

# Attendance Sheets

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

Date: 5/13/13

Regular Meeting  
of the  
Dutchess County Legislature

Monday, May 13, 2013

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

Roll Call by the Clerk of the Legislature

PRESENT: 24 Amparo, Blalock, Bolner, Borchert, Doxsey, Flesland,  
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey,  
MacAvery, Miccio, Perkins, Rolison, Roman, Serino,  
Surman, Thomes, Traudt, Tyner, Weiss, White, Wilkinson

ABSENT: 1 Forman

PRESENT, LATE:

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Reverend Doctor E. Robert Geehan of Reformed Church of Poughkeepsie, followed by a moment of silent meditation.

Commendation: New Hamburg Fire District-Engine  
Company No. 1 ~ 50 Year Members

Commendation: Hughsonville Fire Company

Commendation: Stissing Mountain Boys Basketball Team

Commendation: Eagle Scout Manuel Boccini

Commendation: Cereal Counts

Commendation: American Legion Auxiliary Member  
Charlotte Craven

Proclamation: Lyme Disease Awareness Month May 2013

Proclamation: Recognizing May as Mental Health Month

Proclamation:     The City of Beacon Centennial

Chairman Rolison entertained a motion to approve the April 2013 minutes.

The April 2013 minutes were adopted.

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

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

## **COMMUNICATIONS RECEIVED FOR THE MAY 2013 BOARD MEETING**

Received from Budget Director, Contingency Account Status as of May 9, 2013.

Received from Yates County Clerk of the Legislature, Resolution No. 152-13, Declaring "MayDay for Mandate Relief" and Urging the State to Adopt Laws that do not Impose Further Fiscal Stress on Local Governments and Taxpayers and Build Upon Recent Efforts to Reform Costly Unfunded Mandates.

Received from Pawling Town Clerk, Notice of Public Hearing regarding a proposed local law for outdoor wood burning furnaces.

Received from Dutchess County Clerk, Semi Annual Mortgage Tax Report for October 31, 2012 through March 31, 2013.

Received from Commissioner of Finance, Miscellaneous Refunds processed from January 31, 2013 – April 30, 2013.

Received from the Budget Director and Commissioner of Finance, update on County's Fiscal Position.

Received from Constantine Kazolias, magazine article regarding Taylor Biomass Energy LLC construction of a 21 MW biomass gasification plant in Montgomery, New York.

Received from Jeffrey Bogen, email regarding indictments of elected officials.

Received from Essex County Board of Supervisors, Resolution No. 48, Opposing New York State Assembly Bills A.689, A.172, and A.2099 and Senate Bills S.1461, S.609, and S.1549 Enacting a New title VI to the New York State Election Entitled, "Early Voting".

Received from Town of Poughkeepsie Deputy Clerk, Notice of Public Hearing to consider a change the zoning designations of 15 Channingville Road from residence, single family 4 acre to residence, single family, 20,000 square feet.

Received from Tompkins County Legislature, Resolution No. 2013-45, Resolution In Support of Sensible Gun Control and Addressing New York State-Level and Federal-Level Actions Thereon.

Received from Hanover Insurance Company, Notice of Claim in the matter of Samantha Brugger v. Dutchess Community College, Dutchess Community College Board of Trustees, Dutchess County Legislature, and Dutchess County.

RESOLUTION NO. 2013124

RE: AUTHORIZING CONVEYANCE BY QUITCLAIM DEED  
OF 21,170 SQUARE FEET OF OLD POST ROAD IN THE TOWN  
OF WAPPINGER TO EDUARDO AND LUCIA LAURIA

Legislators HUTCHINGS, BORCHERT, FLESLAND, AMPARO, and  
INCORONATO offer the following and move its adoption:

WHEREAS, pursuant to NYS Department of Transportation (NYSDOT) Official Order # 250 from March 1969, the DOT transferred maintenance jurisdiction of 1026 linear feet of old S.H. 5154, which was Rt.9 before it was redesigned and is now Old Post Road in the Town of Wappinger to the County, and

WHEREAS, pursuant to Resolution No.172-1969 from May 1969, this Legislature discontinued this section of old S.H. 5154 as a County road and transferred maintenance and repair responsibilities to the Town of Wappinger, and

WHEREAS, NYSDOT issued Official Order H-2148, which was a correction to Official Order #250 of 1969, in November 1988 which once again transferred maintenance jurisdiction of the same 1026 linear feet of old S.H. 5154 to the County, and

WHEREAS, Eduardo and Lucia Lauria (Laurias) are abutting property owners to a section of Old Post Road that is part of the above referenced Official Orders and Resolution, and

WHEREAS, the Laurias have requested that the County and the Town of Wappinger convey by Quitclaim Deed, whatever interest each municipality may have in the 21,170 square feet section of Old Post Road that is adjacent to property that they own, as depicted on the attached map and metes and bounds description, and

WHEREAS, Eduardo and Lucia own and operate the Aroma Osteria Restaurant, which is adjacent to the property that they own, and wish to acquire the 21,170 square feet of old S.H. 5154 so that they can provide parking for their employees, and

WHEREAS, the Acting Commissioner of Public Works recommends to this Legislature that the conveyance to the Laurias occur since it was his understanding that the County has had no interest in this property based on the 1969 Resolution from this Legislature, and

WHEREAS, this conveyance is being done pursuant to NYS Highway Law Section 118-a, now therefore, be it

RESOLVED, that the 21,170 square feet of Old Post Road in the Town of Wappinger as depicted on the attached survey map and metes and bounds description, is abandoned to abutting owners, Eduardo and Lucia Lauria as such section of the road is of no further use for highway purposes, and it is further

RESOLVED that the Chairman of the this Legislature is authorized to execute in the name of the County of Dutchess a Quitclaim Deed to Eduardo and Lucia Lauria.

CA-91-13

CAB/ca/R-0904

4/15/13

Fiscal Impact: See attached statement

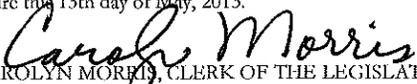
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

APPROVED

  
William F.X. O'Neil  
Deputy County Executive

5-22-2013

## 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: Carol A. Bogle, Chief Assistant County Attorney

***LEGAL DESCRIPTION***

The following is intended to describe a parcel of land to be acquired by Eduardo and Lucia Lauria, said parcel being a portion of the road right of way shown on Abandonment Map #586:

Beginning at a point on the highway boundary, said point being the Southerly corner of the herein described parcel and the Southwesterly corner of other lands of Lucia as described in a deed recorded in the office of the Dutchess County Clerk as Doc. 22007 5928; also being the Northwest corner of lands now or formerly of Aroma LLC, deed recorded in Doc. 22000 1680;

Thence along the lands of Lucia the following two courses:

N 25°-38'-56" E, 185.52 ft. and

N 15°-43' - 56" W, 144.37 ft. to a point on the highway boundary; thence

S 08°-13' - 37" W, 307.94 ft. to the point and place of beginning.

Containing 0.49 (21,170 s.f.)

As surveyed by Janet S. Gardell, L.S. 50036

Old Post Road  
(SH #5145)

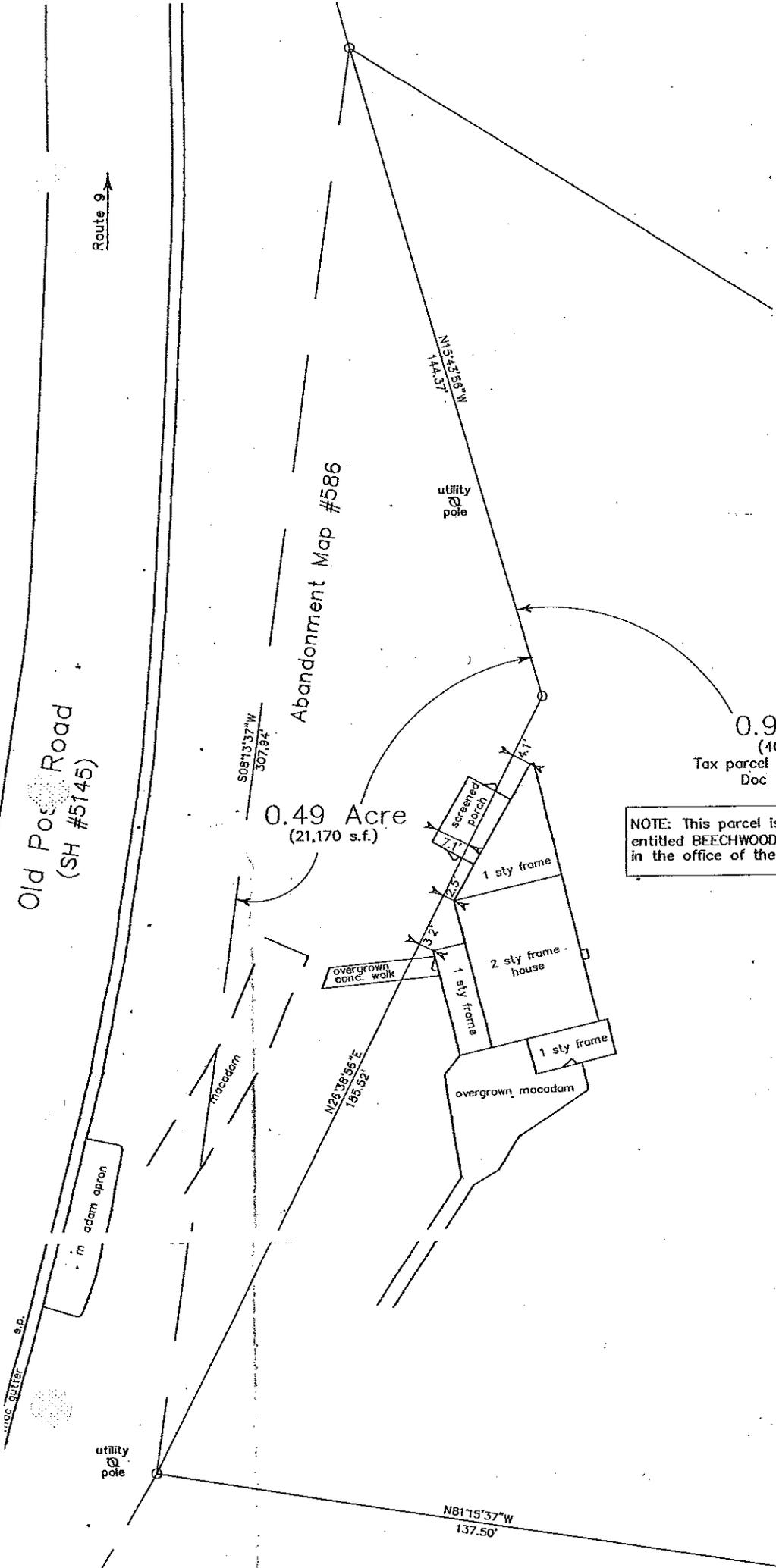
Route 9

Abandonment Map #586

0.49 Acre  
(21,170 s.f.)

0.9  
(40  
Tax parcel  
Doc :

NOTE: This parcel is  
entitled BEECHWOOD  
in the office of the



# *Public Works and Capital Projects Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 18 - City of Beacon	Forman (VC)		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman		

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

**2013124 AUTHORIZING CONVEYANCE BY QUITCLAIM DEED OF 21,170 SQUARE FEET OF OLD POST ROAD IN THE TOWN OF WAPPINGER TO EDUARDO AND LUCIA LAURIA**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013124 AUTHORIZING CONVEYANCE BY QUITCLAIM DEED OF 21,170  
 SQUARE FEET OF OLD POST ROAD IN THE TOWN OF WAPPINGER TO  
 EDUARDO AND LUCIA LAURIA**

Date: May 13, 2013

RESOLUTION NO. 2013125

RE: AUTHORIZING MODIFICATION OF A PERMANENT EASEMENT OF REAL PROPERTY FOR THE REALIGNMENT OF A SECTION OF CR 32, PLEASANT RIDGE ROAD, TOWN OF BEEKMAN FROM CHARLES EDGERTON

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

WHEREAS, by Resolution No. 2010196 this Legislature authorized the acquisition of a 0.145 +/- acre parcel of property located on Pleasant Ridge Road, C.R. 32, Parcel Number 132200-6959-00-498432-0000, in the Town of Beekman, owned by Charles Edgerton and it is the purpose of this Resolution to request authorization to substitute the existing permanent easement with a modified permanent easement to encompass the realignment of the existing drainage system, and

WHEREAS, the Department of Public Works has made a determination that in order to maintain said road, it is necessary to acquire a modified permanent easement on a portion of property presently owned by Charles Edgerton, and

WHEREAS, a proposed Agreement to Purchase Real Property (Modified Permanent Easement Agreement) between the County and the property owner is annexed hereto, and

WHEREAS, the property is described as 0.147 +/- acre more or less as shown on Map B-91A, Parcel 1, a copy of which is annexed hereto, and

WHEREAS, Charles Edgerton will not receive additional compensation for this modified permanent easement, now, therefore, be it

RESOLVED, that the County Executive is authorized to execute the Agreement to Purchase Real Property (Modified Permanent Easement Agreement) in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Acquire a Permanent Easement, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that the County shall pay the appropriate transfer tax and filing fees for such conveyance and record the deed.

CA-84-13  
CAB/ca/R-0886  
4/11/13  
Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

*William F.X. O'Neil*  
APPROVED  
William F.X. O'Neil  
Deputy County Executive

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 0

Total Current Year Revenue \$ 0  
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

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

#### Additional Comments/Explanation:

This fiscal impact statement pertains to the resolution request for the approval to substitute an existing permanent easement with a modified permanent easement for the realignment and continued maintenance of a stormwater drainage system along CR 32 Pleasant Ridge Road in the Town of Beekman.

Prepared by: Matthew W. Davis

## *Public Works and Capital Projects Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 18 - City of Beacon	Forman (VC)		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 12      0  
           Yes        No  
 Abstentions: 0

**2013125 AUTHORIZING MODIFICATION OF A PERMANENT EASEMENT OF REAL PROPERTY FOR THE REALIGNMENT OF A SECTION OF CR 32, PLEASANT RIDGE ROAD, TOWN OF BEEKMAN FROM CHARLES EDGERTON**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013125 AUTHORIZING MODIFICATION OF A PERMANENT EASEMENT OF REAL PROPERTY FOR THE REALIGNMENT OF A SECTION OF CR 32, PLEASANT RIDGE ROAD, TOWN OF BEEKMAN FROM CHARLES EDGERTON**

Date: May 13, 2013

Public Works & Capital Projects  
**Defeated in Public Works & Capital Projects 5/9/13**

RESOLUTION NO. 2013126

RE: FOR DUTCHESS COUNTY TO JOIN THE NYSAC-ENDORSED  
MUNICIPAL ELECTRICITY AND GAS ALLIANCE

Legislators TYNER, JETER-JACKSON, MacAVERY, and BLALOCK offer the following and move its adoption:

WHEREAS, the New York State Association of Counties has endorsed the Municipal Electricity and Gas Alliance (MEGA), and

WHEREAS, Ulster, Greene, Sullivan, and 28 other counties have joined MEGA to each save hundreds of thousands of dollars on electric bills each annually for their respective county buildings, and

WHEREAS, Dutchess County government needs to do everything it can to save tax dollars for local residents, and

WHEREAS, during the late 1990's NYSAC informed counties about deregulation of natural gas in New York State and the pending deregulation of electricity; in 1998, Tompkins and Tioga counties formed an energy alliance to take advantage of the deregulation of electricity; in 2000, Broome, Cortland, Schuyler, and Otsego counties joined the alliance, which reorganized as a non-profit, community-based local development corporation, and

WHEREAS, MEGA's Board of Directors and Staff; MEGA is governed by its 29 participating counties and an elected Board of Directors, and the Board meets quarterly and conducts an annual meeting and election of officers in April of each year, and therefore be it

RESOLVED, that the Dutchess County Legislature strongly urges that Dutchess County join MEGA, and be it further

RESOLVED, that a copy of this resolution is sent to our County Executive, Public Works Commissioner, and Finance Commissioner.

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Public Works and Capital Projects Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		✓
District 3 - Town of LaGrange	Borchert*		✓
District 6 - Town of Poughkeepsie	Flesland*		✓
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	✓	
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 5 - Town of Poughkeepsie	Roman		✓
District 7 - Town of Hyde Park	Perkins		✓
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		✓
District 18 - City of Beacon	Forman (VC)		✓
District 22 - Town of Beekman	Hutchings (C)		✓
District 24 - Towns of Dover and Union Vale	Surman		✓

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion: ✓

Total: 3  
 Yes  
 Abstentions: 0  
 No

*defeated*

JD - AM<sup>AC</sup>  
 First Resolved after the Legislature insert  
 "Examine the potential  
 cost savings and report  
 back to the legislature"

2013/26  
 5.9.13

# *Public Works and Capital Projects Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	3	1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	.	4
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	.	12
District 1 - Town of Poughkeepsie	Doxsey	.	5
District 5 - Town of Poughkeepsie	Roman		6
District 7 - Town of Hyde Park	Perkins	.	7
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		8
District 18 - City of Beacon	Forman (VC)		9
District 22 - Town of Beekman	Hutchings (C)		10
District 24 - Towns of Dover and Union Vale	Surman		11

Present: <u>12</u>	Resolution: <input checked="" type="checkbox"/>	Total: <u>0</u>	<u>12</u>
Absent: <u>0</u>	Motion: <u>    </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

defeated

**2013126 FOR DUTCHESS COUNTY TO JOIN THE NYSAC – ENDORSED MUNICIPAL ELECTRICITY AND GAS ALLIANCE**

Date: May 9, 2013

Resolution No. 2013126 was defeated on May 9, 2013 in Public Works and Capital Projects Committee. No further action was taken.

RESOLUTION NO. 2013127

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Legislators ROMAN, WILKINSON, FLESLAND, and HUTCHINGS offer the following and move its adoption:

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

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

WHEREAS, the District Attorney has requested that the sum of \$14,744 be placed in various District Attorney Asset Forfeiture accounts to be used for law enforcement efforts, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized and directed to amend the 2013 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.1165.05.4710	Furniture & Office Equipment - ND	\$ 1,192
A.1165.05.4160	Office Supplies	10,902
A.1165.05.4631	Training Seminars/Conf	2,000
A.1165.05.4400.4559	Contract Agencies Family Services	650
		<u>\$14,744</u>

REVENUES

Increase

A.9998.95110.01	State Reserve	<u>\$14,744</u>
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CA-83-13

JMF/ca/G-0135

4/11/13

Fiscal Impact: See attached statement

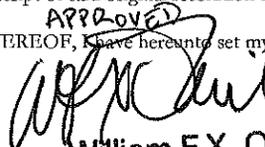
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

*APPROVED*  
  
 William F.X. O'Neil  
 Deputy County Executive

  
 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 14,744

Total Current Year Revenue \$ 14,744  
and Source

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

Identify Line Items(s):  
Please see attached.

Related Expenses:    Amount \$ \_\_\_\_\_  
Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

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

#### Additional Comments/Explanation:

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

Prepared by: Gina Barry/Deb Patora

# Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson (VC)		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman (C)		
District 12 - Town of East Fishkill	Weiss		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total: 12 0  
 Abstentions: 0 Yes No

**2013127 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY**

Date: May 9, 2013

# Roll Call Sheets

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

Present: 24  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total: 23 0  
           Yes      No  
 Abstentions: 1

2013127 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY

Date: May 13, 2013

Discussion on Resolution 2013127 resulted as follows:

Legislator Kelsey requested to abstain because he does business with the District Attorney's Office.

The foregoing resolution was adopted with Legislator Kelsey abstaining and Legislator Forman being absent.

RESOLUTION NO. 2013128

RE: AUTHORIZING GRANT AGREEMENT WITH NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT (NYSOEM) AND AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE (A.3410)

Legislators ROMAN, WILKINSON, SERINO, and DOXSEY offer the following and move its adoption:

WHEREAS, the Coordinator of the Department of Emergency Response has advised that the New York State Office of Emergency Management (NYSOEM) has awarded the County a Federal Emergency Management Agency (FEMA) Regional Hazard Mitigation Grant (C000590) in the sum of \$225,000 to engage in the process of multi-jurisdictional mitigation planning, and

WHEREAS, the County will submit a draft mitigation plan to NYS and FEMA for approval, and

WHEREAS, the grant covers the period September 19, 2012 through March 19, 2015, and

WHEREAS, the funding for this grant will come from NYSOEM in the amount of \$225,000 and a required non-federal local match of \$75,000 will be provided by direct payment from participating municipalities or in kind services, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2013 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, now therefore, be it

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

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2013 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.3410.4401.105 Prof. Services-Consultant \$225,000

REVENUES

Increase

A.3410.43050.08 Civil Defense Mitigation \$225,000

CA-82-13 CAB/ca/C-8512 4/11/13 Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

*William F.X. O'Neil*  
William F.X. O'Neil  
Deputy County Executive

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 225,000

Total Current Year Revenue \$ 225,000  
and Source

US Dept of Homeland Security- FEMA

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

Identify Line Items(s):

A.3410.4401.105 Professional Services- Consultants

Related Expenses:    Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_

Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

This FEMA grant awards \$225,000 in federal funds which requires a \$75,000 non-Federal matching share for a total approved project of \$300,000. It is Emergency Response's plan to use the county's position/ time cost, and the position/time cost of any municipality employee or volunteer who works on this project, as well as any material or equipment expenditures already budgeted as the non-Federal share.

Prepared by: Laurie Colgan, Department of Emergency Response

# Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson (VC)		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman (C)		
District 12 - Town of East Fishkill	Weiss		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

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

**2013128 AUTHORIZING GRANT AGREEMENT WITH THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT (NYSOEM) AND AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF EMERGENCY RESPONSE**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013128 AUTHORIZING GRANT AGREEMENT WITH THE NEW YORK STATE  
 OFFICE OF EMERGENCY MANAGEMENT (NYSOEM) AND AMENDING THE  
 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF  
 EMERGENCY RESPONSE**

Date: May 13, 2013

RESOLUTION NO. 2013129

RE: AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE WORKFORCE INVESTMENT ACT, THE TRADE ADJUSTMENT ASSISTANCE ACT AND THE NATIONAL EMERGENCY GRANT PHASE 2

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

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

WHEREAS, National Emergency Grants (NEGs) temporarily expand the service capacity of Workforce Investment Act Dislocated Worker training and employment programs at the state and local levels by providing funding assistance in response to large, unexpected economic events which cause significant job losses, and

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County for the operation of PY 2011 Hurricane Irene and Tropical Storm Lee Disaster National Emergency Grant Phase 2 funding for the period 01/01/13 through 12/31/13, for the operation of PY 2012 Title 1B Dislocated Worker Supplemental Funds for the period 07/01/12 through 06/30/13 and for the operation of FY 2012 TAA funding for the period 10/01/11 through 9/30/14 now, therefore be it

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

APPROPRIATIONS

Increase (Decrease)

**2011**

CD.6292.2011.4820	NEG Phase 2	\$ 15,749
-------------------	-------------	-----------

**2012**

CD.6292.2012.4807	T-1B Dislocated Worker Supplemental Funds	27,310
CD.6292.2012.4813	TAA Participant Funding	<u>27,872</u>
		<u>\$ 70,931</u>

REVENUES

Increase (Decrease)

**2011**

CD.6292.2011.47910.36                      NEG Phase 2                      \$ 15,749

**2012**

CD.6292.2012.47910.18                      T-1B Dislocated Worker  
Supplemental Funds                      27,310

CD.6292.2012.47910.22                      TAA Participant Funding                      27,872  
\$ 70,931

CA-89-13

LK/CRC/ca/G-1263

4/12/13

Fiscal Impact: See attached

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

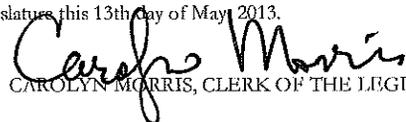
This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May 2013.

APPROVED



William F.X. O'Neil  
Deputy County Executive



CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 70,931

Total Current Year Revenue \$ 70,931  
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

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

Additional Comments/Explanation:

Prepared by: Laraine Kautz, Executive Director - Dutchess County Workforce Investment Board

LWIA: Dutchess County  
 Grantee: Marcus J. Molinaro  
 County Executive, Dutchess County

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

This NOA authorizes Program Year 2011 funding for the period (07/01/11 through 6/30/13), except Youth (04/01/11 through 6/30/13).  
 NEG-Disaster - Hurricane Irene/ Tropical Storm Lee 2011 (8/31/11 through 9/30/12).  
 Dislocated Worker Supplemental Funds (03/01/12 through 10/31/12).  
 NEG-Hurricane Irene/Lee Phase 2 (1/1/13 through 12/31/13).

NYSDDL Contact: Nancy Bell

TELEPHONE: (518) 457-0239

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-18 Youth	\$550,928.70	\$0.00	\$550,928.70
CFDA# 17.258, 17.259, 17.278 T-18 Admin	\$165,022.00	\$0.00	\$165,022.00
CFDA# 17.258 T-18 Adult	\$458,421.30	\$0.00	\$458,421.30
CFDA# 17.278 T-18 Dislocated Worker	\$455,848.00	\$0.00	\$455,848.00
CFDA# 17.277 T-18 NEG-Disaster-Hurricane 2011	\$863,016.11	\$0.00	\$863,016.11
CFDA# 17.278 T-18 Dislocated Worker Supplemental Funds	\$22,540.07	\$0.00	\$22,540.07
CFDA# 17.278 T-18 Dislocated Worker Transferred Funds for Adult Activities	\$20,000.00	\$0.00	\$20,000.00
CFDA# 17.277 T-18 NEG-Hurricane Irene/Lee Phase 2	\$4,795.88	\$15,748.44	\$20,544.32

Approved by:



Karen A. Coleman  
 Deputy Commissioner for Workforce Development

03/21/13

LWIA: Dutchess County  
 Grantee: Marcus J. Molinari  
 County Executive, Dutchess County

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

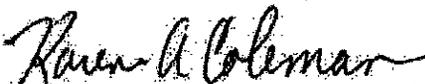
This NOA authorizes Program Year 2012 funding for the period (07/01/12  
 through 6/30/14), except Youth (04/01/12 through 6/30/14).  
 Dislocated Worker Supplemental Funds (07/01/12 through 06/30/13.)

NYSDOL Contact: Nancy Bell

TELEPHONE: (518) 457-0239

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-1B Youth	\$573,390.00	\$0.00	\$573,390.00
CFDA# 17.258,17.259,17.278 T-1B Admin	\$168,167.50	\$0.00	\$168,167.50
CFDA# 17.258 T-1B Adult	\$483,825.60	\$0.00	\$483,825.60
CFDA# 17.278 T-1B Dislocated Worker	\$456,291.90	\$0.00	\$456,291.90
CFDA# 17.278 T-1B Dislocated Worker Supplemental Funds	\$0.00	\$27,310.00	\$27,310.00

Approved by:



Karen A. Coleman  
 Deputy Commissioner for Workforce Development

03/22/13



**NYS Department of Labor**  
Trade Adjustment Act Report

**NOTICE OF OBLIGATIONAL AUTHORITY**

**LWIA# 60**

**GRANTEE:** LWIA: Dutchess

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

This NOA authorizes:

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

Program Year 2011 funding for the period (10/01/10 through 09/30/13).

Program Year 2012 funding for the period (10/01/11 through 09/30/14).

**CFDA# 17.245**

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
<b>FY10</b>			
Training	\$ 526,648.20	\$ 0.00	\$ 526,648.20
Job Search	\$ 211.00	\$ 0.00	\$ 211.00
Relocation	\$ 4,833.85	\$ 0.00	\$ 4,833.85
<b>FY11</b>			
Training	\$ 118,184.31	\$ 0.00	\$ 118,184.31
Relocation	\$ 4,260.00	\$ 0.00	\$ 4,260.00
<b>FY12</b>			
Training	\$ 85,030.33	\$ 20,006.00	\$ 85,036.33

Approved By:

*Karen A. Coleman*

Karen A. Coleman

Deputy Commissioner for Workforce Development

Dated: 3/29/2013



# NYS Department of Labor

## Trade Adjustment Act Report

**NOTICE OF OBLIGATIONAL AUTHORITY**

LWIA# 60

GRANTEE: LWIA: Dutchess

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

This NOA authorizes:

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

Program Year 2011 funding for the period (10/01/10 through 09/30/13).

Program Year 2012 funding for the period (10/01/11 through 09/30/14).

CFDA# 17.245

<u>TAA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
<b>FY10</b>			
Training	\$ 526,648.20	\$ 0.00	\$ 526,648.20
Job Search	\$ 211.00	\$ 0.00	\$ 211.00
Relocation	\$ 4,833.85	\$ 0.00	\$ 4,833.85
<b>FY11</b>			
Training	\$ 118,184.31	\$ 0.00	\$ 118,184.31
Relocation	\$ 4,260.00	\$ 0.00	\$ 4,260.00
<b>FY12</b>			
Training	\$ 57,165.04	\$ 7,865.29	\$ 65,030.33

Approved By:

Karen A. Coleman

Deputy Commissioner for Workforce Development

Dated: 3/15/2013

# *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 9 - City of Poughkeepsie	White	<i>absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 10      0  
                   Yes        No  
 Abstentions: 0

**2013129 AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE WORKFORCE INVESTMENT ACT, THE TRADE ADJUSTMENT ASSISTANCE ACT AND THE NATIONAL EMERGENCY GRANT PHASE 2**

Date: May 9, 2013

# Roll Call Sheets

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

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

2013129 AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE WORKFORCE INVESTMENT ACT, THE TRADE ADJUSTMENT ASSISTANCE ACT AND THE NATIONAL EMERGENCY GRANT PHASE 2

Date: May 13, 2013

RESOLUTION NO. 2013130

RE: AUTHORIZING PAYMENT OF 2012 UNENCUMBERED VOUCHERS FROM 2013 FUNDS – OFFICE FOR THE AGING (A.6772.50)

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

WHEREAS, the submission of vouchers following the close of the 2012 budget year has shown that there are outstanding payment invoices in the Office for the Aging in the sum of \$86.00 for services to said department 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 2012, 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 2013 funds is hereby approved from the following accounts in the amounts indicated:

<u>Line Item No.</u>		<u>Amount</u>
A.6772.50.4612	Repairs/Alt to Equip	\$86
CA-90-13		
ca/G-0101		
4/15/13		

Fiscal Impact: None. Reduction of 2013 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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

APPROVED  
  
 William F.X. O'Neil  
 Deputy County Executive

  
 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 86

Total Current Year Revenue \$ \_\_\_\_\_  
and Source

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

Identify Line Items(s):

A.6772.50.4612 - Repairs to Kitchen Equipment

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \$86

Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

The Fiscal Unit of the Office for the Aging did not know that this 2012 invoice existed until April 2013. Please pay the \$85.50 to Dutchess Restaturant Equipment out of 2013 funds to resolve this invoice.

Prepared by: Rhonda Wowaka, Business Manager, Office for the Aging (845) 486-2557

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 9 - City of Poughkeepsie	White	<i>absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 10      0  
                  Yes      No  
 Abstentions: 0

**2013130 AUTHORIZING PAYMENT OF 2012 UNENCUMBERED VOUCHERS FROM 2013 FUNDS – OFFICE FOR THE AGING**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013130 AUTHORIZING PAYMENT OF 2012 UNENCUMBERED VOUCHERS FROM 2013 FUNDS – OFFICE FOR THE AGING**

Date: May 13, 2013

RESOLUTION NO. 2013131

RE: AUTHORIZING PAYMENT OF 2012 UNENCUMBERED VOUCHERS FROM 2013 FUNDS – HEALTH DEPARTMENT (A.4010.01)

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

WHEREAS, the submission of vouchers following the close of the 2012 budget year has shown that there are outstanding payment invoices in the Department of Health in the sum of \$23,867 for services to said department 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 2012, 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 2013 funds is hereby approved from the following accounts in the amounts indicated:

<u>Line Item No.</u>		<u>Amount</u>
A.4010.01.4614	Security Services	\$23,867

CA-88-13  
ca/G-0153  
4/12/13

Fiscal Impact: None. Reduction of 2013 appropriations in amounts indicated.  
See attached statements

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

*William F. X. O'Neil*  
APPROVED  
William F.X. O'Neil  
Deputy County Executive

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS  
(To be completed by requesting department)

Total Current Year Cost \$ 23,867

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):  
A4010.01.4614

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \$ 0

Net County Cost (this year): \$ 23,867  
Over Five Years: \_\_\_\_\_

Additional Comments/Explanation:

Prepared by: *Maureen* 4/10/13

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 9 - City of Poughkeepsie	White	<i>absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 10 0  
           Yes      No  
 Abstentions: 0

**2013131 AUTHORIZING PAYMENT OF 2012 UNENCUMBERED VOUCHERS FROM 2013 FUNDS – HEALTH DEPARTMENT**

Date: May 9, 2013

# Roll Call Sheets

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

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

2013131 AUTHORIZING PAYMENT OF 2012 UNENCUMBERED VOUCHERS FROM 2013 FUNDS – HEALTH DEPARTMENT

Date: May 13, 2013



## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 12,030

Total Current Year Revenue \$ \_\_\_\_\_  
and Source

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

Identify Line Items(s):

A.4320.67.4420 Court Remands

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \$0

Net County Cost (this year): \$12,030  
Over Five Years: \$0

#### Additional Comments/Explanation:

To allow for payment of 2012 local share of Criminal Court and/or Family Court and/or Section 508 Correction Law admissions cases in 2013. The amount requested is the amount that exceeds the 2012 encumbrances.

Prepared by: Gerald A. Brisley, II, MBA, Division Chief - Administrative Operations

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 9 - City of Poughkeepsie	White	<i>absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	
Present: <u>10</u>	Resolution: <u>✓</u>	Total :	<u>10</u> <u>0</u>
Absent: <u>1</u>	Motion: <u>—</u>	Abstentions:	Yes <u>0</u> No
Vacant: <u>0</u>			

**2013132 AUTHORIZING PAYMENT OF 2012 UNENCUMBERED VOUCHERS FROM 2013 FUNDS – MENTAL HYGIENE**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013132 AUTHORIZING PAYMENT OF 2012 UNENCUMBERED VOUCHERS FROM 2013 FUNDS – MENTAL HYGIENE**

Date: May 13, 2013

RESOLUTION NO. 2013133

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE

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

WHEREAS, Lexington Center for Recovery, Inc. provided services for the year 2012 pursuant to the allowable amount in the state funding letter and these services have been claimed on the agency's Consolidated Fiscal Reports, and

WHEREAS, the 2012 expenditures were not estimated/anticipated by the agency at the end of 2012 and, therefore, the expenditures were not encumbered, and

WHEREAS, New York State will pay 100 percent of the cost of the programs, and

WHEREAS, now that the estimated claims have been received and the funding is available from NYS and in the contract, it is necessary to amend the 2013 Adopted County Budget to provide for the receipt and expenditure of these funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2013 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.4320.42.4400.4436 Contract agency-Lexington \$ 21,175

REVENUES

Increase

A.4320.42.34900.35 MH - Lexington \$ 21,175

CA-78-13

ca/G-0167

4/10/13

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

*William F.X. O'Neil*  
William F.X. O'Neil  
Deputy County Executive

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

May 22- 2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 21,175

Total Current Year Revenue \$ 21,175  
and Source

NYS OASAS

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

Identify Line Items(s):

Related Expenses:    Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \$0

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

#### Additional Comments/Explanation:

To allow for full reimbursement of 100% state aid funded 2012 net deficit claim for Lexington Center for Recover, Inc. These expenditures were not estimated/anticipated at the end of 2012 and therefore the expenditures were not encumbered. Now that the estimated claims have been received, and as the funding is available from NYS and in the contract, we are amending the 2013 budget to allow payment for these unanticipated claims.

Prepared by: Gerald A. Brisley, II, MBA, Division Chief - Administrative Operations

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 9 - City of Poughkeepsie	White	<i>absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 10 0  
           Yes      No  
 Abstentions: 0

**2013133 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE**

Date: May 9, 2013

# Roll Call Sheets

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

Present: 24  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 24 0  
           Yes      No  
 Abstentions: 0

**2013133 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE**

Date: May 13, 2013

RESOLUTION NO. 2013134

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE

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

WHEREAS, Occupations, Inc. provided services for the year 2012 pursuant to the allowable amount in the state funding letter and these services have been claimed on the agency's Consolidated Fiscal Reports, and

WHEREAS, the 2012 expenditures were not estimated/anticipated by the agency at the end of 2012 and, therefore, the expenditures were not encumbered, and

WHEREAS, New York State will pay 100 percent of the cost of the programs, and

WHEREAS, now that the estimated claims have been received and the funding is available from NYS and in the contract, it is necessary to amend the 2013 Adopted County Budget to provide for the receipt and expenditure of these funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2013 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.4320.42.4400.4465 Contract agency-Occupations \$ 55,030

REVENUES

Increase

A.4320.42.34900.63 MH - Occupations \$ 55,030

CA-79-13

ca/G-0167

4/10/13

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

*William F.X. O'Neil*  
APPROVED  
William F.X. O'Neil  
Deputy County Executive

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 55,030

Total Current Year Revenue \$ 55,030  
and Source

NYS OMH

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

Identify Line Item(s):  
See Attached

Related Expenses:    Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

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

#### Additional Comments/Explanation:

This resolution will allow for full 100% state aid reimbursement as claimed for 2012 by Occupations, Inc. These expenditures were not estimated / anticipated by the agency at the end of 2012, and therefore were not encumbered. Now that the estimated claims have been received, and as the funding is available from NYS and in the contract, we are amending the 2013 budget to allow payment for these unanticipated claims.

Prepared by: Gerald A. Brisley, II, MBA, Division Chief- Administrative Operations

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 9 - City of Poughkeepsie	White	<i>absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 10      0  
                   Yes            No  
 Abstentions: 0

**2013134 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE**

May 9, 2013

# Roll Call Sheets

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

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

2013134 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE

May 13, 2013

RESOLUTION NO. 2013135

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE

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

WHEREAS, Lexington Center for Recovery, Inc. provided services for the year 2011 pursuant to the allowable amount in the state funding letter and these services have been claimed on the agency's Consolidated Fiscal Reports, and

WHEREAS, the 2011 expenditures were not estimated/anticipated at the end of 2011 and, therefore, the expenditures were not encumbered, and

WHEREAS, the claims have been made and accepted by the state as payable upon closeout, and

WHEREAS, New York State will pay 100 percent of the cost of the programs, and

WHEREAS, now that the estimated claims have been received and the funding is available from NYS and in the contract, it is necessary to amend the 2013 Adopted County Budget to provide for the receipt and expenditure of these funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2013 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.4320.42.4400.4436 Contract agency-Lexington \$145,912

REVENUES

Increase

A.4320.42.34900.35 MH - Lexington \$145,912

CA-80-13  
ca/G-0167  
4/10/13

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

APPROVED

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

William F.X. O'Neil  
Deputy County Executive

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 145,912

Total Current Year Revenue \$ 145,912  
and Source

NYS OASAS

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

Identify Line Items(s):

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \$0

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

#### Additional Comments/Explanation:

NYS OASAS has allowed \$145,912 in additional 100% State Aid funding on closeout for 2011 for the Lexington Center for Recovery (LCFR). The resolution will amend the 2013 revenues and appropriations to recognize the revenue and allow for payment in 2013 for this 2011 100% State Aid funded expense for LCFR.

Prepared by: Gerald A. Brisley, II, MBA, Division Chief - Administrative Operations

# *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 9 - City of Poughkeepsie	White	<i>absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 10 0  
           Yes       No  
 Abstentions: 0

**2013135 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE**

May 9, 2013

# Roll Call Sheets

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

Present: 24  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 24      0  
                   Yes            No  
 Abstentions: 0

**2013135 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE**

May 13, 2013

RESOLUTION NO. 2013136

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE

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

WHEREAS, the Commissioner of Mental Hygiene has advised that New York State Office of Mental Health (OMH) is providing one-time Health Information Technology (HIT) funding to assist former Targeted Case Management (TCM) providers that are now Health Home Care Managers (HHCM) in developing electronic care management system capacity to share information with their respective Health Homes and Health Home network providers, and

WHEREAS, Health Homes have been created to manage the care of Medicaid patients across New York State, and

WHEREAS, this 100% pass through grant funding must be expended by June 30, 2013, and

WHEREAS, it is necessary to amend the 2013 Adopted County Budget to provide for the receipt and expenditure of these funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2013 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.4320.42.4400.4423 Contract agency-MHA \$117,972

REVENUES

Increase

A.4320.42.34900.07 Contract agency - MHA \$117,972

CA-81-13  
ca/G-0167  
4/10/13

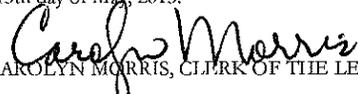
Fiscal Impact: See attached statement  
STATE OF NEW YORK

ss:  
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

APPROVED  
  
William F.X. O'Neil  
Deputy County Executive

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 117,972

Total Current Year Revenue \$ 117,972

and Source  
NYS OMH

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

Identify Line Items(s):

Related Expenses:    Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \$0

Net County Cost (this year): \$0

Over Five Years: \$0

#### Additional Comments/Explanation:

To accept 100% funded state aid from NYS OMH for the MHA to utilize for Health Information Technology (HIT) to assist in developing an electronic care management system capacity to share information with the Health Home and Health Home network providers.

Prepared by: \_\_\_\_\_

# *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 9 - City of Poughkeepsie	White	<i>absent</i>	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 10      0  
                   Yes            No  
 Abstentions: 0

**2013136 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE**

Date: May 9, 2013

# Roll Call Sheets

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

Present: 24  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 24      0  
                   Yes            No  
 Abstentions: 0

**2013136 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE**

Date: May 13, 2013

RESOLUTION NO. 2013137

RE: SETTING A PUBLIC HEARING FOR  
ACQUISITION OF A CONSERVATION  
EASEMENT FOR FISHKILL FARMS  
IN THE TOWN OF EAST FISHKILL,  
DUTCHESS COUNTY, NEW YORK.

Legislators TRAUDT, FLESLAND, HORTON, HUTCHINGS, WEISS,  
BOLNER, BORCHERT, and THOMES offer the following and move its adoption:

WHEREAS, in response to the application from the Dutchess County Agriculture and Farmland Protection Board, the New York State Department of Agriculture and Markets awarded Dutchess County a Farmland Protection Implementation Grant up to a maximum amount of \$1,939,688 to purchase a conservation easement on Fishkill Farms located at 9 Fishkill Farms Road in the Town of East Fishkill, and

WHEREAS, this Legislature by County Resolution No. 2010176 authorized the County Executive to execute Grant Agreement C800752 with New York State and proceed with the implementation of the Farmland Protection Implementation Grant, and

WHEREAS, a certified appraisal approved by the State has established the value of a Conservation Easement on 266.03 acres of the Fishkill Farms property at \$2,432,000, or \$9,142 per acre, and

WHEREAS the State has established the total cost of the project at \$2,505,799 including appraised easement value and administrative costs associated with the acquisition, and

WHEREAS, funding is to be provided by contributions of \$1,879,810 from the NYS Farmland Implementation Grant, \$618,177 from the Landowners, and \$812 and \$7,000 in cash and in-kind services respectively from Dutchess Land Conservancy, and

WHEREAS, no matching funds from the Dutchess County Partnership for Manageable Growth Open Space and Farmland Protection Matching Grant Program were requested to complete the Fishkill Farms acquisition, and

WHEREAS, Dutchess Land Conservancy shall serve as Lead Grantee and assume primary responsibility to monitor and enforce the agricultural conservation easement, and

WHEREAS, the Dutchess County Partnership for Manageable Growth Open Space and Farmland Protection Matching Grant Program and General Municipal Law Section 247 require a public hearing on the issue before final authorization thereof, now, therefore, be it

RESOLVED, that this Legislature shall conduct a public hearing on the 10th day of June, 2013, at 7 P.M. in the Dutchess County Legislative Chambers, County Office Building, 22 Market Street, Poughkeepsie, New York 12601 with respect to the acquisition of an agricultural conservation easement on a 266.03-acre portion of Fishkill Farms located at 9 Fishkill Farms Road, Hopewell Junction, in the Town of East Fishkill, Dutchess County, New York, and be it further

RESOLVED, that the Clerk of the Legislature is directed and empowered to give notice of said hearing pursuant to law.

CA-86-13  
C-7902  
CAB/kvh  
4/30/2013

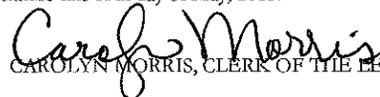
Fiscal Impact: See attached statement

STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

APPROVED  
  
William F.X. O'Neil  
Deputy County Executive

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 1,879,810

Total Current Year Revenue \$ 1,879,810  
and Source

NYS FPIG C-800752, Agriculture and Farmland Protection

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

Identify Line Items(s):

No County funds to be expended for this project.

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \$0

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

#### Additional Comments/Explanation:

The acquisition of a conservation easement on the Fishkill Farms property will be funded by a Farmland Protection Implementation Grant (FPIG) from the NYS Department of Agriculture and Markets, NYS Agreement No. C-800752, in the amount of \$1,879,810.

No Dutchess County Partnership for Manageable Growth funds will be used to complete this project.

When the grant was approved in resolution 2010176, the projected amount was \$1,939,688, however, the final state approved amount is \$1,879,810, therefore, this resolution also adjusts the previously established appropriations and revenues.

Prepared by: Noela Hooper, Senior Planner, Department of Planning and Development

# *Environment Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt (C)		
District 21 - Town of East Fishkill	Horton		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 12      0  
                   Yes            No  
 Abstentions: 0

**2013137 SETTING A PUBLIC HEARING FOR ACQUISITION OF A  
 CONSERVATION EASEMENT FOR FISHKILL FARMS IN THE TOWN OF EAST  
 FISHKILL, DUTCHESS COUNTY, NEW YORK**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013137 SETTING A PUBLIC HEARING FOR ACQUISITION OF A CONSERVATION EASEMENT FOR FISHKILL FARMS IN THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK**

Date: May 13, 2013

RESOLUTION NO. 2013138

RE: AUTHORIZING CIRCULATION FOR DESIGNATION OF DUTCHESS COUNTY AS LEAD AGENCY FOR THE ACQUISITION OF A CONSERVATION EASEMENT FOR THE FISHKILL FARMS IN THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK.

Legislators TRAUDT, FLESLAND, HORTON, HUTCHINGS, WEISS, BOLNER, BORCHERT, and THOMES offer the following and move its adoption:

WHEREAS, the County is considering execution and ultimate implementation of a New York State Department of Agriculture and Markets Farmland Protection Implementation Grant Agreement which would provide for the acquisition of conservation easement of approximately 266.03 acres on the Fishkill Farms located at 9 Fishkill Farms Road, Hopewell Junction, Town of East Fishkill, Dutchess County, New York, and

WHEREAS, acquisition of a conservation easement on 266.03 acres of land is a Type I Action pursuant to the New York State Environmental Quality Review Act, and

WHEREAS, the County is an involved agency and the Department of Planning and Development after review of Part 1 of the Full Environmental Assessment Form (copy attached), completed by the Dutchess Land Conservancy, for the proposed action, also identifies the New York State Department of Agriculture and Markets, as an involved agency, and

WHEREAS, 6 NYCRR, Part 617, requires the designation of a lead agency from among the involved agencies before a determination of significance can be made, and

WHEREAS, a determination of significance must be made before full project review can commence, and

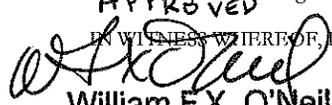
WHEREAS, it is the purpose of this Resolution, among other things, to authorize Dutchess County to seek lead agency status, as the agency which will directly undertake and coordinate this project, now, therefore, be it

RESOLVED, that Dutchess County declares its intent to act as lead agency in connection with the above referenced project and the County Executive, or his designee, is hereby authorized to undertake the necessary steps to administer the environmental review of the project, including but not limited to circulation of a notice seeking designation of Dutchess County as lead agency.

CA-87-13  
CAB/kvh/C-7902  
5/14/13  
Fiscal Impact: See attached statement  
STATE OF NEW YORK

COUNTY OF DUTCHESS ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

APPROVED  
  
William F.X. O'Neil  
Deputy County Executive  
5-22-2013

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ \_\_\_\_\_

Total Current Year Revenue \$ \_\_\_\_\_  
and Source

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

Identify Line Items(s):

Related Expenses:    Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

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

#### Additional Comments/Explanation:

There are no costs associated with environmental review of this project.

Prepared by: Noela Hooper, Dutchess County Department of Planning and Development

**PART 1--PROJECT INFORMATION**  
**Prepared by Project Sponsor**

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action PURCHASE OF DEVELOPMENT RIGHTS ON FARMLAND (FISHKILL FARMS)

Location of Action (include Street Address, Municipality and County)

9 FISHKILL FARMS ROAD, HOPEWELL JUNCTION, NEW YORK, 12533

Name of Applicant/Sponsor DUTCHESS COUNTY

Address 22 MARKET STEET

City / PO POUGHKEEPSIE State NY Zip Code 12601

Business Telephone 845-486-2110

Name of Owner (if different) Fishkill Farms Realty Associates, LLC and Robert M. Morgenthau and Lucinda Franks Morgen

Address 9 Fishkill Farms Road

City / PO Hopewell Junction State NY Zip Code 12533

Business Telephone \_\_\_\_\_

Description of Action:

Purchasing Development Rights/Establishing a Conservation Easement to protect 266 acres on a Farm Property.

Please Complete Each Question--Indicate N.A. if not applicable

**A. SITE DESCRIPTION**

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use:  Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Other \_\_\_\_\_

2. Total acreage of project area: 266.03 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>0</u> acres	<u>0</u> acres
Forested	<u>102</u> acres	<u>102</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>145</u> acres	<u>145</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>13</u> acres	<u>13</u> acres
Water Surface Area	<u>5</u> acres	<u>5</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>1.3</u> acres	<u>1.3</u> acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? CuB, CwA, GsB, SkB, SkC, Ca, Wy

- a. Soil drainage:  Well drained 66 % of site  Moderately well drained 8 % of site.  
 Poorly drained 23 % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? 232 acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site?  Yes  No

a. What is depth to bedrock >5 (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% 83 %  10- 15% \_\_\_\_\_ %  15% or greater 17 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places?  Yes  No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks?  Yes  No

8. What is the depth of the water table? >6 (in feet)

9. Is site located over a primary, principal, or sole source aquifer?  Yes  No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area?  Yes  No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  Yes  No

According to:

[Empty box for species identification]

Identify each species:

[Empty box for species identification]

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes  No

Describe:

[Empty box for description]

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes  No

If yes, explain:

[Empty box for explanation]

14. Does the present site include scenic views known to be important to the community?  Yes  No

The Property is highly visible from East Hook Road and East Hook Cross Road, both public highways, and from portions of the Appalachian Trail.

15. Streams within or contiguous to project area:

Wicopee Creek and a tributary to the Wicopee Creek

a. Name of Stream and name of River to which it is tributary

The Property contains over 1,800 feet of frontage along an unclassified tributary (H-95-8-2) to the Wicopee Creek (H-95-8) and over 1,100 feet of creek frontage along the Wicopee Creek, a tributary of the Fishkill Creek and a Class C(T) creek

16. Lakes, ponds, wetland areas within or contiguous to project area:

The Property contains Freshwater Wetland No. HJ-57, a Class 2 wetland that is fed directly by the Wicopee Creek. The Property contains wetlands designated on the National Wetlands Inventory by the U.S. Department of the Interior. The property contains one pond.

b. Size (in acres):

New York State regulated wetland - approximately 13 acres in size  
Wetland on National Wetlands Inventory - approximately 23 acres in size on the Property  
Pond - approximately five acres in size

17. Is the site served by existing public utilities?  Yes  No
- a. If YES, does sufficient capacity exist to allow connection?  Yes  No
- b. If YES, will improvements be necessary to allow connection?  Yes  No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617?  Yes  No
20. Has the site ever been used for the disposal of solid or hazardous wastes?  Yes  No

**B. Project Description**

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 266.03 acres.
- b. Project acreage to be developed: 0 acres initially; 0 acres ultimately.
- c. Project acreage to remain undeveloped: 266.03 acres.
- d. Length of project, in miles: n/a (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. n/a %
- f. Number of off-street parking spaces existing n/a; proposed n/a
- g. Maximum vehicular trips generated per hour: n/a (upon completion of project)?
- h. If residential: Number and type of housing units:
- |            | One Family | Two Family                  | Multiple Family             | Condominium                 |
|------------|------------|-----------------------------|-----------------------------|-----------------------------|
| Initially  | <u>1</u>   | <u>                    </u> | <u>                    </u> | <u>                    </u> |
| Ultimately | <u>2</u>   | <u>                    </u> | <u>                    </u> | <u>                    </u> |
- i. Dimensions (in feet) of largest proposed structure:                      height;                      width;                      length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 6,000 ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.
3. Will disturbed areas be reclaimed  Yes  No  N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- 
- b. Will topsoil be stockpiled for reclamation?  Yes  No
- c. Will upper subsoil be stockpiled for reclamation?  Yes  No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes  No

6. If single phase project: Anticipated period of construction: n/a months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated n/a (number)

b. Anticipated date of commencement phase 1: n/a month \_\_\_\_\_ year, (including demolition)

c. Approximate completion date of final phase: n/a month \_\_\_\_\_ year.

d. Is phase 1 functionally dependent on subsequent phases?  Yes  No

8. Will blasting occur during construction?  Yes  No

9. Number of jobs generated: during construction 0; after project is complete 0

10. Number of jobs eliminated by this project 0.

11. Will project require relocation of any projects or facilities?  Yes  No

If yes, explain:

12. Is surface liquid waste disposal involved?  Yes  No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount \_\_\_\_\_

b. Name of water body into which effluent will be discharged \_\_\_\_\_

13. Is subsurface liquid waste disposal involved?  Yes  No Type \_\_\_\_\_

14. Will surface area of an existing water body increase or decrease by proposal?  Yes  No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain?  Yes  No

16. Will the project generate solid waste?  Yes  No

a. If yes, what is the amount per month? \_\_\_\_\_ tons

b. If yes, will an existing solid waste facility be used?  Yes  No

c. If yes, give name \_\_\_\_\_; location \_\_\_\_\_

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill?  Yes  No

e. If yes, explain:

17. Will the project involve the disposal of solid waste?  Yes  No

a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.

b. If yes, what is the anticipated site life? \_\_\_\_\_ years.

18. Will project use herbicides or pesticides?  Yes  No

19. Will project routinely produce odors (more than one hour per day)?  Yes  No

20. Will project produce operating noise exceeding the local ambient noise levels?  Yes  No

21. Will project result in an increase in energy use?  Yes  No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity unkn gallons/minute.

23. Total anticipated water usage per day unkn gallons/day.

24. Does project involve Local, State or Federal funding?  Yes  No

If yes, explain:

Grant awarded from New York State Department of Agriculture and Markets in the amount of \$1,879,810.

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
City, County Health Department	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	County Dept of Health engineer signature required to file survey of easement	upon completion of survey map
Other Local Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Dutchess County Farmland Protection Board (approved)	2008
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	New York State Dept of Agriculture and Markets	Contract agreement May 2009
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision?  Yes  No

If Yes, indicate decision required:

- |   |   |  |                                      |
|---|---|--|--------------------------------------|
| <input type="checkbox"/> Zoning amendment | <input type="checkbox"/> Zoning variance    | <input type="checkbox"/> New/revision of master plan | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site plan        | <input type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan    | <input type="checkbox"/> Other       |

2. What is the zoning classification(s) of the site?

R-1, Residential, One acre per unit  
I-1, Light Industrial District

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

233 units

4. What is the proposed zoning of the site?

n/a

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

n/a

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?  Yes  No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

Land use(s):  
Residential, agricultural and light industrial

Zoning classification:  
R-1, Residential, One acre per unit;  
R-2, Residential, Two acres per unit;  
I-1, Light Industrial District

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?  Yes  No

9. If the proposed action is the subdivision of land, how many lots are proposed? n/a

a. What is the minimum lot size proposed? \_\_\_\_\_

10. Will proposed action require any authorization(s) for the formation of sewer or water districts?  Yes  No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes  No

a. If yes, is existing capacity sufficient to handle projected demand?  Yes  No

12. Will the proposed action result in the generation of traffic significantly above present levels?  Yes  No

a. If yes, is the existing road network adequate to handle the additional traffic.  Yes  No

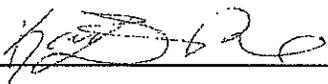
**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Dutchess Land Conservancy (on behalf of DC FPB) Date 04-08-2013

Signature 

Title Senior Land Projects Manager

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



# Fishkill Farms Property

9 Fishkill Farms Road  
 East Hook / East Hook Cross Road,  
 Town of East Fishkill, Dutchess County, NY

286.03 Acres (proposed easement)

2000 0 2000 4000 Feet

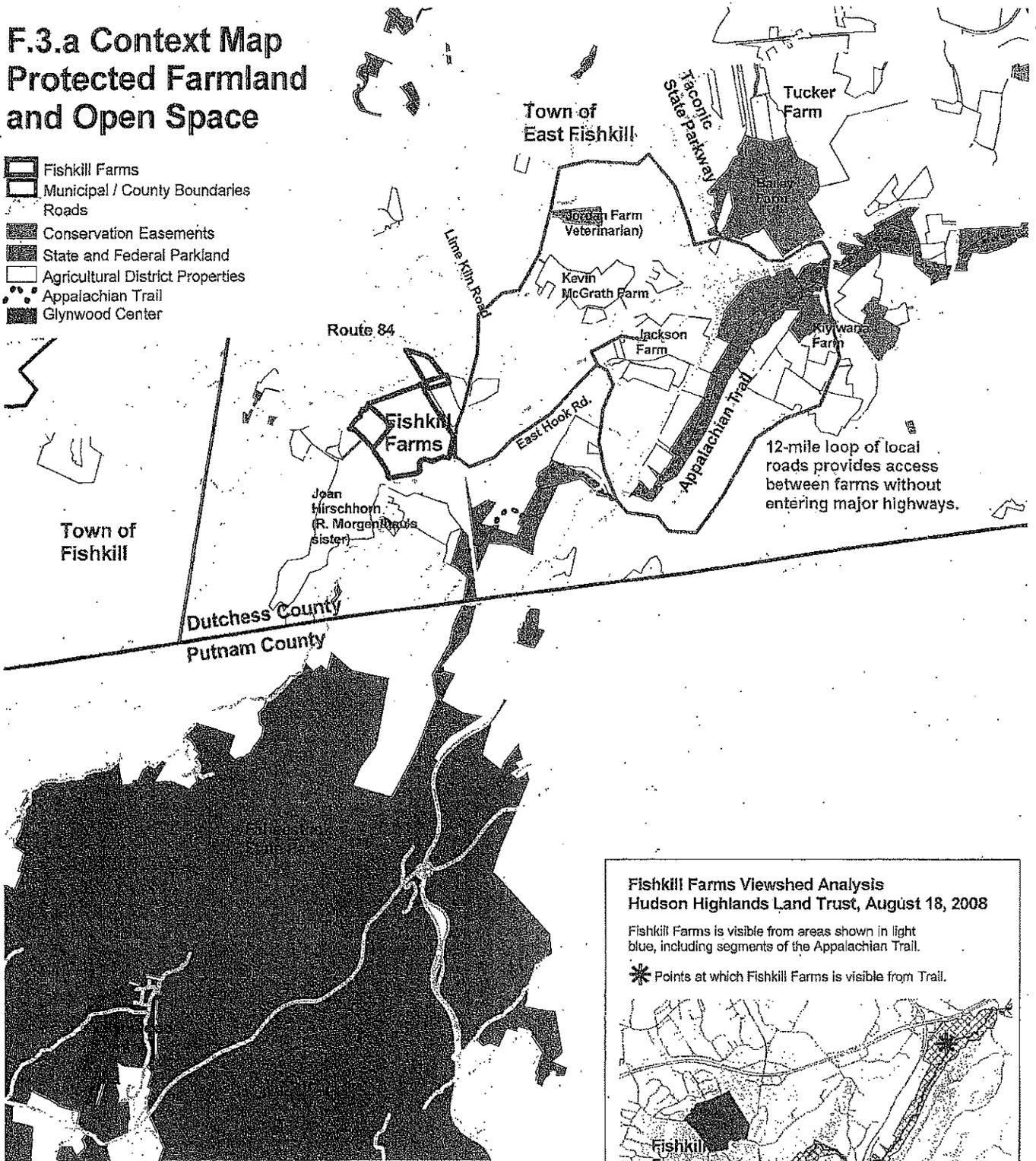


## Context Resources

-  Property
-  Woods
-  DLC Easement
-  Protected by Conservation Orgs
-  Protected by Government
-  Critical Environmental Area
-  Threatened Species Location
-  Scenic Views
-  Streams
-  DEC Wetlands

# F.3.a Context Map Protected Farmland and Open Space

-  Fishkill Farms
-  Municipal / County Boundaries
-  Roads
-  Conservation Easements
-  State and Federal Parkland
-  Agricultural District Properties
-  Appalachian Trail
-  Glynwood Center

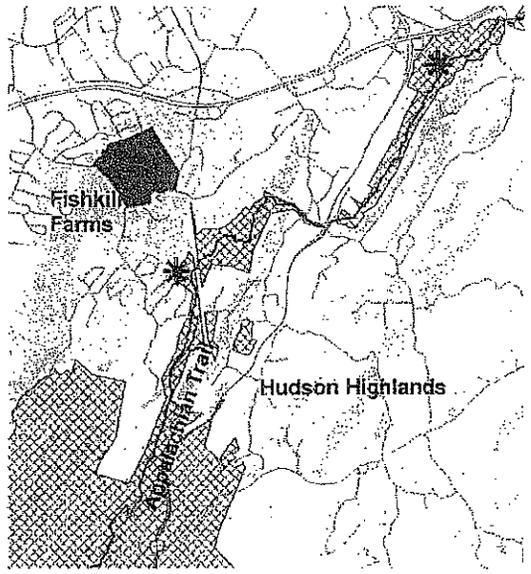


12-mile loop of local roads provides access between farms without entering major highways.

## Fishkill Farms Viewshed Analysis Hudson Highlands Land Trust, August 18, 2008

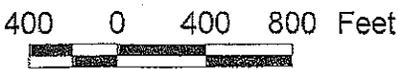
Fishkill Farms is visible from areas shown in light blue, including segments of the Appalachian Trail.

\* Points at which Fishkill Farms is visible from Trail.



# Fishkill Farms

East Hook and Lime Kiln Roads  
Town of East Fishkill, Dutchess County, NY  
September 7, 2008



# *Environment Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt (C)		
District 21 - Town of East Fishkill	Horton		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 12     0  
           Yes        No  
 Abstentions: 0

**2013138 AUTHORIZING CIRCULATION FOR DESIGNATION OF DUTCHESS COUNTY AS LEAD AGENCY FOR THE ACQUISITION OF A CONSERVATION EASEMENT FOR THE FISHKILL FARMS IN THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013138 AUTHORIZING CIRCULATION FOR DESIGNATION OF DUTCHESS COUNTY AS LEAD AGENCY FOR THE ACQUISITION OF A CONSERVATION EASEMENT FOR THE FISHKILL FARMS IN THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK**

Date: May 13, 2013

RESOLUTION NO. 2013139

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENTS OF PLANNING AND COMMUNITY DEVELOPMENT (A.8020) AND COMMUNITY AND FAMILY SERVICES (A.6070 and A.6119)

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

WHEREAS, in 2013 the County Executive established a new Agency Partner Grant Program and allocated funds in the Department of Planning and Community Development budget for this purpose, and

WHEREAS, when the allocations were determined, one program was identified as being able to receive 50% State reimbursement through the Department of Community and Family Services, and

WHEREAS, in order to maximize revenue and the use of the grant funds, it is necessary to amend the 2013 Adopted County Budget to move 50% of the allocated amount to the Department of Community and Family Services and increase the Department of Community and Family Services budget for the State portion, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2013 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.6070.4413	Competitive Grant Program	\$42,692
-------------	---------------------------	----------

Decrease

A.8020.4413	Competitive Grant Program	<u>21,346</u>
		<u>\$21,346</u>

REVENUE

Increase

A.6119.36700.02	Family & Child RF2	<u>\$21,346</u>
-----------------	--------------------	-----------------

CA-85-13

CAB/ca/G-0179

4/11/13

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

APPROVED  
  
 William F.X. O'Neil  
 Deputy County Executive

  
 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 21,346

Total Current Year Revenue \$ 21,346  
and Source

50% State Aid

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

Identify Line Items(s):

See Attached

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_

Over Five Years: \_\_\_\_\_

#### Additional Comments/Explanation:

The County can maximize State revenue by moving grant funding from Planning to DCFS.

Prepared by: Jessica White, Budget office

# *Environment Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt (C)		
District 21 - Town of East Fishkill	Horton		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 12 0  
           Yes       No  
 Abstentions: 0

**2013139 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENTS OF PLANNING AND COMMUNITY DEVELOPMENT AND COMMUNITY AND FAMILY SERVICES**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013139 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENTS OF PLANNING AND COMMUNITY DEVELOPMENT AND COMMUNITY AND FAMILY SERVICES**

Date: May 13, 2013

Government Services & Administration  
Mailed 4-22-13  
Emailed 4-22-13  
Placed in boxes 4-22-13

RESOLUTION NO. 2013140

RE: LOCAL LAW NO. 6 OF 2013, A LOCAL LAW  
TO AMEND LOCAL LAW NO. 5 OF 1980, WHICH  
CREATED THE DUTCHESS COUNTY SELF-INSURED  
WORKERS' COMPENSATION PLAN

Legislators ROLISON and FLESLAND Offer the following and move its  
adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No.  
6 of 2013 which has been submitted this day for consideration by said Legislature.

CA-92-13  
JMF/ca/G-0620-A  
4/19/13

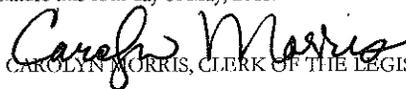
Fiscal Impact: None

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 5/30/2013

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 6 of 2013

RE: A LOCAL LAW A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1980, WHICH CREATED THE DUTCHESS COUNTY SELF-INSURED WORKERS' COMPENSATION PLAN

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

**SECTION 1. LEGISLATIVE INTENT.** Local Law No. 5 of 1980 is hereby amended. The amendment contained herein shall provide a more efficient and comprehensive basis for the Dutchess County Self-Insurance Workers' Compensation Plan.

**SECTION 2.** Local Law No. 5 of 1980 is hereby amended as follows:

**ARTICLE I**

SECTION 1. PURPOSE: A Local Law to amend Local Law Number 5 of 1980, which then established the "Dutchess County Self-Insured Workers' Compensation Plan" and to provide for the administration thereof pursuant to Article 5 of the Workers' Compensation Law, Section 207-a and 207-c of General Municipal Law, Volunteer Firefighters Benefits Law, and Volunteer Ambulance Workers' Benefits Law.

**ARTICLE II**

SECTION 1. A plan for self-insurance provided for in Article 5 of the Workers' Compensation Law of the State of New York is hereby established and shall be known as the "Dutchess County Self-Insured Workers' Compensation Plan" (hereinafter referred to as the "Plan").

**ARTICLE III – PLAN MANAGER**

SECTION 1. The Self-Insured Plan hereby established shall be administered by Dutchess County's Director of Risk Management, (hereinafter referred to as the "Plan Manager").

SECTION 2. In addition to those rules and regulations set forth herein, the Plan Manager shall have the authority to promulgate further regulations to ensure the fair and equitable administration of the Plan.

SECTION 3. The Plan Manager, on behalf of the Plan, may solicit contracts for professional, consultant, and management services as deemed necessary and within its appropriation. Acquisition of all contracts and services by the Plan Manager shall be done pursuant to the procurement requirements of the General Municipal Law and/or procurement policies of the County of Dutchess.

**ARTICLE IV – PARTICIPANTS**

SECTION 1. Cities, towns, villages, and public corporations within Dutchess County shall be eligible to apply for participation in the Plan. Entry into the Plan is within the discretion of the County of Dutchess, upon the approval of the Plan Manager. Each entity applying for admission to the Plan shall submit the following to the Plan Manager: a certified copy of a resolution of its governing body electing to become a participant, a five-year claims history, a list of current employees with job titles and salaries, the locations of its facilities and any other information deemed by the Plan Manager to be necessary to ascertain the participant's suitability for the Plan.

SECTION 2. Any participant may withdraw annually from the Plan by filing with the Plan Manager a certified copy of a resolution of its governing body evincing its intent to withdraw sixty (60) days in advance of its anniversary date, upon the condition that it agrees to pay its proportionate share of the estimated liabilities of the Plan at the time of withdrawal. Payment of such liabilities shall be made pursuant to the provisions of the Workers' Compensation Law.

SECTION 3. Each participant in the Plan shall cooperate fully with the Plan Manager in the administration of the Plan and shall render such reports as may be requested annually, within thirty (30) days of the close of each calendar year and at such other times as the Plan Manager may require, and shall promptly furnish all pertinent information relative to any claim and aid in the investigation of any claim involving such participant.

SECTION 4. If any participant violates any of the provisions of the foregoing Section 3, Article IV or the requirements of the Workers' Compensation Law, the Plan Manager may charge the participant a lump sum penalty not to exceed the sum of One Thousand and 00/100 (\$1,000.00) Dollars. Alternatively, the Plan Manager may expel such participant from the Plan and determine the amount of the share of such participant in outstanding claims, if any, for which the participant shall be responsible.

SECTION 5. The share of each participant in the Plan shall be assessed as provided in Sections 67 and 71 of the Workers' Compensation Law (by using an "experience rating basis" derived from past liability of participants), and the share of each city, village, town, or public corporation in the Plan shall be paid in accordance with Section 67 of the Workers' Compensation Law.

#### ARTICLE V - EXCESS WORKERS' COMPENSATION INSURANCE

SECTION 1. The Plan Manager shall acquire and keep in force during the life of the Plan, an Excess Workers' Compensation and Employers' Liability Insurance Policy, the cost thereof to be paid from the funds of the Plan.

#### ARTICLE VI - CUSTODIAN OF FUNDS

SECTION 1. The Dutchess County Commissioner of Finance, pursuant to the provision of Section 64 of the Workers' Compensation Law, shall be the custodian of the

moneys of the Plan and shall disburse the same in conformity with the direction of Section 64(2) of such statute.

SECTION 2. As an alternative to the foregoing Article VI, Section 1, in the event the Plan Manager determines that it is necessary to contract with a third party claims administrator to assist with the administration of the Plan, the Plan Manager, with the concurrence of the Commissioner of Finance, may also determine that the third party administrator may hold an escrow account to make payments to providers and claimants on behalf of the Plan. However, the County of Dutchess hereby establishes a system of internal controls to monitor any payments made through a third party claims administrator. Specifically, the Plan Manager will maintain and file all copies of case file documentation provided by the third-party administrator. The Plan Manager will review this documentation to ensure that all claims are for eligible work-related injuries or illnesses, and that required forms were filed with the Workers' Compensation Board in a timely manner. The Plan Manager will ensure that claimants are legitimate employees of a Plan participant. The County of Dutchess will audit and reconcile claims paid by the third-party administrator with the list of claims payments submitted by the third-party administrator to the Plan Manager.

#### ARTICLE VII - REPORTS BY PARTICIPANTS

SECTION 1. Each participant shall maintain a record of all injuries received by employees in the course of their employment. The Supervisor's Report of On The Job Injury/Incident shall be filed with the Plan Manager and third party administrator within twenty four (24) hours of the injury or incident. The following reports, or their equivalent, as well as any other reports required to be filed with the Workers' Compensation Board pursuant to the Workers' Compensation Law, shall be filed promptly with the Plan Manager:

Form C-2-- Employer's report of work related injury/illness

Form C-11 -- Employer's report of injured employee's change in status or return to work

Form C-240 -- Employer's statement of wage earnings preceding date of accident

SECTION 2. Additionally such other reports and forms as required by the Workers' Compensation Law, Rules and Regulations promulgated under such statute or such other information as may be requested by the Plan Manager, shall be filed promptly with the Plan Manager.

#### ARTICLE VIII - SAFETY PROGRAM

SECTION 1. - The Plan hereby establishes a Safety Committee which shall be responsible for educating the participants on proper health and safety procedures. The Safety Committee shall be established pursuant to the Workers' Compensation Law. The Dutchess County Director of Risk Management and the Dutchess County Safety Coordinator shall be permanent members of the Safety Committee. The participants

shall receive and enforce the safety program designed for the responsible and reasonable protection of lives, health, and safety of its employees.

SECTION 2. The participants shall abide by the recommendations of the Safety Committee and shall take such steps as may be deemed by the Safety Committee as reasonable to protect the lives, health, and safety of the participant's employees. The Plan Manager shall report to the Safety Committee the failure of a participant to abide by the safety recommendations of the Safety Committee. Notwithstanding any other provision to the contrary, nothing herein shall be construed to prohibit any participant from developing or implementing any safety program or procedure, provided said program or procedure has been approved by the Plan Manager.

#### ARTICLE IX - ATTORNEY

SECTION 1. The Dutchess County Attorney, pursuant to Section 64(3) of the Workers' Compensation Law, is hereby designated as the attorney for the Self-Insured Plan. The Dutchess County Attorney may engage special counsel in accordance with Section 64(3) of the Workers' Compensation Law, subject to the approval of the Dutchess County Legislature.

#### ARTICLE X - MISCELLANEOUS

SECTION 1. When a participant is required to provide proof of workers' compensation coverage in order to receive a permit, license, or when entering into a contract, the Participant shall request that the Plan Manager complete a "Certificate of Participation in Workers' Compensation County Self-Insurance Plan" or its equivalent. The Plan Manager shall mail the certificate to the certificate holder with copies to the participant and the Workers Compensation Board. If the participant withdraws from Plan, the Plan Manager shall notify the certificate holder within 10 days of termination. The Plan Manager shall issue a Workers' Compensation Board Notice of Compliance or its equivalent to each participant on an annual basis.

SECTION 2. All settlements of participant's workers' compensation claims shall be approved by the Plan Manager after consultation with the participant.

SECTION 3. Upon request of the participants, but no more than quarterly, the Plan Manager shall issue detailed workers' compensation claim and safety reports to participants.

#### ARTICLE XI - SEVERABILITY

SECTION 1. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law or in its application to the person, corporation, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**SECTION 3. EFFECTIVE DATE.** This local law shall take effect upon compliance with the applicable provisions of the Municipal Home Rule Law.

# *Government Services and Administration Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)	<i>absent</i>	
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: ✓

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

*JM / DB*

*Move to have prior discussion  
 on resolution part of the record.*

# Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Fiesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)	<i>absent</i>	
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution: ✓  
 Motion: ✓

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

JM / RB  
 Elect J. Incoronato as  
 Temporary Chairman

5/9/13

# Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)	<i>absent</i>	
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution:   
 Motion:

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

**2013140 A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1980, WHICH CREATED THE DUTCHESS COUNTY SELF-INSURED WORKERS' COMPENSATION PLAN**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013140 A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1980, WHICH CREATED THE DUTCHESS COUNTY SELF-INSURED WORKERS' COMPENSATION PLAN**

Date: May 13, 2013



## RESOLUTION NO. 2013141

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO HUMAN RESOURCES/RISK MANAGEMENT (S.1720.21 and S.1710.21)

Legislators MICCIO, BORCHERT, FLESLAND, KELSEY, and BLALOCK offer the following and move its adoption:

WHEREAS, the Director of Risk Management has advised that the Town of Amenia joined the County's Self-Insured Workers' Compensation Plan effective January 1, 2013 and was accepted into the Plan after the 2013 budget had already been adopted, and

WHEREAS, the Town of Milan will join the County's Self-Insured Workers' Compensation Plan effective July 1, 2013, and

WHEREAS, it is necessary to amend the 2013 Adopted County Budget to provide for the receipt of revenue the Town of Amenia and Town of Milan will pay to the County for their share of the premium contribution and the corresponding expense the County will incur for the administration and payment of Town of Amenia and Town of Milan workers' compensation claims, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2013 Adopted County Budget as follows:

APPROPRIATIONSIncrease

S.1720.21.4636	WC Benefits & Awards	<u>\$17,190</u>
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REVENUESIncrease

S.1710.21.22220.26	Participant Assessment/ T/Amenia	\$ 9,500
S.1710.21.22220.27	Participant Assessment/T/Milan	<u>7,690</u>
		<u>\$17,190</u>

CA-93-13

ca/G-0749

4/19/13; amended 4/23/13

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto ~~set my hand~~ <sup>APPROVED</sup> and seal of said Legislature this 13th day of May, 2013.

*William F.X. O'Neil*  
William F.X. O'Neil  
Deputy County Executive

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

# FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 17,190

Total Current Year Revenue \$ 17,190

and Source

Premium contributions from the towns of Amenia and Milan to the County Self-Insured Workers' Compensation Plan

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

Identify Line Items(s):

S.1720.21.4636 - WC Benefits & Awards  
S.1710.21.22220.26 - Participant Assessment-T/O Amenia  
S.1710.21.22220.27 - Participant Assessment-T/O Milan

Related Expenses: Amount \$ \_\_\_\_\_

Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_

Over Five Years: \_\_\_\_\_

### Additional Comments/Explanation:

The Town of Amenia joined the County's Self-insured Workers' Compensation Plan effective January 1, 2013. Amenia's acceptance into the plan was approved in late December 2012 after the 2013 budget had already been adopted. The Town of Milan will join the County's Self-insured Workers' Compensation Plan effective July 1, 2013. This resolution requests authorization to amend the 2013 budget to reflect the \$9,500 in revenue from Amenia and \$7,690 in revenue from Milan paid to the County for their share of the premium contribution and the corresponding expense the County will incur for the administration and payment of Amenia and Milan's workers' compensation claims.

Prepared by: Valerie J. Sommerville, Budget Director

# *Budget, Finance, and Personnel Committee Roll Call*

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

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

**2013141 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO HUMAN RESOURCES/RISK MANAGEMENT (S.1710.21)**

Date: May 9, 2013

# Roll Call Sheets

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

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

**2013141 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO HUMAN RESOURCES/RISK MANAGEMENT (S.1710.21)**

Date: May 13, 2013

RESOLUTION NO. 2013142

RE: MORTGAGE TAX APPORTIONMENT  
PERIOD OCTOBER 1, 2012 THROUGH MARCH 31, 2013

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

RESOLVED, that the report of the County Clerk and the Commissioner of Finance of mortgage tax receipts and disbursements, for the period October 1, 2012 through March 31, 2013, and the distribution thereof among the several tax districts, be accepted and placed on file, and be it further

RESOLVED, that the warrant in conformity with Section 261 of the Tax Law, be issued to the Commissioner of Finance to pay the respective cities and towns, and to the village treasurers the amounts due the respective villages of the County of Dutchess as set forth on the annexed sheet.

PB/HSB/djw  
4/5/13

CA-76-13

Fiscal Impact: NONE

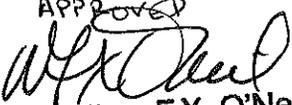
STATE OF NEW YORK

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

APPROVED  
  
William F.X. O'Neil  
Deputy County Executive

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

5-22-2013

OFFICE OF  
COMMISSIONER OF FINANCE

MORTGAGE TAX DISTRIBUTION      June 7, 2013

CITIES	AMOUNT
BEACON	\$133,473.47
POUGHKEEPSIE	135,015.76

TOWNS

AMENIA	\$42,520.79
BEEKMAN	154,195.15
CLINTON	49,612.86
DOVER	47,452.46
EAST FISHKILL	424,843.80
FISHKILL	215,852.40
HYDE PARK	173,216.39
LAGRANGE	166,392.11
MILAN	41,406.53
NORTH EAST	17,465.23
PAWLING	92,863.07
PINE PLAINS	12,265.32
PLEASANT VLY	113,640.43
POUGHKEEPSIE	370,083.72
RED HOOK	80,041.80
RHINEBECK	82,641.01
STANFORD	87,748.78
UNIONVALE	54,233.42
WAPPINGER	258,749.34
WASHINGTON	86,514.79

VILLAGES

FISHKILL	15,866.97
MILLBROOK	8,874.30
MILLERTON	1,531.29
PAWLING	7,793.24
RED HOOK	7,627.14
RHINEBECK	14,651.70
TIVOLI	4,847.18
WAPPINGER FALLS	21,525.24

TOTAL	<u><u>\$2,922,945.69</u></u>
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COMMISSIONER OF FINANCE

# *Budget, Finance, and Personnel Committee Roll Call*

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

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

**2013142 MORTGAGE TAX APPORTIONMENT PERIOD OCTOBER 1, 2012 THROUGH MARCH 31, 2013**

Date: May 9, 2013

# Roll Call Sheets

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

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

2013142 MORTGAGE TAX APPORTIONMENT PERIOD OCTOBER 1, 2012 THROUGH MARCH 31, 2013

Date: May 13, 2013

**Commendation: New Hamburg Fire District Engine Company No. 1 - 50 Year Members**

Legislator Rolison offers the following and moves its adoption:

**WHEREAS**, the New Hamburg Fire District is located on the eastern shore of the majestic Hudson River in the southern end of the Town of Poughkeepsie, and

**WHEREAS**, the New Hamburg Fire Department which started with Engine Company No. 1 on April 1, 1917, and was originally equipped with a hand-drawn chemical wagon, has grown substantially over the years, and

**WHEREAS**, Engine Company No. 1 has had many dedicated volunteers, Officers and Commissioners, but none more so than three current active members, each with 50 years or more of continuous and dedicated services, and

**WHEREAS**, John (Jack) Perusse joined the Engine Company in 1955 and has held every Officer position up to the Chief of the District and has served as Commissioner, and

**WHEREAS**, Patrick Gallagher joined the Engine Company in 1963 and has held every Officer position up to the Chief of the District and is currently Commissioner and Fire Inspector after having started the Fire Prevention Bureau in the early 1970's, and

**WHEREAS**, Francis Manfredo joined the Engine Company in 1963 and has held many administrative Officer positions in the Company and has served as Fire Commissioner and Chairman of the Board, and

**WHEREAS**, these three men have a combined 158 years of service to the Fire District, Engine Company and community, now, therefore be it

**RESOLVED**, that the Dutchess County Legislature on behalf of all people of Dutchess County does hereby congratulate, compliment, commend and thank John (Jack) Perusee, Patrick Gallagher and Francis Manfredo for their dedicated years of service, and be it further

**RESOLVED**, that the Dutchess County Legislature hereby honors John (Jack) Perusee, Patrick Gallagher and Francis Manfredo for their commitment and service to the residents of Dutchess County and the New Hamburg Fire District.

Resolution No. 2013143

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**Commendation: Stissing Mountain High School Basketball Team**

Legislator Blalock offers the following and moves its adoption:

**WHEREAS**, the Stissing Mountain High School Basketball Team has completed an outstanding season (21-3) and had a league record of 8-0, and

**WHEREAS**, the team was led to the State Class C Championship in Glens Falls by Coach Brendan Lo Brutto, and

**WHEREAS**, the Stissing Mountain High School Bombers team established many personal and team accomplishments in the 2012-2013 season, now, therefore, be it

**RESOLVED** that the 2012-2013 Stissing Mountain High School Basketball Team is hereby recognized for its outstanding accomplishments, and be it further

**RESOLVED** that the Dutchess County Legislature, on behalf of all of the people of Dutchess County, hereby commends and congratulates the Stissing Mountain High School's Basketball Team:

T. Carson  
N. Harpp  
A. Ayala

J. Cooper  
M. Senerchia  
M. Barton

D. Piazzzi  
D. Evans  
A. Miller

T. Lydon  
Z. Lydon  
R. Galm

Head Coach: Brendan Lo Brutto  
Assistant Coach: Rich Heresniak

Assistant Coach: Jim Jackson  
Trainer: Tommy Dawson

, and be it further

**RESOLVED** that the Dutchess County Legislature does hereby extend to the Stissing Mountain High School Bombers its best wishes in all its future endeavors.

Resolution No. 2013144

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

**Commendation: Eagle Scout Manuel Boccini**

Legislator Borchert offers the following and moves its adoption:

**WHEREAS**, Manuel Boccini is a member of Boy Scout Troop 50, Hudson Valley Council, Dutchess District, Poughkeepsie, New York. Manuel has obtained the rank of Eagle Scout after having been examined by the Eagle Scout Board of Review which he will receive at an Eagle Scout Court of Honor on June 9, 2013, and

**WHEREAS**, Manuel has been a member of the Boy Scouts for 7 years following 5 years with Cub Scout Pack 100. He has earned 23 merit badges and held leadership positions such as Patrol Leader and Assistant Senior Patrol Leader within the Troop, and

**WHEREAS**, Eagle Scout Manuel Boccini has demonstrated a commitment to the highest ideals of Scouting and to his community, and

**WHEREAS**, Manuel's Eagle Scout Project occurred at St. Martin de Porres School in Poughkeepsie, New York where he designed and installed landscaping with the assistance of 25 volunteers and nearly 80 hours of work, and

**WHEREAS**, Manuel will be graduating from Arlington High School in June after playing baseball for 2 years and soccer for 2 years and being on the Honor Roll, and will be attending S.U.N.Y. Plattsburgh, now, therefore, be it

**RESOLVED**, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate Eagle Scout Manuel Boccini, and, be it further

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

Resolution No. 2013145

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**Commendation: Hughsonville Fire Company**

Legislators Incoronato, Bolner, Roman and Amparo offer the following and move its adoption:

**WHEREAS**, for 24 hours a day, 365 days a year, continually during the last 100 years — whenever the alarm sounded — Hughsonville Fire Company in the Town of Wappinger has sent its brave volunteers to protect the lives and properties of their neighbors and those of surrounding communities, and

**WHEREAS**, the selfless commitment that these first-responders have demonstrated was recently extended to victims of Hurricane Sandy, when Hughsonville volunteers went to the aid of the Massapequa, Long Island Fire Department to help provide relief in the wake of that unprecedented devastation, and

**WHEREAS**, members of this fire department also actively supported the recovery efforts following the terrorist attacks at the World Trade Center on September 11, 2001, and

**WHEREAS**, thousands of Southern Dutchess County residents continue to rest comfortably in the knowledge that their personal safety and the protection of their property are in the very capable hands of highly trained Hughsonville Fire Company volunteers, now, therefore, be it

**RESOLVED**, that in light of their exemplary service record the Dutchess County Legislature does hereby extend its thanks to the Hughsonville Fire Company for a century of exceptional community service, and offers its best wishes in the celebration of this organization's centennial on May 18, 2013, and, be it further

**RESOLVED**, that the Dutchess County Legislature on behalf of all the people of Dutchess County does hereby commend and congratulate the Hughsonville Fire Company for its peerless tradition of prompt and effective emergency response and extends its best wishes for yet another century of successful accomplishments.

Resolution No. 2013146

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

### **Commendation: Cereal Counts**

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

**WHEREAS**, the Dutchess County Legislature seeks to commend those individuals or organizations whose actions enhance the quality of life in Dutchess County, and

**WHEREAS**, Cereal Counts is a local program here in Dutchess County that recognizes the importance of breakfast to start the day, especially in the summer when school is not in session, for children, teenagers and adults who lack access to basic breakfast food which is important for essential physical and mental health benefits, and

**WHEREAS**, for the last 8 years a Dutchess County-wide breakfast cereal box drive has occurred. These drives are coordinated through many organizations throughout Dutchess County to collect cereal boxes to fill food pantries, and

**WHEREAS**, for the last 8 years, this program has been coordinated by the Samson family, particularly Nancy and Dave Samson, Adam Samson who is now in college and Max Samson a Spackenkill High School sophomore who currently acts as the County-wide student Cereal Counts captain, and

**WHEREAS**, the Samson family coordinates this cereal drive with multiple-county government offices, schools, faith-based organizations, scout troops, sports teams, local businesses and individuals, and

**WHEREAS**, this year alone the Cereal Counts program was able to deliver much needed cereal products to stock up for the summer to Dutchess Outreach, Community Action Partnership, Beulah Baptist church, Hudson River Housing, St. Paul's Church, and Interfaith Senior Housing, among others, and

**WHEREAS**, in addition to cereal counts, the Samson family has spearheaded other canned and non-perishable food drives on a year round basis, addressing monthly and seasonal needs, and

**WHEREAS**, the efforts of the Samson family have benefitted Dutchess County and all of its residents, now, therefore, be it

**RESOLVED**, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate and thank, Nancy Samson, Dave Samson, Adam Samson and Max Samson on their years of dedication to Cereal Counts and other programs in our community, and, be it further

**RESOLVED**, that the Dutchess County Legislature, does hereby extend to the Samson family its best wishes for continued success in these worthwhile programs and all their future endeavors.

**Resolution No. 2013147**

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have herunto set my hand and seal of said Legislature this 13th day of May, 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

COMMENDATION: AMERICAN LEGION AUXILIARY MEMBER  
CHARLOTTE CRAVEN

Legislators MacAvery, Amparo, Incoronato, and Thomes offer the following and move its adoption:

WHEREAS, it is the sense of the Legislature to recognize dedicated efforts of individuals who devote themselves to the welfare of the community and its citizenry, and

WHEREAS, Charlotte Craven in a spirit of service, not self, for God and Country has been an advocate for Veterans, Military and their families through the American Legion Auxiliary. She has embraced the American Legion Auxiliary mission, vision, purposes, and values as her own and has served for more than 50 years in pursuit of these commitments, and

WHEREAS, she was a junior member in Chicago, Illinois, and as a young wife of a serviceman, John Craven, she joined Unit # 1026, Woodstock, New York and after a move to Poughkeepsie, New York, she transferred to Lafayette Unit # 37 where she rose through the ranks of leadership, and

WHEREAS, Charlotte has been active in all levels of leadership within the American Legion Auxiliary including, Unit County District State and National, Department of New York State President, 1984-1985, Eastern Division National Vice President, Department of New York American Legion Auxiliary Executive Committee, and Board of Directors, Montrose Veterans Hospital, and

WHEREAS, during the Vietnam era she began working with the POW/MIA program with the father of Major Joseph W. McDonald of Wappinger Falls, New York. They spent many weekend hours driving to Washington, D.C. to picket the White House in protest of this issue, now, therefore, be it

RESOLVED, Charlotte has been a leader that influences others to accomplish their objectives and influences the units to achieve their common goals through unique traits of belief, values, ethics, and character, and, be it further

RESOLVED, that the Dutchess County Legislature on behalf of all the people of Dutchess County does hereby commend and congratulate Charlotte Craven for her love and concern through the American Legion Auxiliary and does hereby extend its best wishes in all of her future endeavors.

Resolution No. 2013148

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May, 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**PROCLAMATION: LYME DISEASE AWARENESS MONTH MAY 2013**

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

**WHEREAS**, May is Lyme Disease Awareness Month and with the high number of reported cases in New York, it is important to inform the residents of Dutchess County on how to protect themselves and their families from contracting this disease, and

**WHEREAS**, according to the Centers for Disease Control and Prevention, Lyme Disease is the most common rapidly emerging infectious disease not limited to age, ethnicity, or geographical area, and

**WHEREAS**, the incidence of Lyme Disease is greatest in the northeastern, mid-Atlantic and north central regions of the United States, and

**WHEREAS**, Lyme Disease was named in 1977 when arthritis was observed in a cluster of children in and around Lyme, Connecticut. The Council of State and Territorial Epidemiologist (CSTE) designated Lyme Disease as a nationally notifiable disease in January, 1991, and

**WHEREAS**, Lyme Disease is the most common vector-borne disease in the United States. It is caused by the tick-borne spirochete *Borrelia burgdorferi* where the spirochete is transmitted to the human blood stream by the bite of various species of ticks, and

**WHEREAS**, detection of this is difficult to diagnose because it imitates other conditions and there currently is not a reliable test to determine the infection. Lyme Disease can cause early symptoms such as rash and flu-like symptoms, fever, muscle aches, headaches and fatigue to mention a few. Often the symptoms will disappear only to later reappear in a more serious and difficult to treat disseminated form, and

**WHEREAS**, your best defense is to wear light colored clothing when outdoors and to check one's self carefully checking for ticks. Proper tick removal is imperative, and if done correctly and promptly, can aid in the prevention of the disease, and

**WHEREAS**, public awareness of this serious disease is necessary for the prevention and treatment of the disease, now, therefore, be it

**RESOLVED**, that the Dutchess County Legislature does hereby proclaim May as Lyme Disease Awareness Month in Dutchess County and urges all citizens to take suitable precautions to avoid the risk of contracting Lyme Disease and to be aware of the symptoms so that appropriate treatment can be obtained.

Resolution No. 2013149

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 13th day of May 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WIIHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of May 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**PROCLAMATION: RECOGNIZING MAY AS MENTAL HEALTH MONTH**

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

WHEREAS, mental health is essential to everyone's overall health and well-being, and

WHEREAS, one in four adult Americans live with a diagnosable mental health condition, and

WHEREAS, all Americans experience times of difficulty and stress in their lives. Mental health and substance use conditions are common, these conditions are treatable, and

WHEREAS, awareness and prevention is a effective way to reduce the burden of mental health conditions, and

WHEREAS, during the month of May , Mental Health America of Dutchess County wants to raise the awareness about mental health and teach individuals in local communities on how to recognize and help themselves or other individuals who may be suffering from a related mental health condition, and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being, and

WHEREAS, mental health conditions are real and prevalent in our nation, and

WHEREAS, with effective treatment, those individuals can live full and productive lives, and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts, now, therefore, be it

**RESOLVED**, that the Dutchess County Legislature does hereby proclaim May 2013 as Mental Health Month in Dutchess County, New York.

**Resolution No. 2013150**

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 13<sup>th</sup> day of May 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of May 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

***PROCLAMATION: The City of Beacon Centennial***

Legislators MacAvery and Forman offer the following and move its adoption:

WHEREAS, America's history is woven through the story of the City of Beacon; and

WHEREAS, the land that would come to include the City of Beacon was purchased from the Wappinger Indians by Francis Rombout and Gulian Verplanck, merchant-fur traders from New York City and;

WHEREAS, the sale of said land was confirmed by a royal patent, the Rombout Patent granted in 1685 by the King of England, the first patent in Dutchess County; and

WHEREAS, the area occupied as Beacon was originally settled in 1709 as the Villages of Matteawan and Fishkill Landing, which were among the first communities in the county; and

WHEREAS, the city's chosen name, Beacon, invokes the memory of the fires lit by the soldiers of the Continental Army during the American Revolution to warn their comrades that the British were coming; and

WHEREAS, on May 15, 1913, New York State Governor Willam Sulzer approved legislation to join together the Villages of Matteawan and Fishkill Landing to form the City of Beacon and;

WHEREAS the citizens of the City of Beacon, past and present, have been constant in their efforts to preserve its small town character, natural resources and its historic heritage for future generations therefore,

BE IT RESOLVED that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby offer all Beacon residents heartfelt congratulations on the occasion of the Centennial; and

BE IF FURTHER RESOLVED, the Dutchess County Legislature does hereby extend to the City of Beacon its wishes for continued success in all of its future endeavors.

Resolution No. 2013151

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 13th day of May, 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have herunto set my hand and seal of said Legislature this 13th day of May, 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Lay on Desks 5/13/13  
GOVERNMENT SERVICES & ADMINISTRATION

RESOLUTION NO. 2013152

RE: LOCAL LAW NO. \_\_\_\_\_ AMENDING LOCAL LAW NO. 4 OF 2011 TO  
AMEND THE DUTCHESS COUNTY ADMINISTRATIVE CODE,  
SECTION 24.02, "THE YOUTH BOARD, POWERS, DUTIES"  
SUBSECTION (5), "EX-OFFICIO MEMBERS".

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

RESOLVED, that the Legislature of the County of Dutchess County adopt Local Law  
No. \_\_\_\_\_ of 2013 which has been submitted this day for consideration by said Legislature.

REPLACED WITH  
RESOLUTION NO. 2013232

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 June, 2013, and that the  
same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of June, 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. \_\_\_\_\_ OF 2013

RE: LOCAL LAW NO. \_\_\_\_\_ AMENDING LOCAL LAW NO. 4 OF 2011 TO AMEND THE DUTCHESS COUNTY ADMINISTRATIVE CODE, SECTION 24.02, "THE YOUTH BOARD, POWERS, DUTIES" SUBSECTION (5), "EX-OFFICIO MEMBERS".

BE IT ENACTED by the County Legislature of the Count of Dutchess as follows:

SECTION 1. LEGISLATIVE INTENT. The County Legislature has determined that Section 24.02 of the Dutchess County Administrative Code should be amended so that the Chairperson on the Family and Human Services Committee may appoint their designee as an ex-officio member of the Youth Board.

SECTION 2. Section 24.02. The Youth Board, Powers, Duties, subsection (5) Ex-Officio Members is amended to read as follows:

G. Two members of the County Legislature designated by the presiding Officer, not more than one of whom shall be members of one political party, and one of whom shall be the Chairperson of the Family and Human Services Committee of the Dutchess County Legislature or his/her designee who must be a member of the Family and Human Services Committee.

SECTION 3. EFFECTIVE DATE. This local law shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation.

# Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		

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

**2013152 AMENDING LOCAL LAW NO. 4 OF 2011 TO AMEND THE DUTCHESS COUNTY ADMINISTRATIVE CODE, SECTION 2402, "THE YOUTH BOARD, POWERS, DUTIES" SUBSECTION (5), "EX-OFFICIO MEMBERS"**

Date: June 6, 2013

# Roll Call Sheets

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

Present: 25  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion: \_\_\_\_\_

Total: 25      0  
                   Yes            No  
 Abstentions: 0

**2013152 AMENDING LOCAL LAW NO. 4 OF 2011 TO AMEND THE DUTCHESS COUNTY ADMINISTRATIVE CODE, SECTION 2402, "THE YOUTH BOARD, POWERS, DUTIES" SUBSECTION (5), "EX-OFFICIO MEMBERS"**

Date: June 10, 2013

The foregoing local law Resolution No. 2013152 was laid on the desk at this meeting and considered at a Regular Board Meeting on June 10, 2013.

Roll call vote at that time on the foregoing Resolution No. 2013152 resulted as follows:

AYES: 25

NAYS: 0

ABSENT: 0

The foregoing Resolution was adopted but not signed by County Executive.

The foregoing resolution was replaced with Resolution No. 2013232 that was considered laid on desks by mail on July 29, 2013, and considered at a Regular Board Meeting on August 12, 2013.

Roll call vote at that time on the foregoing Resolution No. 2013232 resulted as follows:

AYES: 24

NAYS: 0

ABSENT: 1 Serino

Resolution adopted.

The County Executive signed into law on August 20, 2013. The effective date is September 13, 2013.

LAI D ON DESKS 5/13/13  
REVISED & RELAI D ON DESKS 6/10/13  
DISCUSSION ONLY 6/6/13&7/11/13  
REVISED & RELAI D ON DESKS 7/15/13  
GOVERNMENT SERVICES & ADMINISTRATION  
PULLED BY SPONSOR 8/7/12 TO BE REVISED  
REVISED & RELAI D ON DESKS 8/12/13  
PULLED BY CHAIRMAN 9/4/13  
REVISED & RELAI D ON DESKS 10/15/13  
DEFEATED IN COMMITTEE 11/7/13

RESOLUTION NO. 2013153

RE: A LOCAL LAW FOR WELL TESTING TO PROTECT PROPERTY  
BUYERS, TENANTS, AND CUSTOMERS OF COMMERCIAL ESTABLISHMENTS  
IN DUTCHESS COUNTY FROM DRINKING CONTAMINATED WATER

Legislators TYNER, DOXSEY, WHITE and WEISS offer the following and move its adoption:

WHEREAS, the County Attorney has stated that the Water Regulations issued by the Dutchess County Board of Health were not enforceable, and

WHEREAS, the County Attorney and County Executive have stated that mandating the testing of private wells can only be done through the legislative branch, and

WHEREAS, it is imperative to ensure that when people buy homes in Dutchess County that they know the status of the water quality of the well serving their home, and

WHEREAS, the Water Regulations also include provisions for well testing by landlords in order to protect renters, and also includes provisions for employers with private wells to comply with well testing to protect employees and customers, and

WHEREAS, it is important to have a water standard for both public and private water sources across the County to ensure public safety, and

WHEREAS, additionally, the information obtained by having private wells tested will help track the path of contamination and alert homeowners of possible water problems, now, therefore, be it

RESOLVED, that the Legislature of the County of Dutchess adopts Local Law No. of 2013, which has been submitted this day for consideration by said Legislature, and, be it further

RESOLVED, that a copy of this resolution with its attachment be forwarded to the Department of Health Interim Commissioner Kari Reiber and members of the Board of Health

STATE OF NEW YORK

**NOT CONSIDERED IN 2013**

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 November 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 12th day of November 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RE: A LOCAL LAW FOR WELL TESTING TO PROTECT PROPERTY BUYERS, TENANTS, AND CUSTOMERS OF COMMERCIAL ESTABLISHMENTS IN DUTCHESS COUNTY FROM DRINKING CONTAMINATED WATER

BE IT ENACTED by the County Legislature of the County of Dutchess as follows:

Section 1: Title.

The Title of this Local Law shall be, "Private Water Supplies".

Section 2: Legislative Finding, Intent, and Purpose.

The Dutchess County Legislature enacts this Local Law for purposes of providing mandatory private well testing on all properties that rely upon a private water supply that is utilized for purposes of human consumption in the County of Dutchess. The intent of this law is to provide a water quality standard for both public and private water sources across the County to ensure the public's safety against contaminated water sources. Towards that end, this local law will ensure that when people buy residential homes in Dutchess County that they know the status of the water quality of the well serving their home, and that all residential rental properties in Dutchess County that fail the test for water quality compliance provide corrective action for the benefit of tenants. This local law also will provide the same assurances of water quality for employees, tenants, and the public at commercial establishments.

Section 3: Definitions.

- A. The term "private water supply" shall mean any water supply utilized for the purposes of human consumption not identified as a public water supply by Article 5 of this Code or by Part 5 of the New York State Sanitary Code.
- B. The term "residential rental property" shall mean any "dwelling" or "dwelling unit" [as those terms are defined in Article 21 of the Dutchess County Sanitary Code at Section 21.1(G) and 21.1(H) which is occupied by other than an owner thereof and for use or occupation of which rent or consideration is periodically paid to the owner.
- C. The term "commercial building" shall mean any structure which is wholly or partially used or intended to be used for commercial purposes, including, but not limited to, office buildings, stores, markets, shops, malls, marinas, restaurants, clubs, gas stations, or car dealerships.
- D. The term "commercial rental property" shall mean any "commercial building or commercial unit which is occupied by other than an owner thereof and for use or occupation of which rent or consideration is periodically paid to the owner.

Section 4: Periodic Well Testing and Maximum Contaminant Levels.

- A. That the test parameters and associated maximum contaminant levels for private water supplies shall be New York State Sanitary Code Part 5 parameters for public water supplies as modified and specifically targeted by this Local Law in Section 9 for the needs of the County's private water supplies.

B. The Dutchess County Commissioner of Health will make available to the public within Dutchess County, the private water supply test parameters and associated maximum contaminant levels.

Section 5: Residential Rental Property Well Permit.

Within six months of the passage of this local law every owner of residential rental property with a private well in Dutchess County, which serves a residential rental property's water supply, shall be required to possess a valid residential rental property permit issued by the Dutchess County Commissioner of Health, or appointed designee.

Private wells in operation as of February 1, 2014, shall be deemed to possess such permit, however, such grandfathered permits for existing wells shall not signify that such wells have been tested or are in compliance with current Health Department parameters and such permits shall expire February 1, 2015.

Owners of residential rental property serviced by private wells put into operation subsequent to February 1, 2014, shall be required to apply for a valid residential rental property permit, which shall expire six years from issuance. The issuance of such permit shall be conditioned upon demonstration that the water supply has been tested and falls within the acceptable test parameter limits established by the Dutchess County Commissioner of Health, which shall have been performed within one year prior to issuance or renewal of the permit.

Water sample analysis shall be performed by a laboratory as per Section 9. Water sample collection shall be conducted in a manner approved by the Dutchess County Commissioner of Health. All test results must be filed with the Department of Health by the laboratory. In the event that test results indicate that tenants' drinking water is not in compliance with current approved Health Department parameters, the Department of Health will immediately notify the Department of Environmental Conservation.

In the event that test results of residential rental properties indicate that tenants' drinking water is not in compliance with current approved Health Department parameters, tenants shall be so notified in writing by the Landlord within seven days. In addition, if the Department of Conservation is not taking investigative action and/or remediation after thirty days of notification by the Department of Health, then, enforcement action will be taken by the Dutchess County Department of Health pursuant to Dutchess County Sanitary Code Article 4 to compel corrective action by Landlord.

Corrective action may include, but is not limited to, requiring the Landlord to install a filtration system to bring water quality into compliance and/or requiring the Landlord to provide an alternative source of potable water to tenants.

Failure to provide proof of remediation within thirty days of enforcement taken by the Department of Health will result in the Department of Health levying a \$1,000 fine. For each succeeding thirty day periods, where no proof of corrective action has been provided, an additional \$1,000 fine will be levied by the Department of Health for each additional thirty day period. **If the property owner can prove beyond doubt that they have made a good-faith effort to contact a firm to test the well water there, the Department of Health will take this into consideration and no fine will be levied.**

Residential Rental Property Wells currently being tested as though they were on a public water supply are exempt from this local law as long as the wells are being tested to the same standards as public water supplies.

Section 6. Dwelling Well Permit Requirement: Permit non-transferable.

Within six months of the passage of this local law and contingent upon the Dutchess County Legislature providing sufficient resources to enable the Dutchess County Health Department to provide for enforcement of this regulation, every owner of a private well in Dutchess County, which serves a private water supply, shall be required to possess a valid permit issued by the Dutchess County Commissioner of health, or appointed designee. Private wells in operation as of February 1, 2014 shall be deemed to possess such permit and shall be deemed grandfathered to possess such permit until such time that title to the real property for which the private well provides water for human consumption is transferred at which time the existing well shall be tested by the seller before the closing to determine if it is in compliance with currently approved Health Department parameters as per Section 4. The approved laboratory doing the water testing shall be directed by the seller to provide the full test results to the seller and to file the results with the Department of Health. Full test results must be given to the buyer and the Department of Health prior to the closing.

If a well test meeting the Department of Health collection specifications has been done within three years of the home's sale and if those results are on file with the Department of Health and have been given to the buyer, another full test will not be required, except for testing of bacteria, e-coli, nitrates, nitrites and POC (Principal Organic Chemicals); the exceptions should be done within six months.

If the test results are satisfactory, the Department of Health will then issue the appropriate well permit prior to closing.

If the test results do not meet the required standards, it will be the responsibility of the buyer and seller to agree on appropriate action before the closing of the sale and issuance of the well permit.

Owners of new private wells put into operation subsequent to February 1, 2014 shall be required to meet the standards set in Section 4, before being granted a valid permit. Water sample analysis shall be performed by a laboratory as per Section 9. Water sample collection shall be conducted in a manner approved by the Dutchess County Commissioner of Health.

**If the property owner can prove beyond doubt that they have made a good-faith effort to contact a firm to test the well water there, the Department of Health will take this into consideration and no fine will be levied.**

Section 7: Commercial Property Well Permit.

Within six months of the passage of this local law every commercial business property with a private well in Dutchess County, where said water from that well is used for consumption by employees and/or the public, that commercial property shall be required to possess a valid permit for such well issued by the Dutchess County Commissioner of Health, or appointed designee.

Private wells in operation as of February 1, 2014, shall be deemed to possess such permit, however, such grandfathered permits for existing wells shall not signify that such wells have been tested or are in compliance with current Health Department parameters, and such permits shall expire February 1, 2014.

Owners of commercial property serviced by private wells put into operation subsequent to February 1, 2014 shall be required to apply for a valid commercial property permit, which shall expire six years from issuance. The issuance of such permit shall be conditioned upon demonstration that the water supply has been tested and falls within the acceptable test parameter limits established by the Dutchess County Commissioner of Health, which shall have been performed within one year prior to issuance of renewal of the permit.

Water sample analysis shall be performed by a laboratory as per Section 9. Water sample collection shall be conducted in a manner approved by the Dutchess County Commissioner of Health. All test results must be filed with the Department of Health by the laboratory. In the event that test results indicate that the drinking water is not in compliance with current approved Health Department parameters, the Department of Health will immediately notify the Department of Environmental Conservation.

In the event that test results of such properties indicate that the drinking water is not in compliance with current approved Health Department parameters, commercial property owners will post in a visible location within seven days the test results.

In addition if the Department of Conservation is not taking investigative action and/or remediation after thirty days of notification by the Department of Health, then enforcement action will be taken by the Dutchess County Department of Health pursuant to Dutchess County Sanitary Code Article 4 to compel corrective action by the owner. Corrective action may include, but is not limited to, requiring Owner to install a filtration system to bring water quality into compliance and/or requiring the Owner to provide an alternative source of potable water to employees and/or the public.

Failure to provide proof of remediation within thirty days of enforcement taken by the Department of Health will result in the Department of Health levying a \$1,000 fine. For each succeeding thirty day periods, where no proof of corrective action has been provided, an additional \$1,000 fine will be levied by the Department of Health for each additional thirty day period. **If the property owner can prove beyond doubt that they have made a good-faith effort to contact a firm to test the well water there, the Department of Health will take this into consideration and no fine will be levied.**

Commercial Property Wells currently being tested as though they were on a public water supply are exempt from this local law as long as the wells are being tested to the same standards as public water supplies.

#### Section 8: Commercial Rental Property Well Permit

Within six months of the passage of this local law every owner of commercial rental property with a private well in Dutchess County, which serves a commercial rental property's water supply, shall be required to possess a valid commercial rental property permit issued by the Dutchess County Commissioner of Health, or appointed designee.

Private wells in operation as of February 1, 2014, shall be deemed to possess such permit, however, such grandfathered permits for existing wells shall not signify that such wells have been tested or are in compliance with current Health Department parameters and such permits shall expire February 1 2015.

Owners of commercial rental property serviced by private wells put into operation subsequent to February 1, 2014, shall be required to apply for a valid residential rental property permit, which shall expire six years from issuance. The issuance of such permit shall be conditioned upon demonstration that the water supply has been tested and falls within the acceptable test parameter limits established by the Dutchess County Commissioner of Health, which shall have been performed within one year prior to issuance or renewal of the permit.

Water sample analysis shall be performed by a laboratory as per Section 9. Water sample collection shall be conducted in a manner approved by the Dutchess County Commissioner of Health. All test results must be filed with the Department of Health by the laboratory. In the event that test results indicate that the drinking water is not in compliance with current approved Health Department parameters, the Department of Health will immediately notify the Department of Environmental Conservation.

In the event that test results of commercial rental properties indicate that the drinking water is not in compliance with current approved Health Department parameters, commercial property owners will notify tenants in writing and have posted in a visible location within seven days the test results. In addition, if the Department of Conservation is not taking investigative action and/or remediation after thirty days of notification by the Department of Health, then enforcement action will be taken by the Dutchess County Department of Health pursuant to Dutchess County Sanitary Code Article 4 to compel corrective action by Landlord. Corrective action may include, but is not limited to, requiring the Landlord to install a filtration system to bring water quality into compliance and/or requiring the Landlord to provide an alternative source of potable water to tenants, employees, and/or the public.

Failure to provide proof of remediation within thirty days of enforcement taken by the Department of Health will result in the Department of Health levying a \$1,000 fine. For each succeeding thirty day periods, where no proof of corrective action has been provided, an additional \$1,000 fine will be levied by the Department of Health for each additional thirty day period.

Commercial Rental Property Wells currently being tested as though they were on a public water supply are exempt from this local law as long as the wells are being tested to the same standards as public water supplies.

#### Section 9: Testing Requirement, Procedures, and Minimum Parameters.

##### Laboratory requirements

All analysis shall be performed by a Laboratory approved by the New York State Department of Health, "Environmental Laboratory Approval Program".

##### Collection Requirements and Testing Procedures

Water Samples shall be collected either by a Laboratory approved by the New York State Department of Health, "Environmental Laboratory Approval Program", a Certified Home Inspector or a Licensed Water Treatment Plant Operator.

New Wells- The well should be pumped clear and disinfected with chlorine. The sample shall be collected after the disinfectant has cleared from the system.

Existing Wells- Samples should be taken of the raw water after any existing treatment has been bypassed.

Additional testing at point of use may be necessary to determine the efficacy of any installed treatment systems

#### Minimum Parameters

The following list of substances and conditions shall be included in the water well test:

Fluoride, Total coliform/E. coli, Antimony, Arsenic, Barium, Chloride, Hardness, Iron, Lead, Manganese, Mercury, Nitrate, Nitrite, pH, Sodium, Sulfate, Turbidity, Principal Organic Chemicals (including MTBE), and zinc

The substances and conditions were selected based on the possibility of their presence in Dutchess County and could present a health hazard if found to be higher than specified parameters.

The Department of Health shall determine the recommended parameter for each substance. This may vary from each location as deemed appropriate by the Department of Health based on conditions and exposures for a particular locality.

#### Section 10: Fees

The Department of Health is authorized to charge up to \$100 for a well permit and/or well certification.

#### Section 11: Waiver from Testing for Specific Parameters.

The Dutchess County Commissioner of Health may grant a waiver from testing for a specific test parameter or parameters established by this article, provided that prior to the granting of any such waiver the applicant shall establish that:

- (a) testing for a specific parameter or parameters is not necessary for the protection of the health of the consumers of the drinking water and that such testing would not be cost effective for the applicant; or
- (b) other factors which would render testing for a complete regimen of established parameters unreasonable.

#### Section 12: Water Test Results Data.

It shall be the responsibility of the Dutchess County Commissioner of Health to make available to the public, a general compilation of water test results data, arranged or identified by municipality, locations, or appropriate geographic areas. Such general compilation shall not include the names of specific property owners or their particular numerical street address, although street names in general and identification by tax map number shall be permissible.

Section 13 Severability.

If any part or provision of this Local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Dutchess County Legislature hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 14: Supersession.

This Local Law is enacted under the authority of the Municipal Home Rule Law Section 10(1) subparagraphs (i) and (ii)(a)(12), and Municipal Home Rule Law Section 22. To the extent that Sections of the Dutchess County Sanitary Code are inconsistent with this Local law, it is the intent of the Dutchess County Legislature to supersede these Sections by virtue of this Local Law.

Section 15: Effective Date.

This local law shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation, and following the filing with the Secretary of State.

# WELL-TESTING LAW

No Fiscal Impact

## FISCAL IMPACT STATEMENT

### APPROPRIATION RESOLUTIONS

Total Current Year Cost \$ [not being implemented for next year]  
Total Current Year Revenue and Source: \$

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

Identify Line Item (s): → P. 199 Medical Examiner \$100,000 from A. 1185  
Related Expenses: P. 369 Tourism \$100,000 from A. 8020 4400.4422

Nature of Expenses: to help publicize law and beef up staffing & account for law

Anticipated Savings to County: [eventually - from protecting public health]

Net county Cost (this year): \$ 0  
(over five years): \$ 0

Additional Comments:

★ ALLOCATE \$200,000 TO:  
A. 199) A. 4010.29 (Health Dept. (Environmental Health)  
[staffing/materials]

[money saved in Tourism / Medical Examiner from cleaner water in county?]

# Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		

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

End of Section 5-6-7

RW-DB

"If the property owner has made a good-faith effort to contact a firm to test the well water there, the Dept. of Health can take this into consideration and no fine will be levied."

2013 153  
 10.10.13

# Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jefer-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	<i>absent</i>	
District 17 - Town and Village of Fishkill	Miccio		
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution:            
 Motion:          

Total :                    
                     Yes           No  
 Abstentions:         

**2013153 A LOCAL LAW FOR WELL TESTING TO PROTECT PROPERTY BUYERS, TENANTS, AND CUSTOMERS OF COMMERCIAL ESTABLISHMENTS IN DUTCHESS COUNTY FROM DRINKING CONTAMINATED WATER**

Date: October 10, 2013

# Government Services and Administration Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 9 - City of Poughkeepsie	White (VC)	3	
District 12 - Town of East Fishkill	Weiss	4	
District 14 - Town of Wappinger	Amparo	<i>absent</i>	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		4
District 17 - Town and Village of Fishkill	Miccio		5
District 20 - Town of Red Hook	Traudt		6
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		7
Present: <u>12</u>	Resolution: <input checked="" type="checkbox"/>	Total : <u>4</u>	<u>7</u>
Absent: <u>0</u>	Motion: <input type="checkbox"/>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

*defeated*

**2013153 A LOCAL LAW FOR WELL TESTING TO PROTECT PROPERTY BUYERS, TENANTS, AND CUSTOMERS OF COMMERCIAL ESTABLISHMENTS IN DUTCHESS COUNTY FROM DRINKING CONTAMINATED WATER**

Date: November 7, 2013

The foregoing local law Resolution No. 2013153 was originally laid on the desk on May 13, 2013, revised and relaid on the desks on June 10, 2013, July 15, 2013, August 12, 2013, and October 15, 2013, and defeated at the Government Services and Administration Committee meeting on November 7, 2013.

No further action was taken.

L Aid ON DESKS 5/13/13  
REVISED 5/13/13  
REVISED & RELaid ON DESKS 6/10/13  
PULLED 7/8/13  
GOVERNMENT SERVICES & ADMINISTRATION  
PULLED BY SPONSOR 12/3/13

Resolution No. 2013154

Re: LOCAL LAW NO. \_\_\_\_\_ OF 2013, A LOCAL LAW AMENDING LOCAL LAW NO. 9 OF 1991 (AS AMENDED BY LOCAL LAW NO. 3 OF 1998 AND LOCAL LAW NO. 2 OF 2011) REQUIRING ITEMIZED PRICING OF GOODS OFFERED FOR SALE AT RETAIL; THIS LOCAL LAW PROVIDES FOR ELIMINATION OF MANUAL TAGGING WHERE RETAILER PASSES AN ACCURACY INSPECTION AND FOR AN INCREASE IN PENALTIES

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

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No. \_\_\_\_\_ of 2013 which has been submitted this day for consideration by said legislature.

**NOT CONSIDERED IN 2013**

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 5th day of December 2013, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 5th day of December 2013.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. \_\_\_\_\_ OF 2013

RE: A LOCAL LAW AMENDING LOCAL LAW NO. 9 OF 1991 (AS AMENDED BY LOCAL LAW NO. 3 OF 1998 AND LOCAL LAW NO. 2 OF 2011) REQUIRING ITEMIZED PRICING OF GOODS OFFERED FOR SALE AT RETAIL; THIS LOCAL LAW PROVIDES FOR ELIMINATION OF MANUAL TAGGING WHERE RETAILER PASSES AN ACCURACY INSPECTION AND FOR AN INCREASE IN PENALTIES

BE IT ENACTED by the County Legislature of the County of Dutchess as follows:

Section 1.                    LEGISLATIVE INTENT.

The Legislature hereby finds and determines that Computer Assisted Checkout Systems (CACOS) are an accurate means of pricing consumer commodities and have become an indispensable technology for certain food establishment retailers. Employment of such technology obviates the requirement that is contained in existing laws in Dutchess County that individual items be price marked in Arabic numbers, so long as the accuracy of the CACOS system is established and the price of individual items is clearly marked on shelves and displays as provided herein. Dutchess County is the only upstate county to continue to require manual item pricing. Some retailers will not operate in counties that mandate manual pricing which has the effect of limiting competition and economic expansion in Dutchess County. As such, the Legislature finds that other pricing systems should be permitted, subject to proper safeguards.

Section 2.                    DEFINITIONS.

1. The definitions employed in Local Law No. 9 of 1991 as amended by Local Law No. 3 of 1998 and Local Law No. 2 of 2011 shall apply herein.

2. Section 4 of Local Law No. 9 of 1991 as amended by Local Law No. 3 of 1998 and Local Law No. 2 of 2011 shall be amended by deleting the existing text of the section and replacing it with a new section 4 as follows: "Section 4 – Employment of Computer Assisted Checkout Systems as satisfying the provisions of Dutchess County item pricing requirements."

A. Every retail store which uses a computer-assisted checkout system and which would otherwise be required to price mark each item as provided in Dutchess County may make an application, in writing, to the Dutchess County Commissioner of Health for a waiver of the item pricing requirement. Retail stores that are required by the law of their local jurisdiction to price mark each item are not qualified to apply for a waiver. A separate application shall be required for each qualified retail store. Each applicant shall be subject to a non-refundable waiver fee based upon the square footage of the retail area of each store as set according to the following schedule:

Store's Square Footage of Retail Area

Waiver Fee

1) to 9,999 sq. ft.	\$ 500
2) 10,000 to 29,999 sq. ft.	\$ 1,000
3) 30,000 to 49,999 sq. ft.	\$ 3,500
4) 50,000 to 89,999 sq. ft.	\$ 5,000
5) 90,000 or more sq. ft.	\$15,000

B. Upon receipt of an application and fee as provided in subsection 1 above, the Commissioner of Health shall cause to be conducted a scanner count, location and accuracy inspection of the store for which the application has been submitted. At stores with a retail area in excess of 10,000 square feet, a minimum of 100 stock keeping items shall be checked at inspection. At stores with a retail area of 10,000 square feet or less, a minimum of fifty stock keeping units shall be checked. If the number of stock keeping units found to be in violation does not exceed two percent of those stock keeping units inspected, the Commissioner of Health shall grant to the applicant a one year revocable waiver from the item pricing requirement.

C. In the event that total violations in excess of two percent are discovered in the inspection process, the Commissioner of Health shall not grant a waiver to the applicant. Such a store may, within fifteen business days of being notified of the failure, request a second inspection. If the number of stock keeping units found to be in violation during this second inspection does not exceed two percent of those stock keeping units inspected, the Commissioner of Health shall grant to the applicant a one year revocable waiver for the item pricing requirement.

D. Stores whose waivers are revoked pursuant to subsection H or stores which, upon renewal for waiver, fail the scanner accuracy inspection(s) twice must comply with item pricing as set forth in Section 3 of Local Law No. 9 of 1991 as amended by Local Law No. 3 of 1998 and Local Law No. 2 of 2011 within thirty days from the final date of failure. Such a store will be prohibited from applying for a new waiver for one year from the date of revocation or second inspection failure.

E. Waivers shall be valid for a period of one year from the date of issuance, at which time the waiver shall expire. Stores must reapply annually for renewal. The waiver fee and inspection shall be required for each annual renewal application, as required for an original waiver application.

F. In the event that the Commissioner of Health is unable to conduct an inspection within 60 days of receipt of a completed application with the appropriate fee, then the Commissioner of Health will issue a temporary waiver pending the completion of the inspection process. The Commissioner of Health shall cause an inspection to be completed as soon as practicable. If, upon completion of an inspection, there is a violation rate of less than two percent, then the Commissioner of Health shall issue a permanent waiver with an expiration date of one year from the date of the issuance of the temporary waiver. If, upon completion of an inspection, there is a violation rate in excess of two percent, the temporary waiver shall be immediately revoked. Nevertheless, the store may, within 15 business days of being notified of the failure, request a second inspection. If the number of stock keeping units found to be in violation during this second inspection does not exceed two percent of those stock keeping units inspected, the Commissioner of Health shall grant to the applicant a one year revocable waiver to the item pricing requirement from the date of the issuance of the temporary waiver. If the store does not request a second inspection or if the store fails the second inspection, then the store must comply with the item pricing requirements set for the in Local Law above.

G. As a condition of the waiver from item pricing, each store must agree to meet all of the following requirements, and no regular or temporary waiver shall be granted to a store which has not agreed to these requirements in writing:

- (1) The store shall make available price check scanners to enable consumers to confirm the price of stock keeping items. These price check scanners shall be in locations convenient to consumers with signs of sufficient sized lettering to identify the units to the consumers. Stores will submit their proposed sign and device locations to the Commissioner of Health for approval. In stores with multiple floors, there shall be at least one scanner conveniently located on each floor of the store. The number of conveniently located scanners shall also be dependent on the store's retail area:

<u>Store's Retail Area</u>	<u>Scanner</u>
Under 3,000 sq. ft.	1
Between 3,001 and 10,000 sq. ft.	2
Between 10,001 and 30,000 sq. ft.	3
Over 30,001 sq. ft.	Minimum of 3 and such additional scanners as the Commissioner may deem appropriate; and

- (2) Stores must also have a shelf price for each stock keeping item which are visible to the consumer and which are located directly under the item on the shelf on which the item is displayed; or if the item is not conspicuously visible to the consumer, by a sign or list conspicuously placed near the point of procurement. Failure to display the shelf price for a stock keeping item shall constitute a violation. The Commissioner of Health may specify standard shape, typeface, placement and format of shelf prices and may set other requirements to ensure the readability of shelf prices and the ability of consumers to identify which shelf prices applies to each stock keeping item. This subdivision shall not construed to diminish the requirements of section 214-h of the New York State Agriculture and Markets Law, but shall be in addition thereto. In the event of a conflict, the provisions of the New York State Agriculture and Markets Law shall control.
- (3) The store shall not charge any customer a price for any stock keeping items which exceeds the item, shelf, sale or advertised price, whichever is less; and
- (4) The store shall make prompt payment to consumers who have been overcharged and shall correct all pricing errors identified by consumers.

H. The Commissioner of Health may revoke a waiver from item pricing for any of the following reasons:

- (1) Failure to comply with any provisions of this Local Law;
- (2) Deliberate overcharging of any consumer;
- (3) Material misrepresentation in the application for a waiver.

Section 3.                    PENALTIES.

Section 5 (a) of Local Law No. 9 of 1991 is hereby amended as follows:

5 (a) a violation of any provision of this local law or of any rule or regulation promulgated hereunder shall be punishable upon proof thereof, by the payment of a civil penalty in the sum of not more than \$100 for each violation per SKU with a maximum fine of \$10,000 per inspection.

5 (b) failure to display the selling price of any SKU consistent with this act shall be punishable upon proof thereof by payment of a civil penalty in the sum of \$100 per violation per SKU with a maximum fine of \$10,000 per inspection.

Section 4.                    EFFECTIVE DATE.

This Local Law, if enacted, shall take effect on April 1, 2014.

# FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ -0-

Total Current Year Revenue Approx. \$109,500 in annual revenue beginning in 2013  
and Source Supermarket annual application processing fees

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: The Dutchess County Health Department anticipates all supermarkets in Dutchess County will submit an application with the appropriate fee as outlined in Section 2.A. of this Local Law to allow for the elimination of manual tagging where the retailer passes two consecutive accuracy inspections. It's estimated that annual application fee revenue for all supermarkets will total approximately \$109,500 beginning in the 2013 fiscal year.

Prepared by: Valerie J. Sommerville, Budget Director

The foregoing local law Resolution No. 2013154 was originally laid on the desk on May 13, 2013, revised and relaid on the desks on June 10, 2013, pulled on July 8, 2013, and pulled by sponsor on December 3, 2013.

No further action was taken.

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

Dannett Roberts, City of Poughkeepsie, thanked the police for their efforts to protect the public and encouraged more programs for youth.

Constantine Kazolias, City of Poughkeepsie, gave the attached comments.

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

There being no further business, the Chairman adjourned the meeting at 8:44 p.m in memory of Richard Carlson subject to the call of the Chair.

AFTER READING BOTH OPIONIONS IN SUNDAY POJO,IDO READ IT FOR ALL THAT ITS EDITORIAL BOARD OPINION IS WORTH,B Y BOTH DALE BORCHERT, DC MAJORITY LEADER, AND MAURICE HINCHEY, FORMER MEMBER OF CONGRESS, JUST FOLLOWING THE MONEY I AGREE WITH HINCHEY. WHEN A COMPANY WITH Baa MOODYS BOND RATINGS ,SAME AS D.C., WANTS TO GRAB A COMPANY WITH A MOODYS BOND RATING A , REMINDS ME OF THE TV JEFFERSONS THEME SONG , WERE ARE MOVING UP TO THE EASTSIDE. ELAINES RESTAURANT MOVED UP TO THE EASTSIDE. WHY, THAT'S WHERE THE MONEY WAS/IS IN NYC. I HAVE SPOKEN AT THE PCC PUBLIC HEARINGS, BOTH TIMES, AGAINST THE TAKEOVER. PERSNALLY I FIND THE CHIEF ADMINISTRATIVE JUDGE TO HAVE A SENSE OF HUMOR AND KNOWING THAT HE WILL LISTEN WHICH LEAVES ME WITH THE IMPRESSION HE WILL DECIDE WHAT IS BEST FOR THE RESIDENTS IN THE CENTRAL HYDSON AREA. FIRST IT IS A LOCAL GROWN COMPANY WITH A MOODYS A BOND RATING. WHAT HAS BECOME MORE OBVIOUS TO ME FORTIS IS A PYRAMID COMPANY WITH ITS MOODYS Baa RATING [JUNK BONDS], USING LOGIC BY FOLLOWING THE MONEY A COMPANY WITH A MOODYS BOND RATING OF Baa, IS THE [REDACTED] IN THE OINTMENT IN THE PROPOSED TAKEOVER. LOOK AT DUTCHESS COUNTY SHORTCHANGING THE CITY \$ 2 MILLION TO SHORE UP ITS Baa JUNK BOND RATING. THIS DCLEGISLATURE SHOULD BECOME AWARE OF UN AGENDA 21AS IT RELATES TO COMMON CORE THE CONNECTING WORD IS 'SUSTAINABILTY' WHICH IS THE THEME THAT RUNS THROUGH BOTH. THE EDUCATION WAS SNAPUED WHEN THIS FAILED EVALUATION OF TEACHERS [REDACTED] APPR WHICH STINKS. COMMON CORE WAS [REDACTED] THE RACE TO THE TOP IS A DISASTER FOR ALL SCHOOL DISTRICTS FOR MORE REASONS THAN ONE. COMMON CORE SHOULD BE THROWN OUT OF NYS/OR IT'S GOING TO BANKRUPT EVERY SCHOOL DISTRICT AND MAKE THE BOE OBSOLTE. THIS IS BIG BROTHER 1984 [REDACTED] OBAMAS [REDACTED] DICTATING /CONTROL [REDACTED] EDUCATION!!!. ONCE AGAIN, I ASK IF THE JAIL HAS IS TO BE LOCATED IN THE COUNTY SEAT BY CONSTITUTION, WHY IS THE COUNTY PROPOSING BUILDING A/JAIL OUTSIDE THE COUNTY SEAT VIOLATING THE CONSTITUTION.

FLY

PUSHING FOR FED DOLLARS

AS IN OHIO

ALL HIS NATIONAL

CHICAGO'S

OBAMAS

HAS