of the Treasurer of the Corporation, or in the custody of some other person authorized by the Board to have such custody.
Section 12. Assistant Secretary. The Assistant Secretary shall carry out the duties of the Secretary in the absence of the Secretary.

Section 13. Appointed Officers. The Board may delegate to any officer or committee the power to appoint and to remove any subordinate officer, agent or employee.

ARTICLE VI - EXECUTIVE OFFICERS AND OTHER PERSONNEL

Section 1. Chief Executive Officer. The Corporation shall appoint a Chief Executive Officer by resolution, which resolution shall set the Chief Executive Officer’s annual compensation.

Section 2. Duties and Responsibilities of Chief Executive Officer. The Chief Executive Officer shall report to the Chair of the Board of the Corporation and he or she shall have general supervision and management of the Corporation and all Corporation staff and employees shall report directly to the Chief Executive Officer. Except as may otherwise be authorized by a resolution adopted by the Board, the Chief Executive Officer shall:

(a) execute all agreements, bonds, notes, contracts, agreements, deeds, leases and any other instruments of the Corporation;

(b) sign all financial instruments and checks;

(c) cosign all purchase orders and instruments and checks over certain dollar thresholds as may be established from time to time by the Board (said instruments may be countersigned by the Chief Financial Officer, or other officer or Director as shall be designated by the Board);

(d) prepare the annual budget of the Corporation with the consultation and cooperation of the Audit Committee, the Chief Financial Officer and Deputy Financial Officer for submission to the Board for approval; and

(e) sign all purchase orders, under the direction of the board by resolution and the Chief Financial Officer.

Furthermore, the Chief Executive Officer shall assist the Chair with such matters as the Chair or the Board may request in furtherance of the Corporation’s public purposes. The Chief Executive Officer shall be charged with leading the Corporation in carrying out its Mission Statement and fulfilling its public purposes. The Chief Executive Officer shall also perform all other duties customarily incident to the office of a Chief Executive Officer of a local development corporation and local public authority of the State of New York and such other duties as from time to time may be assigned by the Board.

Section 3. Chief Financial Officer. The Corporation shall appoint a Chief Financial Officer by resolution, which resolution shall set the Chief Financial Officer’s annual compensation.
Section 4. **Duties and Responsibilities of Chief Financial Officer.** In the absence or incapacity of the Chief Executive Officer, the Chief Financial Officer shall exercise the duties and responsibilities of the Chief Executive Officer. Except as may otherwise be authorized by a resolution of the Board, if the office of the Chief Executive Officer shall be vacant the Chief Financial Officer of the Corporation shall be the Acting Chief Executive Officer of the Corporation until such time as the Board has appointed a replacement Chief Executive Officer. The Chief Financial Officer of the Corporation shall assist the Chief Executive Officer in the carrying out of the Corporation’s purposes and in fulfillment of the Corporation’s public purposes. The Chief Financial Officer shall oversee the maintenance of the books and accounts of the Corporation. The Chief Financial Officer shall also perform all other duties customarily incident to the office of a Chief Financial Officer of a public benefit corporation and public authority of the State of New York and such other duties as from time to time may be assigned by the Board. The Chief Financial Officer shall be the Chief Compliance Officer of the Corporation for purposes of ensuring that the Corporation is in full compliance with all provisions of the PAAA applicable to the Corporation. The Chief Financial Officer shall prepare and distribute all annual reports required by the PAAA and as may otherwise be required by the Office of the Comptroller of the State of New York. The Chief Financial Officer of the Corporation shall assist the Chief Executive Officer, Deputy Financial Officer and Chair in preparing the annual budget of the Corporation for submission to the Board for approval and he or she shall distribute all copies of the annual budget of the Corporation to all persons required by the PAAA. The Chief Financial Officer shall assist the Audit Committee of the Board in carrying out their functions. The Chief Financial Officer of the Corporation shall be the Contracting Officer of the Corporation for the disposition of real and personal property in accordance with the provisions of the PAAA.

Section 5. **Deputy Financial Officer.** The Corporation may appoint a Deputy Financial Officer by Resolution, which resolution shall set the Deputy Financial Officer’s Annual compensation.

Section 6. **Duties and Responsibilities of Deputy Financial Officer.** The Deputy Financial Officer shall be the assistant to the Chief Financial Officer of the Corporation. The Deputy Financial Officer of the Corporation shall assist the Chief Executive Officer and Chief Financial Officer in carrying out the Corporation’s purposes to fulfill the Corporation’s public purposes under the PAAA. The Deputy Financial Officer shall keep and maintain the books and accounts of the Corporation and shall have charge and custody of, and be responsible for, all funds and securities of the Corporation, and shall deposit all such funds in the name of and to the credit of the Corporation in such banks, trust companies, or other depositories as shall be selected by the Board. The Deputy Financial Officer shall pay out and disburse such moneys under the direction of the Chief Executive Officer and the Chief Financial Officer. All such purchase orders and instruments and checks over certain dollar threshold as may be established from time to time by the Board shall be signed by the Chief Executive Officer or the Chief Financial Officer of the Board, or other officer or Director as shall be designed by the Board. The Deputy Financial Officer of the Corporation shall assist the Chief Executive Officer and Chief Financial Officer of the Corporation in the preparation of the annual budget of the Corporation for submission to the Board for approval.
Section 7. **Compliance Officer.** The Corporation shall appoint a Compliance Officer by resolution, who may be the Chief Financial Officer, or any other employee of the Corporation. The Compliance Officer shall be responsible for ensuring that the Corporation complies with all financial and other reporting requirements imposed by law, including those requirements in the General Municipal Law and the Public Authorities Law of New York State. The Compliance Officer shall be the “Contracting Officer” (as such term is defined in Section 2895 of New York’s Public Authorities Law).

Section 8. **Additional Personnel.** The Corporation may from time to time employ such personnel as the Corporation, upon the recommendation of the Chief Executive Officer, deems necessary to exercise the Corporation’s powers, duties and functions as prescribed by the PAAA and all other laws of the State of New York applicable thereto. The selection and compensation of all personnel shall be determined by the Corporation subject to the laws of the State of New York.

Section 9. **Municipal Personnel.** The Corporation may, with the consent of the County, use the agents, employees and facilities of the County. In such event, the Corporation will, by resolution, enter into a contract with the County providing the terms upon which the County will provide the use of its agents, employees and facilities to the Corporation and the compensation, if any, that the Corporation shall pay to the County for the use by the Corporation of the County’s agents, employees and facilities.

**ARTICLE VII - CONTRACTS, CHECKS, DRAFTS AND BANK ACCOUNTS**

Section 1. **Execution of Contracts.** The Board, except as in these By-Laws otherwise provided, may authorize any officer or officers, agent or agents, in the name of and on behalf of the Corporation to enter into any contract or execute and deliver any instrument, and such authority may be general or confined to specific instances; but, unless so authorized by the Board, or expressly authorized by these By-Laws, no officers, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable pecuniarily in any amount for any purpose.

Section 2. **Loans.** No loans shall be contracted on behalf of the Corporation unless specifically authorized by the Board.

Section 3. **Checks, Drafts, etc.** All checks, drafts and other orders for the payment of money out of the funds of the Corporation, and all notes or other evidences of indebtedness of the Corporation, shall be signed on behalf of the Corporation in such manner as shall from time to time be determined by these By-Laws or by resolution of the Board.

Section 4. **Deposits.** All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board may select or in the absence of such selection by the Board, as selected by the Chief Executive Officer in consultation with the Chief Financial Officer and Deputy Financial Officer.
ARTICLE VIII - INDEMNIFICATION AND INSURANCE

Section 1.  Authorized Indemnification.  Unless clearly prohibited by law or Section 2 of this Article VIII, the Corporation shall indemnify any person ("Indemnified Person") made, or threatened to be made, a party in any action or proceeding, whether civil, criminal, administrative, investigative or otherwise, including any action by or in the right of the Corporation, by reason of the fact that he or she (or his or her testator or intestate), whether before or after adoption of this Section, (a) is or was a Director or officer of the Corporation, or (b) in addition is serving or served, in any capacity, at the request of the Corporation, as a Director or officer of any other corporation, or any partnership, joint venture, trust, employee benefit plan or other enterprise. The indemnification shall be against all judgments, fines, penalties, amounts paid in settlement (provided the Corporation shall have consented to such settlement) and reasonable expenses, including attorneys' fees and costs of investigation, incurred by an Indemnified Person with respect to any such threatened or actual action or proceeding, and any appeal thereof.

Section 2.  Prohibited Indemnification.  The Corporation shall not indemnify any person if a judgment or other final adjudication adverse to the Indemnified Person (or to the person whose actions are the basis for the action or proceeding) establishes, or the Board in good faith determines, that such person's acts were committed in bad faith or were the result of active and deliberate dishonesty and were material to the cause of action so adjudicated or that he or she personally gained in fact a financial profit or other advantage to which he or she was not legally entitled.

Section 3.  Advancement of Expenses.  The Corporation shall, on request of any Indemnified Person who is or may be entitled to be indemnified by the Corporation, pay or promptly reimburse the Indemnified Person’s reasonably incurred expenses in connection with a threatened or actual action or proceeding prior to its final disposition. However, no such advancement of expenses shall be made unless the Indemnified Person makes a binding, written commitment to repay the Corporation, with interest, for any amount advanced for which it is ultimately determined that he or she is not entitled to be indemnified under the law or Section 2 of this Article VIII. An Indemnified Person shall cooperate in good faith with any request by the Corporation that common legal counsel be used by the parties to such action or proceeding who are similarly situated unless it would be inappropriate to do so because of actual or potential conflicts between the interests of the parties.

Section 4.  Indemnification of Others.  Unless clearly prohibited by law or Section 2 of this Article VIII, the Board may approve Corporation indemnification as set forth in Section 1 of this Article VIII or advancement of expenses as set forth in Section 3 of this Article VIII, to a person (or the testator or intestate of a person) who is or was employed by the Corporation or who is or was a volunteer for the Corporation, and who is made, or threatened to be made, a party in any action or proceeding, by reason of the fact of such employment or volunteer activity, including actions undertaken in connection with service at the request of the Corporation in any capacity for any other corporation, partnership, joint venture, trust, employee benefit plan or other enterprise.
Section 5. Determination of Indemnification. Indemnification mandated by a final order of a court of competent jurisdiction will be paid. After termination or disposition of any actual or threatened action or proceeding against an Indemnified Person, if indemnification has not been ordered by a court the Board shall, upon written request by the Indemnified Person, determine whether and to what extent indemnification is permitted pursuant to these By-Laws. Before indemnification can occur the Board must explicitly find that such indemnification will not violate the provisions of Section 2 of this Article VIII. No Director with a personal interest in the outcome, or who is a party to such actual or threatened action or proceeding concerning which indemnification is sought, shall participate in this determination. If a quorum of disinterested Directors is not obtainable, the Board shall act only after receiving the opinion in writing of independent legal counsel that indemnification is proper in the circumstances under then applicable law and these By-Laws.

Section 6. Binding Effect. Any person entitled to indemnification under these By-Laws has a legally enforceable right to indemnification, which cannot be abridged by amendment of these By-Laws with respect to any event, action or omission occurring prior to the date of such amendment.

Section 7. Insurance. The Corporation is not required to purchase Directors’ and officers’ liability insurance, but the Corporation may purchase such insurance if authorized and approved by the Board. To the extent permitted by law, such insurance may insure the Corporation for any obligation it incurs as a result of this Article VIII or operation of law and it may insure directly the Directors, officers, employees or volunteers of the Corporation for liabilities against which they are not entitled to indemnification under this Article VIII as well as for liabilities against which they are entitled or permitted to be indemnified by the Corporation.

Section 8. Nonexclusive Rights. The provisions of this Article VIII shall not limit or exclude any other rights to which any person may be entitled under law or contract. The Board is authorized to enter into agreements on behalf of the Corporation with any Director, officer, employee or volunteer providing them rights to indemnification or advancement of expenses in connection with potential indemnification in addition to the provisions therefore in this Article VIII, subject in all cases to the limitations of Section 2 of this Article VIII.

ARTICLE IX - CONFLICTS OF INTEREST

Section 1. Definition of Conflicts of Interest. A conflict of interest will be deemed to exist whenever an individual is in the position to approve or influence Corporation policies or actions which involve or could ultimately harm or benefit financially: (a) the individual; (b) any family member (spouse, domestic partner, grandparents, parents, children, grandchildren, great grandchildren, brothers or sisters (whether whole or half blood), and spouses of these individuals); or (c) any organization in which he or a family member is a director, trustee, officer, member, partner or more than 10% of the total (combined) voting power. Service on the board of another not-for-profit corporation does not constitute a conflict of interest.

Section 2. Disclosure of Conflicts of Interest. A Director or officer shall disclose a conflict of interest: (a) prior to voting on or otherwise discharging his duties with respect to any
matter involving the conflict which comes before the Board or any committee; (b) prior to entering into any contract or transaction involving the conflict; (c) as soon as possible after the Director or officer learns of the conflict; and (d) on the annual conflict of interest disclosure form.

The Secretary of the Corporation shall distribute annually to all Directors, officers and key employees (as identified by the Corporation), a form soliciting the disclosure of all conflicts of interest, including specific information concerning the terms of any contract or transaction with the Corporation and whether the process for approval set forth in this policy was used. Such disclosure form may require disclosure of other relationships that may not constitute an actual conflict of interest, but which are required to be disclosed in order for the Corporation to comply with its annual reporting requirements.

Section 3. Approval of Contracts and Transactions Involving Potential Conflicts of Interest. A Director or officer who has or learns about a potential conflict of interest should disclose promptly to the Secretary of the Corporation the material facts surrounding any potential conflict of interest, including specific information concerning the terms of any contract or transaction with the Corporation. All effort should be made to disclose any such contract or transaction and have it approved by the Board before the arrangement is entered into.

Following receipt of information concerning a contract or transaction involving a potential conflict of interest, the Board shall consider the material facts concerning the proposed contract or transaction, including the process by which the decision was made to recommend entering into the arrangement on the terms proposed. The Board shall approve only those contracts or transactions in which the terms are fair and reasonable to the Corporation and the arrangements are consistent with the best interests of the Corporation. Fairness includes, but is not limited to, the concepts that the Corporation should pay no more than fair market value for any goods or services which the Corporation receives and that the Corporation should receive fair market value consideration for any goods or services that it furnishes others. The Board shall set forth the basis for its decision with respect to approval of contracts or transactions involving conflicts of interest in the minutes of the meeting at which the decision is made, including the basis for determining that the consideration to be paid is fair to the Corporation.

Section 4. Validity of Actions. No contract or other transaction between the Corporation and one or more of its Directors or officers, or between the Corporation and any other corporation, firm, association or other entity in which one or more of its Directors or officers are directors or officers, or have a substantial financial interest, shall be either void or voidable for this reason alone or by reason alone that such Director or Directors or officer or officers are present at the meeting of the Board of Directors, or of a committee thereof, which authorizes such contract or transaction, or that his or their votes are counted for such purpose, if the material facts as to such Director’s or officer’s interest in such contract or transaction and as to any such common directorship, officership or financial interest are disclosed in good faith or known to the Board or committee, and the Board or committee authorizes such contract or transaction by a vote sufficient for such purpose without counting the vote or votes of such interested Director or officers. Common or interested Directors may be counted in determining the presence of a quorum at a meeting of the Board of Directors or committee which authorizes
such contract or transaction. At the time of the discussion and decision concerning the
authorization of such contract or transaction, the interested Director or officer should not be
present at the meeting.

Section 5. Employee Conflicts of Interest. An employee of the Corporation with a
potential conflict of interest in a particular matter shall promptly and fully disclose the potential
conflict to his supervisor. The employee shall thereafter refrain from participating in
deliberations and discussion, as well as any decisions, relating to the matter and follow the
direction of the supervisor as to how the Corporation decisions which are the subject of the
conflict will be determined. The Chief Executive Officer shall be responsible for determining
the proper way for the Corporation to handle Corporation decisions which involve unresolved
employee conflicts of interest. In making such determinations, the Chief Executive Officer may
consult with legal counsel.

The Chief Executive Officer shall report to the Board at least annually concerning
employee conflicts of interest which have been disclosed and contracts and transactions
involving employee conflicts which the President has approved.

ARTICLE X - COMPENSATION

Section 1. Reasonable Compensation. It is the policy of the Corporation to pay no
more than reasonable compensation for personal services rendered to the Corporation by officers
and employees. The Directors shall not receive compensation for fulfilling their duties as
Directors, although Directors may be reimbursed for actual out-of-pocket expenses, which they
incur in order to fulfill their duties as Directors. Expenses of spouses will not be reimbursed by
the Corporation unless the expenses are necessary to achieve a Corporation purpose.

Section 2. Approval of Compensation. The Board must approve in advance the
amount of all compensation for officers of the Corporation.

Before approving the compensation of an officer, the Board shall determine that the total
compensation to be provided by the Corporation to the officer is reasonable in amount in light of
the position, responsibility and qualification of the officer for the position held, including the
result of an evaluation of the officer’s prior performance for the Corporation, if applicable. In
making the determination, the Board shall consider total compensation to include the salary and
the value of all benefits provided by the Corporation to the individual in payment for services.
At the time of the discussion and decision concerning an officer’s compensation, the officer
should not be present in the meeting. The Board shall obtain and consider appropriate data
concerning comparable compensation paid to similar officers in like circumstances.

The Board shall set forth the basis for its decisions with respect to compensation in the
minutes of the meeting at which the decisions are made, including the conclusions of the
evaluation and the basis for determining that the individual’s compensation was reasonable in
light of the evaluation and the comparability data.
ARTICLE XI - GENERAL

Section 1. Books and Records. These shall be kept at the office of the Corporation: (1) correct and complete books and records of accounts; (2) minutes of the proceedings of the Board and the standing and special Committees of the Corporation; (3) a current list of the Directors and the officers of the Corporation and their residence addresses; (4) a copy of these By-Laws; (5) a copy of the Corporation’s application for recognition of exemption with the Internal Revenue Service (if applicable); and (6) copies of the past three (3) years’ information returns to the Internal Revenue Service (if applicable).

Section 2. Loans to Directors and Officers. No loans shall be made by the Corporation to its Directors or Officers, or to any other company, corporation, firm, association or other entity in which one or more of the Directors or Officers of the Corporation are members, director or officers or hold a substantial financial interest except as allowed by law.

Section 3. Fiscal Year. The fiscal year of the Corporation shall commence on January 1 in each calendar year and shall end on December 31 of each calendar year.

Section 4. Training. All Directors shall participate in training approved by the State of New York regarding their legal, fiduciary, financial and ethical responsibilities as Directors within one (1) year of appointment to the Board. All Directors of the Board shall participate in such continuing training as may be required to remain informed of best practices, regulatory and statutory changes relating to the effective oversight of the management and financial activities of the Corporation and the adhere to the highest standards of responsible governance.

ARTICLE XII - AMENDMENTS

Section 1. Amendments to By-Laws. The By-Laws and the Certificate of Incorporation of the Corporation may be amended or repealed by the Member. At least seven (7) days written notice thereof of the proposed amendments must be provided to the Member.
CERTIFICATE OF INCORPORATION
OF
DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION

UNDER SECTION 402 OF THE NOT-FOR-PROFIT CORPORATION LAW

The undersigned, for the purpose of forming a local development corporation, hereby certifies that:

1. The name of the Corporation is Dutchess County Local Development Corporation.

2. The Corporation is a corporation as defined in subparagraph (a)(5) of Section 102 of the Not-for-Profit Corporation Law (“N-PCL”) and is a local development corporation pursuant to Section 201 of the N-PCL. The Corporation is a Type C Corporation under Section 201 of the Not-for-Profit Corporation Law.

3. The Corporation is formed and shall be operated exclusively for the charitable and public purposes of benefiting and furthering the activities of Dutchess County, New York (the “County”). More specifically, the Corporation shall act as a local development corporation for the County by conducting activities that will relieve and reduce unemployment; promote and provide for additional and maximum employment; better and maintain job opportunities; instruct or train individuals to improve or develop their capabilities for such jobs; carry on scientific research for the purpose of aiding the County by attracting new industry to the County; or by encouraging the development of, or retention of, an industry in the County; and lessening the burdens of government and acting in the public interest. The Corporation’s corporate powers shall include, but are not limited to, the power to finance facilities for not-for-profit corporations, acquire, improve, maintain, equip and furnish projects, to lease such projects and collect rent; to sell and convey any and all of its property whenever the Board of Directors shall find such action to be in furtherance of the purposes for which it was organized; and to issue bonds for the purpose of carrying out any of its powers; all bonds are payable solely out of revenues and receipts derived from the leasing or sale by the Corporation of its projects, or from loans made by the Corporation. The County is not liable for the payment of principal or interest on any of the bonds of the Corporation.

In furtherance of the foregoing purposes, the Corporation shall have all the powers conferred by Section 1411(c) of the N-PCL.

The lawful public or quasi-public objectives which each business purpose will achieve are the following: the training of community residents in the development of their business skills; the reduction of unemployment; the promotion of maximum employment by bettering and maintaining job opportunities; the stimulation of the economic growth of the County.

Nothing herein shall authorize the Corporation, directly or indirectly, to engage in or include among its purposes, any of the activities mentioned in Section 404(a)-(v) of the Not-For-Profit Corporation Law.
Nothing herein shall authorize the Corporation to operate or maintain an institution of higher learning or to grant degrees. Nothing herein shall authorize the Corporation to engage in the practice of the profession of medicine or any other profession required to be licensed by Title VIII of the Education Law. Nothing herein shall authorize the Corporation to provide professional training in the profession of medicine or any other profession required to be licensed by Title VIII of the Education Law.

4. (a) All income and earnings of such corporation shall be used exclusively for its corporate purposes or accrue and be paid to the New York Job Development Authority. No part of the net earnings of the Corporation shall inure to the benefit of any director, or officer of the Corporation or any private individual, except that reasonable compensation may be paid, other than to a director, for services rendered to or for the Corporation. No director or officer of the Corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.

(b) No substantial part of the activities of the Corporation shall be carrying on propaganda, or otherwise attempting to influence legislation, except as otherwise provided by Section 501(h) of the Internal Revenue Code of 1986, as amended. The Corporation shall not participate or intervene (including the publication or distribution of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office.

(c) If the Corporation accepts a mortgage loan or loans from the New York Job Development Authority, it shall be dissolved in accordance with the provisions provided below upon the repayment or other discharge in full by the Corporation of all such loans.

(d) Notwithstanding any other provision of this Certificate, the Corporation is organized exclusively for charitable and public purposes and is intended to qualify as an entity the income of which is excludable under Code Section 115.

(e) In the event of the liquidation, dissolution, or winding up of the Corporation, whether voluntary or involuntary or by operation of law, all of the remaining assets and property of the Corporation shall after necessary expenses thereof be distributed to the County for furtherance of the purposes set forth above.

5. The office of the Corporation in the State of New York shall be located in Dutchess County.
6. The name and address of the initial directors of the Corporation are

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael J. Tomkovitch</td>
<td>Dutchess County Local Development Corporation</td>
</tr>
<tr>
<td></td>
<td>3 Neptune Road</td>
</tr>
<tr>
<td></td>
<td>Poughkeepsie, New York 12601</td>
</tr>
<tr>
<td>Charles Daniels, III</td>
<td>Dutchess County Local Development Corporation</td>
</tr>
<tr>
<td></td>
<td>3 Neptune Road</td>
</tr>
<tr>
<td></td>
<td>Poughkeepsie, New York 12601</td>
</tr>
<tr>
<td>Angela Flesland</td>
<td>Dutchess County Local Development Corporation</td>
</tr>
<tr>
<td></td>
<td>3 Neptune Road</td>
</tr>
<tr>
<td></td>
<td>Poughkeepsie, New York 12601</td>
</tr>
<tr>
<td>George R. Stoffers</td>
<td>Dutchess County Local Development Corporation</td>
</tr>
<tr>
<td></td>
<td>3 Neptune Road</td>
</tr>
<tr>
<td></td>
<td>Poughkeepsie, New York 12601</td>
</tr>
<tr>
<td>David R. Tetor</td>
<td>Dutchess County Local Development Corporation</td>
</tr>
<tr>
<td></td>
<td>3 Neptune Road</td>
</tr>
<tr>
<td></td>
<td>Poughkeepsie, New York 12601</td>
</tr>
<tr>
<td>Phyllis DiStasi Keenan</td>
<td>Dutchess County Local Development Corporation</td>
</tr>
<tr>
<td></td>
<td>3 Neptune Road</td>
</tr>
<tr>
<td></td>
<td>Poughkeepsie, New York 12601</td>
</tr>
<tr>
<td>Henry Killian</td>
<td>Dutchess County Local Development Corporation</td>
</tr>
<tr>
<td></td>
<td>3 Neptune Road</td>
</tr>
<tr>
<td></td>
<td>Poughkeepsie, New York 12601</td>
</tr>
</tbody>
</table>
7. The Secretary of State of the State of New York is hereby designated as the agent of the Corporation upon whom process in any action or proceeding against the Corporation may be served. The post office address to which the Secretary of State shall mail a copy of any such process so served is:

Dutchess County Local Development Corporation
3 Neptune Road
Poughkeepsie, New York 12601
IN WITNESS WHEREOF, the undersigned incorporator, being at least eighteen years of age, has signed this certificate this ___ day of __________, 2010, and hereby affirms the truth of the statements contained herein under penalty of perjury.

/s/ ____________________________, Incorporator

Address:
CERTIFICATE OF INCORPORATION
OF
DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION

UNDER SECTION 402 OF THE NEW YORK NOT-FOR-PROFIT CORPORATION LAW

Filed by:
Hon. Robert Rolison, Chairman and the
Dutchess County Legislature
22 Market Street
Poughkeepsie, New York 12601

Re: Proposal to Form Local Development Corporation

Dear Chairman Rolison and County Legislators:

I understand that the Dutchess County Legislature is considering a proposal to create a Local Development Corporation to provide tax exempt bond financing to Not-For-Profit corporations in Dutchess County. As the President of Marist College, I write to note our wholehearted support for this proposal. The Not-For-Profit corporations are major employers and economic engines in this county. By providing us with access to less expensive investment capital, you are helping promote the economic welfare of Dutchess County and the prosperity of our community and preventing unemployment and economic deterioration.

As you are aware, this type of bond financing was previously provided by the Dutchess County IDA to many Not-For-Profit corporations in Dutchess County, including ours. Since the state authorizing legislation expired in January, 2008 this vital financing alternative has not been available to us. The tax exempt bonds are “conduit” financing, meaning none of the assets of the County, the Local Development Corporation or the taxpayers is pledged to the repayment of the bonds. It merely provides a less expensive way for us to borrow.

In these tough financial times, we are pleased to see you are taking the initiative to help us create new employment opportunities in Dutchess County for us and the local construction industry. As a substantial employer in Dutchess County, we strongly urge you to support this proposal.

Sincerely,

Dennis J. Murray
April 6, 2010

Hon. Robert Rolison, Chairman and the Dutchess County Legislature
22 Market Street
Poughkeepsie, New York 12601

Re: Proposal to Form Local Development Corporation

Dear Chairman Rolison and County Legislators:

I understand that the Dutchess County Legislature is considering a proposal to create a Local Development Corporation to provide tax exempt bond financing to Not-For-Profit corporations in Dutchess County. As the President of Saint Francis Hospital please note our wholehearted support for this proposal. The Not-For-Profit sector is a major employers and economic engine in this county. By providing us with access to less expensive investment capital, you are helping promote the economic welfare of Dutchess County and the prosperity of our community while preventing unemployment and economic deterioration.

As you are aware, this type of bond financing was previously provided by the Dutchess County IDA to many Not-For-Profit corporations in Dutchess County, including ours. Since the state authorizing legislation expired in January, 2008 this vital financing alternative has not been available to us. The tax exempt bonds are “conduit” financing, meaning none of the assets of the County, the Local Development Corporation or the taxpayers is pledged to the repayment of the bonds. It merely provides a less expensive way for us to borrow.

In these tough financial times, we are pleased to see you are taking the initiative to help us create new employment opportunities in Dutchess County for us and the local construction industry. As one of the largest employers in Dutchess County, I strongly urge you to support this proposal.

Respectfully,

Robert L. Savage
President
Discussion on the foregoing Resolution No. 201094 resulted as follows:

Legislator Tyner moved to amend the foregoing resolution to add prevailing wage standards wherever possible duly seconded by Legislator Goldberg.

Roll call vote on the foregoing amendment resulted as follows:

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

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

ABSENT: 0

Amendment defeated.

Roll call vote on the foregoing Resolution No. 2010094 resulted as follows:


NAYS: 1   Tyner.

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010095

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL
AND TO ORDER THE LOCAL TAX COLLECTOR TO
ISSUE A CORRECTED TAX BILL.
APPLICANT: Bernard J. Barreiro
5 Chase Ct.
Wappingers Falls NY 12590
ACCOUNT NO.: 132800-6459-04-649234-0000

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

WHEREAS, there is an assessment on the assessment roll for the Town of East Fishkill for 2009 under the name of Bernard J. Barreiro, Account No. 132800-6459-04-649234-0000, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the local Tax Assessor for the Town of East Fishkill has made a clerical error in said assessment, and

WHEREAS, attached hereto is the written report of said Director together with her recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received February 18, 2010, relating to Account No. 132800-6459-04-649234-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Assessed Value</th>
<th>Exempt Amt.</th>
<th>Taxable Value</th>
<th>Corrected Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>265,000</td>
<td></td>
<td>265,000</td>
<td>750.91</td>
</tr>
<tr>
<td>Town of East Fishkill</td>
<td>265,000</td>
<td></td>
<td>265,000</td>
<td>584.46</td>
</tr>
<tr>
<td>East Fishkill Fire</td>
<td>265,000</td>
<td></td>
<td>265,000</td>
<td>177.49</td>
</tr>
<tr>
<td>East Fishkill Public</td>
<td>265,000</td>
<td></td>
<td>265,000</td>
<td>43.86</td>
</tr>
<tr>
<td>Library</td>
<td></td>
<td></td>
<td>TOTAL:</td>
<td>$1,556.72</td>
</tr>
</tbody>
</table>

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

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A342 Allowance for Uncollectible Taxes</td>
<td>$223.85</td>
</tr>
<tr>
<td>A430 Town of East Fishkill</td>
<td>174.24</td>
</tr>
<tr>
<td>A430 East Fishkill Fire (EF006)</td>
<td>52.92</td>
</tr>
<tr>
<td>A430 East Fishkill Public Library</td>
<td>13.08</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$464.09</strong></td>
</tr>
</tbody>
</table>

CA-40-10
MB/ca G-194
3/2/10
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 14, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFMANN, CLERK OF THE LEGISLATURE
Legal Description (grid #) 132800-6459-04-649234-0000

Owner’s Name Bernard J. Barreiro

Mailing Address 5 Chase Ct. Wappingers Falls NY 12590

Property Location 5 Chase Ct.

School District Wappingers Central School Dist., Special District ____________________________

Total Assessed Value now on roll 344,000 Corrected to 265,000

Taxable Assessed Value now on roll 344,000 Corrected to 265,000

Exempt codes and amounts if applicable

Amount Levied $2,020.81 Should be $1,556.72

Tax Bill Paid? ___ yes X no

Verified with School Tax Collector? X yes ___ no

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

X Subdivision 2, Paragraph A. (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 granted to park owner ___

Assessed value on roll does not match assessor’s final work product X

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 ___X__ APPROVE APPLICATION _______DENY APPLICATION

Details: It is recommended that the application to correct the 2009/10 Cnty/town tax bill be approved.

________________________________________________________________________

Investigator Margaret Burns Director _______ _______
NYS BOARD OF REAL PROPERTY SERVICES

APPLICATION FOR CORRECTED TAX ROLL

FOR THE YEAR 2009

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

1. Name of Owner
   Bernada Barreiro

2. Telephone Number
   Day (914) 489-5305 Evening (-)

3. Parcel Location (if different than 1b):
   Wappingers Falls, NY 12590

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)
   6450. 04. 649. 334

5. Account No. 056 49234

6. Amount of taxes currently billed $20,200. 51

7. I hereby request a correction of tax levied by
   (county/city/school district; town in Westchester County; non-assessing unit village)
   for the following reasons (use additional sheets if necessary):
   MATHEMATICAL ERROR

x 2/12/10
Date

Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 2/18/10
Last day for collection of taxes without interest: 2/28/10

Recommendation: [ ] Approve Application
[ ] Deny Application

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

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

____ APPLICATION APPROVED

Notice of approval mailed to applicant on (enter date):

Order transmitted to collecting officer on (enter date):

____ APPLICATION DENIED

Reason:

Amount of taxes currently billed: $ ________
Corricted tax: $ ________

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution
Assessor Affidavit for Correction of Error

This affidavit or a letter signed by the assessor must be submitted for every requested Correction of Error.

I, Kathleen Martin, assessor for the Town/City of East Fishkill, Dutchess County, do hereby affirm that the assessment or taxable assessment on Grid # 6459-04-0649234 owned by Bernard J. Barreiro

as shown on the 2009 (yr) Assessment/Tax roll of the Town/City of East Fishkill

School district of WCSD

is incorrect and may be corrected per RPTL 550.

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

Agreed upon stipulation was not entered in the computer

Assessment was: 344,000 Should be: 265,000
Exemption was: Should be:
Other:

I request that the County Director investigate and make a recommendation to the tax levying body to correct such error and issue a new bill or refund.

Date 10/15/2009 Signature of Assessor or Designee

Whenever possible, proof of error MUST accompany this affidavit as applicable:

e.g.

Exemption application indicating approval/denial
Copy of property record card, work book or other final work product
Copy of paid tax bill
Verified statement of BAR (for grievance changes not appearing on final roll)
Any other documentation requested by the Director to complete the investigation

Rev. 9/5/2008 by Dutchess County Real Property Tax Service Agency
STIPULATION

Part Six: Stipulation of Complaint on Real Property Assessment

Grid# 6459.04.649234
Property Address 50 Case Lane

The complainant (Or complainant's representative) and assessor (or assessor designated by a majority of the board of assessors) whose signatures appear below stipulate that the following assessed value is to be applied to the above described property 2009 (year) assessment roll: Land $ 9,716.00
Total $ 9,716.00

________ Check here if stipulation approved exemption indicated in Part Three, section B.2 or C.1

Bernard Simone
Complainant or representative

Assessor

Date 5/7/09

Received Time Feb. 22, 2010 12:04PM No. 1084
Roll call vote on the foregoing Resolution No. 2010095 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO.  2010096

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL
AND TO ORDER THE LOCAL TAX COLLECTOR TO
ISSUE A CORRECTED TAX BILL
APPLICANT: Jay R. Livermore and Beth A. Livermore
1318 Route 82
Hopewell Jct. NY 12533
ACCOUNT NO.: 132800-6458-02-973652-0000

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

WHEREAS, there is an assessment on the assessment roll for the Town of East Fishkill for 2009 under the name of Jay R. Livermore and Beth A. Livermore, Account No. 132800-6458-02-973652-0000, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the local Tax Assessor for the Town of East Fishkill has made a clerical error in said assessment, and

WHEREAS, attached hereto is the written report of said Director together with her recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received February 22, 2010, relating to Account No. 132800-6458-02-973652-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Assessed Value</th>
<th>Exempt Amt.</th>
<th>Taxable Value</th>
<th>Corrected Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>392,500</td>
<td>45,000</td>
<td>347,500</td>
<td>984.68</td>
</tr>
<tr>
<td>Town of East Fishkill</td>
<td>392,500</td>
<td>40,000</td>
<td>352,500</td>
<td>777.44</td>
</tr>
<tr>
<td>East Fishkill Fire</td>
<td>392,500</td>
<td></td>
<td>392,500</td>
<td>262.89</td>
</tr>
<tr>
<td>East Fishkill Public Library</td>
<td>392,500</td>
<td></td>
<td>392,500</td>
<td>64.97</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td></td>
<td></td>
<td><strong>$2,089.98</strong></td>
<td></td>
</tr>
</tbody>
</table>
and be it further

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

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A342 Allowance for Uncollectible Taxes</td>
<td>$93.51</td>
</tr>
<tr>
<td>A430 Town of East Fishkill</td>
<td>$74.99</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$168.50</strong></td>
</tr>
</tbody>
</table>

CA-39-10
MB/ca G-194
3/2/10
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 14, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFMANN, CLERK OF THE LEGISLATURE
Legal Description (grid #) 132800-6458-02-973652-0000

Owner's Name Jay R. and Beth A. Livermore

Mailing Address 1318 Route 82 Hopewell Jct, NY 12533

Property Location 1318 Route 82

School District Arlington Central School Dist. Special District

Total Assessed Value now on roll 392,500 Corrected to Same

Taxable Assessed Value now on roll 380,500 Cnty/386,500 Town Corrected to 347,500 Cnty/352,500 Town

Exempt codes and amounts if applicable

Alt Vet Combat 45,000 Cnty / 40,000 Town

Amount Levied $2,258.48 Should be $2,089.98

Tax Bill Paid? yes X no Verified with Assessor? X yes no

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

X Subdivision 2, Paragraph C (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 X

Exemption amount incorrectly granted to park owner __

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 X APPROVE APPLICATION _____ DENY APPLICATION

Details: It is recommended that the application to correct the 2009/10 Cnty/town tax bill be approved.

Investigator Margaret Burns Director Kathleen Myers
APPLICATION FOR CORRECTED TAX ROLL

FOR THE YEAR 2010

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. In Nassau and Tompkins Counties, submit to Chief Assessing Officer. NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Jay Livermore + Beth A. Livermore
1318 Route 87
Hopewell Jct, NY 12533

2. Telephone Number

I hereby request a correction of tax levied by East Fishkill (county/city/school district; town in Westchester County; non-assessing unit/village) entered incorrectly on computer

2/19/2010

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 2/22/10

Period of warrant for collection of taxes:

Last day for collection of taxes without interest: 2/28/10

Recommendation: [ ] Approve Application [ ] Deny Application

3/1/2010

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

APPLICATION APPROVED

Notice of approval mailed to applicant on (enter date): 

Amount of taxes currently billed: $ 

Corrected tax: $ 

APPLICATION DENIED: Reason: 

Seal of Office

Date

Signature of Chief Executive Officer or Official Designated by Resolution

Received Time Feb. 22, 2010 1:35PM No. 1093
Assessor Affidavit for Correction of Error

This affidavit or a letter signed by the assessor must be submitted for every requested Correction of Error.

I, Kathleen Martin, assessor for the Town/City of East Fishkill, Dutchess County, do hereby affirm that the assessment or taxable assessment on

Grid # 6048-02-9936852

owned by Jay & Beth Livemore as shown on the 2010 (yr) Assessment/Tax roll of the Town/City of East Fishkill School district of Arlington

is incorrect and may be corrected per RPTL 550.

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

Entered in computer wrong. Clerical Error. Entered as Cold War should have been All Vet Plus Vet. Disab. Combat

Assessment was: Should be: 

Exemption was: Cold War Should be: All Vet + Mt. Disab. Combat

I request that the County Director investigate and make a recommendation to the tax levying body to correct such error and issue a new bill or refund.

Date 2/22/2010 Signature of Assessor or Designee

Whenever possible, proof of error MUST accompany this affidavit as applicable:

e.g.

Exemption application indicating approval/denial
Copy of property record card, work book or other final work product
Copy of paid tax bill
Verified statement of BAR (for grievance changes not appearing on final roll)
Any other documentation requested by the Director to complete the investigation

Rev. 9/5/2008 by Dutchess County Real Property Tax Service Agency
# APPLICATION FOR ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION

(General information and instructions for completing this form are contained in Form RP-458-a-ins)

1. Name and telephone no. of owner(s):
   - John F. Livermore
   - Beth A. Livermore

2. Mailing address of owner(s):
   - 1318 Route 82
   - Hopewell Junction
   - N.Y. 12533

3. Location of property (see instructions):
   - 1318 Route 82
   - Hopewell Junction
   - Village (if any)

   Property identification (see tax bill or assessment roll)
   - Tax map number or section/block/lot: 6458-02-973652

4. Is the owner a veteran who served in the active military, naval or air service of the United States?  **Yes** □ **No** □
   - If No, indicate the relationship of the owner to veteran who rendered such service:
   - If Yes, is the owner also the unremarried surviving spouse of a veteran?  **Yes** □ **No** □

5. Indicate branch of veterans service and dates of active service: **Marine Corps 6/98-12/04**
   - (Attach written evidence)

6. Was the veteran discharged or released from the active service under honorable conditions?  **Yes** □ **No** □
   - (Attach written evidence)

7. Did the veteran serve in a combat zone or combat theater?  **Yes** □ **No** □
   - If Yes, Operation Iraqi Freedom
   - (Attach written evidence)

8. Has the veteran received, or did the veteran receive prior to his/her death, a compensation rating from the United States Veteran's Administration, or from the United States Department of Defense as a result of a service connected disability?  **Yes** □ **No** □
   - If Yes, what is (was) the veteran's compensation rating?  **100%** □
   - (Attach written evidence showing the date such rate was established)
   - □ check if rating is permanent?
   - If No, did the veteran die in service of a compensation disability or in the line of duty while serving during wartime?  **Yes** □ **No** □ (Attach written evidence)

9. Is the property the primary residence of the veteran, unremarried surviving spouse of the veteran or Gold Star parent?  **Yes** □ **No** □
   - If No, is the veteran, unremarried surviving spouse of the veteran or Gold Star parent, the owner of the property and absent from the property due to medical reasons or institutionalization?  **Yes** □ **No** □
   - Explain:

10. Is the property used exclusively for residential purposes?  **Yes** □ **No** □
    - If No, describe the non-residential use of this property and state what portion is so used.
11. Date title to this property was acquired: July 9, 2008 (attach copy of deed)

12. Has the owner(s) ever received or is the owner(s) now receiving a veterans exemption based on eligible funds on property in New York State? Yes ☑ No

If yes, the amount of eligible funds used in the purchase was $ ________

The location of the property was or is: 1318 Route 82 (same as in question 3) or ________

Street address: 1318 Route 82 ____________

Village of ____________ City/Town of Hopewell Junction School District Arlington

I (we) hereby certify that all statements made on this application are true and correct to the best of my (our) knowledge and belief and I (we) understand that any willful false statement made herein will subject me (us) to the penalties prescribed therefore in the Penal Law.

ALL OWNERS MUST SIGN APPLICATION

Signature of owner(s) ____________ Date 7/16/08

Signature of owner(s) ____________ Date 7/16/08

SPACE BELOW FOR ASSESSOR'S USE ONLY

<table>
<thead>
<tr>
<th>Alternative veterans exemption (RP-458-a)</th>
<th>Assessment</th>
<th>Period of war active service or expeditionary medal recipient (15% or ceiling Max.) approved</th>
<th>Yes No</th>
<th>Combat zone service (including expeditionary medal) (10% or ceiling Max.) approved</th>
<th>Yes No</th>
<th>Service connected disability rating (x 50% or ceiling Max.) approved</th>
<th>Yes No</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town/City of</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>County of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Assessor's signature __________________________ Date ____________
Roll call vote on the foregoing Resolution No. 2010096 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010097

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL
AND TO ORDER THE LOCAL TAX COLLECTOR TO
ISSUE A CORRECTED TAX BILL.
APPLICANT: John H. Labick and Patricia Labick
6 Mountain Pass
Hopewell Jct. NY 12533
ACCOUNT NO.: 132800-6558-01-249765-0000

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

WHEREAS, there is a re-levied water bill on the tax roll for the Town of East Fishkill for 2009 under the name of John H. Labick and Patricia Labick, Account No. 132800-6558-01-249765-0000, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the local Tax Collector for the Town of East Fishkill has made a clerical error in said re-levy, and

WHEREAS, attached hereto is the written report of said Director together with her recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received March 3, 2010, relating to Account No. 132800-6558-01-249765-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Assessed Value</th>
<th>Exempt Amt.</th>
<th>Taxable Value</th>
<th>Corrected Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>292,500</td>
<td></td>
<td>292,500</td>
<td>828.83</td>
</tr>
<tr>
<td>Town of East Fishkill</td>
<td>292,500</td>
<td></td>
<td>292,500</td>
<td>645.11</td>
</tr>
<tr>
<td>East Fishkill Fire</td>
<td>292,500</td>
<td></td>
<td>292,500</td>
<td>195.91</td>
</tr>
<tr>
<td>East Fishkill Public Library</td>
<td>292,500</td>
<td></td>
<td>292,500</td>
<td>48.42</td>
</tr>
<tr>
<td>Little Swiss Water</td>
<td>292,500</td>
<td></td>
<td>292,500</td>
<td>699.85</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>$2,418.12</strong></td>
</tr>
</tbody>
</table>
and be it further

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

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A430 Unpaid Water Town of East Fishkill</td>
<td>$244.00</td>
</tr>
<tr>
<td>CA-42-10</td>
<td></td>
</tr>
<tr>
<td>MB/ca G-194</td>
<td></td>
</tr>
<tr>
<td>3/3/10</td>
<td></td>
</tr>
<tr>
<td>Fiscal Impact: None</td>
<td></td>
</tr>
</tbody>
</table>

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE
Legal Description (grid #)  132800-6558-01-249765-0000

Owner’s Name        John H. and Patricia Labick

Mailing Address     6 Mountain Pass Hopewell Jct, NY 12533

Property Location   6 Mountain Pass

School District    Arlington Central School Dist.    Special District

Total Assessed Value now on roll  292,500    Corrected to Same

Taxable Assessed Value now on roll  292,500    Corrected to 292,500

Exempt codes and amounts if applicable

Amount Levied $2,662.12    Should be $2,418.12

Tax Bill Paid? ___ yes  X no    Verified with Assessor?  X yes  ___ no

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

  X Subdivision 2, Paragraph H (clerical error)
  ___ Subdivision 3, Paragraph ___ (error in essential fact)
  ___ Subdivision 7, Paragraph ___ (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll ___

Exemption amount incorrectly granted to park owner ___

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:  X  Previously paid water bill incorrectly re-levied

Recommendation  ___ X ___ APPROVE APPLICATION  _______ DENY APPLICATION

Details:  It is recommended that the application to correct the 2009/10 Cnty/town tax bill be approved.

Investigator Margaret Burns    Director Kathleen Myers
APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 C-9

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

John * Patrick Labick
1a. Name of Owner

1b. Mailing Address:

1. Mountain Pass

2. Telephone Number

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

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

5. Account No: 053497165

6. Amount of taxes currently billed $21,425.27

7. I hereby request a correction of tax levied by Town of East Fishkill (county/city/school district; town in Westchester County; non-assessing unit village) for the following reasons (use additional sheets if necessary):

Water charge owed by resident at different address.

Date: 2-1-10

Signature of Applicant

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 3/3/10

Period of warrant for collection of taxes: 1/1/10

Last day for collection of taxes without interest: 2/28/10

Recommendation: □ Approve application* □ Deny Application

Date 3/3/2010

Signature of County Director

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

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

□ APPLICATION APPROVED

□ APPLICATION DENIED

Amount of taxes currently billed: $ Corrected tax: $

Notice of approval mailed to applicant on (enter date): 

Order transmitted to collecting officer on (enter date):

Reason:

Date

Signature of Chief Executive Officer

or Official Designated by Resolution
Assessor Affidavit for Correction of Error

This affidavit or a letter signed by the assessor must be submitted for every requested Correction of Error.

I, Kathleen A. Martin, assessor for the Town/City of East Fishkill, Dutchess County, do hereby affirm that the assessment or taxable assessment on

Grid # 0558-02-29765

owned by John Patricia Labick

as shown on the 2009 (yr) Assessment/Tax roll of the Town/City of East Fishkill

School district of Arlington

is incorrect and may be corrected per RPTL 550.

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

water charge was put in wrong bill

244.00 charge

Assessment was: Should be:

Exemption was: Should be:

Other:

I request that the County Director investigate and make a recommendation to the tax levying body to correct such error and issue a new bill or refund.

Date 3/1/0

Signature of Assessor or Designee

Whenever possible, proof of error MUST accompany this affidavit as applicable:

e.g.

Exemption application indicating approval/denial
Copy of property record card, work book or other final work product
Copy of paid tax bill
Verified statement of BAR (for grievance changes not appearing on final roll)
Any other documentation requested by the Director to complete the investigation

Rev. 9/5/2008 by Dutchess County Real Property Tax Service Agency
Roll call vote on the foregoing Resolution No. 2010097 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010098

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

APPLICANT: Stanley R. Andersen and Mary P. Andersen
8 Woodcrest Dr.
Hopewell Jct NY 12533
ACCOUNT NO.: 132800-6557-02-504584-0000

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

WHEREAS, there is a re-levied water bill amount on the tax roll for the Town of East Fishkill for 2009 under the name of Stanley R. Andersen and Mary P. Andersen, Account No. 132800-6557-02-504584-0000, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the local Tax Collector for the Town of East Fishkill has made a clerical error in said re-levy amount, and

WHEREAS, attached hereto is the written report of said Director together with her recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received February 10, 2010, relating to Account No. 132800-6557-02-504584-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Assessed Value</th>
<th>Exempt Amt.</th>
<th>Taxable Value</th>
<th>Corrected Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>415,000</td>
<td></td>
<td>415,000</td>
<td>1,175.95</td>
</tr>
<tr>
<td>Town of East Fishkill</td>
<td>415,000</td>
<td></td>
<td>415,000</td>
<td>915.29</td>
</tr>
<tr>
<td>East Fishkill Fire</td>
<td>415,000</td>
<td></td>
<td>415,000</td>
<td>277.96</td>
</tr>
<tr>
<td>E. Fishkill Public Lib.</td>
<td>415,000</td>
<td></td>
<td>415,000</td>
<td>68.69</td>
</tr>
<tr>
<td>Taconic Estates Water</td>
<td>100 units</td>
<td>100 units</td>
<td></td>
<td>501.13</td>
</tr>
<tr>
<td>TOTAL:</td>
<td></td>
<td></td>
<td></td>
<td>$2,939.02</td>
</tr>
</tbody>
</table>
and be it further

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

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A430 Unpaid Water Town of East Fishkill</td>
<td>112.00</td>
</tr>
<tr>
<td>Total</td>
<td>$112.00</td>
</tr>
</tbody>
</table>

CA-37-10
MB/ca G-194
3/2/10
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HORMANN, CLERK OF THE LEGISLATURE
Legal Description (grid #)  132800-6557-02-504584-0000

Owner's Name  Stanley R. and Mary P. Andersen

Mailing Address  8 Woodcrest Dr. Hopewell Jct, NY 12533

Property Location  8 Woodcrest Dr.

School District  Wappingers Central School Dist.  Special District 

Total Assessed Value now on roll  415,000  Corrected to  Same

Taxable Assessed Value now on roll  415,000  Corrected to  Same

Amount Levied  $3,051.02  Should be  $2,939.02

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

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

   X  Subdivision 2, Paragraph H (clerical error)
   ___Subdivision 3, Paragraph  (error in essential fact)
   ____Subdivision 7, Paragraph (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll 

Exemption amount incorrectly calculated 

Assessed value on roll does not match assessor's final work product 

Structure did not exist on taxable status date or was present on another parcel 

Assessment based on incorrect acreage 

Parcel should be Wholly Exempt 

Parcel Misclassified as homestead, non-homestead or portions misallocated 

Other:  X  Previously paid water bill was incorrectly re-levied

Recommendation  X  APPROVE APPLICATION  ___DENY APPLICATION

Details:  It is recommended that the application for a corrected 2009/10 Cnty/town tax bill be approved.

__________________________________________________________
Investigator  Margaret Burns  Director  Kathleen Myers
APPLICATION FOR CORRECTED TAX ROLL

FOR THE YEAR 2010

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

**Name of Owner:** Stanley *Mary* Andersen

**Address:** 8 Woodlawn Dr., Hopewell Jct., NY 12533

**Phone Number:**

**Parcel Location:**

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

5. Account No. **D5504584**

6. Amount of taxes currently billed **3051.09**

7. I hereby request a correction of tax levied by **Town of East Fishkill** (county/city/school district; town in Westchester County; non-assessing unit village)

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

- **$12.00 added in error.**

**Date:** Jan. 26, 2010

**Signature of Applicant:**

**PART II:** For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

**Date application received:** 2/10/10

**Period of warrant for collection of taxes:** 12/18/09

**Last day for collection of taxes without interest:** 2/28/10

**Recommendation:**

- [ ] Approve application
- [ ] Deny Application

**Date:** 2/17/10

**Signature of County Director:**

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

**APPLICATION APPROVED**

**Amount of taxes currently billed:**

**Corrected tax:**

**Notice of approval mailed to applicant on (enter date):**

**Order transmitted to collecting officer on (enter date):**

**APPLICATION DENIED**

**Reason:**

**Seal of Office**

**Date**

**Signature of Chief Executive Officer or Official Designated by Resolution**
Assessor Affidavit for Correction of Error

This affidavit or a letter signed by the assessor must be submitted for every requested Correction of Error.

I, Kathleen A. Martin, assessor for the Town/City of East Fishkill, Dutchess County, do hereby affirm that the assessment or taxable assessment on Grid # 0557-02-504584 owned by Stanley & Mary Anderson as shown on the 2009 (yr) Assessment/Tax roll of the Town/City of East Fishkill School district of Wappinger C.S. is incorrect and may be corrected per RPTL 550.

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

Unpaid water bill in the amount of $112.00 added in error.

Assessment was: __________________________ Should be: __________________________

Exemption was: __________________________ Should be: __________________________

Other: __________________________

I request that the County Director investigate and make a recommendation to the tax-levying body to correct such error and issue a new bill or refund.

Date 3/4/10 Signature of Assessor or Designee __________________________

Whenever possible, proof of error MUST accompany this affidavit as applicable:

e.g.

Exemption application indicating approval/denial
Copy of property record card, work book or other final work product
Copy of paid tax bill
Verified statement of BAR (for grievance changes not appearing on final roll)
Any other documentation requested by the Director to complete the investigation

Rev. 9/5/2008 by Dutchess County Real Property Tax Service Agency
Roll call vote on the foregoing Resolution No. 2010098 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010099

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

APPLICANT: Naomi F. Storms
111 E. Dorsey Lane
Poughkeepsie NY 12601
ACCOUNT NO.: 133200-6263-01-040620-0000

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

WHEREAS, there is an assessment on the assessment roll for the Town of Hyde Park for 2009 under the name of Naomi F. Storms, Account No. 133200-6263-01-040620-0000, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the local Tax Assessor for the Town of Hyde Park has made a clerical error in said assessment, and

WHEREAS, attached hereto is the written report of said Director together with her recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received February 9, 2010, relating to Account No. 133200-6263-01-040620-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Assessed Value</th>
<th>Exempt Amt.</th>
<th>Taxable Value</th>
<th>Corrected Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>108,000</td>
<td>54,000</td>
<td>54,000</td>
<td>332.64</td>
</tr>
<tr>
<td>Town of Hyde Park</td>
<td>108,000</td>
<td>54,000</td>
<td>54,000</td>
<td>259.32</td>
</tr>
<tr>
<td>Fairview Fire</td>
<td>108,000</td>
<td>108,000</td>
<td>1,173.81</td>
<td>51.08</td>
</tr>
<tr>
<td>Hyde Park Library</td>
<td>108,000</td>
<td>108,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$1,816.85</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A342 Allowance for Uncollectible Taxes</td>
<td>$332.64</td>
</tr>
<tr>
<td>A430 Town of Hyde Park</td>
<td>$259.32</td>
</tr>
<tr>
<td>Total</td>
<td>$591.96</td>
</tr>
</tbody>
</table>

CA-38-10
MB/ca G-194
3/2/10
Fiscal Impact: None

---

STATE OF NEW YORK  
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HIRMANN, CLERK OF THE LEGISLATURE

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010
Dutchess County Real Property Tax Service Agency
C O E Investigating Report

Legal Description (grid #)  133200-6263-01-040620-0000

Owner's Name  Naomi F. Storms

Mailing Address  111 E. Dorsey Lane Poughkeepsie NY 12601

Property Location  111 E. Dorsey Lane

School District: Hyde Park Central School Dist.  Special District

Total Assessed Value now on roll  108,000  Corrected to  Same

Taxable Assessed Value now on roll  108,000  Corrected to  54,000

Exempt codes and amounts if applicable
Senior Exemption C/T 54,000

Amount Levied  $2,408.81  Should be  $1,816.85

Tax Bill Paid?  yes   X  no

Verified with assessor?  X  yes   no

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

X  Subdivision 2, Paragraph C (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  X

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  X APPROVE APPLICATION  DENY APPLICATION

Details: It is recommended that the application for a corrected 2009/10 Cnty/town tax bill be approved.

Investigator  Margaret Burns  Director  Kathleen Myers
APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 2010

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Name of Owner: Naomi Storms

Day of week: 4/30
Evening

Telephone Number:

Parcel Location (if different than 1b.):

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

Account No.:

Amount of taxes currently billed:

I hereby request a correction of tax levied by Town/City/County for the following reasons (use additional sheets if necessary):

See attached

Date: 2/11/2010

Signature of Applicant:

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 2/9/10

Period of warrant for collection of taxes: 12/18/09

Last day for collection of taxes without interest: 4/28/10

Recommendation: ☑ Approve application* ☐ Deny Application

Date: 2/11/10

Signature of County Director: Michelle Myers

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

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

APPLICATION APPROVED

Amount of taxes currently billed: $

Corrected tax: $

APPLICATION DENIED

Reason:

Seal of Office

Date

Signature of Chief Executive Officer
or Official Designated by Resolution
HISTORIC TOWN OF HYDE PARK

4383 Albany Post Road, Hyde Park, N.Y. 12538

(845) 229-7103 Ex. 123 Fax (845) 229-1901

Tim McGowan
Assessor

February 2, 2010

To Whom It May Concern:

The Assessor’s Office is requesting a correction on tax parcel # 6263-01-040620, located on 111 E. Dorsey Lane. Her Senior Citizen exemption should be 50% for Town, County and School. I printed this off real property when I first entered it, but now looking into RPSV4, part of the exemption is now missing.

Attached is a copy of their Town and County Tax bill and a copy of their senior exemption application and the printout showing that I had but the correct exemption amounts into the system.

If there are any other questions or concerns, please feel free to contact our office.

Sincerely,

Tim McGowan
Town Of Hyde Park Assessor
Roll call vote on the foregoing Resolution No. 2010099 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010100

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL
AND TO ORDER THE LOCAL TAX COLLECTOR TO
ISSUE A CORRECTED TAX BILL
APPLICANT: Joseph Smith
59 Indian Wells Rd.
Brewster NY 10509
ACCOUNT NO.: 135400-6662-00-337269-0009

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

WHEREAS, there should have been a re-levied school tax on the County/Town tax roll for
the Town of Union Vale for 2009 under the name of Joseph Smith, Account No. 135400-6662-00-337269-0009, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of
Real Property has investigated this claim and has found that the local Tax Collector for the Millbrook
Central School Dist. has made a clerical error in said re-levy, and

WHEREAS, attached hereto is the written report of said Director together with her
recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now,
therefore, be it

RESOLVED, that the application received March 3, 2010, relating to Account No. 135400-6662-00-337269-0009 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and
directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Assessed Value</th>
<th>Exempt Amt.</th>
<th>Taxable Value</th>
<th>Corrected Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>32,550</td>
<td></td>
<td>32,550</td>
<td>92.23</td>
</tr>
<tr>
<td>Town of Union Vale</td>
<td>32,550</td>
<td></td>
<td>32,550</td>
<td>53.92</td>
</tr>
<tr>
<td>Union Vale Fire</td>
<td>32,500</td>
<td></td>
<td>32,500</td>
<td>31.79</td>
</tr>
<tr>
<td>Returned School</td>
<td>32,500</td>
<td></td>
<td>32,500</td>
<td>342.62</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td></td>
<td></td>
<td><strong>TOTAL:</strong></td>
<td><strong>$520.56</strong></td>
</tr>
</tbody>
</table>

and be it further
RESOLVED, that the Tax Collector be instructed to increase the warrant as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>$ 22.41</td>
</tr>
<tr>
<td>Millbrook CSD</td>
<td>$320.21</td>
</tr>
<tr>
<td>Total</td>
<td>$342.62</td>
</tr>
</tbody>
</table>

And be it further

RESOLVED, that the Commissioner of Finance make the appropriate adjustments as follows:

<table>
<thead>
<tr>
<th>Increase:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A250 Due from Union Vale</td>
<td>$342.62</td>
</tr>
<tr>
<td>A440 Due to Millbrook CSD</td>
<td>$320.21</td>
</tr>
<tr>
<td>A980 County Share</td>
<td>$ 22.41</td>
</tr>
</tbody>
</table>

CA-46-10
MB/ca G-194
3/4/10
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010
Legal Description (grid #) 135400-6662-00-337269-0009

Owner's Name  Joseph Smith

Mailing Address  Sky Acres Enterprises Inc. C/O Joseph Smith 59 Indian Wells Rd, Brewster NY 10509

Property Location  Styles Way

School District  Millbrook Central School Dist. Special District

Total Assessed Value now on roll  32,550  Corrected to  Same

Taxable Assessed Value now on roll  32,550  Corrected to  Same

Exempt codes and amounts if applicable

Amount Levied  $177.94  Should be  $520.56

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

 X Subdivision 2, Paragraph 1 (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 granted to park owner __
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:  X  A mistake was made in the transcription of the re-levied school tax.

Recommendation  __ X  APPROVE APPLICATION  __ DENY APPLICATION

Details:  It is recommended that the application to correct the 2009/10 Cnty/town tax bill be approved.

Investigator  Margaret Burns  Director  Kathleen Ayers
APPLICATION FOR CORRECTED TAX ROLL

FOR THE YEAR 2010

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. In Nassau and Tompkins Counties, submit to Chief Assessing Officer. NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Joseph Smith
Sky Park Enterprises Inc.
89 Indian Wells Rd
Brewster, NY 10509

1. Name of Owner

2. Telephone Number

3. Parcel Location (if different than 1st)

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

5. Account No.

6. Amount of taxes currently billed

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

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

   payment erroneously from other homeowners to this property.

   ________________

   Date

* 3-3-2010

Date

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 3/3/10

Period of warrant for collection of taxes: 12/28/10

Last day for collection of taxes without interest: 12/28/10

Recommendation: [ ] Approve application* [ ] Deny Application

________________

Date

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

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

APPLICATION APPROVED

Notice of approval mailed to applicant on (enter date): ________________

Order transmitted to collecting officer on (enter date): ________________

APPLICATION DENIED

Reason: ________________

Seal of Office

__________________________

Date

__________________________

Signature of Chief Executive Officer
or Official Designated by Resolution

Received Time Mar. 3, 2010 1:31PM No. 1210
Date: March 3, 2010

To: Maggie Burns

From: Cheryl Sprague

Re: Tax Correction 6662-00-337269-0009

On September 28, 2009 I erroneously posted a payment (Mr. Englert grid 6662-00-337269-0010) to the above mentioned grid. Mr. Smith sent in a payment after the mis-post which was returned to him as a duplicate payment.

Mr. Smith has filled out the Application for Corrected Tax Roll.

Sincerely,

Cheryl Sprague
Millbrook CSD
Tax Collector
Roll call vote on the foregoing Resolution No. 2010100 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010101

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

APPLICANT: Town of Wappinger
20 Middlebush Rd.
Wappinger Falls NY 12590
ACCOUNT NO.: 135689-6158-04-805120-0000

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

WHEREAS, there is an assessment on the assessment roll for the Town of Wappinger for 2009 under the name of Town of Wappinger, Account No. 135689-6158-04-805120-0000, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the local Tax Assessor for the Town of Wappinger has made a clerical error in said assessment, and

WHEREAS, attached hereto is the written report of said Director together with her recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received March 1, 2010, relating to Account No. 135689-6158-04-805120-0000 for a corrected tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized and directed to send a copy of this resolution to the applicant and to the Town Tax Collector, directing said Tax Collector to issue a corrected tax bill as follows and attach a copy of this resolution to the warrant:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Assessed Value</th>
<th>Exempt Amt.</th>
<th>Taxable Value</th>
<th>Corrected Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>839,600</td>
<td>839,600</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Town of Wappinger</td>
<td>839,600</td>
<td>839,600</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Grinell Library</td>
<td>839,600</td>
<td>839,600</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Ambulance Townwide</td>
<td>839,600</td>
<td>839,600</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Wapp S Trans/Treat #1</td>
<td>100 units</td>
<td>100 units</td>
<td>300.48</td>
<td></td>
</tr>
<tr>
<td>Wapp S Trans/Treat #2</td>
<td>100 units</td>
<td>100 units</td>
<td>61.83</td>
<td></td>
</tr>
<tr>
<td>New Hackensack Fire</td>
<td>839,600</td>
<td>839,600</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Wapp. Cons Water</td>
<td>100 units</td>
<td>100 units</td>
<td>139.75</td>
<td></td>
</tr>
<tr>
<td>Cntr Wapp Sewer Imp</td>
<td>100 units</td>
<td>100 units</td>
<td>30.28</td>
<td></td>
</tr>
</tbody>
</table>
and be it further

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

RESOLVED, that the Commissioner of Finance be and hereby is authorized and directed to charge-back the erroneous taxes after settlement with the collector at the expiration of the warrant as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A430 Wapp S Trans/Treat #1(999W2)</td>
<td>$2,938.70</td>
</tr>
<tr>
<td>A430 Wapp S Trans/Treat #2(999W3)</td>
<td>$604.65</td>
</tr>
<tr>
<td>Total</td>
<td>$3,543.35</td>
</tr>
</tbody>
</table>

CA-41-10
MB/CA G-194
3/3/10

Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

STATE OF NEW YORK

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFMANN, CLERK OF THE LEGISLATURE
Dutchess County Real Property Tax Service Agency

COE Investigating Report

Legal Description (grid #) 135689-6158-04-805120-0000

Owner’s Name Town of Wappinger

Mailing Address 20 Middlebush Rd, Wappinger Falls NY 12590

Property Location Myers Corners Rd.

School District Wappingers Central School Dist. Special District Wapp S Trans/Treat #1 and #2

Total Assessed Value now on roll 839,600 Corrected to Same

Taxable Unit Value now on roll 1,078 units Corrected to 100 units

Exempt codes and amounts if applicable

Town owned within 839,600

Amount Levied $4,075.69 Should be $532.34

Tax Bill Paid? yes X no Verified with Assessor? X yes no

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

_X Subdivision 2, Paragraph E (clerical error)
_Subdivision 3, Paragraph (error in essential fact)
_Subdivision 7, Paragraph (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll

Benefit units incorrectly calculated X

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 X APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application to correct the 2009/10 Cnty/town tax bill be approved.

Investigator Margaret Burns Director Kathleen Myers
APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 2010

Part I: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

1. Name of Owner:

2. Telephone Number:

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

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

5. Account No.: 

6. Amount of taxes currently billed:

7. I hereby request a correction of tax levied by

[County/City/School District; town in Westchester County; non-assessing unit/village]

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

8. Date:

PART II: For use by COUNTY DIRECTOR: Attach written report (including documentation of error in essential fact) and recommendation. Indicate type of error and paragraph of subdivision 2, 3 or 7 of Section 550 under which error falls.

Date application received: 3/1/10

Last day for collection of taxes without interest: 2/28/10

Recommendation: [ ] Approve application [ ] Deny Application

Date:

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

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

[ ] APPLICATION APPROVED

Amount of taxes currently billed: $ 

Corrected tax: $ 

[ ] APPLICATION DENIED

Reason:

Seal of Office

Date

Signature of Chief Executive Officer or Official Designated by Resolution

Received Time Mar. 1, 2010 4:18PM No. 1152
TO THE DIRECTOR OF REAL PROPERTY TAX SERVICES:

Mr. Harris, Assessor of the Town of Wappinger

Dutchess County do hereby certify that the real property owned by

Wappinger, GRID # 6258-04-8051CW

shown on the 2009 Tax Roll of the Town/School District of Wappinger

and assessed in the amount of $39,600 is correct/incorrect due to clerical error.

unlawful entry/ error in essential fact resulting from Benefit under SB 1028, locally

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 above said parcel.

Attached is documentation for the investigation of this report.

3/2/2010

DATE

ASSESSOR

Wappinger

TOWN/CITY

DOCUMENTATION REQUESTED

( ) exemption application
( ) property record card
( ) tax bill
( ) other

( ) assessor work book
( ) verified statement from BAR
( ) paid tax bill
Roll call vote on the foregoing Resolution No. 2010101 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010102

RE: AUTHORIZING PAYMENT OF 2009 UNENCUMBERED VOUCHERS FROM 2010 FUNDS – PROBATION & COMMUNITY CORRECTIONS (A.3140)

Legislators COOPER, ROMAN, MICCIO, and HORTON offer the following and move its adoption:

WHEREAS, the submission of vouchers following the close of the 2009 budget year has shown that there are outstanding payment invoices in the Office of Probation & Community Corrections in the sum of $555 for mandated training to said department for which appropriations were made but for which funds were not encumbered before the close out date for voucher submission due to late billing from the vendor, and

WHEREAS, said charges were proper except that appropriations that were made were left unencumbered at the end of the close out date for submission for 2009, and

WHEREAS, the charges reflected by said vouchers remain unpaid, and

WHEREAS, the State Comptroller has, pursuant to County Law Section 362, expressed the opinion that claims for services rendered to a county in an earlier year may be paid in a later year if the contracts were valid when made and if there are moneys legally available to be used for such purposes (Opinion 69-686), now, therefore, be it

RESOLVED, that payment from 2010 funds is hereby approved from the following accounts in the amounts indicated:

<table>
<thead>
<tr>
<th>Line Item No.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.3140.4620.72</td>
<td>$555</td>
</tr>
<tr>
<td>CA-49-10</td>
<td></td>
</tr>
<tr>
<td>ca/G-0182-A</td>
<td></td>
</tr>
<tr>
<td>3/15/10</td>
<td></td>
</tr>
</tbody>
</table>

Fiscal Impact: None. Reduction of 2010 appropriations in amounts indicated. See attached statements

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010
FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost $555

Total Current Year Revenue $89

and Source

NYSODOP

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

Identify Line Items(s):
A.3140.4620.72

Related Expenses: Amount $_________________

Nature/Reason:

Anticipated Savings to County: __________________________

Net County Cost (this year): $466

Over Five Years: __________________________

Additional Comments/Explanation:
A September 2009 invoice was not received by Probation until February 2010 so the Department was unaware of the necessity to encumber funds. As a result, this 2009 bill needs to be paid out of 2010 budget appropriations.

Prepared by: Mary Ellen Still / Peggy Milone Probation 486-2600
TO: County Executive Office and County Attorney's Office

FROM: Office of Probation & Community Corrections

DATE: March 10, 2010

RE: Resolution Request

Two of our new officers traveled to Albany, NY for a mandated training called "Officer Safety and Survival Training for Peace Officers". They stayed at the Marriott Courtyard in Albany during the week long training. The cost for the stay was $555 for 5 nights. The hotel did not send an invoice for payment until February of 2010. We had considered all 2009 bills to be paid in full at the end of the 2009 fiscal year, so no money was encumbered for the A.3140.4620.72 GL line for Employee Travel & Expense Travel.
Roll call vote on the foregoing Resolution No. 2010102 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010103

RE: REAPPOINTMENT TO THE E-911 MAINTENANCE BOARD

Legislators ROLISON, COOPER, FLESLAND, GOLDBERG, HORTON, and KUFFNER offer the following and move its adoption:

WHEREAS, the E-911 Maintenance Board was created pursuant to Resolution No. 990379, and, be it

RESOLVED, that Legislator Kenneth Roman has expressed a desire to be reappointed as the Majority appointment and that he be appointed to a term ending March 31, 2013.

REAPPOINTMENT

Kenneth Roman
79 Delavergne Avenue
Wappingers Falls, NY 12590
(Majority Appointment)

TERM

April 1, 2010 – March 31, 2013

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 11, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOEHMANN, CLERK OF THE LEGISLATURE
Roll call vote on the foregoing Resolution No. 2010103 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RE: REQUESTING FEDERAL AND STATE GOVERNMENT TO HELP IMPLEMENT THE FIGHT CRIME: INVEST IN KIDS PROGRAM

Legislators TYNER, Jeter-Jackson, Kelsey, MacAvery, Horton, Traudt, and White offer the following and move its adoption:

WHEREAS, Fight Crime: Invest in Kids NY is a bipartisan, nonprofit organization led by more than 250 New York sheriffs, police chiefs, prosecutors and crime survivors including Dutchess County Sheriff Adrian "Butch" Anderson and Dutchess County District Attorney William Grady, and

WHEREAS, nationally there are more than 4,000 members of the Fight Crime: Invest in Kids coalition: The International Association of Chiefs of Police, the National Sheriffs' Association, the National District Attorneys Association, the National Association of Attorneys General, the Fraternal Order of Police, the National Organization for Victim Assistance, along with the National Academy of Science, and

WHEREAS, the average value of preventing a baby from growing up to become a youth who drops out of school, uses drugs and goes on to become a criminal is at least $2.5 million per individual, and

WHEREAS, at-risk children left out of quality pre-kindergarten are five times more likely to grow up to become criminals by age 27 than children in pre-kindergarten; quality pre-kindergarten also saves $17 for every $1 invested, and

WHEREAS, long term studies show that high quality pre-kindergarten increases graduation rates by as much as 44 percent and in turn dramatically cuts crime; just increasing graduation rates by 10 percentage points, 180 murders and 9,100 aggravated assaults would be prevented across our state annually, and

WHEREAS, nearly 70% of all inmates in our nation's prisons failed to earn a high school diploma; research shows that high school dropouts are three-and-a-half times more likely than graduates to be arrested and eight times more likely to be incarcerated, and

WHEREAS, the RAND Corporation concluded that the Nurse Family Partnership program saves more than it costs especially for the highest risk population where it saved the government $5.70 for every dollar invested, and

WHEREAS, nearly seven school-age New York children in every ten live in a household with a single parent who is working or two parents who are both working; on a regular basis, more than 800,000 New York children and teens are left unsupervised by adults, and
WHEREAS, analysis shows that research-based approaches for cutting juvenile aggression and substance abuse problems Functional Family Therapy, Multisystemic Therapy and Multi-Dimensional Treatment Foster Care reduce current custody costs and future crime so much they can save an average of $15,000 to $75,000 per delinquent, and therefore be it

RESOLVED, that the Dutchess County Legislature calls on our federal and state government to help implement the Fight Crime: Invest in Kids four-part plan to cut crime and violence--to increase access to high-quality early care and education for kids from birth to age five; to offer voluntary parent coaching to at-risk parents of young children through home visiting or other options proven to prevent child abuse and neglect; to increase access to afterschool programs; to identify troubled and delinquent kids and provide them and their parents effective interventions so these children will avoid a life of crime, and be it further

RESOLVED, that a copy of this resolution be sent to Governor David Paterson, State Senators Vincent Leibell and Stephen Saland, and Assemblymembers Greg Ball, Kevin Cahill, Joel Miller, Marcus Molinaro, and Frank Skartados, and President Barack Obama, Senators Kirsten Gillibrand and Charles Schumer, and Representatives John Hall, Maurice Hinchey, and Scott Murphy.

STATE OF NEW YORK

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
RESOLUTION NO. 2010105

RE: AUTHORIZING AMENDMENT TO GRANT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR THE PURCHASE OF A CONSERVATION EASEMENT FOR BOS HAVEN FARM

LEGISLATORS MICCIO, ROLISON, BOLNER, HORTON, COOPER, HUTCHINGS, KELSEY, TRAUDT, WEISS, and SURMAN offer the following and move its adoption:

WHEREAS, by Resolution No. 208221, this Legislature authorized the execution of a grant agreement with the New York State Department of Agriculture and Markets for the purchase of an agricultural conservation easement on the Bos Haven Farm located in the Towns of Washington and Union Vale with a termination date of March 31, 2009, and

WHEREAS, by Resolution No. 209187 this Legislature authorized an extension to the Grant Agreement through December 31, 2009, and

WHEREAS, a contract extension is necessary to provide sufficient time to complete the State review process prior to presentation to the Legislature; and

WHEREAS, the New York State Department of Agriculture and Markets has forwarded an amendment extending the grant agreement through April 30, 2011, and

WHEREAS, a copy of the amendment extending that agreement is attached, now therefore, be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute the amendment to the grant agreement (NYS Contract Number C800632) between the County of Dutchess and the New York State Department of Agriculture and Markets in substantially the same form as attached hereto.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 14, 2010

Fiscal Impact: See attached statement.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost $ ________________________________

Total Current Year Revenue $ ________________________________

and Source

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

Identify Line Items(s):

Related Expenses: Amount $ ________________________________

Nature/Reason:

Anticipated Savings to County: ________________________________

Net County Cost (this year):

Over Five Years: ________________________________

Additional Comments/Explanation:

NYSDAM Agriculture and Farmland Protection Implementation Grant (FPIG) Contract C800632 previously approved by Dutchess County Legislature Resolution No. 208221, authorizing execution of grant agreement for the purchase of an agricultural conservation easement on the Bos Haven Farm with a term expiring March 31, 2009. Dutchess County Legislature Resolution No. 209187 approved extension of FPIG Contract C800632 to December 31, 2009. Requested amendment extends contract to April 30, 2011. The FPIG contract awards the County up to $1,221,250 toward the acquisition.

Prepared by: Noela Hooper, Department of Planning and Development
## AGREEMENT

New York State
Department of Agriculture and Markets
10B Airline Drive
Albany, NY 12235-0001
Agency Code 06000

**AGRICULTURAL AND FARMLAND PROTECTION IMPLEMENTATION GRANT**

**STATUTORY AUTHORITY:** Agriculture and Markets Law
Article 25-AAA

<table>
<thead>
<tr>
<th>Contractor Name/Project Sponsor: County of Dutchess</th>
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<tbody>
<tr>
<td><strong>Street:</strong> 22 Market Street</td>
</tr>
<tr>
<td><strong>City:</strong> Poughkeepsie</td>
</tr>
<tr>
<td><strong>State:</strong> NY</td>
</tr>
<tr>
<td><strong>Zip:</strong> 12601</td>
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</tbody>
</table>

Billing Address (if different from above): c/o Noela Hooper, Dutchess Co. Dept. of Planning & Development

| Street: 27 High Street  |
| **City:** Poughkeepsie  |
| **State:** NY  |
| **Zip:** 12601  |

**Title/Description of Project:** Agricultural & Farmland Protection Implementation Grant

<table>
<thead>
<tr>
<th>THIS AGREEMENT INCLUDES THE FOLLOWING:</th>
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<tbody>
<tr>
<td>☑ This Coversheet</td>
</tr>
<tr>
<td>☐ Appendix A (Standard Clauses for all New York State Contracts)</td>
</tr>
<tr>
<td>☐ Appendix B (Project Budget)</td>
</tr>
<tr>
<td>☐ Appendix C (Award letter(s) &amp; a portion of Applicant’s proposal)</td>
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<tr>
<td>☐ Appendix D (The Department’s General Conditions)</td>
</tr>
<tr>
<td>☐ Appendix E (Final Report Documentation Checklist)</td>
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<tr>
<td>☐ Appendix F (other)</td>
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<tr>
<th>FOR AMENDMENTS CHECK THOSE THAT APPLY:</th>
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<tr>
<td>☑ Additional Work</td>
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<td>☑ Extension of Time</td>
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<tr>
<td>☐ Increase Amount</td>
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<tr>
<td>☐ Decrease Amount</td>
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<tr>
<td>☐ Revised Budget</td>
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<tr>
<td>☐ Revised Scope of Work</td>
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<tr>
<td>☐ Other</td>
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</tbody>
</table>

If increase/Decrease in Amount:

| Previous Amount: $  |
| Increase/decrease _____  |
| New Total: $  |

The Contractor and the Department agree to be bound by the terms and conditions contained in this Agreement

### CONTRACTOR

**Signature of Contractor’s Authorized Representative:**

________________________

Date: ______________________

**Typed or Printed Name of Above Representative:**

________________________

**Title of Authorized Representative:**

________________________

Notary Public: On this _____ day of ________, 20____ before me personally appeared ______________, to me known, and known to me to be the same person who executed the above instrument and duly acknowledged the execution of the same.

Attorney General:

Approved: Thomas P. DiNapoli, State Comptroller
By: ______________________
Date: ______________________

### NYS DEPARTMENT OF AGRICULTURE & MARKETS

**Signature of Authorized Official:**

________________________

Date: ______________________

**Typed or Printed Name of Above Official:**

________________________

**Title of Authorized Official**

________________________

State Agency Certification: In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

Approved: Thomas P. DiNapoli, State Comptroller
By: ______________________
Date: ______________________
Roll call vote on the foregoing Resolution No. 2010105 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010106

RE: RECONFIRMING THE ADOPTION OF NEGATIVE DECLARATION IN CONNECTION WITH THE ESTABLISHMENT OF PART COUNTY SEWER DISTRICT NO. 6 IN THE VILLAGE AND TOWN OF RED HOOK

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

WHEREAS, this Legislature has before it two resolutions together with maps, plans and reports, all prepared by or on behalf of the Dutchess County Water and Wastewater Authority ("WWA") in support of the establishment of Part County Sewer District No. 6 by the County of Dutchess ("County") to facilitate the payment of the costs of acquisition and expansion of the existing Red Hook Commons Wastewater Treatment Plant and construction of the Red Hook Sewer collection system through the levy of benefit assessments and the enforcement of delinquent sewer rates, and

WHEREAS, as part of its review of the proposed actions the WWA prepared a Full Environmental Assessment Form and Negative Declaration both dated January 20, 2010 on file with the Clerk of the Legislature, which conclude that the proposed project constitutes an unlisted action pursuant to Part 617 of the New York Code of Rules and Regulations (SEQR), and that the actions will not have a significant effect on the environment, and

WHEREAS, this Legislature by Resolution No. 2010029 made a finding of negative declaration on February 11, 2010, and

WHEREAS, the WWA requested that this Legislature reinitiate the Legislative process involved in establishing the Part County Sewer District No. 6 in the Village and Town of Red Hook, and

WHEREAS, it appears that WWA made a careful review of the proposed actions and this Legislature should reconfirm those findings, now, therefore, it is hereby

RESOLVED, that this Legislature adopts and reconfirms the findings of the WWA as set forth in the Full Environmental Assessment Form and Negative Declaration concluding that the proposed actions will not have a significant effect on the environment.

CA-55-10 CAB/ca/G-1332-F 3/15/10

STATE OF NEW YORK COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the said record.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE
Roll call vote on the foregoing Resolution No. 2010106 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010107

RE: REAFFIRMING RESOLUTION NO. 2010030 THAT ESTABLISHED PART COUNTY SEWER DISTRICT NO. 6 IN THE VILLAGE AND TOWN OF RED HOOK

LEGISLATORS MICCIO and TRAUDT offer the following and move its adoption:

WHEREAS, the New York State Legislature, by Chapter 592 of the Laws of 1991 (§1142, Public Authorities Law), created the Dutchess County Water & Wastewater Authority (WWA), and

WHEREAS, WWA proposes to provide sewer services to 189 properties in the existing commercial corridor of the Village and Town of Red Hook along Broadway (NYS Route 9) and Market Street (NYS Route 199), and

WHEREAS, wastewater treatment capacity would be provided through the acquisition and expansion of the existing Red Hook Commons Wastewater Treatment Plant, and

WHEREAS, the proposed Part County Sewer District No. 6 will include a total of 189 tax parcels, consisting of 173 developed commercial and residential properties and 16 vacant lots and will be comprised of two Zones of Assessment; Zone of Assessment B will include 10 parcels currently within the existing service area of the Red Hook Commons Sewer Transportation Corporation and Zone of Assessment A will include the remaining 179 parcels, and

WHEREAS, this Legislature has before it a Map, Plan and Report entitled “Map, Plan and Report Part County Sewer District No. 6” which was submitted to it by the WWA with the Notice of Project pursuant to Section 1124, and

WHEREAS, WWA proposes to enter into a service agreement with Dutchess County (County), on behalf of the proposed Part County Sewer District No. 6 (District) whereby the District will provide sewer service to customers within the District at rates established by WWA, and

WHEREAS, said project notification shows an estimated capital expenditure for the construction of the sewer system of approximately $7,600,000, and

WHEREAS, this Legislature must create Part County Sewer District No. 6 covering the area described in “Attachment A,” and

WHEREAS, the average annual customer cost for the typical property, a small commercial property within Zone of Assessment A will be $765 and the average annual cost for a typical single family home will also be $765, and
WHEREAS, the original public hearing was scheduled for February 10, 2010 but was postponed to February 11, 2010 due to inclement weather on February 10, 2010, and

WHEREAS, this Legislature conducted a public hearing on February 11, 2010, however, there was no notice in the official County newspapers advising the public of the new public hearing date, and

WHEREAS, the WWA requested that another public hearing date be scheduled and the public be notified by notices in the official County newspapers, and

WHEREAS, this Legislature conducted a public hearing on this proposal on April 12, 2010 and heard all persons interested, and

WHEREAS, the establishment of said Part County Sewer District will ensure an efficient sewer system for all properties within the service area, now, therefore, be it

RESOLVED, that this Legislature reaffirms the following:

RESOLVED that this Legislature hereby waives the notice provisions of Section 1124 of the Public Authorities Law and by this Resolution consents to this project, and be it further

RESOLVED, that it is hereby determined that all the property and property owners within the proposed Part County Sewer District No. 6 are benefited thereby and all the property and property owners benefited are included within the proposed Part County Sewer District No. 6 and it is in the public interest to create the Part County Sewer District No. 6, and be it further

RESOLVED, that a Part County Sewer District, to be known as Part County Sewer District No. 6 in the Village and Town of Red Hook more particularly described in “Attachment A” attached hereto, is hereby established, and be it further

RESOLVED, that this resolution is subject to per

CA-54-10
CAB/ca/G-1332-F
3/15/10
Fiscal Impact: See attached statement

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HEIDMANN, CLERK OF THE LEGISLATURE

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010
MEMORANDUM

TO: Executive Office
cc: County Attorney
FROM: Bridget Barclay, Executive Director
DATE: March 10, 2010
RE: Resolution Request: Creation of Part-County Sewer District No. 6 (Red Hook Sewer District)

The Authority previously requested a resolution to create Part-County Sewer District No. 6 (Red Hook.) The resolution was adopted by the Legislature at its February 11th meeting, after holding the required public hearing. The meeting date had been postponed from February 10th to February 11th due to inclement weather. Subsequently, the question was raised of whether the public hearing was legitimate, given that there was no public notice provided for the rescheduled hearing.

While we understand that the Legislature acted properly and in accordance with its rules to postpone the board meeting and to notify the public of the postponed meeting, we asked our legal counsel and bond counsel to review the specific issue of required notice for a rescheduled public hearing. They provide to us an Opinion of the State Comptroller which states that, “Where a public hearing on a proposed local law is postponed, a new hearing must be scheduled and a new legal notice published in the same manner as was done for the original hearing.” While the issue at hand involves creation of a Part-County Sewer District as opposed to adoption of a local law, NYS County Law governing each of these processes requires that a public hearing be held and be properly noticed.

Accordingly, we have requested that a new public hearing be scheduled and held by the County Legislature. A resolution to do so was approved by the Legislature at its March 8th meeting (Resolution No. 2010039.) We are now requesting that the Legislature re-consider, at its April meeting, a resolution to create Part-County Sewer District No. 6. A Negative Declaration in connection with the creation of Part-County Sewer District No. 6 was adopted by the Legislature at its February meeting (Resolution No. 2010029.)

Background information on the proposed Red Hook Sewer District

Working in conjunction with the Village and Town of Red Hook, the Authority has completed an Engineering Report for the Red Hook Sewer Project, to provide sewer services to 189 properties in the existing commercial corridor of the Village and Town along Broadway (NYS Route 9) and Market Street (NYS Route 199.) Wastewater treatment capacity would be provided through the acquisition and expansion of the existing Red Hook Commons Wastewater Treatment Plant. The Authority is requesting the creation of Part County Sewer District No. 6 to include all parcels within this area.
The Authority is providing to the County a Map, Plan and Report that identifies the specific parcels to be included in Part-County Sewer District No. 6, and describes the improvements that will be constructed in order to provide sewer service to Part-County Sewer District No. 6. The proposed Part County Sewer District No. 6 will include a total of one hundred and eighty-eight (189) tax parcels, consisting of one hundred and seventy-three (173) developed commercial and residential properties, and sixteen (16) vacant lots. The proposed Sewer District will be comprised of two Zones of Assessment, as specified in the Map, Plan and Report. Zone of Assessment B will include those ten parcels currently within the existing service area of the Red Hook Commons Sewer Transportation Corporation. Zone of Assessment A will include the remaining 179 parcels.

As presented in the Map, Plan and Report, the estimated capital expenditure for the construction of the sewer system is $7,600,000. The average annual cost for the typical property, a small commercial property within Zone of Assessment A, will be $765. The average annual cost for a typical single family home will also be $765.

Please find attached the original resolution to schedule the public hearing.

Please direct any questions to Bridget Barclay at Ext. 3623

Thank you.
Roll call vote on the foregoing Resolution No. 2010107 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.

The foregoing resolution was repealed by adoption of Resolution 2010182 at the June 14, 2010 Regular Board Meeting.
RESOLUTION NO. 201008

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

Legislator MICCIO, BOLNER and SURMAN offer the following and move its adoption:

WHEREAS, the term of Jeffery Viola as a member of the Dutchess County Soil and Water Conservation Board expired on December 31, 2009, and

WHEREAS, Jeffery Viola has expressed an interest to be reappointed to such board, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby reappoint Jeffery Viola as a member of the Dutchess County Soil and Water Conservation Board for a term of three years, said term commencing on January 1, 2010, and expiring on December 31, 2012.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, 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 the 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
Roll call vote on the foregoing Resolution No. 2010108 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 201009

RE: REAPPOINTMENTS TO THE REGION 3 FOREST PRACTICE BOARD

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

WHEREAS, there exist vacancies on the Region 3 Forest Practice Board by reason of the expiration of the terms of Edward Feldweg, Timothy Bontecou, Arnold Goran, Douglas Ramey, and Jeffery Viola, and

WHEREAS, all have expressed an interest to be reappointed to such board, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby confirm the reappointments of Edward Feldweg, Timothy Bontecou, Arnold Goran, Douglas Ramey, and Jeffery Viola as members of the Region 3 Forest Practice Board for a term of three years expiring on December 31, 2012.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date April 16, 2010

STATE OF NEW YORK

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have heretounto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
Roll call vote on the foregoing Resolution No. 2010109 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010110

RESOLUTION IN SUPPORT OF THE U.S. DEPT OF JUSTICE'S INVESTIGATION OF THE IMPACT OF THE CONSOLIDATION OF FARM ECONOMY ON THE FARMERS AND COMMUNITY

Legislators TYNER, Goldberg, Jeter-Jackson, and MacAvery offer the following and move its adoption:

WHEREAS, USA Today reported last December on how "confidential contracts detailing Monsanto's business practices have revealed how the world's biggest seed developer is squeezing competitors, controlling smaller seed companies and protecting its dominance over the multibillion-dollar market for genetically altered crops," and

WHEREAS, Monsanto's patented genes are already being inserted into roughly 95% of all soybeans and 80% of all corn grown in the U.S., and

WHEREAS, without competition, Monsanto can raise its seed prices at will, which in turn could raise the cost of everything from animal feed to wheat bread and cookies; prices for Monsanto-developed seeds have doubled over the past decade, outpacing the growth in crop yields, and

WHEREAS, Monsanto increased some corn seed prices last year 25%, with an additional 7% hike planned for corn seeds in 2010; Monsanto brand soybean seeds climbed 28% last year, and

WHEREAS, USA Today uncovered a series of confidential commercial licensing agreements that give around 200 smaller companies the right to insert Monsanto's genes (resistant to Monsanto's Roundup herbicide) into their corn and soybean plans, and

WHEREAS, these confidential commercial licensing agreements outline the various practices that Monsanto employs to block out competition in the seed industry, compromising
any choice that small farmers might have in the decision not to grow GMO plants, and

WHEREAS, the current monopoly in our food system is threatening our food security, the livelihood of our small farmers, and our choices as consumers; corporations like Cargill and Monsanto have monopolized huge swaths of our country's food and farms, resulting in tremendous negative consequences on our food security, on the ability of small farmers to compete and survive, and ultimately on consumer choice, and therefore be it

RESOLVED, that the Dutchess County Legislature supports the U.S. Department of Justice's decision to investigate the impact of the consolidation of our farm economy on our farmers and community, and urges the Department of Justice to act to free our farmers by restoring meaningful competition to the farm economy instead of the current situation where a few corporations in the grain, seed, dairy and livestock sectors hold dominant control, and be it further

RESOLVED, that a copy of this resolution be sent to President Barack Obama, Senators Kirsten Gillibrand and Charles Schumer, and Representatives John Hall, Maurice Hinchey, and Scott Murphy.

STATE OF NEW YORK

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
Resolution No. 2010110 entitled, "Resolution in Support of the U.S. Dept. of Justice's Investigation of the impact of the Consolidation of Farm Economy on the Farmers and Community" was defeated in Environment Committee on April 8, 2010.
RESOLUTION NO. 2010111

RE: AMENDMENT OF RESOLUTION NO. 61 OF 1993, CREATING A DUTCHESS COUNTY CRIMINAL JUSTICE COUNCIL

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

WHEREAS, the Dutchess County Criminal Justice Council (CJC) was created by Resolution No. 61 of 1993, which resolution established the membership of the committee, as well as the procedures and duties of the committee; and

WHEREAS, this Legislature amended the membership of the CJC in Resolution No. 29 of 1998 by adding two legislators as voting members to the CJC, and

WHEREAS, the Dutchess County Legislature is desirous of further amending said Resolution No. 61 of 1993; now, therefore, be it

RESOLVED, that the “Ex Officio Members” shall be amended by:

Changing “Director, Dutchess County Youth Bureau” to “Executive Director, Dutchess County Youth Bureau”;

Adding “Director, Health and Human Services Cabinet”;

Removing “President, Dutchess County Magistrates Association”; and, be it further

RESOLVED, that “Other Voting Members” shall be amended by:

Changing “One Family Court Judge appointed jointly by Chair of Legislature and the County Executive, 2 year term,” to “One Family Court Judge appointed by the Chairman of the County Legislature, 2 year term”;

Changing “One County Court Judge appointed jointly by Chair of Legislature and the County Executive, 2 year term,” to “One County Court Judge appointed by the County Executive, 2 year term”;

Changing “A member of the City of Poughkeepsie Council appointed by the Chair of the Legislature” to “A member of the City of Poughkeepsie Common Council appointed by the Mayor of the City of Poughkeepsie”; and, be it further

RESOLVED, that “Procedures” shall be amended by adding the follows:

The Chairperson may establish subcommittees of the Criminal Justice Council and appoint the Chairperson or Co-Chairpersons of a subcommittee which appointment(s) shall be, coterminous with that of the Chairperson of the Criminal Justice Council but shall terminate earlier upon the appointment of a new Chairperson of the Criminal Justice Council; The Chairpersons and Co-
Chairpersons will be voting members of both the Executive Committee and the full CJC and, be it further

RESOLVED, the “Procedures” shall be further amended by establishing an Executive Committee of the CJC which shall set strategic direction to ensure the Council’s work to address its mission, analyze criminal justice system’s policies, assign tasks to sub-committees, and makes recommendations to the County Executive and Legislature. The Executive Committee shall recommend the budget; approve hiring of any staff, consultants or independent contractors; review and approve grant applications to fulfill CJC goals; and make on-going operational decisions. The Executive Committee shall approve sub-committee work plans, assign tasks to them and determine if the sub-committee’s recommendations should be brought forward to the full council; and, be it further

RESOLVED, that the composition of the Executive Committee of the CJC will consist of the following, all of whom shall have one vote each:

- Chairperson, appointed by the County Executive in accordance with Resolution No. 61 of 1993 and Vice Chairperson, who is appointed by the Chairperson from the current Executive Committee members,
- Commissioner of Planning and Development or designee.
- County Executive or designee.
- District Attorney or designee.
- Director of Probation and Community Corrections or designee.
- Jail Administrator or designee.
- Sheriff or designee.
- Executive Director of the Youth Bureau or designee.
- Public Defender or designee.
- Commissioner of Mental Hygiene or designee.
- Commissioner of Social Services or designee.
- Director of the Health and Human Services Cabinet
- Chairs/Co-Chairs of the standing CJC Sub-committees

RESOLVED, that Resolution Nos. 61 of 1993 and 29 of 1998 shall otherwise remain in full force and effect.

APPROVED

Amended in Government Services & Administration 4/8/10 lw

STATE OF NEW YORK
COUNTY OF DUTCHESS

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
<table>
<thead>
<tr>
<th>Proposed Change</th>
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<tbody>
<tr>
<td>Current Member</td>
<td>Current Member</td>
<td>Current Member</td>
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<td>Ex Official Members</td>
<td>Ex Official Members</td>
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</table>

1. Full Council Membership Revisions:

   Revisions revealed to reflect the “best practices” that have evolved during the past ten years.

   The Council membership is only a necessary element of the need to review our current structure and ask to have the
   membership structure in better flux with the questions as addressed in the resolution. This model will work well with the Council
   and our criminal justice system by developing a mission statement, purpose description, and organizational goals with an executive steering committee and super-
   connection. The Council's strategic planning process and organization of operational practices by
   amendments to the resolution board, which requires specific representation. Through a 1999 amendment to the resolution, the Council has responded to the request of the County Executive in 1993 with specific
   membership categories and duties. This resolution also assigned the Criminal Justice Council the responsibilities of the 

   **Proposed Changes to CJ Resolution Concerning CJ Membership**

   **AND OPERATIONAL REVISIONS (Resolution # 61 of 1993)**

   Created on 3/15/2010 10:20:00 AM
<table>
<thead>
<tr>
<th>Original Appointment Made by Chair of Legislation now will be made by</th>
<th>Reverse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor of the City of Poughkeepsie</td>
<td>Council of the City of Poughkeepsie Community Association</td>
</tr>
<tr>
<td>The member was appointed by the President of DC Magistrates Court</td>
<td>One member from the Village of town</td>
</tr>
<tr>
<td>Appointment joint by Chair of Legislation and the County Executive, 2 Year Term</td>
<td>One County Court Judge</td>
</tr>
<tr>
<td>Appointment joint by Chair of Legislation and the County Executive, 2 Year Term</td>
<td>One Family Court Judge</td>
</tr>
<tr>
<td>Appointment joint by Chair of Legislation and the County Executive, 2 Year Term</td>
<td>Legislative Caucus of the DC Council</td>
</tr>
<tr>
<td>(Resolution #29 of 1993 amended resolution #61 of 1993 to increase to 2-year term)</td>
<td>Two members from each cabinet</td>
</tr>
</tbody>
</table>

## Members

### Other Voting

- Judges from various courts already represented through other appointments (see below) – Remove Magistrates Association
- President, DC
- Chair of Senate

### Add

- Add as a member by full council vote in 1/05
- Work although they may occasionally have a representative present
- Health & Human Services
- Planning & Development
- Commissioner of Planning & Development
- Bureau of Executive Director
- Hygiene
- Director, DC Youth
As current practice the Executive Committee members include (should be listed in the Resolution):

- necessary if recommended by staff.
- does the new resolution need to include language about the Executive Committee and its purpose? Yes, while not.

Does the new resolution need to include language about the Executive Committee and its purpose? Yes.

The recommendations should be brought forward to full council. The Executive evaluates the Criminal Justice System’s outcomes.

The Committee approves the new sub-committee work plans. The Committee’s task is to propose, and the Committee’s recommendations are reviewed and approved at the next CJC meeting. The Committee recommends the budget. It approves any stipend, consults, or

Independent contractors.

The Committee communicates with the County Executive and Legislative. The County Executive, communicate, recommend, and make recommendations to address this mission.

The well-functioning of the CJC is a direct result of setting up an executive committee steering committee which meets monthly.

2. The Executive Committee function and members be listed in Revised Resolution?

<table>
<thead>
<tr>
<th>Chair</th>
<th>appointed by CJC</th>
<th>committee chair is term ends of a new chair or co-chairs of CJC</th>
</tr>
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<tbody>
<tr>
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<td>when CJC chairperson term is 1/1/2010 to 12/31/2011</td>
<td>chair</td>
</tr>
<tr>
<td></td>
<td>appointment term is 1/1/2010 to 12/31/2011</td>
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<tr>
<td>CJC chair is appointed by the County Executive</td>
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<tr>
<td>Adj: Chairs and Co-</td>
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<tr>
<th>Adj: Chairs and Co-</th>
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<tbody>
<tr>
<td>CHAIRS</td>
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<tr>
<td>SUB-COMMITTEE</td>
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<tr>
<td>NEW ADDITIONS</td>
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<tr>
<td>APPOINTMENTS</td>
</tr>
<tr>
<td>Citizenship</td>
</tr>
</tbody>
</table>

SIX APPOINTMENTS ARE MADE IN TOTAL FOR TWO YEAR TERMS

Made by the Chair of the legislature exercising 12/31/09/49/96. The must be an ex-officio but may be 2 other.

Citizen appointments.
RESOLUTION NO. 61 1993

RE: CREATION OF DUTCHESS COUNTY CRIMINAL JUSTICE COUNCIL

Legislators KLOSE and Sheedy offer the following and move its adoption:

WHEREAS, this Legislature by Resolution Nos. 233 and 459 of 1976, and Resolution No. 143 of 1977 created a Dutchess County Justice Coordinating Council, and

WHEREAS, the Council was allowed to become inactive and has not functioned since the mid 1980s, and

WHEREAS, the County Executive, on October 1, 1992, presented to this Legislature a comprehensive criminal justice plan entitled "Approach to Community Corrections and Jail Overcrowding" and recommended to this Legislature the need for an active Criminal Justice Council, and

WHEREAS, this Legislature, on October 26, 1992, overwhelmingly adopted and endorsed the Criminal Justice Plan of the Executive Task Team, including the proposal for a Criminal Justice Council, and

WHEREAS, the County Executive has recommended the creation of a new Criminal Justice Council, and

WHEREAS, this Legislature has determined that a dynamic group such as a criminal justice council is necessary to support an efficient and effective criminal justice system, now, therefore, be it

RESOLVED, that the Dutchess County Criminal Justice Council is hereby created and its membership shall consist of the following, all of whom shall have one vote each:

Ex Officio Members:
County Executive or designee
District Attorney
Public Defender
County Sheriff
Director of Probation/Community Corrections
Commissioner of Social Services
Commissioner of Mental Hygiene
Director, Dutchess County Youth Bureau
Commissioner of Planning

Local Director of New York State Division of Parole or designee from New York State Division of Parole

President, Dutchess County Bar Association or designee from the Association

President, Dutchess County Association of Police Chiefs or designee from the Association of Police Chiefs who shall serve concurrent with the term of the President of the Association

President, Dutchess County Magistrates Association

Other Voting Members:

One member from each caucus of the Dutchess County Legislature, appointed by the Chair of the Legislature to a two year term with said terms to be concurrent with their legislative term

One Family Court Judge and one County Court Judge, each jointly appointed by the Chair of the Legislature and the County Executive to two year terms, with the initial term beginning with the enactment of this legislation, and expiring December 31, 1994

A City Court Judge from either of the two cities jointly appointed by the Chair of the Legislature and the County Executive to a two year term, with the initial term beginning with the enactment of this legislation, and expiring December 31, 1994

One local Judge from either the village courts or local town courts appointed by the President of the Dutchess County Magistrates Association, to a two year term, with the initial term beginning with the enactment of this legislation, and expiring December 31, 1994

A member of the City of Poughkeepsie Common Council appointed by the Chair of the Legislature

Three citizen representatives appointed by the County Executive to two year terms, with their initial term beginning with the enactment of this legislation, one term initially expiring on December 31, 1993, one initially expiring on December 31, 1994 and the third initially expiring on December 31, 1995

Three citizen representatives appointed by the Chair of the Legislature to two year terms, with their initial term beginning with the enactment of this
The six at large citizen members shall be a cross-section of the community to take into consideration the not-for-profit, minority, business, clergy and other community groups, as well as geographic balance, at least one of whom shall be an ex-offender and one of whom shall be a former victim.

and be it further

RESOLVED, that the Council shall operate under the following procedures and duties:

Procedures. The County Executive shall appoint a chair to the Council from its membership and may direct a County department to provide administrative assistance to the Council. The chair shall serve as chair for a term of two years, with the initial chairperson's term expiring December 31, 1994. The Council may adopt, by a majority vote of its total membership, such additional rules and procedures as are necessary for the efficient and orderly conduct of its business. State ATI requirements e.g. expanded membership or reporting requirements, shall be implemented by the Council.

Duties. The Criminal Justice Council shall advise the County Government of ways to relieve jail overcrowding, improve case processing and disposition, and encourage and monitor alternatives to incarceration. Specific duties shall include, but not be limited to, the following:

Advise and assist with the development and administration of the Management Information System;

Recommend priorities for resource allocation;

Promote cooperation among criminal justice system components;

Recommend policies, as appropriate, to achieve improved management of the criminal justice system;

Act as a planning group for relief of jail overcrowding;

Recommend new programs or initiatives;

Review and comment on program initiatives recommended through system components;

Monitor program activities and, when possible, measure system effectiveness;

Communicate findings, as appropriate, to involved agencies and the public;
Convene meetings and workshops to further the aims of the Council;

Establish subcommittees or special task groups to examine particular issues in more depth, including long-range concerns involving issues of community involvement, social justice and treatment programs; and

Identify funding and service opportunities among non-governmental entities;

Develop and monitor the County's ATI Service Plan annually.

and be it further

RESOLVED, that the Criminal Justice Council shall hereby assume all responsibilities of the Alternatives to Incarceration Board, and be it further

RESOLVED, that the Council shall issue annual reports to the County Executive and to the County Legislature by the last day of February for the prior calendar year. It shall, when directed by the County Executive or by resolution of the Legislature, provide annual budget review and prepare special reports, and be it further

RESOLVED, that the Council shall not oversee the internal operation of any criminal justice agency. Rather it shall review and advise on the interaction of agencies and the larger goals and directors of the criminal justice system, and be it further

RESOLVED, that this resolution shall supersede Resolution Nos. 233 and 459 of 1976 and Resolution No. 143 of 1977.

CA-32-93
IGM:1d
2/19/93
Amended in Government Services 3/4/93 lw
Fiscal Impact: None

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 1993, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 1993.

CLERK OF THE LEGISLATURE
Discussion on the foregoing Resolution No. 2010111 resulted as follows:

Legislator Goldberg moved to “Table” the foregoing resolution duly seconded by Legislator Kuffner.

Roll call vote on the foregoing motion to “Table” the foregoing resolution resulted as follows:

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


ABSENT: 0

Motion Defeated.

Roll call vote on the foregoing Resolution No. 2010111 resulted as follows:


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

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010112

RE: JOINING THE LAWSUIT WITH OTHER COUNTIES TO DECLARE THE STATE’S ELECTION REFORM AND MODERNIZATION ACT OF 2005 UNCONSTITUTIONAL

Legislators TYNER, Goldberg, Jeter-Jackson, Kelsey, and MacAvery offer the following and move its adoption:

WHEREAS, the Dutchess County Legislature voted unanimously in December 2008 to send a strong message to our state’s Board of Elections that voters here and across New York be allowed to continue to vote on lever machines; since then twenty other county legislatures across the state have passed similar resolutions, and

WHEREAS, the Columbia County Board of Elections has recently decided to join in a lawsuit with Nassau County and other New York counties, to declare ERMA, the state Election Reform and Modernization Act of 2005, unconstitutional; the Columbia County Attorney’s Office has reviewed the lawsuit and is supportive of this effort, as there are no financial or legal implications from joining the suit, and

WHEREAS, last February the New York State Association of Towns passed a resolution stating that "the continued use of lever voting machines is in the best interest of the public and should be permitted to be used in future general elections ... the elimination of lever voting machines is costly to taxpayers, will result in another burden upon the local taxpayers, and will be confusing to the voting public without adequate time and education," and

WHEREAS, under the state’s Election Reform and Modernization Act (ERMA), traditional lever voting machines would be prohibited from use, and municipalities would have to replace them with computerized voting machines, either touch-screen or optical scanners, but ERMA doesn't fund the replacement, meaning Dutchess and other New York counties need to foot the bill for this transition as a de facto unfunded mandate from the state, and

WHEREAS, the Federal Help America Vote Act of 2002, which inspired ERMA and requires municipalities to make voting accessible to everyone regardless of disability, does not require that lever machines be fully replaced, and

WHEREAS, New York's system of lever voting machines is still working, secure, affordable, and transparent, and when coupled with a ballot marking device in each
polling place, complies with the Help America Vote Act; New York's lever voting machines provide reliable, observable evidence of the count at the election; software voting machines do not, and

RESOLVED, that the Dutchess County Legislature requests that the Dutchess County Board of Elections join in the lawsuit with Columbia, Nassau, and other counties to declare the state's Election Reform and Modernization Act of 2005 unconstitutional, as long as this can be done at no cost whatsoever to Dutchess County taxpayers, and be it further

RESOLVED, that a copy of this resolution be sent to the Dutchess County Board of Elections, New York State Board of Elections, Governor David Paterson, State Senators Vincent Leibell and Stephen Saland, and Assemblymembers Greg Ball, Kevin Cahill, Joel Miller, Marcus Molinaro, and Frank Skartados.

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
Resolution No. 2010112 entitled, "Joining the Lawsuit with Other Counties to Declare the State's Election Reform and Modernization Act of 2005 Unconstitutional" was tabled in Government Services and Administration Committee on April 8, 2010.
RESOLUTION NO. 2010113

PUBLIC WORKS

RE: AUTHORIZE A 0.394± ACRE PERMANENT EASEMENT TO DEER RUN HOLDING, LLC FOR CONSTRUCTION OF A GRADE SEPARATED CROSSING OVER THE DUTCHESS RAIL TRAIL IN THE TOWN OF EAST FISHKILL

Legislators ROLISON, WEISS, HORTON, HUTCHINGS, and KELSEY offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised that Deer Run Holding, LLC has requested a 0.394± acre Permanent Easement over a portion of the Dutchess Rail Trail (Trail) in the Town of East Fishkill for the construction of a grade separated crossing which serve as a crossing of the Trail for various water, sewer and other buried utilities, and

WHEREAS, when the property was originally purchased by the rail road, the deed provided for two crossings of the rail line which were to be constructed and maintained by the rail road or its successors, and

WHEREAS, Dutchess County is currently the successor in title to the rail road and this permanent easement is to define the exact location of one of the crossings and to relieve the County of any maintenance responsibilities as stated in the original deed, and

WHEREAS, SEQRA has been completed by the Town of East Fishkill with the County providing input as an Involved Agency, and

WHEREAS, a concurrent resolution is being submitted herewith in connection with the easement for the road over the Trail which will address the location and maintenance of the other deeded crossing, now, therefore, be it

RESOLVED, that a permanent easement of a 0.394± acre parcel in the Town of East Fishkill, Dutchess County, New York is approved, and be it further

RESOLVED, that the County Executive is authorized to execute the Roadway Easement, in substantially the same form as annexed hereto, to Deer Run Holding, LLC and authorizing Deer Run Holding, LLC, its officers, employees, agents, servants or contractors of ingress and egress to enter upon and along the easement area pursuant to the Easement Agreement.

CA-61-10 CAB/ca/R-0753
4/5/10 Fiscal Impact: See attached statement
STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010 and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOMAN, 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: ________________
Net County Cost (this year): ________________
Over Five Years: ________________

Additional Comments/Explanation:

Prepared by: D. Bartles, ROW Engr, DC DPW
ROADWAY EASEMENT

THIS INDENTURE made this day of , 2010 by and between
THE COUNTY OF DUTCHESS, a municipal corporation of the State of New York
located at 22 Market Street, Poughkeepsie, New York 12601, (the "Grantor")
New York 12601, party of the first part, and DEER RUN HOLDING, LLC, a New York
Limited Liability Company with offices located at 1136 Route 9, Suite U-1, Wappinger
Falls, New York 12590 (the "Grantee")

WITNESSETH

That the Grantor, in consideration of One ($1.00) and other good and valuable
consideration received, DOES HEREBY GRANT, BARGAIN, SELL, CONVEY,
TRANSFER, DELIVER AND RELEASE to the Grantee, its successors and assigns, a
permanent right of way and easement under through and along the premises described
in Exhibit A attached hereto being a public right of way offered for dedication as
Governors Boulevard for the purpose of building, constructing, and maintaining a public
highway to be used by the public at large and for the purpose of installing, operating,
repairing, constructing said highway and all improvements and appurtenances thereto,
including a concrete box culvert, sewer and water mains and laterals, utility trenches
and conduits, storm water drainage, erosion control grading and slope stabilization,
sidewalks, guide rails, retaining walls and landscaping and to construct all other
required improvements (hereinafter referred to as the Improvements), to make the
required excavations therefor upon, over, under or across said premises as detailed on
Sheet 52 of 97 of the "Final Subdivision Plat Hopewell Glen" dated March 31, 2006 and
last revised on December 18, 2009 which plat is intended to be filed in the Dutchess
County Clerk's Office simultaneously with the recording of this instrument, as File Map
No. ; and further the right to inspect the same from time to time; together with
the right of the Grantee, its officers, employees agents, servants or contractors and the
general public of ingress and egress to enter upon and along the premises for the full
and complete use, occupation and enjoyment of the easement hereby granted, and all
rights and privileges incident thereto, including, but not limited to upkeep, maintenance,
repair of the improvements and, any of the purposes hereinbefore specified.
Pending acceptance of the Improvements by dedication to the Town of East Fishkill the Grantee herein, its successors and assigns, shall be responsible for the maintenance and repair of the following:

a. Box culvert, including the associated retaining walls (wing walls).

b. The storm sewer lines and drainage structures located in the County's right of way on Governors Boulevard.

c. Pavement, curbing, guide rail, sidewalk and any other features associated with Governors Boulevard located in the County's right of way.

d. Sanitary sewer and water lines located in the County's right of way.

e. Lighting facilities located in the box culvert.

f. Snow removal on the County's right of way located on Governors Boulevard.

Each party represents to the other party that it has the power and authority to execute, deliver and perform this Easement, that all actions necessary to authorize the execution, delivery and performance of this Easement have been duly taken, that it has duly executed and delivered this Easement and that this Easement is legal, valid and binding on it, and enforceable against it, in accordance with its terms.

The Grantee hereby grants, releases, quit claims, remises and extinguishes to the Grantor, the County of Dutchess, its successors and/or assigns, any rights that it may have acquired to cross the property now known as the Dutchess Rail Trail contained in the deed from Elizabeth B. Mulford to the Central New England Railway dated December 8, 1909 and recorded in the Dutchess County Clerk's Office in Liber 359 of deeds at Page 308. Furthermore, the Grantee hereby grants, releases, quit claims, remises and extinguishes to the Grantor, the County of Dutchess, its successors and/or assigns the right to have fences constructed and maintained as described in a deed from Elizabeth B. Mulford to the Central New England Railway dated May 21, 1909 recorded in the Dutchess County Clerks Office in Liber 360 of Deeds at Page 423 and any other crossing and fence rights over and under said Dutchess Rail Trail from other deeds in the Grantee's chain of title. Grantee executes this deed confirming such extinguishment of the rights described in the previous sentences in consideration of the
easements granted to it herein, and such other good and valuable consideration as recited herein.

Grantor acknowledges that upon completion of the Improvements set forth herein the Grantee may dedicate the Improvements to the Town of East Fishkill, and Grantor hereby agrees to such dedication and the assignment of the Easement herein.

To have and to hold the said easement and right of way unto the Grantee and its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hand and seal to be affixed hereto, on the day and year first above written.

THE COUNTY OF DUTCHESS

By: ____________________________

William R. Steinhaus, County Executive

DEER RUN HOLDING, LLC

By: ____________________________

Joseph Petinella, Managing Member

STATE OF NEW YORK )
COUNTY OF DUTCHESS ) ss.

On the _____ day of ________________, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM R. STEINHAUS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

______________________________
Notary Public
On the _____ day of __________________, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH PETINELLA, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

________________________
Notary Public
DESCRIPTION OF PROPERTY
EASEMENT #34
VARIABLE WIDTH MUNICIPAL UTILITY/CULVERT
THROUGH FORMERLY CENTRAL NEW ENGLAND RAILROAD COMPANY (ABANDONED)
LANDS NOW OR FORMERLY COUNTY OF DUTCHESS
HOPEWELL GLEN

March 31, 2010

All that certain lot or parcel of land situated in the Town of East Fishkill, County of Dutchess, and State of New York, as shown on a plan entitled, "Final Subdivision Plat, Hopewell Glen", sheets 2 thru 52 of 97, prepared by ESE Consultants, Inc., dated March 31, 2006, last revised December 18, 2009, filed or about to be filed in the Dutchess County Clerk's Office, more particularly described as follows:

Beginning at a common corner of Parcel 297 and Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, an iron pin set, and running;

1. Along the title line, through the bed of Road 'A' and along a common line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess and Open Space Parcel 299, South 88 degrees 15 minutes 00 seconds East, a distance of 131.62 feet (passing over a concrete monument to be set); thence
2. Passing through Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, South 01 degrees 44 minutes 00 seconds West, a distance of 66.00 feet to a common corner of Open Space Parcel 301 and Lot 25, a point on line of Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess; thence
3. Along a common line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, Open Space Parcel 301, through the bed of Road 'A', and Open Space Parcel 304, North 86 degrees 16 minutes 00 seconds West, a distance of 233.00 feet (passing over a concrete monument to be set); thence
4. Passing through Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, North 01 degrees 44 minutes 00 seconds East, a distance of 85.46 feet to a point on line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess and Parcel 297; thence
5. Along a common line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess and Parcel 297, the following two (2) courses and distances, passing along an arc of a circle curving to the left having a radius of 1860.08 feet, an arc distance of 101.37 feet, a chord bearing of South 88 degrees 51 minutes 50 seconds East, a chord distance of 101.36 feet to an iron pin set; thence
6. South 01 degrees 34 minutes 29 seconds West, a distance of 17.00 feet to the first mentioned point and place of beginning.

Containing 17,180 square feet or 0.394 acres of land.

Subject to easements and restrictions of record, if any.

Description prepared by ESE Consultants, Inc., Horsham, Pa. 19044.

[Signature]

Dana J. Parrish, P.L.S. No. 050139
Professional Land Surveyor
Memo

To: Charles Traver, Commissioner of Public Works
CC: Gregory Bentley Director of Engineering
From: Don Bartles, Right of Way Engineer
Date: 3/31/10
Re: Resolution Request DC w/ Deer Run Holding, LLC, Grade Separated Crossing

Accompanying this memo is a Resolution Request with supporting documentation to authorize the granting of a 0.394 ± acre Permanent Easement to Deer Run Holding, LLC for the construction of a grade separated crossing of a proposed subdivision road over the former Maybrook Rail Corridor now known as the Dutchess Rail Trail. This Permanent Easement will also serve as a crossing of the Trail for various water, sewer and other buried utilities.

When the original property was purchased by the rail road, the deed provided for 2 crossing of the rail line which were to be constructed and maintained by the rail road or its successors. Dutchess County is currently the successor to the rail road. This Permanent easement is written to define the exact location of 1 of the crossing and to relieve Dutchess County of any maintenance responsibilities as stated in the original acquisition.

SEQRA has been completed by the Town of East Fishkill with Dutchess County providing input as an Involved Agency.

There is a concurrent Resolution Request to address the location and maintenance of the 2nd deeded crossing. In addition, a Resolution Request is being made to enter into a long term Municipal Agreement with the Town of East Fishkill to have in place when this proposed subdivision road is dedicated to the Town.

Please review this submission and if appropriate sign and forward to the County Executive for approval.
Roll call vote on the foregoing Resolution No. 2010113 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010114

RE: AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF EAST FISHKILL FOR MAINTENANCE AND REPAIR ISSUES ASSOCIATED WITH A GRADE SEPARATED CROSSING OVER THE DUTCHESS RAIL TRAIL

Legislators ROLISON, WEISS, HORTON, HUTCHINGS, and KELSEY offer the following and move its adoption:

WHEREAS, the County is the owner of an 11.8 mile parcel of land that traverses partially through the Town of East Fishkill (Town) being used as a multi-use linear park known as Dutchess Rail Trail (Trail), and

WHEREAS, Deer Run Holding, LLC owns property near the Dutchess Rail Trail and has requested an easement from the County to cross over the Trail so that a road can be constructed by its successors or assigns, and

WHEREAS, the proposed road over the Dutchess Rail Trail has been named Governors Boulevard as indicated on the final subdivision plans approved by the Town of East Fishkill Planning Board, and

WHEREAS, there is before this Legislature a proposed resolution granting an easement to Deer Run Holding, LLC in connection with the proposed road over the Trail,

WHEREAS, the Town of East Fishkill has agreed to undertake certain maintenance responsibilities, as outlined in the Intermunicipal Agreement, a copy of which is annexed hereto, in connection with Governors Blvd. in the event Governors Blvd. becomes a town road, and

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

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

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

Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK  ss.
COUNTY OF DUTCHESS

Date April 16, 2010

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of April, 2010.

PATRICIA J. HOHMAN CLERK OF THE LEGISLATURE
## FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

<table>
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<tr>
<th>Year</th>
<th>Cost</th>
<th>Revenue</th>
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Source of County Funds (check one):  
- Existing Appropriations
- Contingency
- Transfer of Existing Appropriations
- Additional Appropriations
- Other (explain)

Identify Line Items(s):

- Related Expenses: $_____  
  Nature/Reason:

- Anticipated Savings to County:

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

### Additional Comments/Explanation:

Prepared by: D. Bartles, ROW Engr, DC DPW
AGREEMENT

THIS AGREEMENT, made this day of 2010, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market St., Poughkeepsie, NY 12601 (hereinafter referred to as the “COUNTY”) and the TOWN OF EAST FISHKILL, a municipal corporation with offices at 330 Route 376, Hopewell Junction, NY 12533 (hereinafter referred to as the “TOWN”)

WITNESSETH:

WHEREAS, the County is the owner of an 11.8 mile parcel of land that traverses through the Towns of Poughkeepsie, LaGrange, Wappinger and East Fishkill, and

WHEREAS, the County has started construction on a multi-use linear park (Dutchess Rail Trail) on said 11.8 mile parcel of land, and

WHEREAS, Deer Run Holding, LLC owns property near the Dutchess Rail Trail, and

WHEREAS, Deer Run Holding, LLC will be conveying this property to another company that plans on constructing a housing development in close proximity to the Dutchess Rail Trail, and

WHEREAS, Deer Run Holding, LLC has requested an easement from the County to cross over the Dutchess Rail Trail so that various construction activities can be undertaken by its successors or assigns, and

WHEREAS, the County has agreed to grant an easement to Deer Run Holding LLC on the condition that the road that is constructed by its successors or assigns is done in accordance with County specifications, and

WHEREAS, the successors or assigns of Deer Run Holding, LLC has agreed to construct a box culvert at the County’s request, and

WHEREAS, the crossing over the Dutchess Rail Trail has been named Governors Blvd on plans on the final subdivision plans approved by the Town of East Fishkill Planning Board, and

WHEREAS, the parties have agreed to provide certain maintenance and repair responsibilities concerning the crossing over the Dutchess Rail Trail as outlined below, now therefore, the County and the Town agree to the following terms and conditions:

1. DESCRIPTION OF PROPERTY THAT IS THE SUBJECT OF THIS AGREEMENT

See attached Exhibit A
2. TOWN RESPONSIBILITIES

Once Governors Blvd. has been dedicated to and accepted by the Town, the Town will provide maintenance and repair to the following:

a. Box culvert, including the associated retaining walls (wing walls).

b. The storm sewer lines and drainage structures located in the County's right of way on Governors Blvd.

c. Pavement, curbing, guide rail, sidewalk and any other features associated with Governors Blvd. located in the County’s right of way.

d. Sanitary sewer and water lines located in the County’s right of way.

e. Lighting facilities located in the box culvert.

f. Snow removal on the County’s right of way located on Governors Blvd.

3. COUNTY RESPONSIBILITIES

The County will maintain the riding surface of Dutchess Rail Trail.

4. INDEMNIFICATION

The parties agree to indemnify each other for the negligent acts of their employees.

5. INSURANCE

The County must be listed as additional insured on the Town’s general liability insurance policy for all of the Town’s maintenance and repair responsibilities on the County’s right of way. The Town will provide the County with a certificate of insurance indicating such insurance coverage, along with proof of the Town’s Workmen’s Compensation Insurance coverage. The Town will require that all contractors that it hires, who conduct work on the County’s right of way, will list the County of Dutchess as additional insured on its general liability insurance policy.

6. ASSIGNMENT

The Town may assign its rights and obligations under this agreement, upon the prior written consent of the County, which will not be unreasonably withheld.
APPROVED AS TO FORM:

County Attorney

APPROVED AS TO CONTENT:

Department of Public Works

STATE OF NEW YORK  )  SS:
COUNTY OF DUTCHESS  )

On this 1st day of April, 2010, before me, the undersigned, personally appeared JOHN H. HICKMAN JUNIOR, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK  )  SS:
COUNTY OF DUTCHESS  )

CLARE A. MORAN
Notary Public, State of New York
No. 01MO0168890
Qualified in Dutchess County
Commission Expires June 18, 2012
R-0753
DESCRIPTION OF PROPERTY
EASEMENT #34
VARIABLE WIDTH MUNICIPAL UTILITY/CULVERT
THROUGH FORMERLY CENTRAL NEW ENGLAND RAILROAD COMPANY (ABANDONED)
LANDS NOW OR FORMERLY COUNTY OF DUTCHESS
HOPEWELL GLEN

All that certain lot or parcel of land situated in the Town of East Fishkill, County of Dutchess, and State of New York, as shown on a plan entitled, "Final Subdivision Plat, Hopewell Glen", sheets 2 thru 52 of 97, prepared by ESE Consultants, Inc., dated March 31, 2006, last revised December 18, 2009, filed or about to be filed in the Dutchess County Clerk's Office, more particularly described as follows:

Beginning at a common corner of Parcel 297 and Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, an iron pin set, and running;

1. Along the title line, through the bed of Road 'A' and along a common line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess and Open Space Parcel 299, South 88 degrees 16 minutes 00 seconds East, a distance of 131.62 feet (passing over a concrete monument to be set); thence

2. Passing through Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, South 01 degrees 44 minutes 00 seconds West, a distance of 66.00 feet to a common corner of Open Space Parcel 301 and Lot 25, a point on line of Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess; thence

3. Along a common line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, Open Space Parcel 301, through the bed of Road 'A', and Open Space Parcel 304, North 88 degrees 16 minutes 00 seconds West, a distance of 233.00 feet (passing over a concrete monument to be set); thence

4. Passing through Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, North 01 degrees 44 minutes 00 seconds East, a distance of 85.48 feet to a point on line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess and Parcel 297; thence

5. Along a common line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess and Parcel 297, the following two (2) courses and distances, passing along an arc of a circle curving to the left having a radius of 1860.08 feet, an arc distance of 101.37 feet, a chord bearing of South 86 degrees 51 minutes 50 seconds East, a chord distance of 101.36 feet to an iron pin set; thence
Description of Property
Easement #34
Variable Width Municipal Utility/Culvert
Through Formerly Central New England Railroad Company (Abandoned)
Lands Now or Formerly County of Dutchess
Hopewell Glen
March 31, 2010
Page 2 of 2

6. South 01 degrees 34 minutes 29 seconds West, a distance of 17.00 feet to the first mentioned point and place of beginning.

Containing 17,180 square feet or 0.394 acres of land.
Subject to easements and restrictions of record, if any.
Description prepared by ESE Consultants, Inc., Horsham, Pa. 19044.

[Signature]

David Parrish, P.L.S. No. 050139
Professional Land Surveyor
To: Charles Traver, Commissioner of Public Works
CC: Gregory Bentley Director of Engineering
From: Don Bartles, Right of Way Engineer
Date: 3/31/10
Re: Resolution Request DC w/ the Town of East Fishkill, Municipal Agreement in Regard to Deer Run Holdings, LLC

Accompanying this memo is a Resolution Request with supporting documentation to authorize the County Executive to enter into a Municipal Agreement with the Town of East Fishkill to provide for the certain maintenance and repair issues associated with the grade separated crossing of the Dutchess Rail Trail by the proposed subdivision road to be know as Governors Boulevard. This subdivision road and the grade separated crossing are to be built by Deer Run Holdings, LLC and upon completion will be dedicated to the Town of East Fishkill to become a part of the Town’s Highway System.

SEQRA has been completed by the Town of East Fishkill with Dutchess County providing input as an Involved Agency.

Please review this submission and if appropriate sign and forward to the County Executive for approval.
Roll call vote on the foregoing Resolution No. 2010114 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
RESOLUTION NO. 2010115

RE: AUTHORIZE A 0.024± ACRE PERMANENT EASEMENT TO DEER RUN HOLDING, LLC FOR CONSTRUCTION AND MAINTENANCE OF A POTABLE WATER LINE CONNECTION WITHIN THE DUTCHESS RAIL TRAIL CORRIDOR IN THE TOWN OF EAST FISHKILL

Legislators ROLISON, WEISS, HORTON, HUTCHINGS, and KELSEY offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised that Deer Run Holding, LLC has requested a 0.024± acre Permanent Easement under a portion of the Dutchess Rail Trail in the Town of East Fishkill for the construction and maintenance of a potable water line connection to the existing Dutchess County Water and Wastewater water transmission line within the Dutchess Rail Trail Corridor, and

WHEREAS, the proposed connection is intended to provide potable water to the proposed subdivision now known as Hopewell Glen, and

WHEREAS, SEQRA has been completed by the Town of East Fishkill with the County providing input as an Involved Agency, and

WHEREAS, Deer Run Holding, LLC requires a permanent easement from the County in order to construct and maintain the potable water line connection, now, therefore, be it

RESOLVED, that a permanent easement of a 0.024± acre parcel in the Town of East Fishkill, Dutchess County, New York is approved, and be it further

RESOLVED, that the County Executive is authorized to execute the Water Line Easement, in substantially the same form as annexed hereto, to Deer Run Holding, LLC and authorizing Deer Run Holding, LLC, its officers, employees, agents, servants or contractors of ingress and egress to enter upon and along the easement area pursuant to the Easement Agreement.

CA-59-10
CAB/ca/R-0753
4/5/10
Fiscal Impact: See attached statement

STATE OF NEW YORK
COUNTY OF DUTCHESS

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

Date April 16, 2010

S:\

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 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA L. HOFMANN, CLERK OF THE LEGISLATURE
FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

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

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</table>

Identify Line Items(s):

- Related Expenses: Amount $ 
  Nature/Reason:

- Anticipated Savings to County: 

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

Additional Comments/Explanation:

Prepared by: D. Bartles, ROW Engr, DC DPW
WATER LINE EASEMENT

THIS INDENTURE made this __ day of _____, 2010 by THE COUNTY OF DUTCHESS, a municipal corporation of the State of New York, located at 22 Market Street, Poughkeepsie, NY 12601, ("the Grantor") and DEER RUN HOLDING, LLC, 1136 Route 9, Suite U-1, Wappinger Falls, NY 12590 ("the Grantee")

WITNESSTH,

That the Grantor for and in consideration of the sum of One Dollar ($1.00), lawful money of the United States of America, and other good and valuable consideration paid by the, the receipt and sufficiency of which is acknowledged, does hereby grant, convey, and release unto the Grantee, its successors and/or assigns, an easement under and through the property of the Grantor ("the Property"), situate in the Town of East Fishkill, County of Dutchess and State of New York, as more particularly described in Exhibit "A" ("Easement Premises") annexed hereto.

The Grantor grants and conveys to the Grantee an easement under and through the Easement Premises for the purposes of installing and maintaining a certain water transmission line and related appurtenances (hereinafter referred to as the Improvements) as detailed on Sheet 52 of 97 of the "Final Subdivision Plat Hopewell Glen" dated March 31, 2006 and last revised on December 18, 2009 which plat is intended to be filed in the Dutchess County Clerk’s Office simultaneously with the recording of this instrument, as File Map No. __________ within the Easement Premises, together with the right to maintain, repair and replace said water transmission line and related appurtenances from time to time, as the Grantee may deem necessary. The said water transmission line and appurtenances shall at all times remain the property of the Grantee and under its exclusive control and supervision, and the Grantor shall not interfere with or cause injury or damage to said water transmission line and appurtenances.

The Grantee, its successors and assigns, does hereby agree to indemnify and hold harmless the Grantor from any claims arising out of any activities undertaken on the
Property by the Grantee or its agents in connection with the easement granted to the Grantee by the Grantor, including, but not limited to, the activities undertaken to install, repair, maintain and replace the water transmission line and related appurtenances.

The Grantee shall perform said installation, maintenance, repair and replacement without interfering with the use and enjoyment of the Grantor of the Property. In addition, the Grantee agrees to reasonably restore the Easement Premises and Property to the condition those premises were in prior to the Grantee installing any water transmission line or related appurtenances and any maintenance, repair or replacement of the water transmission main and appurtenances, (except the replacement of any trees removed during the original installation).

Nothing herein shall prevent the Grantor, its successors and/or assigns, from the full use and enjoyment of the Easement Premises, provided that such use does not interfere with the use of the Easement Premises by the Grantee for the purposes described above.

The Grantor, for itself, its successors and assigns, is hereby prohibited from blocking or obstructing the Easement Premises above or below grade or planting trees or substantial shrubs within the Easement Premises or constructing and/or maintaining any type of permanent or temporary structure including, but not limited to, underground pipes and conduits in, on, under or over the Easement Premises without written permission of the Grantee which shall not be unreasonably withheld or delayed if not in conflict with the Grantee’s uses of the easement. Grantee acknowledges that the prohibition outlined in the previous sentence does not apply to the Dutchess Rail Trail and the waterline installed by the Dutchess County Water and Wastewater Authority both of which are in existence in the Easement Premises.

This grant shall run with the land and shall be binding upon the Grantor and the Grantee and their respective successors, heirs and assigns.

Each party represents to the other party that it has the power and authority to execute, deliver and perform this Easement, that all actions necessary to authorize the execution, delivery and performance of this Easement have been duly taken, that it has duly executed and delivered this Easement and that this Easement is legal, valid and
binding on it, and enforceable against it, in accordance with its terms.

In the event the Grantor determines that its property is in danger of being damaged due to damage to the Grantee Improvements, the Grantor reserves the right to repair the Grantee Improvements should the grantee or its successors and assigns fail to do so in a timely manner. The Grantee or its successors and assigns agree to reimburse the Grantor for all costs associated with the repair of said Improvements.

Grantor acknowledges that upon completion of the Improvements set forth herein the Grantee may dedicate the Improvements to the Town of East Fishkill, and Grantor hereby agrees to such dedication and the assignment of the Easement herein.

IN WITNESS WHEREOF, each of the parties hereto has executed this indenture all as of the date and year first written above.

THE COUNTY OF DUTCHESS

By: ____________________________
    William R. Steinhaus, County Executive

DEER RUN HOLDING, LLC

By: ____________________________
    Joseph Petinella, Managing Member

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

On the____ day of____, 2010, before me, the undersigned, personally appeared WILLIAM R. STEINHAUS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) (is) (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

___________________________________________
Notary Public
March 31, 2010

DESCRIPTION OF PROPERTY

EASEMENT #35

15' WIDE MUNICIPAL AND DCWWA WATER MAIN
THROUGH FORMERLY CENTRAL NEW ENGLAND RAILROAD COMPANY (ABANDONED)
LANDS NOW OR FORMERLY COUNTY OF DUTCHESS
HOPEWELL GLEN

All that certain lot or parcel of land situated in the Town of East Fishkill, County of Dutchess, and State of New York, as shown on a plan entitled, "Final Subdivision Plat, Hopewell Glen", sheets 2 thru 52 of 97, prepared by ESE Consultants, Inc., dated March 31, 2006, last revised December 18, 2009, filed or about to be filed in the Dutchess County Clerk's Office, more particularly described as follows:

Beginning at the most northeasterly corner of a 15' Wide Municipal and DCWWA Water Main Easement #35, said point located a total arc distance of 152.88 feet from a corner of Lot 297 and running;

1. Passing through Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess, the following three (3) courses and distances, South 10 degrees 23 minutes 57 seconds West, a distance of 70.15 feet; thence
2. North 79 degrees 36 minutes 03 seconds West, a distance of 15.00 feet; thence
3. North 10 degrees 23 minutes 57 seconds East, a distance of 69.13 feet to a point on line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess and Lot 297; thence
4. Along a common line between Formerly Central New England Railroad Company (Abandoned), Lands Now or Formerly County of Dutchess and Lot 297, passing along an arc of a circle curving to the left having a radius of 1860.08 feet, an arc distance of 15.03 feet, a chord bearing of South 83 degrees 29 minutes 04 seconds East, a chord distance of 15.03 feet to the first mentioned point and place of beginning.

Containing 1,044 square feet or 0.024 acres of land.

Subject to easements and restrictions of record, if any.

Description prepared by ESE Consultants, Inc., Horsham, Pa. 19044.

Dana J. Parrish, P.L.S. No. 060139
Professional Land Surveyor

ESE Consultants, Inc.
250 Gibraltar Road, Suite 2E • Horsham, PA 19044
p: 215.914.2030 • f: 215.293.5489
To: Charles Traver, Commissioner of Public Works

CC: Gregory Bentley Director of Engineering

From: Don Bartles, Right of Way Engineer

Date: 3/31/10

Re: Resolution Request DC w/ Deer Run Holding, LLC, Potable Water Connection

Accompanying this memo is a Resolution Request with supporting documentation to authorize the granting of a 0.024 ± acre Permanent Easement to Deer Run Holding, LLC for the construction and maintenance of a potable water line connection to the existing DC WWA water transmission line within the Dutchess Rail Trail Corridor. This connection is intended to provide potable water to the proposed subdivision now known as Hopewell Glen.

SEQRA has been completed by the Town of East Fishkill with Dutchess County providing input as an Involved Agency.

Please review this submission and if appropriate sign and forward to the County Executive for approval.
Roll call vote on the foregoing Resolution No. 2010115 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
PUBLIC WORKS

RESOLUTION NO. 2010116

RE: AUTHORIZE A 0.067± ACRE PERMANENT EASEMENT TO DEER RUN HOLDING, LLC FOR CONSTRUCTION AND MAINTENANCE OF A STORM WATER CULVERT UNDER THE DUTCHESS RAIL TRAIL IN THE TOWN OF EAST FISHKILL

Legislators ROLISON, WEISS, HORTON, HUTCHINGS, and KELSEY offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised that Deer Run Holding, LLC has requested a 0.067± acre Permanent Easement under a portion of the Dutchess Rail Trail (Trail) in the Town of East Fishkill for the construction and maintenance of a storm water culvert which will be used to carry storm water collected on lands of Deer Run Holding, LLC to the north of the Trail to lands to the south of the Trail, and

WHEREAS, the proposed culvert is to be installed within the old cattle pass constructed by the railroad to the benefit of the original owners, and

WHEREAS, when the property was originally purchased by the railroad, the deed provided for two crossings of the rail line which were to be constructed and maintained by the railroad or its successors, and

WHEREAS, Dutchess County is currently the successor in title to the rail road and this permanent easement is to define the exact location of one of the crossings and to relieve the County of any maintenance responsibilities as stated in the original deed, and

WHEREAS, SEQRA has been completed by the Town of East Fishkill with the County providing input as an Involved Agency, and

WHEREAS, a concurrent resolution is being submitted herewith in connection with the easement for the road over the Trail which will address the location and maintenance of the other deeded crossing, now, therefore, be it

RESOLVED, that a permanent easement of a 0.067± acre parcel in the Town of East Fishkill, Dutchess County, New York is approved, and be it further

RESOLVED, that the County Executive is authorized to execute the Storm Sewer Easement, in substantially the same form as annexed hereto, to Deer Run Holding, LLC and authorizing Deer Run Holding, LLC, its officers, employees, agents, servants or contractors of ingress and egress to enter upon and along the easement area pursuant to the Easement Agreement.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFMANN, CLERK OF THE LEGISLATURE
### Fiscal Impact Statement

- **NO FISCAL IMPACT PROJECTED**

#### Appropriation Resolutions

*(To be completed by requesting department)*

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#### Additional Comments/Explanation:

- Prepared by: D. Bartles, ROW Engr, DC DPW
STORM SEWER EASEMENT

THIS INDENTURE made this ___ day of ____________, 2010 by
THE COUNTY OF DUTCHESS, a municipal corporation of the State of New York
located at 22 Market Street, Poughkeepsie, New York 12601, (the "Grantor"), and
DEER RUN HOLDING, LLC, a New York Limited Liability Company, with its office
located at 1136 Route 9, Suite U-1, Wappinger Falls, New York 12590 (the "Grantee")

WITNESSETH

That the Grantor in consideration of One Dollar ($1.00), lawful money of the
United States paid by the Grantee, does hereby grant and release unto the Grantee, its
successors and assigns forever, a perpetual storm sewer easement and right of way
over all that property (the "Easement Area") located in the Town of East Fishkill, County
of Dutchess and State of New York, which Easement Area are more particularly
described in Schedule "A", attached hereto and made a part hereof.

The easement is for the purposes of the installation, maintenance, operation,
management, repair and replacement of storm sewer facilities, including, all swales,
pipes, structures, grading, slope stabilization, erosion control, landscaping, and other
appurtenant facilities, (hereinafter referred to as the Grantee Improvements) as detailed
on Sheet 22 of 97 of the "Final Subdivision Plat Hopewell Glen" dated March 31, 2006
and last revised December 18, 2009 which plat is intended to be filed in the Dutchess
County Clerk's Office simultaneously with the recording of this instrument as Filed Map
No. as well as the right to discharge stormwater, in accordance with the
requirements of the Town of East Fishkill, the Dutchess County Department of Public
Works and the New York State Department of Environmental Conservation and any
other applicable laws, ordinances, regulations and court orders.
The Easement includes the right of the Grantee, its officers, employees, agents,
servants or contractors of ingress and egress to enter upon and along the Easement
Area for the full and complete use, occupation and enjoyment of the Easement hereby
granted as described herein, and all rights and privileges directly related thereto.

The Grantor also hereby acknowledges and agrees that the Grantee shall retain
all right, title, interest in and to the lines, pipes, appurtenances, materials and other
drainage system improvements (as described in the preceding paragraphs of this Storm Sewer Easement) installed or placed within the Easement Area by Grantee (the "Grantee Improvements").

The responsibility for and cost of constructing, installing, maintaining, repairing and improving the Grantee Improvements within the Easement Areas shall be borne solely by Grantee and/or its successors and/or assigns.

Grantee and each of its successors and assigns as applicable shall indemnify and hold harmless Grantor from and against any and all losses, claims, damages, liabilities, liens, costs and expenses arising directly or indirectly, in connection with any construction, installation, maintenance, operation, management, repair or utilization of the Grantee Improvements. Grantee shall restore the Easement Area as nearly as reasonably possible to their preexisting condition immediately upon completion of the installation, repair or maintenance of the Grantee Improvements to Grantor's satisfaction. This restoration shall include but not be limited to regrading, compacting, reseeding and mulching the Easement Areas in the applicable locations. If settlement of surface occurs after restoration, Grantee and/or its successors and/or assigns shall provide such additional restoration. The Grantor, for itself, its successors and assigns, is hereby prohibited from blocking or obstructing the Easement Area above or below grade or planting trees or substantial shrubs within the Easement Area or constructing and/or maintaining any type of permanent or temporary structure including, but not limited to, underground pipes and conduits in, on, under or over the Easement Areas without written permission of the Grantee which shall not be unreasonably withheld or delayed if not in conflict with the Grantee's use of the easement. Grantor acknowledges that the prohibition outlined in the previous sentence does not apply to the Dutchess Rail Trail and the waterline that was installed by the Dutchess County Water and Wastewater Authority, both of which are in existence in the Easement Area.

The terms, covenants and agreements herein contained shall inure to the benefit of, and be binding upon the parties hereto, and their respective heirs, successors, assigns, distributees, legal representatives and all covenants herein shall run with the land affected hereby and shall be perpetual in duration and the Grantor shall execute and deliver any further documents reasonably necessary to assure the easements
granted herein to the Grantee.

Each party represents to the other party that it has the power and authority to execute, deliver and perform this Easement, that all actions necessary to authorize the execution, delivery and performance of this Easement have been duly taken, that it has duly executed and delivered this Easement and that this Easement is legal, valid and binding on it, and enforceable against it, in accordance with its terms.

In the event the Grantor determines that its property is in danger of being damaged due to damage to the Grantee Improvements, the Grantor reserves the right to repair the Grantee Improvements should the grantee or its successors and assigns fail to do so in a timely manner. The Grantee or its successors and assigns agree to reimburse the Grantor for all costs associated with the repair of said Improvements.

The Grantee hereby grants, releases, quit claims, remises and extinguishes to the Grantor, the County of Dutchess, its successors and/or assigns, any rights that it may have acquired to cross the property now known as the Dutchess Rail Trail contained in the deed from Elizabeth B. Mulford to the Central New England Railway dated December 8, 1909 and recorded in the Dutchess County Clerk's Office in Liber 359 of deeds at Page 308. Furthermore, the Grantee hereby grants, releases, quit claims, remises and extinguishes to the Grantor, the County of Dutchess, its successors and/or assigns the right to have fences constructed and maintained as described in a deed from Elizabeth B. Mulford to the Central New England Railway dated May 21, 1909 recorded in the Dutchess County Clerk's Office in Liber 360 of Deeds at Page 423 and any other crossing and fence rights over and under said Dutchess Rail Trail from other deeds in the Grantee's chain of title. Grantee executes this deed confirming such extinguishment of the rights described in the previous sentences in consideration of the easements granted to it herein, and such other good and valuable consideration as recited herein.

Grantor acknowledges that upon completion of the Grantee Improvements set forth herein the Grantee may dedicate the Grantee Improvements to the Town of East Fishkill, and Grantor hereby agrees to such dedication and the assignment of the Easement herein.

This Storm Sewer Easement shall be interpreted and enforced in accordance
with the laws of the State of New York.

TO HAVE AND TO HOLD the said easements unto the Grantee, its successors and assigns forever.

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

THE COUNTY OF DUTCHESS

By: ____________________________
William R. Steinhaus, County Executive

DEER RUN HOLDING, LLC

By: ____________________________
Joseph Petinella, Managing Member

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

On the _____ day of ________________, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM R. STEINHAUS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

____________________________________
Notary Public
On the _____ day of __________________, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH PETINELLA, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

______________________________
Notary Public
March 31, 2010

DESCRIPTION OF PROPERTY
EASEMENT #86
30' WIDE MUNICIPAL STORM SEWER
THROUGH FORMERLY CENTRAL NEW ENGLAND RAILROAD COMPANY (ABANDONED)
THROUGH LANDS NOW OR FORMERLY COUNTY OF DUTCHESS
HOPEWELL GLEN

All that certain lot or parcel of land situated in the Town of East Fishkill, County of Dutchess, and State of New York, as shown on a plan entitled, "Final Subdivision Plat, Hopewell Glen", sheets 2 thru 52 of 97, prepared by ESE Consultants, Inc., dated March 31, 2006, last revised December 18, 2009, filed or about to be filed in the Dutchess County Clerk's Office, more particularly described as follows:

Beginning at a point on line between Lands Now or Formerly County of Dutchess and Open Space Parcel 296 and running:

1. Along a common line between Lands Now or Formerly County of Dutchess and Open Space Parcel 296, passing along an arc of a circle curving to the left having a radius of 1860.08 feet, an arc distance of 30.87 feet, a chord bearing of South 72 degrees 24 minutes 09 seconds East, a chord distance of 30.87 feet; thence
2. Passing into Lands Now or formerly County of Dutchess, South 03 degrees 55 minutes 41 seconds West, a distance of 95.45 feet to a point on line of Lands Now or Formerly County of Dutchess and Lands Now or Formerly Lake Walton Park, LLC; thence
3. Along a common line between Lands Now or Formerly County of Dutchess and Lands Now or Formerly Lake Walton Park, LLC, North 77 degrees 04 minutes 56 seconds West, a distance of 30.37 feet; thence
4. Passing into Lands Now or formerly County of Dutchess, North 03 degrees 55 minutes 41 seconds East, a distance of 98.00 feet to the first mentioned point and place of beginning.

Containing 2,902 square feet or 0.067 acres of land.
Subject to easements and restrictions of record, if any.
Description prepared by ESE Consultants, Inc., Horsham, Pa. 19044.

Dana J. Parish, P.L.S. No. 050139
Professional Land Surveyor

ESE Consultants, Inc.
250 Gibraltar Road, Suite 2E • Horsham, PA 19044
p: 215.914.2650 • f: 215.293.5489
Memo

To: Charles Traver, Commissioner of Public Works
CC: Gregory Bentley Director of Engineering
From: Don Bartles, Right of Way Engineer
Date: 3/31/10
Re: Resolution Request DC w/ Deer Run Holding, LLC, Culvert Crossing

Accompanying this memo is a Resolution Request with supporting documentation to authorize the granting of a 0.067 ± acre Permanent Easement to Deer Run Holding, LLC for the construction and maintenance of a storm water culvert which will be used to carry storm water collected on those lands of Deer Run Holding, LLC to the North of the Dutchess Rail Trail to their lands to the South of the Trail. This culvert is proposed to be installed within the old cattle pass constructed by the railroad to the benefit of the original owners.

When the original property was purchased by the rail road, the deed provided for 2 crossing of the rail line which were to be constructed and maintained by the rail road or its successors. Dutchess County is currently the successor to the rail road. This Permanent easement is written to define the exact location of 1 of the crossing and to relieve Dutchess County of any maintenance responsibilities as stated in the original acquisition.

SEQRA has been completed by the Town of East Fishkill with Dutchess County providing input as an Involved Agency.

There is a concurrent Resolution Request to address the location and maintenance of the other deeded crossing.

Please review this submission and if appropriate sign and forward to the County Executive for approval.
Roll call vote on the foregoing Resolution No. 2010116 resulted as follows:


NAYS: 0

ABSENT: 0

Resolution adopted.
Commendation: Daniel W. Hitsman

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

Whereas, earning Eagle Scout status is the final step that a Boy Scout can take, it is the highest rank available in the organization, and only five percent of all Boy Scouts earn the Eagle Scout rank; to become an Eagle Scout a young man must be an active participant of a troop, hold a leadership position, carry out a leadership project reviewed before his 18th birthday, earn merit badges, perform community service and demonstrate outdoor skills, and be approved by district, local, and national review boards, and

Whereas, Daniel W. Hitsman is a Dutchess County resident living at 11 Upton Road, LaGrangeville, New York who belongs to Boy Scout Troop 82 LaGrangeville, and Daniel has been involved in many community activities such as the Barnyard Kids 4-H Group, where he has been a member for 5 years and has served as president, and

Whereas, Daniel is employed by the Gaia Institute where he manufactures artificial soil from recycled materials, and Daniel is a junior at Arlington High School, and has attained the honor roll at Dutchess County BOCES, and Daniel W. Hitsman received his Eagle Scout award on January 14, 2010, and

Whereas, for his Eagle Scout Project Daniel compiled over 224 hours of service time completing renovations for the Trinity United Methodist Church Nursery School, including the replacement of a fence around a play area, construction of a deck and construction of a covering over a sand box, now therefore, be it

Resolved, that the Dutchess County Legislature hereby commends Daniel W. Hitsman for being a great role model to his peers and for his commitment and service to our community, and be it further

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby congratulate Daniel W. Hitsman for achieving his Eagle Scout award.

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

[Signature]
PATRICIA J. HOFMANN, CLERK OF THE LEGISLATURE
Resolution No. 2010117 entitled, “Commendation: Daniel W. Hitsman” was unanimously adopted by voice vote.
Commendation: M. Philip Amodeo

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

Whereas, M. Philip Amodeo, has served as a member of the Dutchess County IDA since its inception in 1977. He is the longest serving member in Dutchess County IDA history. Phil retired from the IDA in 2009; and

Whereas, M. Philip Amodeo has been a longtime resident in Dutchess County; and

Whereas, Mr. Amodeo attended Siena College, graduating in 1961; he also served as Second Lieutenant in the United States Army; and

Whereas, Phil is a loving husband to his wife Dorothy and father to their four children; and

Whereas, during Phil's career he has been a member and director of numerous New York and National Accounting organizations including President of the New York State County Treasurers and Finance Office; and

Whereas, M. Philip Amodeo has worked diligently in the financial sector starting in 1965 with the New York State Office of the Comptroller; then from 1976 to 1997 Dutchess County Commissioner of Finance (also, known for being the longest serving Commissioner of Finance in Dutchess County's history); Board Member Dutchess County Industrial Development; and from 2007 to 2009 Chief Financial Officer of the DCIDA; now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, M. Philip Amodeo, and, be it further

Resolved, that the Dutchess County Legislature, does hereby extend to M. Philip Amodeo, its best wishes in all of his future endeavors.

STATE OF NEW YORK

COUNTY OF DUTCHESS

RESOLUTION NO. 2010118

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. NORDMANN, CLERK OF THE LEGISLATURE
Resolution No. 2010118 entitled, “Commendation: M. Philip Amodeo” was unanimously adopted by voice vote.
COMMENDATION: STEVEN VELARDO, JR., AMERICAN LEGION STATE ORATORICAL CONTEST THIRD PLACE FINALIST

Legislators MacAvery and Horton offer the following and move its adoption:

WHEREAS, the American Legion Oratorical Contest is a 70-year old program that provides high school students with the opportunity to broaden their knowledge and understanding of the United States Constitution; gives participants an academic speaking challenge that teaches important leadership qualities, the history of our nation’s laws, the ability to think and speak clearly, and an understanding of the duties, responsibilities, rights and privileges of American citizenship; and

WHEREAS, 17 year old Steven Velardo, Jr. of Hopewell Junction having won First Place in the American Legion Oratorical Contest having been sponsored by the Manny Bacon Post 1758, Hopewell Junction followed by First Place at the County-wide Competition here in Dutchess County, followed by First Place at District Level followed by First Place in Zone 1 Competition, he then competed at the state level where he successfully placed third in all of New York State; and

WHEREAS, Steven is a home-educated student who serves his local church and community, volunteering over 170 hours of service to the East Fishkill Library, active as a Civil Air Patrol Cadet, serves on the Cadet Advisory Council for the Southeast Group of CAP, competes in various debate and public speaking venues, has recently completed Advanced Debate Theory and Communications at Marist College, is a Revolutionary War Re-enactor, teaches public speaking to youth, and

WHEREAS, Steven who is the eldest child of proud parents Steven, Sr. and Debbie Velardo, joins his siblings Matthew Sarah, Christopher and Daniel. Steven indeed exemplifies those finest attributes of self-discipline self-reliance, good citizenship, and concern for his fellowman, and is especially deserving of this; now therefore, be it

RESOLVED that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Steven and be it further

RESOLVED, that the Dutchess County Legislature, does hereby extend to Steven Velardo, Jr., best wishes for continued success in all of his future endeavors.

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss: RESOLUTION NO. 2010119

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE
Resolution No. 2010119 entitled, “Commendation: Steven Velardo, Jr., American Legion State Oratorical Contest Third Place Finalist” was unanimously adopted by voice vote.
The Dutchess County Legislature offers the following and moves its adoption:

WHEREAS, the week of April 22, 2010, marks the 40th Anniversary of the founding of Earth Day, which was begun by then-United States Senator, Gaylord Nelson in 1970 as a grassroots demonstration for the environment, and

WHEREAS, Earth Day has grown over the ensuing decades from 20 million participants in the United States to become the biggest “civic secular event” in the world, celebrated by over 1 billion people around the globe and the 40th Anniversary of Earth Day will be celebrated here in Dutchess County on April 24th and 25th, 2010, at the Dutchess County Fairgrounds’ Hudson Valley 40th Anniversary Earth Day Celebration, and

WHEREAS, that event which will be the largest 40th Earth Day Event celebrated in Dutchess County, if not the largest 40th Earth Day celebration in the Hudson Valley, and

WHEREAS, the event which will be sponsored by local Dutchess County and Hudson Valley businesses, will be the first event designated as a Zero Landfill Event by the Dutchess County Recovery Agency – meaning no solid waste generated by the event will be placed into landfill, but will rather be recycled or turned to energy at the Dutchess County Waste-to-Energy, and

WHEREAS, the Hudson Valley 40th Anniversary Earth Day Celebration at the Dutchess County Fairgrounds will include electronic waste turn-in and document shredding opportunities for all Dutchess County residents, as well as numerous educational opportunities for Dutchess County residents and other residents of the Hudson Valley to learn about ways in which to improve the local environment and their own carbon footprint, and

WHEREAS, the Dutchess County Legislature supports environmental improvement throughout Dutchess County, now, therefore, be it

RESOLVED, we hereby designate the Hudson Valley 40th Anniversary Earth Day Celebration, to be held at the Dutchess County Fairgrounds by the Dutchess County Agricultural Society, in collaboration with Cornell Cooperative Extension, Dutchess County and supported by sponsorships from local businesses—Hudson Valley Clean Energy, Covanta Hudson Valley Renewable Energy and Royal Carting Service Company – as the official Earth Day Celebration Event of Dutchess County.

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.
Resolution No. 2010120 entitled, "Proclamation naming the Hudson Valley 40th Anniversary Earth Day Celebration at the Dutchess County Fairgrounds as the Official Earth Day Event of Dutchess County" was unanimously adopted by voice vote.
Condolence: Madison P. "Matt" Sipperley

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

WHEREAS, The Dutchess County Legislature has learned with sadness and regret of the recent death of Madison P. "Matt" Sipperley on April 4, 2010, at the age of 83; and

WHEREAS, Madison P. "Matt" Sipperley was a long-time Red Hook resident, born on September 14, 1926, in Brooklyn, New York, to the late Madison and May (Krom) Sipperley; and

WHEREAS, Matt Sipperley was employed at IBM in Poughkeepsie and after 35 years, he retired in 1990. Thereafter, he and his wife moved to Bradenton, Florida to enjoy retirement; and

WHEREAS, Madison P. "Matt" Sipperley served in the U.S. Navy during WWII with the 7th Amphibious Fleet in the South Pacific during the occupation of Japan. He was later recalled to the Navy and served during the Korean War; and

WHEREAS, Madison P. "Matt" Sipperley was very active on behalf of the Veterans in the area being a life member of the Red Hook Post #7765 VFW, a member of Hendrick Hudson Lodge #875, F&AM in Red Hook, and a member of the Elks Lodge #2495 in S. Sarasota, Florida; and

WHEREAS, Matt Sipperley, dedicated 21 years of his life working with the Dutchess County Legislature to improve the quality of life for all residents of Dutchess County. In 1976 Matt began his career in the Legislature in District 3Q, Town of Red Hook and during the next 8 years he dedicated his time to the following Committees: Environmental Control, Vice Chair; Transportation; Planning and Capital Projects Chairman, Public Works; Budget and Finance (Sub-Committee Vice Chair); Governmental Services; Community Services and Human Services; and

WHEREAS, Matt continued his service to Dutchess County representing District 31 from 1984 through 1988, on the following committees: Human Services, Public Works (Chairman); Environment; and Planning and Capital Projects; and

WHEREAS, Matt, lived a full and accomplished life with many achievements to be proud of, and his passing will be mourned by his family and friends throughout Dutchess County; now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Madison P. "Matt" Sipperley, and, be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Madison P. "Matt" Sipperley.

STATE OF NEW YORK

ss: RESOLUTION NO. 2010121

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 12th day of April, 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of April, 2010.

[Signature]
PATRICIA J. HOHIMANN, CLERK OF THE LEGISLATURE
Resolution No. 2010121 entitled, "Condolence Madison P. "Matt" Sipperley" was unanimously adopted by voice vote.
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, questioned the life of the vehicles being purchased in relation to the length of the foregoing bond Resolution No. 2010090 entitled, “A Resolution Authorizing the Issuance of $740,835 Serial Bonds of the County of Dutchess, New York, to Pay the Cost of the Purchase of Motor Vehicles nd Motorized Equipment for Various Departments in and for said County” and no one questioned how long the bond was and if it would be longer than what the equipment would last.

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 in memory of Madison Sipperley at 9:50 pm subject to call of the Chair.